

## **Report RP-2022-0012 Appendix A: City of Toronto Designated Site Criteria:**

### **Archaeological protection:**

1. There shall be no archaeological sites at risk registered along associated stretches of the shoreline and there is no risk of impacting or contaminating archaeological sites.

### **Parks operations/safety:**

2. Site is not designated for the exclusive purpose of dispersal of funeral ashes; other park visitors can access the site(s).
3. Permits are not required to disperse ashes from the site and fees are not charged.
4. Sites that are within TRCA jurisdiction must be approved by TRCA.
5. Site locations should be balanced geographically to serve Torontonians equitably.
6. Site should be located directly on a large body of moving water that is accessible year-round.
7. Visitors should be able to access/touch the water's edge from the site.
8. Site should be located in a quiet/passive park area that is at minimum 5 metres away from active park sites, e.g. playgrounds, sport fields.
9. Site should provide safe and accessible year-round access to water, e.g.; gentle sloping beach, decommissioned/unused boat launch and/or platform/activity node.
10. Garbage and recycling containers should be available nearby and/or easily accessed within the park.
11. Site should be accessible for Parks staff to maintain as part of usual park maintenance.
12. Standing area at the water's edge should be large enough to accommodate five people.
13. Surrounding park area should be large enough to accommodate up to 20 people.
14. A seating area or space to add benches should be available within a five to 10 minute walking distance.
15. Parking for approximately five cars should be available within five to 10 minute walking distance.
16. Site should have sufficient and suitable space to erect visible signage.

### **Environmental Protection:**

17. Site shall not be located within an Environmentally Significant Area (ESA), Area of Natural or Scientific Interest (ANSI) or other ecologically sensitive area as determined by the City of Toronto.
18. Local ecology and biodiversity shall not be adversely impacted by the site, e.g. there are no sensitive plants or wildlife in the vicinity.
19. The land at the shoreline shall not be adversely impacted by the site;

- a. There must be no clearing, injury or removal of vegetation,
  - b. There shoreline shall not be eroded by human traffic at the site.
- 20. Site shall be located at an approved distance from drinking water intakes as determined by Toronto Water.
- 21. Site shall be located outside of a Blue Flag Beach area.

**Community participation and support:**

- 22. Participating faith communities should inform their members about use of the site and should contribute to site maintenance, (e.g. volunteer clean-up days).

## Appendix B: Public Questions/Comments and responses

	Public Comment / Question	Response
1	CVC has complete jurisdiction over the Credit River	Both the CVC and City of Toronto reports, as well as the past TRCA Report are clear that the jurisdiction over the dispersal of cremated remains rests with the Province of Ontario, and that Conservation Authorities do not have any jurisdiction over the practice beyond their own properties.
2	Cremated remains are polluting the water	The Ministry of Environment Conservation and Parks (MECP) has confirmed to the Town that the impacts of ashes are not expected to impact water bodies, and would not be considered as pollutants. Cremation ashes are not regulated by MECP in any way. Toronto's consultation included significant review by environmental and ecology partners and the City will allow the practice.
3	The Town has the authority to prohibit the dispersal of cremated remains.	The Town does have jurisdiction over some locations where the Town owns the land and river/lake bed (example: Prospect Park). At McNab Park, the Town has limited jurisdiction since the river bed and ROW is owned by the Province (MTO).
4	The Town did not consult with residents of Norval	Throughout the process, staff consulted with and advised the Norval Community Association of the Town's review of the issues and proposed approach. The Norval Community Association purports to represent the citizens of Norval and its members also operate a local Facebook Group where some of those who have expressed concerns are members. All residents who contacted the Town were added to a notification list and kept apprised of the any upcoming reports.
5	McNab Park is unusable due to the occurrence of scatterings of cremated remains and river offerings	As noted in previous reports, staff have viewed over 27,000 photos of the park being highly used for all types of activities. While scattering of cremated remains into the river has been observed, in no instance did the practice itself seem to be impacting other park users. The park has continued to be highly used throughout the COVID-19 pandemic by park users of all backgrounds and cultures. McNab is a passive park, with no specific active recreation features (sports fields, playgrounds, etc) and is primarily intended for passive park use.

