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# An Analysis Of Land Use Planning Policies For Cemeteries In Ontario

Michael T. Larkin  
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**AN ANALYSIS OF LAND USE PLANNING POLICIES  
FOR CEMETERIES IN ONTARIO**

**By**

**Michael T. Larkin, BES, University of Waterloo, 1982**

**A Major Research Paper  
Presented to Ryerson University**

**In partial fulfillment of the requirements for the degree of**

**Masters of Planning  
In  
Urban Development**

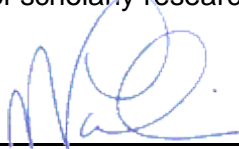
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Michael T. Larkin



# **AN ANALYSIS OF LAND USE PLANNING POLICIES FOR CEMETERIES IN ONTARIO**

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Masters of Planning  
In  
Urban Development  
Ryerson University

## **ABSTRACT**

Cemeteries are important to society and represent a key piece of the fabric of municipalities. In the Province of Ontario, land use policy as articulated through official plans often fails to recognize cemeteries as a necessary element of municipalities. This paper examines the official plans of selected municipalities to ascertain the extent to which appropriate land use policies are provided to guide the development of cemeteries. Official plans are reviewed for the ten largest municipalities as determined by their population, all adjacent municipalities, and all associated regional municipalities or counties. In total, the official plans of forty-six municipalities are reviewed. The analysis focuses on eight key policy criteria identified in this paper that relate to cemetery development: need, planning horizon, location, size, intensification, compatibility, environment, and permanency. The review confirms the hypothesis that there is a general lack of appropriate land use policy necessary to guide cemetery development in Ontario.

### **Key Words:**

planning; policy; cemeteries; land use; Ontario.



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Most especially, my family and friends, who collectively have been and remain my inspiration.

Thank you.





## DEDICATION

...In no particular order...

Kiyo Izumi F.R.A.I.C.

Katherine Dianne (Emerson) Larkin

Ruth and Tom Larkin

Eva Groucott

- they would know why -

*Courage is rightly esteemed the first of human qualities, because,  
as has been said, it is the quality that guarantees all the others.*

*Winston Churchill 1937*



## TABLE OF CONTENTS

<b>1.0 INTRODUCTION</b>	<b>1</b>
1.1 Purpose .....	1
1.2 Method .....	3
1.2.1 Provincial Land Use Policy .....	4
1.2.2 Determination of Sample Municipalities .....	4
1.3 Structure of Paper .....	5
<b>2.0 CEMETERIES – ORIGINS AND SOCIAL SIGNIFICANCE</b> .....	<b>7</b>
2.1 Origin of Cemeteries .....	7
2.2 Evolution of Cemeteries: Europe & Britain .....	8
2.3 Evolution of Cemeteries: North America .....	12
2.4 Societal Importance of Cemeteries .....	17
2.5 Trends in the Cemetery Industry .....	18
2.6 The ‘Modern’ Cemetery – Characteristics .....	23
<b>3.0 PLANNING FOR CEMETERIES</b> .....	<b>27</b>
3.1 Cemetery Planning Process .....	27
3.2 Land Use Planning Horizons .....	28
3.3 Permanency of Cemeteries .....	30
3.4 Spatial Requirements .....	33
3.5 Locational Considerations .....	36
3.6 Land Use Compatibility .....	37
3.7 Need Considerations .....	39
3.8 Intensification Issues .....	42
3.9 Environmental Considerations .....	44
3.10 Considerations for Land Use Policy Formulation - Cemeteries .....	46
<b>4.0 LAND USE PLANNING POLICY IN ONTARIO</b> .....	<b>51</b>
4.1 Provincial Planning Initiatives .....	52
4.1.1 The Planning Act .....	52
4.1.2 The Provincial Policy Statement (2005) .....	53
4.1.3 The Growth Plan for the Greater Golden Horseshoe (2006) .....	54
4.1.4 The Oak Ridges Moraine Conservation Plan (2002) .....	54
4.1.5 The Greenbelt Plan (2005) .....	55
4.2 Implications of Provincial Policy on Cemeteries .....	56
4.3 Municipal Policy Review .....	57
4.3.1 Summary of Results .....	58
4.3.2 Observations: Overall Criteria Scores .....	62

4.3.3	Observations: Individual Municipal Scores.....	63
4.3.4	Land Use Designations.....	64
4.3.5	Analysis Observations.....	65
4.4	Conceptual Land Use Policy for Cemeteries.....	66
<b>5.0</b>	<b>CONCLUSION .....</b>	<b>71</b>
	<b>BIBLIOGRAPHY .....</b>	<b>77</b>

## LIST OF TABLES

Table 1:	Evolution – Burial Grounds to Cemeteries.....	16
Table 2:	Burial Preferences Among Major Religious Groups.....	23
Table 3:	Spatial Characteristics – Early Rural Cemeteries .....	34
Table 4:	Summary OP Policy Assessment Matrix – Cemeteries.....	60
Table 5:	Municipalities With Scores Over 50%.....	63
Table 6:	Land Use Designations Permitting Cemeteries.....	64

## LIST OF FIGURES

Figure 1:	Cemetery Timeline – 200 Year Projection.....	29
Figure 2:	Sample OP Policy Assessment Matrix – Cemeteries.....	48
Figure 3:	Sample Assessment Matrix.....	58

## LIST OF APPENDICES

### APPENDIX 1

<b>1. INTRODUCTION</b>	<b>1</b>
<b>2. TABLES</b>	<b>2</b>
TABLE A1-1: ONTARIO MUNICIPALITIES List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010).....	2
TABLE A1-2: MUNICIPAL MATRIX Depicting Municipal Relationships.....	3
TABLE A1-3a: PRIMARY MUNICIPALITIES.....	4
List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010) .....	4
TABLE A1-3b: SECONDARY MUNICIPALITIES List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010) .....	5
TABLE A1-3c: UPPER TIER MUNICIPALITIES List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010) .....	6
Municipal Relationships Matrices.....	6
TABLE A1-4: MUNICIPAL + AREA MUNICIPALITIES RELATIONSHIP MATRIX.....	6
1. TORONTO + AREA MATRIX Depicting Municipal Relationships.....	6
2. OTTAWA + AREA MATRIX Depicting Municipal Relationships .....	7
3. MISSISSAUGA + AREA MATRIX Depicting Municipal Relationships .....	7
4. HAMILTON + AREA MATRIX Depicting Municipal Relationships .....	7
5. BRAMPTON + AREA MATRIX Depicting Municipal Relationships .....	8
6. LONDON + AREA MATRIX Depicting Municipal Relationships .....	8
7. MARKHAM + AREA MATRIX Depicting Municipal Relationships .....	8
8. VAUGHAN + AREA MATRIX Depicting Municipal Relationships .....	9
9. WINDSOR + AREA MATRIX Depicting Municipal Relationships .....	9
10. KITCHENER + AREA MATRIX Depicting Municipal Relationships .....	9

## APPENDIX 2

<b>INTRODUCTION</b>	<b>1</b>
Data format. . . . .	1
<b>Municipality: Toronto, City of</b>	<b>3</b>
OP Policy Assessment Matrix – Cemeteries TORONTO, ON . . . . .	4
<b>Municipality: Mississauga, City of</b>	<b>5</b>
OP Policy Assessment Matrix – Cemeteries MISSISSAUGA, ON . . . . .	7
<b>Municipality: Oakville, Town of</b>	<b>9</b>
OP Policy Assessment Matrix – Cemeteries OAKVILLE, ON . . . . .	11
<b>Municipality: Milton, Town of</b>	<b>13</b>
OP Policy Assessment Matrix – Cemeteries MILTON, ON . . . . .	15
<b>Municipality: Brampton, City of</b>	<b>17</b>
OP Policy Assessment Matrix – Cemeteries BRAMPTON, ON . . . . .	18
<b>Municipality: Caledon, Town of</b>	<b>19</b>
OP Policy Assessment Matrix – Cemeteries CALEDON, ON . . . . .	23
<b>Municipality: Halton Hills, Town of</b>	<b>24</b>
OP Policy Assessment Matrix – Cemeteries HALTON HILLS, ON . . . . .	28
<b>Municipality: Vaughan, City of</b>	<b>29</b>
OP Policy Assessment Matrix – Cemeteries VAUGHAN, ON . . . . .	30
<b>Municipality: Richmond Hill, Town of</b>	<b>31</b>
OP Policy Assessment Matrix – Cemeteries RICHMOND HILL, ON . . . . .	32
<b>Municipality: King, Township of</b>	<b>33</b>
OP Policy Assessment Matrix – Cemeteries KING, ON . . . . .	36
<b>Municipality: Markham, Town of</b>	<b>37</b>
OP Policy Assessment Matrix – Cemeteries MARKHAM, ON . . . . .	41
<b>Municipality: Whitchurch-Stouffville, Town of</b>	<b>43</b>
OP Policy Assessment Matrix – Cemeteries WHITCHURCH-STOUFFVILLE, ON . . . . .	47
<b>Municipality: Uxbridge, Town of</b>	<b>49</b>
OP Policy Assessment Matrix – Cemeteries UXBRIDGE, ON . . . . .	50
<b>Municipality: Pickering, City of</b>	<b>51</b>
OP Policy Assessment Matrix – Cemeteries PICKERING, ON . . . . .	52
<b>Municipality: Halton, Region of</b>	<b>53</b>
OP Policy Assessment Matrix – Cemeteries HALTON, ON . . . . .	53
<b>Municipality: Peel, Region of</b>	<b>55</b>
OP Policy Assessment Matrix – Cemeteries PEEL, ON . . . . .	55
<b>Municipality: York, Region of</b>	<b>57</b>
OP Policy Assessment Matrix – Cemeteries YORK, ON . . . . .	58

