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Montréal, Québec point de vue

Group of Toronto residents heads to court in dispute with Mount Pleasant Group of Cemeteries

Posted on August 20, 2018 by Gail Dever

Friends of the Toronto Public Cemeteries (FTPC) and the Mount Pleasant Group of Cemeteries (MPGC) are going to court today and tomorrow to plead their cases before the Ontario Superior Court of Justice.

FTPC, formed by a group of Toronto midtown residents, is asking the province to reclaim about 1,200 acres of land across the Greater Toronto Area that is governed by the private not-for-profit corporation, MPGC. FTPC says the cemeteries are publicly owned and have been since they opened almost 200 years ago.

In a factum filed with the court, FTPC says when Mount Pleasant Cemetery was founded in 1826 as the first non-denominational burying ground in Toronto, it was set up as a public trust and therefore belonged to the public and was overseen by the province.

Today, MPGC manages ten cemeteries and controls \$2 billion in assets which include 10 cemeteries, mausoleums, crematoriums, and a funeral business.

FTPC claims MPGC operates more like a private corporate, but it reaps the benefits of a non-profit.

National Post's Diane Francis wrote in her April 27 column that MPGC "makes tens of millions of dollars, and never pays a dividend or taxes back to the people of Ontario or Canada."



One of several entrances to Mount Pleasant Cemetery, Toronto, Ontario. Photo: Paul Joseph, 2009. Source: Flickr.

Margot Boyd, one of three founders of FTPC, said all of MPGC's land holdings belong to the trustees of the Toronto General Burying Grounds, but MPGC is trying to privatize the public trust.

FTPC also wants to ensure members of the public retain access to the cemeteries for leisure activities.

MPGC has stated the land will remain publicly accessible regardless of the case's outcome. FTPC doesn't believe them. FTPC believes if it loses the case and Ontario divests of \$2 billion of public trust green space to nine board members, the cemeteries' gates will be closed and a new sign will be posted, advising visitors that entry is restricted to interment rights holders and is by appointment only.

Support from Toronto city council

On July 26, FTPC received unanimous support at a Toronto City Council meeting.

FTPC shared on its Facebook page that city council approved the following motions:

1. Request that the Province of Ontario review the following legislation to determine whether any amendment, repeal and/or enactment of new special legislation is necessary and/or advisable to better promote modernization, certainty, clarity, good governance, and sound financial administration of the Mount Pleasant Group of Cemeteries and its cemetery lands in the City of Toronto.
2. That City Council support the following principles in regards to the lands entrusted to the Mount Pleasant Group of Cemeteries:
 - a. the lands are held in a Public Trust as governed by the laws of the Government of Ontario; and
 - b. Mount Pleasant Group of Cemeteries lands should be publicly accessible, and maintained as greenspaces for walking, jogging, cycling, and other low-impact recreational uses.

Toward the end of her April column, Ms. Francis wrote, "It is outrageous that a group of citizens have had to fight to make one of the largest publicly owned organizations in the country more accountable, transparent, and brought under supervision by government."

To help form your own opinion on this court case, you will find more information in these [Toronto Star](#), [National Post](#), and [Post City Toronto](#) articles and the [FTPC Facebook page](#). If MPGC has information on its website about their position, they have made it difficult to find.

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