
DATE: May 17, 2010

REPORT TITLE: **BEQUEST TO PEEL HERITAGE COMPLEX
ESTATE OF HUGH MANNING**

FROM: R. Kent Gillespie, Commissioner of Employee and Business Services

RECOMMENDATION

That direction be provided to the Trustee of the Estate of Hugh Manning that the bequest of the portion of the residue of the estate in favour of the Peel Heritage Complex be paid to The Regional Municipality of Peel for the use and purposes of the Peel Heritage Complex program;

And further, that the Commissioner of Employee and Business Services be authorized to execute such documents as may be necessary and appropriate for distribution of the Estate of Hugh Manning to The Regional Municipality of Peel as approved by the Regional Solicitor.

REPORT HIGHLIGHTS

- Mr. Hugh Manning and his late wife were long time supporters of the Peel Heritage Complex.
- In Mr. Manning's will he bequeathed a portion of the residue of his estate valued at approximately \$689,000 to the Peel Heritage Complex.
- The Peel Heritage Complex is not a legal entity but is a program funded and operated by The Regional Municipality of Peel.
- The Direction of the proceeds to The Regional Municipality of Peel for the purposes of the Peel Heritage Complex would achieve the intention of the will.
- The estate trustee has asked whether the Region would be interested in acquiring the family home at 13 Thomas Street as part of its share of the estate.
- Staff do not recommend the acquisition of the home.

DISCUSSION

1. Background

The late Hugh Manning and his late wife Mary Switzer Manning were both long time supporters of the Region's heritage program and the Peel Heritage Complex. The Mannings lived in Streetsville and operated an antique business. Mrs. Manning had genealogical roots in Peel and was known as Streetsville's historian.

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During the period 1972-2007, the Mannings donated over 282 items to the Peel Heritage Complex Museum, including clothing, books, accessories, toys and jewelry. They made eight significant donations to the Peel Heritage Complex Archives, including approximately 20 cubic feet of historical records. In addition, there were four gifts to the Peel Heritage Complex Art Gallery of local significance. The combined value of these in-kind gifts exceeded \$15,000.

Due to his extensive knowledge of early Canadian furniture and Canadian and English ceramics, Mr. Manning was asked to become a member of the Museum Committee, a committee comprised of community representatives with expertise in the fields of museums and antiques, providing advice and support to staff. Mr. Manning served on this committee from 1998 to 2008.

Mr. Manning supported the Region's heritage program annually through his membership fees for the Peel Heritage Complex. In addition, he annually made several significant financial contributions, usually directing his gifts to be split between the Art Gallery, the Museum and the Archives. In total, Mr. Manning donated approximately \$20,000 in his lifetime through various annual campaigns.

In several conversations, Mr. Manning advised staff that he would be making a bequest to the Peel Heritage Complex. Mr. Manning died in November of 2009.

2. Findings

In his will, Mr. Manning made some specific bequests, including the donation of some items from his home to the Peel Heritage Complex, following which the residue of the estate is to be divided among three residual beneficiaries, The University of Toronto, The Credit Valley Hospital Foundation and the Peel Heritage Complex. The value of the residual bequest to the Peel Heritage Complex is estimated at \$689,000.00.

The estate trustee is moving forward with the estate administration and will be proceeding with the sale of estate assets including the Manning home at 13 Thomas Street. Before proceeding with listing the house for sale, the estate trustee is requesting confirmation as to whether the Region is interested in acquiring the estate home as part of the distribution of its share of the estate. The approximate value of the home is \$565,000.00.

It should also be noted that the Peel Heritage Complex is not a legal entity. The Peel Heritage Complex is a name that is used by the Region of Peel to describe not only the physical buildings but also the programs operated by the Region of Peel at this location. Our advice from the Region's Legal and Risk Management Division is that the bequest need not fail for that reason but rather that it is possible for The Regional Municipality of Peel to accept and apply the bequest for the purposes for which it was made. Direction of the Peel Heritage Complex share to "The Regional Municipality of Peel" for the use and purposes of the Peel Heritage Complex program" would carry out as closely as possible Mr. Manning's wishes and restrict the use of the gift to the Peel Heritage Complex program.

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3. Proposed Direction

a) Possible Acquisition of the Estate Home

The house at 13 Thomas Street in Mississauga is a designated historic building by the City of Mississauga. Any transfer of the home to the Region of Peel would require further detailed evaluation and the consent of the other residual beneficiaries. Although the trustee has made inquiries in this regard, staff are not in a position to recommend proceeding in this way. At this time, the Regional heritage program does not have at this time, any plans for the acquisition of further heritage buildings either for preservation purposes or for public use. The area municipalities have entered into this activity and do have programs that operate heritage properties or make them available for use by community groups and others. There is no budget for this activity at the Region at this time.

In the normal course, the trustees will sell the assets of the estate, including the real property, to realize as much as possible to disburse to the beneficiaries.

b) Application of the Proceeds of the Bequest

As Council is aware, the Peel Heritage Complex is undergoing significant renovations. During the hiatus while construction is going on, the heritage program is being reviewed to ensure that it continues to be relevant to the many aspects of heritage and culture that are represented in the Peel community.

Although there is funding for the renovation, there is a lack of funding for many program elements that will be required in the new spaces. The display equipment and other fixtures required for the most professional and effective displays of art and artifacts still require funding. It is proposed that the proceeds of the estate be applied to these purposes. Staff will prepare a more detailed list of these items and will make it available to members of Council.

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CONCLUSION

Mr. Hugh Manning and his late wife were long time supporters of the Peel Heritage Complex. In Mr. Manning's will he bequeathed a portion of the residue of his estate valued at approximately \$689,000 to the Peel Heritage Complex. The Peel Heritage Complex is not a legal entity but is a program funded and operated by The Regional Municipality of Peel. The Direction of the proceeds to The Regional Municipality of Peel for the purposes of the Peel Heritage Complex would achieve the intention of the will. The estate trustee has asked whether the Region would be interested in acquiring the family home at 13 Thomas Street as part of its share of the estate. Staff do not recommend the acquisition of the home.



R. Kent Gillespie
Commissioner of Employee
and Business Services

Approved for Submission:



D. Szwarc, Chief Administrative Officer

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c. Legislative Services