<b>Municipality: Durham, Region of</b>	<b>59</b>
OP Policy Assessment Matrix – Cemeteries DURHAM, ON.....	60
<b>Municipality: Ottawa, City of</b>	<b>61</b>
OP Policy Assessment Matrix – Cemeteries OTTAWA, ON .....	62
<b>Municipality: Hamilton, City of</b>	<b>63</b>
OP Policy Assessment Matrix – Cemeteries HAMILTON, ON.....	65
<b>Municipality: Grimsby, Town of</b>	<b>67</b>
OP Policy Assessment Matrix – Cemeteries GRIMSBY, ON.....	71
<b>Municipality: West Lincoln, Town of</b>	<b>73</b>
OP Policy Assessment Matrix – Cemeteries WEST LINCOLN, ON .....	74
<b>Municipality: Haldimand, County of</b>	<b>75</b>
OP Policy Assessment Matrix – Cemeteries HALDIMAND, ON.....	76
<b>Municipality: Brant, County of</b>	<b>77</b>
OP Policy Assessment Matrix – Cemeteries BRANT, ON.....	79
<b>Municipality: North Dumfries, Township of</b>	<b>81</b>
OP Policy Assessment Matrix – Cemeteries NORTH DUMFRIES, ON .....	82
<b>Municipality: Puslinch, Township of</b>	<b>83</b>
OP Policy Assessment Matrix – Cemeteries PUSLINCH, ON .....	83
<b>Municipality: Burlington, City of</b>	<b>85</b>
OP Policy Assessment Matrix – Cemeteries BURLINGTON, ON .....	87
<b>Municipality: Niagara, Region of</b>	<b>89</b>
OP Policy Assessment Matrix – Cemeteries NIAGARA, ON .....	89
<b>Municipality: Waterloo, Region of</b>	<b>91</b>
OP Policy Assessment Matrix – Cemeteries WATERLOO (Region), ON.....	92
<b>Municipality: Wellington, County of</b>	<b>93</b>
OP Policy Assessment Matrix – Cemeteries WELLINGTON, ON.....	94
<b>Municipality: London, City of</b>	<b>95</b>
OP Policy Assessment Matrix – Cemeteries LONDON, ON .....	96
<b>Municipality: Thames Centre, Town of</b>	<b>97</b>
OP Policy Assessment Matrix – Cemeteries THAMES-CENTRE, ON.....	98
<b>Municipality: Middlesex Centre, Town of</b>	<b>99</b>
OP Policy Assessment Matrix – Cemeteries MIDDLESEX-CENTRE, ON .....	99
<b>Municipality: Southwold</b>	<b>101</b>
OP Policy Assessment Matrix – Cemeteries SOUTHWOLD, ON .....	102
<b>Municipality: Central Elgin</b>	<b>103</b>
OP Policy Assessment Matrix – Cemeteries CENTRAL ELGIN, ON .....	103



<b>Municipality: Middlesex, County of</b>	<b>105</b>
OP Policy Assessment Matrix – Cemeteries MIDDLESEX, ON .....	105
<b>Municipality: Elgin, County of</b>	<b>107</b>
OP Policy Assessment Matrix – Cemeteries ELGIN, ON .....	107
<b>Municipality: Windsor, City of</b>	<b>109</b>
OP Policy Assessment Matrix – Cemeteries WINDSOR, ON .....	109
<b>Municipality: Tecumseh, Town of</b>	<b>111</b>
OP Policy Assessment Matrix – Cemeteries TECUMSEH, ON .....	111
<b>Municipality: Lasalle, Town of</b>	<b>113</b>
OP Policy Assessment Matrix – Cemeteries LASALLE, ON .....	113
<b>Municipality: Essex, County of</b>	<b>115</b>
OP Policy Assessment Matrix – Cemeteries ESSEX, ON .....	115
<b>Municipality: Kitchener, City of</b>	<b>117</b>
OP Policy Assessment Matrix – Cemeteries KITCHENER, ON .....	117
<b>Municipality: Woolwich, Town of</b>	<b>119</b>
OP Policy Assessment Matrix – Cemeteries WOOLWICH, ON .....	119
<b>Municipality: Waterloo, City of</b>	<b>212</b>
OP Policy Assessment Matrix – Cemeteries WATERLOO, ON .....	212
<b>Municipality: Cambridge, City of</b>	<b>127</b>
OP Policy Assessment Matrix – Cemeteries CAMBRIDGE, ON .....	127
<b>Municipality: Wilmot, Township of</b>	<b>131</b>
OP Policy Assessment Matrix – Cemeteries WILMOT, ON .....	131

## 1.0 INTRODUCTION

### 1.1 Purpose

Society's need for memorialisation of the deceased may vary by culture, but generally, the places used to accommodate this need (i.e. cemeteries) are overlooked in the land use planning process of our urban and non-urban areas. Typically land use policy documents provide guidelines governing the location, development and/or expansion of residential, industrial, commercial, institutional and recreational land uses: Cemeteries as a land use, however, are largely overlooked. What little land use policy is provided is inadequate to guide the development of new cemeteries where the demand for this use cannot be met by existing sites. Nevertheless, cemeteries constitute a necessary land uses that must be accommodated to support of the evolution of urban places. It is the lack of clearly articulated and consistent land use planning policy that often frustrates the development of new cemeteries.

Cemeteries as a land use represents an integral component of the fabric of municipalities: They are a necessary social element servicing society's needs for the memorialisation and accommodation of the deceased. Historically, society has required appropriate opportunities and options to deal with its deceased. Cemeteries, as they have evolved through history, provide this opportunity. They represent an important and necessary component of social structure. It is therefore important that appropriate land use planning policy be provided to ensure that the needs of society can be satisfied in an appropriate and efficient manner.

It is recognized that, in regards to cemeteries, land use policy is often a reactionary process, reflecting society's values at a particular point in time<sup>1</sup>. Technological advances, however, often influence the evolution of communities. For example, housing preferences change over time as does the nature and extent of supporting uses. The location and configuration of such supporting land uses, including commercial, industrial, institutional and even recreational uses, are typically accommodated in the planning process intended to guide the evolutionary process for communities: The same cannot be said for cemeteries.

Just as our urban areas have evolved over time, so to have cemeteries. An excellent discussion of this evolution is included in Kenneth V. Iserson's book Dust to Dust: What Happens to Dead Bodies:

*While U.S. cemeteries were once part of the community structure, they now exist as separate entities far removed from daily life.*

*American cemeteries were once adjacent to places of worship or close to the community. So entwined were early American cemeteries with their communities that colonists camouflaged their cemeteries to confuse the Indians about the number of their dead. Puritans used their churchyard cemeteries as places to stroll between church services or to have picnics, and many people set up family cemeteries on their own properties. Eventually, because of urbanization and a change in mortuary architecture, cemeteries were moved to the periphery of cities. (Kenneth V. Iserson, 1994)*

It is acknowledged that cemeteries are not alone in this issue. Other land uses, such as waste disposal and power generation sites, share this land use policy vacuum. Cemeteries, however, are unique in that they represent an urban amenity as cities and urban areas mature. Land use policy, however, typically fails to accommodate the development of this use in determining a vision for community development. Cemeteries, as an integral component of human habitation, continue to be neglected in the consideration of the shape and form of our urban areas. The challenge, therefore, is to accommodate new cemetery properties through a land use planning process that virtually ignores this use.

Municipal official plans provide the vision for a municipality with regards to its development and growth. (Ontario (MMAH), 2010) Land use policy intended to realize the municipality's vision is articulated in these documents. This paper examines land use policy for a selected number of municipalities in Ontario as expressed by their official plans in regards to the planning and provision for cemeteries. To understand the importance of this issue, however, a brief review of the evolution of modern cemeteries is necessary. This includes a general discussion of the historical importance and evolution of cemeteries, burial practices as culturally influenced, and a description of the characteristics of a modern cemetery in order to place this form of development in the context of land use planning.

Finally, to be meaningful an analysis of land use planning policy respecting cemeteries should be considered in the context of what appropriate land use policies for cemeteries would look like. In this regard, a template is provided for land use policy regarding cemetery development. This is provided for consideration and contrast against the land use policy demonstrated within the sample municipalities. Comments are provided as to the extent to which a municipality's land use policy considers the range of factors associated with cemeteries that might influence the development of this form of land use.

## **1.2 Method**

This paper presents a comprehensive review of land use policy documents (Regional and Municipal Official Plans) to ascertain the degree to which formal land use planning policy exists to guide the provision of this form of land use in support of society's needs to accommodate funeral and burial rites in Ontario. It is recognized, however, that the planning system in the Province of Ontario (hereinafter referred to as either the "Province" or "Ontario") is considered to be a "top-down" approach, whereby the Province sets out the requirement for municipalities to adopt Official Plans through the Planning Act of Ontario (RSO 1990), the "Planning Act". The intent of official plans ("OPs") is to guide municipal growth and development through the determination of a policy framework which articulates the municipality's overall vision with respect to its developed form.

The analysis conducted through this paper reviewed the land use policy of Ontario's ten largest urban centres, selected on the basis of their population size as determined by Statistics Canada through the 2006 Census. In addition, the municipalities that immediately surround the urban centres were added to the sample group along with the regions or counties within which the municipalities were located. In all forty-six municipal official plans were reviewed, representing 61.7% of Ontario's population in 2006 (Statistics Canada, 2011). In some cases, where official plans were under review by a municipality, the council adopted new official plan was also reviewed. Not only were a number of municipalities in the Greater Toronto Hamilton Area (GTHA) reviewed, but municipalities located in other population concentration areas (Windsor, London, and Ottawa) were included. These municipalities represent the primary concentration of population in Ontario, which in 2006 was reported to be 12,160,282.

In the course of reviewing the land use policies of the various municipalities pertaining to cemeteries it was necessary to develop a measure to assess the appropriateness of the policies in terms of their ability to guide the development of new cemeteries. To assist in this evaluation, land use policy criteria was developed as a guide to the matters that should be considered when developing new cemeteries. From this, a simple ranking system was developed to assess how well the land use policies of the various OPs addressed the development of cemeteries. A numeric score was applied to indicate the extent to which the OP policy appropriately addresses the criteria. A score of "0" meant that the OP does not address a particular criteria, whereas "1" means that the criteria is satisfactorily addressed. A partial score (0.5) was also provided to indicate that the particular policy being assessed only partially addresses the criteria.

### **1.2.1 Provincial Land Use Policy**

In addition to the Planning Act, the Province has provided additional expressions of formal policy respecting land use planning in Ontario through a number of specific initiatives, including the Provincial Policy Statement (PPS), Places to Grow, etc..., all of which influence the preparation of municipal official plans in terms of how formal land use policy is to be determined. Although this research is not intended to be a critique of Provincial land use policy, a brief review of these initiatives is necessary to illustrate the influence and limitations that can be attributed to such policy direction, if any, respecting the provision of land use policy at the municipal level relating to cemeteries. Therefore, a component of this research includes an overview of Provincial land use policy as it relates to cemeteries.

