



## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** Kevin Okimi, Director of Parks, Community Development & Environment

**DATE:** April 2, 2026

**REPORT NO.:** CSE-2026-007

**SUBJECT:** Transfer of Ashgrove Cemetery to the Town of Halton Hills

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### RECOMMENDATION:

THAT Report CSE-2026-007, dated April 2, 2026 regarding Acquisition of Ashgrove Cemetery in Halton Hills, be received;

AND FURTHER THAT the Mayor and Clerk be authorized to execute a By-law authorizing the transfer of the Ashgrove Cemetery in Halton Hills to the Town of Halton Hills in accordance with the Funeral, Burial and Cremation Services Act, 2002;

AND FURTHER THAT the Mayor and Clerk be authorized to execute any required documents to facilitate the transfer of the Ashgrove Cemetery land and operations to the Town to the satisfaction of the Town's Legal Counsel;

AND FURTHER THAT any operating shortfall incurred in 2026 be addressed through the 2026 year-end operating status report, with an appropriate funding source if required;

AND FURTHER THAT the increase in annual operating costs of \$2,500 be considered as part of the 2027 operating budget, for ongoing maintenance and operation of the Ashgrove Cemetery;

AND FURTHER THAT any capital budget requests related to capital repairs be considered as part of the 2027 capital budget;

AND FURTHER THAT the Town establish a separate trust fund for Ashgrove Cemetery to hold funds being transferred by the Ashgrove Cemetery Board.

## **KEY POINTS:**

The following are key points for consideration with respect to this report:

- The Ashgrove Cemetery Board has requested that the Town assume ownership and operations of Ashgrove Cemetery, and staff are seeking Council approval to prepare and finalize the required transfer documents.
- Under the *Funeral, Burial and Cremation Services Act, 2002*, municipalities are obligated to assume responsibility for abandoned cemeteries when the owner/operator can no longer provide care.
- Town staff recommend proceeding now with the assumption of ownership by the Town of the Ashgrove Cemetery in order to ensure orderly transition.
- Ashgrove Cemetery, located on Trafalgar Road (approximately 0.2 ha / 0.49 ac), has operated since 1861 and is considered semi-active with limited burials anticipated in coming years.
- Council authorization is required to pass a by-law and enable the Town's Solicitor, Mayor and Clerk to execute the documentation. The transfer is subject to approval by the Bereavement Authority of Ontario, after which the land, operations and trust funds would be transferred to the Town.
- The Board's existing trust fund balance of \$18,945 would be transferred and managed consistent with the Town's cemetery trust fund policies, with a separate Ashgrove Cemetery trust fund to be established.
- Operating impacts will commence on July 1, 2026. Staff estimate maintenance costs of approximately \$1,500 for the remainder of 2026, with ongoing annual costs of \$2,500 beginning in 2027. Any operating shortfall incurred in 2026 will be addressed through the 2026 year-end operating status report, with an appropriate funding source identified if required. Subject to Council approval, a budget increase of \$2,500 to support these maintenance costs will be considered as part of the 2027 operating budget with pre-budget approval.

## **BACKGROUND AND DISCUSSION:**

The purpose of this report is to seek Council approval for staff and Town solicitor to prepare and finalize the paperwork required to transfer the cemetery to the Town. The Ashgrove Cemetery Board has advised that it would like to transfer the ownership and operations of the Ashgrove Cemetery to the Town as it is no longer able to continue to operate the cemetery.

The Town's role in the provision of cemetery services was approved by Council through Recommendation # CA-2016-0040 regarding the 2016 Cemeteries Business Plan. The plan aligns with the legislative requirements for cemetery operations and addresses the role of the Town in providing services in the community. This includes management and operation of the Town's active cemeteries (Greenwood, Fairview and Hillcrest), semi-active cemetery (Hornby), and maintenance of various pioneer and former church cemeteries which have been assumed by the Town over the years.

The trustees of the Ashgrove Cemetery & Hillcrest United Church own lands located at 9810 Trafalgar Road. The two parcels are approximately 0.2 ha (0.49 ac) in size and have been operating as a cemetery since 1861. They are legally described as Part of Lot 9, Concession 7, Esquesing as in ET52; Halton Hills and Part of Lot 9, Concession 7 Esquesing, as in EW2582 Except PM104; Halton Hills. The cemetery is a semi-active cemetery with a few remaining burials anticipated in coming years. The site location can be seen in Appendix A.

The Ashgrove Cemetery Board is currently responsible for the operation of the cemetery including sales, interments, maintenance and reporting. The Board has advised the Town that it is no longer able to continue to care for the cemetery, and wishes to transfer the ownership and operation to the Town as soon as possible. Under the *Funeral, Burial and Cremation Services Act (2002)*, municipalities are obligated to assume responsibility for abandoned cemeteries when the original owner/operator can no longer care for the cemetery.

The Board has an existing Trust fund with a balance of \$18,945, which would be transferred to the Town and managed in the same way as the Town's other Cemetery trust funds.

Given that the Town would be obligated to assume the cemetery under the Act, staff recommend working with the trustees to transfer the ownership and operation of the Cemetery at this time, in order to obtain the existing trust funds, and more clear records, as well as potential revenue from future burials. Additional examination of the site will be required to determine the availability of any additional plots for interment.

A by-law is required to approve the transfer, and to authorize the Town's Solicitor to work with the Cemetery Trustees and the United Church of Canada to finalize the transfer documents. The Draft By-law is attached as Appendix B. Once the Transfer is approved by the Bereavement Authority of Ontario, the Trust funds and land will be transferred to the Town, subject the trust requirements.

The Board has requested that the Town assume ownership and operations of the Cemetery by July 1, 2026. Pending Council approval of this report, staff will work with the Cemetery Trustees and United Church of Canada to finalize all documents required for the transfer of the land and cemetery operations.

#### **STRATEGIC PLAN ALIGNMENT:**

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

#### **RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

**PUBLIC ENGAGEMENT:**

Public Engagement was not needed as this report is administrative in nature.

**INTERNAL CONSULTATION:**

Staff from Corporate & Emergency Services (Finance), Planning & Development (Legal), Transportation & Public Works (Parks & Cemetery Operations), and Community Services (Recreation Services/Cemetery Sales) were consulted in the preparation of this report.

**FINANCIAL IMPLICATIONS:**

This report has an immediate financial impact and requires a funding source.

Cemetery Operations staff estimate that maintenance costs, beginning July 1, 2026, will total approximately \$1,500 for the remainder of the year. Any operating shortfall incurred in 2026 will be addressed through the 2026 year-end operating status report, with an appropriate funding source identified if required.

Subject to Council approval, a budget increase of \$2,500 to support ongoing maintenance costs will be considered as part of the 2027 operating budget, with pre-budget approval.

The trust funds provided by the Ashgrove Cemetery Trustees will be held in trust as with other cemetery trust funds, and the interest will be used each year to partially offset any annual operating expenses, in accordance with the Town's trust fund policies.

In addition to the operating budget, as part of the initial assumption of the cemetery, more focused tree maintenance, fence replacement and monument repairs will be required. The funding required for these items is expected to be from \$25,000-\$30,000 subject to further detailed review by staff. Funding for these items will be included in the 2027 capital budget for consideration.

Each party will be responsible for their own legal costs, if required, for the transfer of the lands into Town ownership.

Reviewed and approved by,

Joseph Vandermeer, Treasurer

Damian Szybalski, Commissioner of Community Services

Chris Mills, Chief Administrative Officer