6	McNab Park is too small	Throughout the review of this issue, staff have identified limitations with McNab Park and requested that any information published about the park as a site where scattering is permitted, be clear on the challenges of the site. McNab Park is not a designated site, but has been a site of interest for many years due to the ownership by the Province.
7	User conflict can not be avoided when residents come into contact with families undertaking a ceremony	The Town has not received any specific complaint that the religious ceremonies have impacted other park users (i.e. prevented their use of the park). Most complaints have focused on the impacts of the offerings, perceived pollution, and a lack of understanding about cultural practices that are not as common in North America. The only known incident of major conflict involved a specific interaction between a group of community members opposed to the practices and a family trying to undertake a religious ceremony (scattering of ashes), which will be discussed under separate cover.
8	Multiple river scatterings are taking place daily	In reviewing thousands of photos, staff did not observe many occasions of scatterings of cremated remains occurring multiple times daily within the entire frontage of the park from the bridge to the trail access. Residents have been asked since fall of 2021 to not clean up any offerings left at the site but to contact staff immediately to attend the site, or place the offerings on the bank. Since fall of 2021, only two major incidents that included offerings of note have been reported but the majority of the offerings had already been removed from the site by the time staff were notified and could attend the site. Concerned residents have also been asked to document this increased frequency compared to staff observations/cameras and provide photos. To date only sporadic photos have been provided every few months. Staff acknowledge that additional scatterings could have taken place outside of the view of the cameras, but those areas are more secluded (along the trail) and outside of the developed park area, and would have minimal impact to other park users.
9	Taking down the signage will solve the problem	Should the Town choose to take a prohibitive approach, signs and enforcement would still be required. The signs may have different content, but

		<p>the result would be similar. Those who choose to ignore the rules, would likely continue to do so, particularly given the MTO ownership of the Highway 7 ROW, where the activity would remain legal. It would be difficult for the Town to prohibit someone from accessing MTO lands to undertake an activity that is permitted. Staff further note, that the original concerns with this practice began prior to the installation of any signage.</p>
10	<p>The Town has already partnered with the Hindu Federation and installed a bench at McNab Park</p>	<p>There is a bench in the park that was installed through the Town's standard bench donation program. It was not funded by the Hindu Federation, though the donor may have been of South Asian heritage. The Town's donation program is open to all. There is another new bench in the park which was replaced in 2021 as a replacement for the Norval Women's Institute donation bench that had been removed due to poor condition. There are no agreements or formal partnerships with the Hindu Federation. Staff have collaborated with the Hindu Federation on the wording of the signage that was installed at the park.</p>
11	<p>Open fires are accompanying the ceremonies in the park</p>	<p>Staff understand that the ceremonies associated with scattering of cremated remains may include the use of fire in various forms, including candles, oil lamps, burning small items in trays, etc. Signage is posted at the site with respect to open fires being prohibited, however this is not intended to prevent people from using the items noted above in a more controlled manner (i.e. within a secondary container). Open fires set on the ground (i.e. campfires) or similar would be the focus of this regulation. Staff have consulted with and will work with the Fire Department, Bylaw enforcement and HRPS to ensure a consistent application of the prohibition on open fires in Town parks. Fires are allowed in BBQs or portable stoves within Town picnic areas. The lighting of small controlled fires within a secondary container would not be considered an "open fire" based on current regulations.</p>
12	<p>Some of the offerings include biodegradable items such as flowers or food items.</p>	<p>The Town's signage which was created in consultation with the Hindu Federation clearly states that ONLY cremation ashes, and no offerings of any type are allowed, however the Educational</p>

		<p>Sign (CVC version) does speak to small amounts of biodegradable items being acceptable. Staff recognize that small amounts of biodegradable items may not have a significant impact on the river, and that this may merit further review.</p>
13	<p>Brampton and Mississauga prohibit the scattering of cremated remains into waterways, so Halton Hills should too.</p>	<p>The City of Brampton does prohibit the scattering of cremated remains on land or in water on properties that they own. However, they have confirmed that they do not prohibit the practice on crown land or water within their jurisdiction.</p> <p>In Mississauga, the scattering of cremated remains into waterways from City property is permitted in designated areas only. The City is currently working to identify suitable designated locations.</p> <p>Both Mississauga and Brampton do not post any signs regarding this prohibition, only enforce on a complaint basis (both locations note few complaints), and both municipalities have noted that the practice likely occurs on their properties despite the official policies/bylaws.</p> <p>Scattering of cremated remains on properties like McNab Park (due to MTO Ownership) in those jurisdictions would not be prohibited.</p>