### **1.2.2 Determination of Sample Municipalities**

In the course of this research, Official Plans for the 10 largest municipalities in Ontario have been reviewed to identify and assess their land use policies with regards to the provision and maintenance of cemeteries within their corporate boundaries. A secondary group of municipalities, consisting of those municipalities that abut the primary group of municipalities, have been examined in the same context. The premise is that in the event that the primary municipalities are unable to adequately provide for this form of land use, they will be obliged to look to the neighbouring municipalities to accommodate the demand for such use by the public. It also reflects the trend since the early 1800s of new cemeteries locating on the periphery of the urban areas they are intended to serve. (Kenneth V. Iserson, 1994)

The foregoing municipalities represent the “sample municipalities”, which are the subject of this research. These municipalities, and their relationships with each other in terms of “Primary”, “Secondary” and “Upper-Tier” are provided in Appendix 1. It is noted that many of the primary and secondary municipalities overlap in terms of their relationship in that several of the primary municipalities are located adjacent to each other. For example, the City of Toronto abuts the Cities of Mississauga, Brampton, Vaughan and the Town of Markham. These abutting cities are, therefore, indicated as secondary cities in the Table, are also by definition “primary” cities by virtue of their population size.

Finally, it is recognized that the provision of suitable<sup>2</sup> land for cemetery purposes in the secondary municipalities may be satisfied only through the provision of land outside of identified and designated urban areas / centres. Consequently, the accommodation of this form of land

use may be subject to the land use policies of upper-tier Official Plans where such secondary municipalities are located within such upper-tier municipalities. Therefore, in these cases the land use policies of these upper-tier municipalities have been reviewed to ascertain the level of support for the provision of land for cemetery development and use.

### **1.3 Structure of Paper**

In order to assess how cemeteries are accommodated as a land use in Ontario it is necessary to establish the context within which cemeteries are viewed by society, and how they constitute an important component of the land use fabric of a municipality. This first chapter of this paper provides the context within which this study has been undertaken. The second chapter examines the origins of cemeteries and their social significance. The Third chapter examines how cemeteries have been dealt with in land use planning and policy formulation, by reviewing the primary considerations that shape the characteristics of this form of land use. The fourth chapter reviews the formal land use policy context within which all planning is undertaken in the Province of Ontario. This is followed by a summary of the review of the land use policies for the study municipalities and an assessment of how land use policy generally accommodated cemeteries. Finally, the fifth chapter provides a synopsis of this paper and the results of the analysis, along with concluding remarks

## **CHAPTER 1 ENDNOTES ...**

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- <sup>1</sup> The term “reactionary” represents the antithesis of what “planning” is about. Planning is, or should be, the art of anticipating, considering, and determining the best or most appropriate solution / action given a set of circumstances. In reality, however, the formulation of land use policy, the “planning” that contributes to the policy formulation, is in fact reactionary when it comes to cemeteries. Cemeteries are very much an afterthought, if any thought is given to this form of land use whatsoever, in planning processes.
- <sup>2</sup> The term “suitable” in the context of land is subjective. In cemetery planning, however, there are certain matters that must be considered when contemplating the development of a new cemetery. These are discussed in more detail in Chapter 3.

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## 2.0 CEMETERIES – ORIGINS AND SOCIAL SIGNIFICANCE

### 2.1 Origin of Cemeteries

Historically, alongside human settlement has been the need to accommodate the deceased. Cultural preferences govern how society accommodates this need, with practices as diverse as the cultures themselves. In his book, Funeral Customs, Their Origin, Bertram S. Puckle traces the origins of early burial customs and places wherein he describes the use of caves not only for habitation by early man, but as a place for their dead. He discusses the evolution of this practice from caves to shafts purposely carved into chalk, to the construction of Dolmen<sup>3</sup>, to eventually earth burials.

*Later, earth burials became general, and the barrows or cumuli were commonly used. These were placed conveniently near to the villages or settlements, but sufficiently remote to avoid a dreaded proximity to the dead. Thus, we trace both the origin of the tomb and the cemetery (Puckle, 2008).*

The term “cemetery” has its origin in both Greek and Latin terminology. In Greek, the word is “koimeterion”, while in Latin the word is “coemeterium” – meaning “sleeping chamber”. (Kenneth V. Iserson, 1994) Iserson speculates that the concept relates to the design of the ancient burial chambers which imitated dwellings for the living. Other ancient societies cut tubular shafts into the earth to dispose of the bodies of their slaves, which when full were capped with a tree to seal the hole. A similar practice of crypt-type burial was followed by some Scots to the end of the eighteenth century. (Kenneth V. Iserson, 1994)

Although burial practices may vary, there appears to be a common need to recognize and honour the deceased. Cemeteries fulfil this need by providing a centralized place for this activity. In his book, Cemeteries, Keith Eggener traces the evolution of what has become the modern cemetery.

*Concurrent with the rise of the earliest cities, about 7,000 to 8,000 years ago, caves or pits with bodies arranged in fetal positions came to be equated with wombs – the earth as mother to whom the body returned, dust to dust. For cultures believing in an afterlife the body could be required to rise as a whole, so graves offered protection from wild animals and weather that might cause bones to disperse (Eggener, Cemeteries, 2010).*



Many cultures chose to separate the living from the dead by moving their burial grounds to the outskirts of their cities. Pre-Christianity Rome only allowed important people to be buried within their cities, whereas in ancient Greece there were a number of common practices. Families often buried their dead within their homes. (Kenneth V. Iserson, 1994) or in family plots. At various times they also used trenches in the ground, ornate tombs, caves and cavities cut out of rock in hillsides. Cremation was also an option wherein a body was placed on a pyre and burned, the ashes then placed in an urn and buried. (Kerrigan, 2007) Other cultures followed a variety of practices in dealing with their dead.

## **2.2 Evolution of Cemeteries: Europe & Britain**

Roman funeral culture followed closely the Greek practices, with a greater emphasis placed on the separation of the dead from the living. Originally Romans preferred cremation as a means to deal with their dead. By the fourth century C.E. , however, Roman preference has swung in favour of inhumation (burial), which took place for most outside of the city limits, in what was called the “Campus Martius”. (Gill, 2001)

*The Roman dead were banished safely beyond the realm of the living – quite literally: cemeteries were established outside the city limits. Archaeologists Jon Coulston and Hazel Dodge have described how, as the Roman metropolis expanded, a ‘bow-wave of cemeteries flowed ahead’. Often tombs were sited beside the main roads in and out of town, and many are still to be seen along the Appian Way (Kerrigan, 2007).*

Over time an increasingly prosperous ‘middle-class’ began to follow the practice of combining their wealth and constructing mausoleums for the storage of thousands of urns containing ashes, resembling niche and columbarium structures used to store cremated human remains, but on a grander scale. Thus the Romans expanded both above ground (in the mausoleums) and underground in catacombs. The advent of Christianity saw the use of catacombs as not only places of sanctuary from Roman persecution, but as places for the burial of the dead, a practice that continued for the first four centuries of Christianity, a practice that was followed for Jewish interments as well<sup>4</sup>. (Puckle, 2008)

As Christianity spread throughout Europe the focus on memorialisation shifted from the monument (tomb) to the place (burial ground). In the Middle Ages the poor were typically buried in shallow graves, only to be dug up again once their bodies had decayed leaving only

bones. These were then exhumed and placed in charnel houses. By the sixteenth century prominent villagers were buried in “permanent” graves as churches were developed along with their attached burial grounds. The dead were increasingly buried in, or adjacent to, the church. (Kenneth V. Iserson, 1994) The churchyard increased in importance as a focal point for the community (Kerrigan, 2007).

*In Britain, burials normally took place within formal burial grounds, and almost all were within churchyards. The most important would be buried within the church or around its porch; internal burial could be in earth graves or, from the late 16<sup>th</sup> century, within a family vault for the most affluent. Most of the population was buried outside the church, mainly on the southern side, but also to the east and west. The north was almost always avoided, linked to a superstition that this was the Devil’s side of the church, though it might be used for those who suffered ‘bad deaths’ such as suicide (Mytum, 2004).*

The burial of the dead (usually the wealthy) within churches through the eighteenth century continued despite repeated attempts by the Catholic church to prohibit this practice. At the same time, space within the ‘traditional’ (i.e. churchyard) burial ground was becoming scarce as the churchyards themselves began to overflow. Increasingly, the middle and upper classes sought alternatives, believing that the lower class mourners brought with them diseases. This was reflected by the changing structure of the cities themselves.

*The old inner quarters of London (as of other big cities) were now for the most part little more than pestilential slums. Wealthier citizens had already moved out to villas in leafy suburbs, so it made sense for them to be laid to rest in the various cemeteries that were being opened there. Similar problems in Paris had prompted Napoleon to found Père Lachaise cemetery; this had become so fashionable that it was almost worth dying to gain entry (Kerrigan, 2007).*

In England as later in North America, the established churches provided burial opportunities for all of the inhabitants of the parish, regardless of religious affiliation. This practice continued into the early 19<sup>th</sup> century whereupon churches began to restrict new burials to members of their congregation.

*Some separate burial grounds were allowed from the 18<sup>th</sup> century, and became common during the 19<sup>th</sup> century. From this time most burials that continued in*

*the established churchyards were of that denomination unless a family wished to continue to use its burial rights over family graves or vaults. The parish graveyard remained open to anyone, and as a result small religious minorities continue to use the burial grounds of the established churches and may even have small zones set aside for them (Mytum, 2004).*

Increasingly, however, churchyards were running out of space, resulting in more of a focus on cemeteries as an alternative to this issue. Concurrently, options respecting the location of these cemeteries increased. Whereas originally burial grounds and cemeteries had been largely under church control, this period saw the evolution of secular cemeteries. Combined with this trend was the development of a wider range of memorials and landscapes, reflecting the architectural and landscape fashions of the time. (Mytum, 2004)

*This dislocation of burial and commemoration from the church and its regular Sunday worship was a precursor to a pattern created by separate civil cemeteries, first only established in urban contexts but later communal rural ones were founded (Mytum, 2004).*

Throughout this period, cemeteries provided a variety of community functions, not just burial grounds. At various times, the cemeteries associated with churches provided places of refuge and asylum. Later people began to build houses on cemeteries, enjoying not only the refuge they provided, but as a means to avoid paying property taxes as these properties were not taxed. (Kenneth V. Iserson, 1994) The properties also functioned as central meeting places, sites for Sunday fairs and markets, and social gatherings. Eventually, however, the church became increasingly disturbed by such activities as it was seen as a dishonour of the dead, such that by the mid eighteenth century such activity has all but ceased in French cemeteries. (Kenneth V. Iserson, 1994)

As 'urban land' became scarce, and the city grew to encompass the old cemeteries, they were looked on as an opportunity to provide for the living rather than a place to accommodate the dead. Accordingly, the bodies within the old cemeteries of Paris were exhumed and placed in the catacombs, which are estimated to contain the remains of at least three million people (Puckle, 2008). Such was the case in 1785 with the "Cimetière des SS. Innocents", a small cemetery in the middle of Paris which was thought to have dated to the Roman times.

