

The Township of The Archipelago

Recommendation Report to Council

Report No.: 2024-06

Date: May 23, 2024

Originator: Maryann Martin, Municipal Clerk

Subject: Purchase of Cemetery Lands (Georgian Cliffs Memorial Park Cemetery)

RECOMMENDATION

That Council direct staff to proceed with the purchase of the cemetery lands (Georgian Cliffs Memorial Park Cemetery) in Pointe au Baril.

INTRODUCTION

The Township has developed lands, located along South Shore Road in Pointe au Baril, as a cemetery – The Georgian Cliffs Memorial Park Cemetery. The cemetery is situated on Crown Land and permission for the use of the lands by the municipality has been by way of a Land Use Permit (LUP). Discussions over the ownership of the lands have been ongoing for some time now.

BACKGROUND

PROJECT TIMELINE – BACKGROUND

June 2020: Staff began investigating the required steps and costs associated with the purchase of the lands where the Township's Georgian Cliffs Memorial Park Cemetery is located. Ministry staff were contacted to inquire about the process; however, the project was delayed due to the Covid-19 pandemic.

May 2023: Township Staff resumed discussions with MNRF staff to explore the application process for acquiring the lands.

August 2023: An official application to purchase the cemetery lands was submitted to the Ministry of Natural Resources and Forestry (MNRF), with an estimated completion time of 2-5 years. The application process includes:

1. Submission of Application
2. Environmental Assessment (6-8 weeks)
3. Ranking of Risk
4. Cost – Admin fee \$1,900. vs. Appraisal of Lands (TOA costs)
5. Survey of lands (TOA costs)
6. Registration (TOA costs)

September 2023: MNRF staff confirmed the completion of the Class Environmental Assessment and initiated discussions with the Township regarding the cost to purchase the lands (i.e. Market Value vs. Administrative Fee).

December 2023: Ministry staff clarified that the sale of the Crown Land would be determined by market value, which prompted inquiries into the rationale behind this decision and whether purchasing the lands was the only option.

February 2024: Ministry staff reported that ensuring the Crown receives fair market value for the disposition of public lands is their responsibility and mandate. It was noted that current policies prohibit the transfer of Crown Lands to the municipality at an administrative fee for this purpose.

ANALYSIS/OPTIONS AND FINANCIAL IMPLICATIONS

April 2024: MNRF Staff presented the Township with the following options.

Option 1: Maintain the Current Land Use Permit (LUP) – Status Quo

Land Use Permit Considerations:

- Annual payment - \$277.70 per year
- Written authorization required for placement of buildings/structures and for new or major maintenance of roads or trails

Option 2: Purchase of Lands at Market Value

Purchase Considerations:

- Exclusive use of land
- Permits/authorizations not required for work on patented lands
- Survey required (TOA Cost)
- Registered on title (TOA Cost)
- Market Value (TOA Cost)
- Letter of offer presented to Township
- Able to mortgage
- Most appropriate for permanent structures
- Timeline – up to 5 years

Option 3: Upgrade Tenure to a Crown Registered Lease

Lease Considerations:

- Exclusive use of the land
- Written authorization required for placement of buildings/structures and for new or major maintenance of roads or trails
- Survey required (TOA Cost)
- Term of 20 years (steady fee for 20-year period)
- Annual fee at 5% of market value (TOA Cost)
- Registered on title (TOA Cost)
- More appropriate than LUP for valuable/long term improvements

- Township could place gates/fences to block access
- Able to mortgage
- Timeline – up to 5 years

Note: It is possible to lease or purchase only a portion of the area currently authorized under the LUP. The land to be leased or purchased would need to include the area that is currently occupied by our structures and also, enough land to address our future needs.

STRATEGIC PLAN

The acquisition of the cemetery lands aligns with the Sustainable & Cost-Effective Services Strategic Priority of the Township's Strategic Plan.

CONCLUSION

It is recommended that Council direct staff to proceed with the purchase of the cemetery lands, as set out in Option 2. The advantages to acquiring these lands include giving the Township exclusive control over the property, preventing future cost increases, and expanding the Township's land inventory.

Respectfully Submitted,



Maryann Martin, Municipal Clerk

I concur with this report
and recommendation,



John B. Fior, CAO

Attachments:

- Draft Plan of Survey 1998
- WPSGN Mapping