*In the years before it was closed to burials in 1780, the cemetery saw more than 3,000 burials a year. Yet over six winter months between December 1785 and October 1787, the remains were disinterred and moved to the catacombs (except those that went to museums or laboratories). Grave markers were removed (some were preserved for historical reasons), the accompanying church and charnel house were destroyed, and the entire area was disinfected and covered in cement. This was all done without any noticeable public concern and with the approval of religious, medical and judicial authorities (Kenneth V. Iserson, 1994).<sup>5</sup>*

The catacombs that are beneath Paris proved to be particularly useful as the city grew, providing opportunities for urban renewal of sorts. At the same time, overcrowding in churchyard burial grounds was becoming an increasing problem. Crypts were being constructed beneath urban churches to accommodate this demand, but even they were becoming rapidly filled (Mytum, 2004). Financial resources, overcrowding and management issues resulted in the eventual abandonment of some churches and their associated burial grounds. These were subsequently demolished and the sites redeveloped. (Mytum, 2004)

*During the 19<sup>th</sup> century there was a great deal of contemporary discussion about the noxious nature of graveyards, and also the unsavoury conditions within churches with so many burials taking place there. The closure of city churchyards became necessary as urban populations rose and overwhelmed the limited space in churches and churchyards. Alternative arrangements were thus required for the large and increasing number of burials required each year in towns and cities across the globe. The solution favoured was that of large, secular cemeteries, though the ownership, and management, style and other function varied greatly. The development of cemeteries was inhibited by vested interests, usually of churches but sometimes others, but they were in the end the widely adopted solution across the globe (Mytum, 2004).*

The solution, the establishment of large cemeteries, diverged between Britain / Europe and North America. The former saw the development of cemeteries by “joint stock companies”, some religious institutions (church groups), and local authorities (municipalities) – which was the European preference, while in North America cemeteries were primarily developed by local government and private companies, with some secular societies and religious institutions providing cemetery properties as well (Mytum, 2004).

### 2.3 Evolution of Cemeteries: North America

In the North American context, burial grounds were initially associated with local churches and typically located within or adjacent to church yards. As the population of established urban areas expanded, however, larger properties were needed to accommodate society's burial needs. In the early 1800's concern about cholera, typhoid and yellow fever outbreaks in American cities and the perception of associated health risks from burial grounds encouraged the consideration of burial sites outside of urban centres.

*In 1831, Mount Auburn was established outside of Boston as the country's first "rural" cemetery. Based on English and French precedents (the eighteenth-century English garden; Paris's Pere-Lachaise Cemetery of 1804), the American rural cemetery landscape was one of dense plantings, gentle contours, picturesque-vistas, variegated monuments, winding paths, and serpentine lakes (Eggener, Cemeteries, 2010).*

Within a few years of the development of the Mount Auburn cemetery, comparable cemeteries were being established across North America. (Eggener, Building on Burial Ground, 2010) Meanwhile, the traditional burial grounds in many small towns and cities, once full, were left largely intact while new cemeteries were established on the outskirts of the expanding urban areas (Mytum, 2004). The new cemeteries accommodated not only society's need regarding the disposal of the dead, but provided opportunities for a variety of leisure activities, and a respite from urban life.

*While the new rural cemeteries were in one sense sacred precincts isolating death from the world of the living, they were also popular attractions serving as scenic retreats for city residents and visitors alike. Their popularity and approach to planning contributed significantly to the emergence of new public parks and residential subdivisions, and to the professionalization of landscape architecture in the United States (Eggener, Cemeteries, 2010).*

The location of the new cemeteries to the rural area was a practical one from an urban design perspective. Basically, these locations were the only areas where sufficient land could be assembled at an economic price (as compared to urban land). They also provided a solution to the overcrowding and general degradation of urban cemeteries. Boston's Mount Auburn

cemetery represented a significant cultural shift in the way society dealt with death (Sloane, 1991).

*Mount Auburn resulted from the same crisis that was occurring throughout the larger American cities. Boston's population tripled between the Revolution and the 1820s. Increased urbanization fouled the city's water and air. The city government of the "walking city" was unprepared to provide adequate services to such a rapidly growing population. ...*

*... One reason New Englanders were prepared to consider a change in burial practices was the deplorable state of many graveyards. The constant shuffling of locations, vandalism, and the abandonment of graveyards angered residents. The graveyards were no longer the idyllic scenes of times past (Sloane, 1991).*

Although the situation does not appear to have been so dire in Toronto at the same time, the city itself was experiencing challenges in relation to the provision of suitable burial options. Cemeteries within the city were controlled either by the Roman Catholic Church or the Church of England. (Filey, 1999) Toronto's Mount Pleasant Cemetery was originally conceived as a means through which burial opportunities could be provided to all citizens, regardless of adherence to a particular faith. Mount Pleasant Cemetery was formally established in 1873 with the purchase of a 200 acre farm located to the north of the city in the Township of York, on the east side of Yonge Street. Its design was entrusted to Henry Englehart, a landscape architect who chose to follow the "Rural Cemetery" approach upon which Mount Auburn cemetery was based.

*"Engelhart's concept for the Trust's<sup>6</sup> new cemetery would follow the newly emerging "landscape style" that was gaining prominence south of the border. He drew on Boston's innovative Mount Auburn Cemetery for many of his ideas" (Filey, 1999).*

Social attitudes respecting memorialisation have evolved, resulting in changing attitudes regarding the design of cemeteries. Early "modern" cemeteries employed a grid-like layout for plots in response to the chaos and overcrowding exhibited in earlier churchyard burial grounds (Mytum, 2004). As social attitudes towards urban design changes, so too did the design of cemeteries, developing into what was to become the "Garden or Rural Cemetery" concept.

*This was a style of cemetery design which favoured a picturesque and romantic environment, landscaped and planted appropriately. Within this idyllic setting a business-like management structure provided plots to individuals, families and associations in which to bury and on which monuments could be placed (Mytum, 2004).*

Coincident with the philosophical shift to a new expression in the way society memorialized its dead was a shift in how death itself was viewed. The design characteristics of the new “Rural” cemeteries was intended to convey a sense of hope and salvation to the public.

*The founders’ civic concerns, religious liberalism, and horticultural interests resulted in a dramatic new landscape in rural cemeteries. Salvation and the hope of immortality were directly integrated into the landscape through the use of natural and artistic representations. The landscape was also a place of pride for town and family, whose monuments and statues reminded visitors of their successes, and their future. The cemetery offered a celebration of life and death, hope for the dead, and repose for the living (Sloane, 1991).*

The intent of the design of the Rural cemeteries was to convey the sense that nature was controlled, through the attention to detail that emerged in the treatment of the landscape.

*Plantings were grouped to obstruct wide views of lawns. Vistas were hidden behind plantings to surprise the carriage riders. The extravagant natural environment was tamed by the elaborate road and pathway systems. Serpentine pathways provided visitors with many unexpected views and natural surprises, but always led them back to the road and to civilization. The picturesque rural cemetery was balanced between civilized dominance of nature and sublime wilderness (Sloane, 1991).*

The development of the rural cemetery coincided with a change in attitude with respect to burial habits along the lines of American entrepreneurialism. Whereas the original motivation for establishing a cemetery was based solely on need, defined as the need to bury or otherwise dispose of the dead, other factors influencing the location of cemeteries were emerging. These included an interest in aesthetics, plot layout, property management, and economic interests: The notion of a cemetery as a business enterprise began to flourish (Kenneth V. Iserson, 1994): The “Death-Care” industry was born. Ultimately, however, rural cemeteries were increasingly

becoming filled with monuments of various size and style, which resulted in increasing management challenges<sup>7</sup>.

Ultimately, the concept of the rural cemetery began to evolve. New concepts included the “lawn-park”, which represented a simplification of the landscape exposing an improved efficiency in the use of the properties. The “landscape-lawn”, or “Memorial Garden” type of cemetery, did not permit the use of upright monumentation; rather, the design philosophy favoured plaques set in the lawn, thereby reducing maintenance and created a more uniform visual experience (Mytum, 2004).

This, in turn, was followed by the emergence of the “Memorial Park”, which saw its genesis in the development of Forest Lawn Memorial Park in Glendale California in 1913 by Hubert Eaton (Sloane, 1991). The new “Memorial Park” concept borrowed the general design philosophy of the Memorial Garden but to a more extreme extent. The new concept in cemetery development saw the total elimination of family monuments, expanded lawn areas, impressive artwork and grand buildings to establish a “suburban-like pastoral environment”<sup>8</sup>. (Sloane, 1991)

*Forest Lawn captured the attention of the nation unlike any cemetery since Mount Auburn. Other cemetery managers and operators flocked to the new memorial park to view Eaton’s methods, see the landscape, and gape at the attractions* (Sloane, 1991).

The design concept for Forest Lawn Cemetery in Glendale California borrowed the community design philosophy prevalent in America at the time, with the evolving suburbanization of North America. Specifically, memorial parks incorporated:

- Large parcels of land, designed and developed in sections, funded by “pre-need” sales;
- Restrictions on plot size, location, planting, and memorialisation so as to control the “look” of the memorial park;
- Extensive planting and landscape treatments to mask the uninspiring topography of the suburban farmland upon which the memorial park was sited;
- A central boulevard with short, circular drives radiating from the spine road; and,
- Special areas set aside for administrative and service buildings, greenhouses, a chapel, and natural and artificial features such as ponds.

(Sloane, 1991)



**Table 1: Evolution - Burial Grounds to Cemeteries**

Type	Period	Location	Design	Ownership
Churchyard	17 <sup>th</sup> – 21 <sup>st</sup> c	Around church	None, Garden	Religious
Frontier graves	17 <sup>th</sup> – 21 <sup>st</sup> c	Site of death	None	Private
Homestead graveyard	17 <sup>th</sup> – 21 <sup>st</sup> c	Farm field	None	Private
Potter's Field	17 <sup>th</sup> – 21 <sup>st</sup> c	City edge	None	Public
Town / City Cemetery	17 <sup>th</sup> – 21 <sup>st</sup> c	City edge	Formal Garden	Public
Rural Cemetery	1831 – 1870s	City edge, Suburb	Garden – picturesque	Private Co, Public
Necropolis Cemetery	19 <sup>th</sup> – 21 <sup>st</sup> c	City edge	Built-up, Garden	Public
Chapel Burial Ground	19 <sup>th</sup> – 21 <sup>st</sup> c	Near to Church at distance	Formal, Garden	Religious
Churchyard, Chapel Ground Extensions	19 <sup>th</sup> – 21 <sup>st</sup> c	Near to Church at distance	Formal, Garden	Religious
Lawn-Park Cemetery	1855 – 1920s	Suburb	Pastoral, Park-like	Private, Public
Memorial Park	1917 – present	Suburb	Pastoral, Park-like	Private
Post - Memorial Park	1945 - present	Suburb, Near City	Pastoral, Park-like	Private

Source:

Developed / Compiled from Mytum, 2004 and Sloane, 1991

The evolution of burial grounds to cemeteries, and their general characteristics is depicted in the foregoing Table. The data includes the type of burial ground / cemetery along with information pertaining to the period in which it was developed, where in the context of a settlement / urban area it was typically located, the general design characteristics and finally the typical ownership.<sup>9</sup>

In essence the Memorial Park was a “planned landscape” (Sloane, 1991), wherein the development within the cemetery was strictly controlled, creating various areas (or “gardens”) within the cemetery designed to project the desired image as determined by the designer. The common characteristics of Forest Lawn, and the Memorial Parks that followed, were their location far from the centre of the cities, where land was inexpensive. (Sloane, 1991) As the urban areas they served continued to grow, however, even these new cemeteries were

incorporated into the expanding urban areas and became more formalized in terms of their organization: Simply put, the urban area expanded to encompass these properties. New development surrounded the previous outlying cemeteries and they became part of the urban land use fabric, and were often viewed as passive parkland, and a place, among others, where the cultural history of a community could be preserved.

## **2.4 Societal Importance of Cemeteries**

Cemeteries are often considered to contribute to the maintenance of the cultural heritage and social history of communities, notwithstanding its physical isolation from the living in modern times (Kenneth V. Iserson, 1994). In Keith Eggener's book Cemeteries, the social importance of maintaining a connection to our past to provide context and structure to our future is noted, along with the role cemeteries play in this endeavour.

*Whether we embrace or deny it, death remains a central fact of life. Awareness of its inevitability is a mark of our humanity, of our higher intelligence, and a reminder of the brevity and preciousness of our time on earth. Our cemeteries, if they serve no practical purpose beyond the disposal of our dead, may still remind us of this (Eggener, Cemeteries, 2010).*

Regardless of how society views their role, cemeteries represent a social necessity. Just as we plan for how we house the living, we need to plan on how we are going to treat the dead. While burial customs may differ with cultural preference, it is important that land is provided for our ultimate resting place. In this regard, cemeteries are an integral component of society and human habitation on various levels: they are a place for society to deposit the dead; they represent a place where our ancestors may be memorialized; and they provide an important link to the cultural and societal heritage of our communities.

*On one level, cemeteries are about the pasts we bury in them. But on another, they are inherently future-oriented. Memorials are nothing if not directed at those who will look upon them and be called to remember. They also speak of the hopes of the deceased. Because cemeteries are such patently liminal sites — poised between past and future, life and death, material and spiritual, earth and heaven — they more than any other designed landscapes communicate grand social and metaphysical ideas. They offer summations of lives lived and speak of community, the connection to place, mortality, afterlife, and eternity. Serving the*

*needs of both the dead and the living, they are “the identifying sign of a culture.” Further, as they evolved in the United States especially, cemeteries are fundamentally modern institutions (Eggener, Building on Burial Ground, 2010).*

Cemeteries, therefore, represent a necessary and potentially valuable social asset that contributes to a community’s heritage – a social collective of history – the foundation from which a community and its residents establish a sense of place.

## **2.5 Trends in the Cemetery Industry**

By the end of the twentieth century, and into the twenty-first, there has been a subtle evolution in society’s attitudes towards death and burial practices. Elements of various previous cemetery design philosophies have been combined to create a hybrid model for the development of new cemeteries. Although there does not appear to be a characterization of this new design philosophy, it could be considered to be a “post-memorial park” design typology. Modern cemeteries are being designed to provide a variety of burial gardens which are structured to meet the diverse burial needs of the community and the cultures they support within which the cemeteries are located. In this regard, they borrow from the “Rural”, “Lawn-Park”, and “Memorial Park” concepts to varying degrees, in an effort to provide as wide a range of burial options to meet the diverse cultural needs of the communities they serve.

*We develop our gardens with the members of the community in mind. We strive to incorporate the many local needs and wishes of different burial and memorial customs. Our cemeteries maintain traditional burial sections, many with upright granite monuments, as well as offering unique cremation burial options. There are many different forms of memorialization to choose from (Arbor Memorial Services Inc., 2011).*

The changes in how society deals with the process of death and burial is discussed by Harold Mytum in Mortuary Monuments and Burial Grounds of the Historic Period (Mytum, 2004) wherein he recognizes the changes to the “funeral profession” in response to market forces and societal preferences. These include corporate consolidations of not only cemetery providers but funeral homes as well. They also include how funerals and burials are purchased, arranged and executed (for example, the trend towards a general reduction in funeral cortege size.), and the nature of funeral and interment services themselves, reflecting the general diversification of society.

*Ethnic differences in funerals continue to be strong, based partly on affluence but often linked to aspects of liturgy. The scale of attendance, the use of flowers, and the importance of ceremonies at places of worship, crematoria and the graveside vary considerably. (Mytum, 2004)*

The changes in trends has been noticed by the funeral profession itself. What was once thought to be considered to be a “fad” by some funeral professionals, has come to be recognized to be a trend will govern how business is conducted into the future.

*Throughout North America large and small independent funeral homes have been and are continuing to be purchased by large corporations. It is estimated in the United States five companies control 12% of all funeral home locations and each of their locations do more calls than the average independent funeral home. This means they perform about 18% of all funeral services. To put this into perspective there are over 2.3 million deaths annually in the U.S. with approximately 22,000 funeral homes. In Canada approximately 1500 funeral homes look after just over 230,000 deaths.*

*The largest operator of funeral homes and cemeteries in North America is Service Corporation International (SCI). Since the acquisition of Alderwoods (formerly Loewen Group), SCI has revenues of about \$2.5 billion and holdings of about 1712 funeral homes and 490 cemeteries in 48 states, eight Canadian provinces and Puerto Rico.*

*In contrast, the only publicly traded Canadian-based death care services company is Arbor Memorial Services Inc. Arbor provides a full range of funeral services through 94 funeral homes, 41 cemeteries and 27 crematories. All of Arbor’s facilities and cemeteries are located in Canada serving all Provinces except Newfoundland Labrador and Prince Edward Island, with Ontario being the largest market.*

*In addition to SCI and Arbor, the remaining publicly traded corporations include Stewart Enterprises Inc., Carriage Services Inc., StoneMor Partners L.P. and Keystone North America Inc. The six publicly traded companies control roughly 20% of the \$17 billion in revenues generated annually in North America by the funeral home industry.*

*Their “sales” pitch is one of succession planning appealing to the “ma and pa” or family held funeral homes who want to ensure their funeral home continues to operate beyond their lifetime. The new owner usually maintains the original funeral home name and appoints the former owner as manager of the operation.*

*The public has shown little prejudice against corporate ownership. Most communities accept managers of corporate business as long as they are “good people” (Carnell's Funeral Home, 2010).*

Modern cemeteries are increasingly privately owned, providing cemetery services to the public at large. Religious cemeteries, such as Catholic and Jewish cemeteries, typically continue to focus on clients that share their faith. Traditionally, other denominations have been accommodated within non-denominational cemeteries through purpose-built burial gardens. Recently, a number of other religious groups are developing cemeteries focused on their faith<sup>10</sup>. The cost of land, and the planning approvals process, however, can be onerous and is considered to be a deterrent to many groups (The Toronto Star, 2011). Non-denominational cemeteries provide funeral and burial services to the members of the public who may not have a particular religious affiliation, or for other reasons choose to be buried in these types of cemeteries.

Inhumation Vs Cremation: Over the course of human history society's attitude respecting how the dead are treated has evolved. Western burial preferences have changed from pre historic times (cremation) to early Christian (inhumation) to current times (both)<sup>11</sup>. Human remains are typically either dealt with through inhumation, cremation, or a combination of both.<sup>12</sup>

*Prehistoric people practiced cremation, and by the early Stone Age it was commonly used in northern Europe and the Near East. During the next thousand years, cremation spread into the British Isles, Spain, Portugal, Hungary, northern Italy, and Greece. Around 600 B.C.E. cremation was adopted by the early Romans, and as the Roman Empire expanded, the practice of cremation spread. Jews, however, continued their ancient tradition of inhumation, or in-ground burial. Several centuries later so did the early Christians, who viewed cremation as a pagan practice of the Greco-Roman cultures. As Christians multiplied, so did the practice of inhumation, and by C.E. 400 in Europe it had completely replaced cremation, except during times of plagues and wars when dead bodies piled up. Eventually, however, in the late*

*1800s cremation was revived because rapidly growing populations had resulted in overcrowded cemeteries that were creating terrible odours and hazardous health conditions (Colman, 1997).*

Societal interest in cremation is increasing (Canadian Funerals Online, 2011), which has had a significant change on the design of modern cemeteries. Although there are many more options for disposing cremated human remains than traditional burials cemeteries continue to represent the socially preferred option. Disposition of cremated remains typically include inhumation (burial), placement in a niche in a columbarium and/or mausoleum, and scattering (either in a purpose-built cremation garden or elsewhere). At present, inhuman represents approximately 57% of all interments, with the balance split between placement in niches (cremations), mausoleums (cremations in niches and/or bodies in crypts), representing the majority of the difference, and other options (such as the scattering of ashes either within a cemetery or elsewhere). (Annand, Memorial Gardens Dickson Hill Cemetery Needs Analysis Markham, ON, 2011) Cremation, as a means of dealing with human remains were projected to exceed 50% in 2010 (Canadian Funerals Online, 2011) (Carnell's Funeral Home, 2010).

Natural Burials: An emerging trend in cemeteries is the concept of “Natural Burial”, which is promoted as an environmentally sustainable alternative where no embalming occurs and where human remains are buried in a shroud or biodegradable casket. Natural Burial grounds are intended to encompass wooded areas, peaceful meadows with a variety of flowers, ponds, streams, all maintained in a natural setting. These burial sites do not have manicured lawns or formal flower beds. Natural grave markers are often used including shrubs, trees or stones, or a centralized memorial structure for visitors. The philosophical intent is to provide society with an alternative to traditional cemeteries. Natural burial grounds have been established in the United Kingdom, Canada, Australia and the United States.

In a study commissioned by Memorial Gardens Canada Limited in support of the proposed expansion of an existing cemetery in Thorold Ontario, urbanMetrics Inc. observed the following:

- *Aging population in North America has led to increased demand for cemeteries, reception centres and other services. The demand is expected to continue to grow even further over the longer term;*
- *The establishment of individual cemeteries by religious, ethnic and fraternal organizations has declined. Many existing religious cemeteries are nearing full capacity and few religious organizations have the funds to acquire new*

*cemetery facilities. Larger cemeteries, with specific areas dedicated to these different ethnic and cultural groups have become the norm;*

- In general, the interest of municipal governments in fulfilling the requirement for cemetery facilities has been declining;*
- Multi-cultural cemeteries are targeting specific ethnic groups and providing different services for them. Some cemeteries focus on certain religious denominations, such as Catholic or Jewish;*
- There is greater concentration in the industry. Larger organizations are purchasing smaller, independent operators;*
- The portion of the population purchasing cemetery services “pre-need” versus “at-need” has increased;*
- Cremation has become a more popular choice in Canada, for certain segments of the population;*
- Modern cemeteries include a wider range of amenities, typically requiring extensive parcels of land and a longer term planning horizon, up to 100 years;*
- The range of services provided by reception centres has become more diverse; and*
- Reception centres are increasing in size, and tend to be larger than those that have been built in the past. (Annand, Memorial Gardens: Cemetery and Reception Centre Needs Analysis - Pleasantview Memorial Gardens Thorold ON, 2007)*

It is unlikely that the natural burial alternative or any other non-traditional alternatives will supplant traditional cemeteries as the mainstream approach to the memorialisation of society's deceased. They share the same issues regarding the cost of land and the land use approvals process as smaller religious or community groups. The legislative framework is not structured to differentiate between this form of memorialisation and traditional cemeteries. The Cemeteries Act treats any land set aside for the interment of human remains as a “cemetery” (Ontario (MCS - Cemeteries Act), 2007).

Cultural preference in western society between inhumation and cremation is depicted in Table 2. The data focuses on the two main alternatives with regards to dealing with the dead. It is recognized that the two are not mutually exclusive, nor for that matter would be natural burial as it involves the burial of human remains or the burial or scattering of ashes in a non-traditional cemetery or burial ground.

**Table 2: Burial Preferences Among Major Religious Groups**

Religious Group	Inhumation	Cremation
Hindus	✓	✓
Buddhist	✓	✓
Muslim (Traditional)	✓	x
Jewish (Orthodox & Conservative)	✓	x
Jewish (Reform)	✓	✓
Protestant (Incl. Methodist, Presbyterian, Episcopalian, Jehovah's Witness)	✓	✓
Anglican	✓	✓
Roman Catholic	✓	✓

Terms: Cremation – Burning of a body, Inhumation - Interment of a body, Interment – Burial

Terms source: (Kenneth V. Iserson, 1994)

Developed from Coleman, 1997.

## **2.6     The ‘Modern’ Cemetery – Characteristics**

Current legislation in Ontario differentiates between “burial grounds” and “cemeteries”; The former representing any land that contains human remains but has not been approved or designated to be a cemetery (as defined by the Act), while the latter represents lands that have been designated to be used for the interment of human remains (Ontario (MCS - Cemeteries Act), 2007).

Modern cemeteries typically provide a full range of options to their clientele for their burial / interment rituals to respond to the needs associated with the diverse cultural, social and ethnic composition of the population. These cemeteries are typically characterised by park-like settings with open and natural spaces that are compatible and complimentary to the areas and land uses that surround them. Certain design elements are borrowed from their predecessors, the Memorial Parks, which is augmented to provide a more diverse landscape with sections purpose-focused to accommodate cultural requirements<sup>13</sup>.

Special features often include traditional burial gardens with in-ground memorials and upright granite monuments, tranquil cremation gardens and walkways, above-ground columbarium niches for cremated human remains, mausoleums, crypts, and personalized memorial features such as benches, trees, and landscape elements. The properties are typically landscaped with



an abundance of trees, gardens and ponds, all of which contribute to the natural setting of the cemetery.

It is not unusual to see gardens within modern cemeteries devoted to a particular societal group or religion. In non-denominational cemeteries whole gardens may be devoted to a religious group (church), culture or other types of groups.

*These customs point to an interesting aspect of the sociology of dying. It would appear even in death people prefer to congregate with others they feel some common bond with. The bonds vary however. It seems to be religion in the case of the Jews, nationality among the Chinese, Japanese, Greeks and Russians, membership in a Lodge such as the Masons, Oddfellows, etc, or a disaster in which all died together, as in the shipwrecks. Sometimes expediency dictates the grave site. This would seem to be true in the case of pauper's burials which are carried out in blocks of graves purchased by the City. It might also be the case in the 1919 addition where so many victims of the flu are buried. At the height of the epidemic about thirty-five burials a day were being conducted (City of Vancouver, 2011).*

The diversity in religious beliefs and cultural preferences in modern society are best accommodated in modern non-denominational cemeteries, catering to the specific requirements of the communities they serve.

## CHAPTER 2 ENDNOTES ...

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- <sup>3</sup> The term "Dolman" is Celtic, meaning 'Dol = a table, men = a stone' which is intended to represent a cave in the form of a stone cairn or a pile of stones. (Puckle, 2008)
- <sup>4</sup> Catacombs existed outside of Rome as well, where old quarries and other excavations provided an opportunity for the local inhabitants. Catacombs, accordingly, could be found in other cities in Italy, France and North Africa. Perhaps the most famous of these are the catacombs that are beneath Paris, which were particularly useful as the city grew until the 1860s.
- <sup>5</sup> Isercon notes that "*the main objection was that it was the one place where families of every social strata met and mingled.*" (Kenneth V. Isercon, 1994)
- <sup>6</sup> The "Toronto General Burying Ground Trust was established as a non-profit entity in 1855. It later evolved into Toronto Trust Cemeteries, Commemorative Services of Ontario, and finally in 1998 to the present "Mount Pleasant Group of Cemeteries. (Filey, 1999)

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<sup>7</sup> Maintenance costs tend to be more for monument cemeteries than in non-monument cemeteries as the staff has to manoeuvre around the various monuments to cut the grass. Ground plaques were seen as a means to reduce maintenance costs as the lawn cutting equipment can ride over the plaques.

<sup>8</sup> The Memorial Park was the invention of Hubert Eaton in 1913 with the opening of Forest Lawn Memorial Park in Glendale California. Although there were many detractors, it came to epitomise the Memorial Park movement and was emulated across the United States. By 1935 there were over 600 memorial parks.

*Forest Lawn's attraction derived from the public's fascination with the new atmosphere that Eaton insisted upon within the memorial park, the artworks that ornamented the grounds, and the open commercialism of the enterprise. Americans were drawn by Eaton's revision of the cemetery and titillated by the mixture of sacred and profane embodied in the land's organization. The memorial park offended so many with its commercialism than many commentators were unable to see that Forest Lawn was actually a conservative American business, in reaction to modernism. (Sloane, 1991)*

Eaton's objective was to remove as many traces of death from the landscape as possible.

<sup>9</sup> The information is illustrative in nature and is intended to provide a sense of the types of burial grounds / cemeteries that were used and their principal characteristics. It is acknowledged that exceptions do exist.

<sup>10</sup> In early 2011 the Shia and Sunni communities in the Greater Toronto Area purchased a 14 hectare property from the Beth Olam Cemetery Corporation for the establishment of a new Muslim cemetery. The property was considered to be surplus to the needs of the Beth Olam Cemetery Corp. The cemetery represents a partnership between two Muslim communities, working together for a common objective. It is estimated by the proponents that the cemetery will serve the needs of these communities for the next 25 years, accommodating up to 300,000 burials. (Metroland Media Group Ltd., 2011)

<sup>11</sup> The reference here is to 'western' burial practices. Clearly there is a multiplicity of burial practices and customs through the world's cultural groups, too many to review in the context of this paper. For the purpose of assessing land use policy respecting the development of modern cemeteries in Ontario the mainstream 'western' and related cultural preferences are considered. For example, funeral pyres, while an important cultural tradition for some groups, are not accommodated by the Province's society today.

<sup>12</sup> There are many less common practices pertaining to how various cultures treat the bodies of the dead such as leaving corpses in trees and high platforms, left on towers where the bodies could be eaten by vultures, boiled, eaten, left to the elements and animals, buried in water, and burned on funeral pyres. Such practices are not commonly accommodated by western society.

<sup>13</sup> This is evident by the designation of whole gardens to specific cultural or ethnic practices in non-denominational cemeteries. The gardens are designed to address the individual preferences of the groups interested in being buried there. The placement of water features, landscape elements (trees, shrubs and flower gardens), and the lot structure itself (single depth, double depth, single tier, back-to-back plots, etc) are all designed for the group. Other burial gardens are arranged to provide for a full range of burial options in response to diverse cultural and social values.

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### **3.0 PLANNING FOR CEMETERIES**

The discussion to this point has been focused on the evolution of the modern cemetery and its importance to society. Cemeteries represent a land use that serves society as a whole, regardless of whether the population is considered to be urban, non-urban (rural), or some of both. This section presents an overview of cemeteries, as a component of the land use system. The discussion focuses on the typical land use planning matters that should be considered in the formulation of land use policy as a guide to development. The context is in regards to the development of cemeteries in both urban and non-urban (rural) areas<sup>1</sup>.

Although cemeteries are an important social component, few municipalities actually plan for the burial and memorial needs of their citizens. Land use policy in this regard typically tends to focus on the recognition of existing cemeteries, not the development of new properties irrespective of the capacity status of the community's existing cemeteries. Few municipal planning documents provide policies intended to guide the consideration of the development of new cemeteries, and fewer still actually identify new cemetery lands.

#### **3.1 Cemetery Planning Process**

The process to establish a cemetery varies among planning jurisdictions. Generally there is government legislation that sets out the requirements and obligations for cemetery operators. In Ontario cemeteries are subject to The Cemeteries Act (Ontario (MCS - Cemeteries Act), 2007). Applicants must obtain the approval of the appropriate municipality within which the property is located, or if the property is within an area without municipal organization (e.g. Crown Land), the Minister of Natural Resources. Applicants must also apply for a license to own a cemetery or crematorium. Once the required approvals are received, including land use approvals pursuant to The Planning Act (Ontario (MMAH - Planning Act), 2010), the property may be used for cemetery purposes.

Once a property is designated for cemetery use, a "Master Plan" is typically prepared to determine the layout of future burial gardens, buildings and infrastructure required to support the operation and maintenance of the cemetery. Each identified burial garden must undertake its own planning process corporately to determine a theme for the garden area, lay out the plots and memorial features within the cemetery, and then formally registered those plans with the Provincial government. With the first burial in a cemetery garden the grave(s) cannot be moved without the approval of the Registrar and the consent of the family.

It is important in determining the layout of the burial gardens, buildings and infrastructure, that a longer term view is taken. Burial preferences tend to remain consistent, with changes occurring over generations (Annand, Memorial Gardens Dickson Hill Cemetery Needs Analysis Markham, ON, 2011). Cemetery “Master Plans” do not change with regard to the layout of gardens once they are registered. This provides the public with a sense of stability, history and belonging as it defines their roots in a community. The only modifications to cemetery Master Plans may occur in undeveloped areas of the properties<sup>2</sup>.

### **3.2 Land Use Planning Horizons**

Land use policies make use of demographic projections. These projections, however, are only considered to be reliable for fifteen to twenty years into the future. Therefore, the land use planning policy related to human settlement patterns, housing preferences, employment opportunities, transportation options, resource distribution and infrastructure availability are also reliable for fifteen to twenty years. Traditional land uses are transitory in that they continually evolve over time, in relation to social preferences and requirements. Employment uses may relocate, residential areas intensify, and commercial developments evolve over time. Therefore, the planning horizon typically used in land use planning policy documents is fifteen to twenty years. Typically, a 20 year horizon for the purpose of land use and infrastructure planning is employed as projections beyond this time period tend to be more speculative and thus less meaningful. In this regard, the Province of Ontario references a time horizon of up to 20 years in its statement of policy, The Provincial Policy Statement (Ontario (MMAH - PPS), 2005).

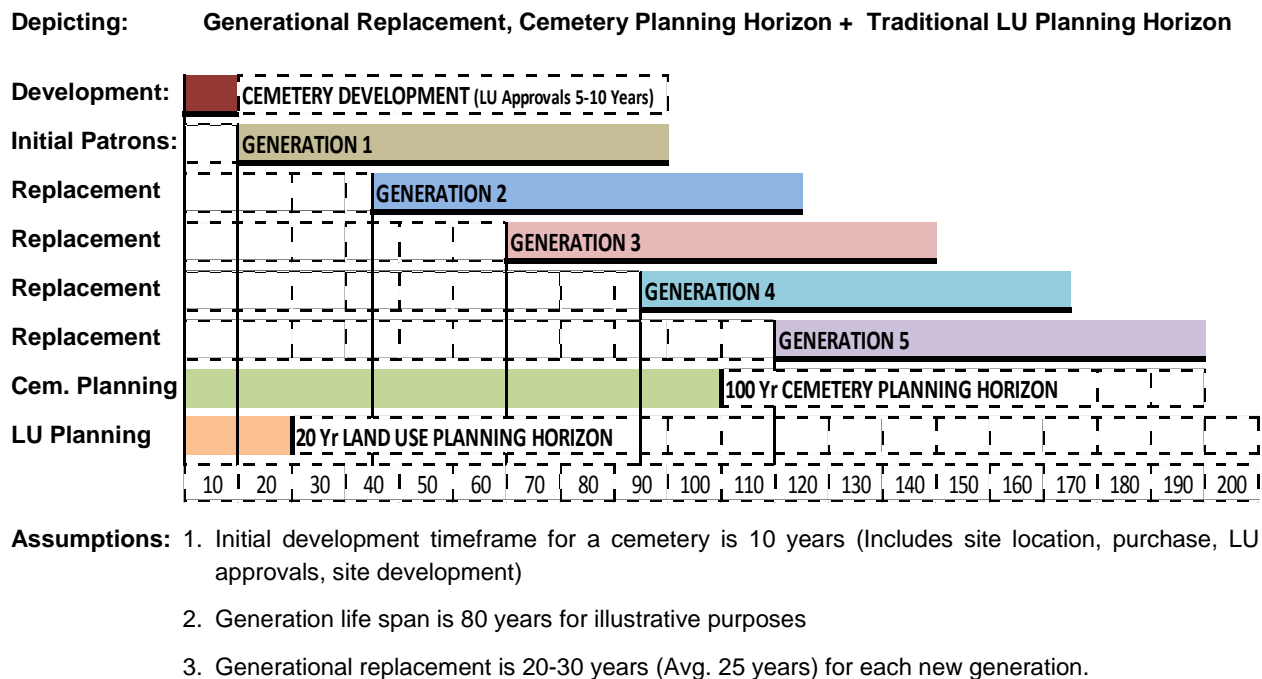
The planning horizon for cemeteries, however, does not fit the traditional land use planning model. Cemeteries represent an intergenerational land use that must accommodate the general public interest regarding the memorialization of the dead. In demographic analysis, it is generally accepted that a new generation is produced every 20 to 30 years. For cemetery planning purposes, a median of 25 years is used. (Annand, Memorial Gardens Dickson Hill Cemetery Needs Analysis Markham, ON, 2011)

When it comes to the interment of the deceased, regardless of method (inhumation, cremation, etc), families generally wish to be located with their loved ones. Therefore, when family members visit their deceased relatives they typically would prefer to congregate at one or two locations within the cemetery rather than having to visit multiple graves, which would be the case if their relatives were scattered throughout the cemetery. For this reason, families often

purchase several burial plots / spaces (a family plot) before there is an actual need (“pre-need”) to ensure that their loved ones can be accommodated. As a result, the requirement for cemetery space is driven more by the family’s pre-need expectations than actual mortality rates. Plots are typically purchased to accommodate several generations beyond the most immediate one. Sufficient land (opportunity) is necessary to ensure such purchases can be accommodated.

Whereas the municipal planning process required to obtain the necessary land use approvals (Official Plan, Zoning, Site Plan Approval) may range from 5 to 10 years, the planning horizon required to ensure society’s expectations for the accommodation of their deceased must take a long term view. In the cemetery business, 20 years is considered to be short term considering the average generation replacement rate is 25 years. Since many generations have to be accommodated, a significantly longer planning horizon is required, in the order of 80 to 100 years. Even at this range, a 100 year planning horizon can typically only accommodate up to 4 family generations.

**FIGURE 1. CEMETERY TIMELINE – 200 YEAR PROJECTION**



Source: (Larkin, 2009)

Unlike traditional land uses, cemeteries are considered to represent a permanent use. From a practical perspective, there is no redevelopment or reuse potential for lands initially used for

cemetery purposes. A cemetery's development horizon, therefore, is intended to span many family generations, and contributes to the social and cultural history of an area. The longer planning horizon is required in order to accommodate multi-generational burial needs as well as for site maturation. At the same time, the planning horizon accommodates community development by contributing to the social and cultural history of the area once they are established, providing an intergenerational link to the personal histories of the families that have interred their loved ones in the cemetery. The use of an extended planning horizon is therefore justified by the unique characteristics of this land use.

### **3.3 Permanency of Cemeteries**

In society today cemeteries tend to be considered a permanent land use. It is unusual to move cemeteries once established, especially if they are large, although this has not always been the case. History is full of examples where cemeteries and burial grounds have been removed and/or relocated. A striking example of this occurred in 1785 in Paris, as discussed earlier, with the removal of the "Cimetière des SS. Innocents" wherein the graves were removed and the bodies disinterred and moved to the catacombs. Countless other examples occurred where burial grounds, graveyards and cemeteries were removed, relocated and/or redeveloped due to changing societal priorities at the time, or concern over the state of overcrowding and the condition of the older burial sites (Mytum, 2004).

Continued development and redevelopment in urban areas has put pressure on older churchyards and burial grounds. As burial space became unavailable many sites were closed in the late nineteenth and early twentieth centuries and they eventually became unkempt. Other urban priorities put pressure on municipal officials to look to alternatives with respect to the use of the land.

*... the need to widen roads as traffic levels rose, and the perceived undesirability of poorly maintained areas in the heart of towns and cities led to many such burial areas being developed. Some were built over by roads or other structures, and many became managed as small urban parks (Mytum, 2004).*

Over time, however, attitudes and perceptions have changed as society places more value on these sites.

*Today development is less likely to be the fate of burial grounds because of increased interest in the historic landscape and changing official attitudes to burial areas. Such cases that are proposed often create considerable media interest. (Mytum, 2004)*

Newspapers and web postings frequently carry reports of controversial proposals that threaten burial grounds, spawning groups intent on ensuring their preservation. Urban sites often are seen as a community amenity to be preserved. Larger cemeteries which were originally established outside of urban areas, such as, Mount Auburn Cemetery<sup>3</sup>, in Cambridge Massachusetts, Forest Lawn Cemetery in Glendale California<sup>4</sup> and Mount Pleasant Cemetery in Toronto, are considered to be urban amenities, a “custodian” of the community’s history (Mount Pleasant Group Funeral Centres and Cemeteries, 2011). All are valued for the sense of history and the continuity to that history by the communities they serve. In this regard, these cemeteries, as well as others like them, ground the community and represent a use of land that, in the context of the community, is permanent.

Finally, in “The Last Great Necessity: Cemeteries In American History”, author David Charles Sloane notes the following:

*Prior to the mid-1800s, removal of graveyards and churchyards from the centre of cities was not considered unusual, although relatives sometimes objected. Washington Square in New York City, Lincoln Park in Chicago, Upstate Medical Centre in Syracuse, and businesses throughout the nation are situated on the sites of earlier churchyards and graveyards. According to contemporaries, the swift growth of cities necessitated the reburials.*

*By the twentieth century, local, state, and federal laws severely limited such violations of the grave. Today, disinterment on cemetery lands for the purpose of using the land for residential or commercial purposes requires complicated legal agreements, which are sometimes impossible to negotiate. The taboo against disturbing the dead is so powerful that the inviolate nature of the cemetery is now accepted as a stereotypical example of an impossible task. During television coverage of the 1986 World Cup final in Mexico City, one commentator noted that changing the attitude of the ruling body of world soccer would be “like moving a graveyard,” a task begun with few expectations of success (Sloane, 1991).*



In the Province of Ontario, cemeteries are governed by The Cemeteries Act. The Act not only provides formal legislation relating to the establishment of cemeteries but addresses the uneasy exercise of their closing as well. It requires, among other things, the consent of the owners of the plots or their descendants as all human remains must be exhumed and reburied at an alternative location.<sup>5</sup> From a practical perspective, therefore, cemeteries today can be considered to be a “permanent” land use, one that is not likely to be altered by redevelopment. This is especially true for large cemeteries, but is equally applicable for smaller cemeteries and burial grounds (as differentiated by the Cemeteries Act).

The notion of “forever” in the context of burial rights and cemeteries can vary. In Britain and North America the concept of perpetual care has become the norm<sup>6</sup>. This is manifest in Ontario by a requirement under the legislation for cemetery owners to establish trust funds for the “perpetual care” or maintenance of plots.

*35. (1) Every cemetery owner who sells, assigns or transfers interment rights shall establish with a corporation registered under the Loan and Trust Corporations Act, or with a credit union or a league to which the Credit Unions and Caisses Populaires Act, 1994 applies, with that corporation, credit union or league as trustee, a trust fund designated in English as the Care and Maintenance Fund and in French as fonds d'entretien for the purpose of providing money for the care and maintenance of the cemetery. R.S.O. 1990, c. C.4, s. 35 (1); 1994, c. 11, s. 382 (1) (Ontario (MCS - Cemeteries Act), 2007).*

The requirement to maintain a fund to ensure the maintenance of the cemetery contributes to its permanency, and the perception thereof. The Act and its Regulations are intended to ensure that through the investment of the funds held in trust the maintenance of the cemetery will continue in perpetuity, even after the last burials take place.

The North American attitude towards the permanency of cemeteries is not universally held.

*One should note, however, that burial in perpetuity and perpetual care are not the norm in much of the rest of the world. In Italy and Germany, for instance, people lease a burial space for a finite period — anywhere from five to ninety-nine years. In some cases their families renew the leases, although it is more common for the bones to be removed to a charnel house and the graves reused for new burials. Historically, burial in perpetuity has tended to result in the*

*eventual neglect and deterioration of cemeteries as they fill and cease to generate income, as survivors die off or relocate, or as they become otherwise less relevant to subsequent generations. At the same time burial does offer the hope, at least, of a permanent home (Eggener, Building on Burial Ground, 2010).*

Nevertheless, in the context of land use planning and land use policy formulation in North America, and in particular, Ontario, cemeteries represent an important land use which, by virtue of their rather unique attributes respecting their longevity, need to be carefully considered and addressed in the formulation of land use policy.

### **3.4 Spatial Requirements**

The removal and relocation of cemeteries out of urban areas which commenced in the mid to late 1800s as a result of the development of the ‘Rural’ cemetery concept signalled a change in philosophy towards the development of cemetery properties (Sloane, 1991). Originally, cemeteries tended to be relatively small, in keeping with their churchyard / burial ground origins. The move to non-urban locations provided an opportunity to develop larger, more grandiose cemeteries. With the development of the Mount Auburn Cemetery in 1831 the “Rural Cemetery” concept was begun.

The cemeteries that followed Mount Auburn generally continued this trend. Table 3 provides a summary of twenty cemeteries that were developed employing the design philosophy initiated by Mount Auburn (the “Rural” cemetery). The data is provided for illustrative purposes only, and is not meant to be a comprehensive list of cemetery properties. It shows, however, that over a 56 year interval cemeteries were being developed with an average property size of 64 hectares (~158 acres). The new cemeteries ranged in size, depending on their locational characteristics and market demands. With an increasing population there is a corresponding need to accommodate the deceased.

Cemeteries provide a necessary and required public service. The fundamental market factors influencing the need for cemetery lands has not changed. Increasing population levels in our urban and non-urban areas is driving a need for the provision of new cemetery lands to address these trends. As a result, the modern cemeteries typically required large properties to ensure that they would be able to meet the burial needs and wishes of their clients for many generations. Often this entails being able to offer a full range of burial and interment options on one site.

**Table 3: Spatial Characteristics – Early Rural Cemeteries**

<b>Cemetery</b>	<b>Location</b>	<b>Established</b>	<b>Size – Hectares Current (Original)</b>
Mount Auburn	Cambridge, Mass	1831	70 (28)
Laurel Hill	Philadelphia, Pa	1836	32 (13)
Allegheny	Pittsburgh, Pa.	1845	121 (40)
Swan Point	Providence, R.I.	1846	81 (24)
Hollywood	Richmond, Va	1847	55
Oak Hill	Washington, D.C.	1848	9 (6)
Fernhill	Saint John, N.B.	1848	51 (45)
Bellefontaine	St. Louis, Mo.	1849	127 (56)
Elmwood	Detroit, Mich.	1849	35 (17)
Forest Home	Milwaukee, Wisc.	1850	81 (29)
Oakland	Atlanta, Ga.	1850	19 (2)
Evergreen	Portland, Me.	1852	97
Oakdale	Wilmington, N.C.	1852	40 (26)
Mount Royal	Montreal, P.Q.	1852	67
Oak Woods	Chicago, Ill	1853	74
Notre-Dame-Des-Neiges	Montreal, P.Q.	1854	139
Newton	Newton, Mass	1855	40
Calvary	Milwaukee, Wisc	1857	26 (22)
Beechwood	Ottawa	1873	65
Mountain View	Vancouver	1887	43

Larkin

Developed from Sloane, 1991 and Cemetery Websites.

Associated with this is the requirement of cemetery owners / operators to establish a 'Care and Maintenance Fund', held in trust, to ensure that the cemetery is maintained 'in perpetuity' (Ontario (MCS - Cemeteries Act), 2007) . Many jurisdictions require the establishment and management of a fund specifically intended to insure that cemetery properties will be maintained, and not neglected and/or outright abandoned once all the land within them has been utilized for burials. This represents a significant financial investment in the property (Kenneth V. Iserson, 1994). Accordingly, cemetery developers typically seek properties ranging from 40 hectares and above (~100+ acres) in size<sup>7</sup> (Annand, Memorial Gardens:

Cemetery and Reception Centre Needs Analysis - Pleasantview Memorial Gardens Thorold ON, 2007)

The principal issue to consider, regardless of size, is whether or not the new cemetery adequately respond to the needs of its catchment area. In this regard, the need for the cemetery must be assessed in the context of the planning horizon applicable to this form of development, and not against the horizon typically used in land use planning. As noted previously, cemeteries operate on the base of a 100-year horizon for planning purposes, representing a multi-generational approach (i.e. 4+ generations). The preference for larger properties in the context of the amount of land that is required to support the use, relates directly to the determination of need. Both of these issues have been addressed on more than one occasion by the Ontario Municipal Board.

In Memorial Gardens Canada Limited V The Town of Whitchurch Stouffville (File Nos. 0960039, Z940135) the Board considered a proposal to develop a 35 hectare (86 acre) cemetery. The Chair of the panel, R.D.M.Owen, noted the following, accepting not only the size of the cemetery, but the planning horizon as well:

*I find that the need for this amount of land is justified given the 100 years or greater time frame for development. This appears to be the norm for cemetery development now. This proposal makes better planning sense than to create a number of smaller cemeteries as the immediate need arises. This is particularly pertinent given the general adverse public reaction to this land use (Ontario (OMB), 1997).*

At another hearing, Memorial Gardens Canada Limited V The City of Vaughan (File Nos. 0990173, Z990150), the Board acknowledged a proposal to develop a 28 hectare (69 acre) cemetery. Although in this case the size of the proposed cemetery was not a principal issue, the panel, consisting of P.L Wyger and D.J.Culham, nevertheless acknowledged its size and approved the application. (Ontario (OMB), 2000)

Both these cases speak to the appropriateness of the amount of land required for new cemeteries, albeit the second case was not focused on this issue. Interestingly, in both cases the size of the proposed properties were less than what is supported by the research, that being average property sizes of 64 hectares (~158 acres). Nevertheless, the philosophic basis for

the amount of land required for new cemeteries supports the assertion that larger properties are required to accommodate this particular form of land use.

### **3.5 Locational Considerations**

Historically, new “large” cemeteries have been established outside of the existing urban area where sufficient land can be assembled for their development. In early cases, a combination of concern respecting potential health issues in increasingly crowded urban areas (Colman, 1997), aesthetics (Kerrigan, 2007), and the ability to find and secure sufficient land motivated the location of new cemeteries beyond the city limits (Filey, 1999). In modern times developers of new cemeteries pursue non-urban locations primarily for economic reasons as the competition for land between residential, commercial, industrial and recreational land uses within existing urban areas is intense. The opportunity to find land of the size required to accommodate a modern cemetery within urban areas is limited due to this competition. Furthermore, the establishment of a new cemetery is typically a controversial endeavour.

*New cemeteries have been established on the edges of towns and cities, though in some areas such a change of land use is resisted by local residents, and planners can have difficulty in finding burial provisions (Mytum, 2004).*

Even if a suitable parcel was available for development, the use of such land for cemetery purposes is unlikely, although a societal necessity, in light of the pressures on urban areas to accommodate “traditional” land uses within the existing urban limits. Consider, for example, the utilization of land within urban areas. Urban land is typically supplied with urban services (sanitary and storm sewers, water mains, etc.), which are not necessarily required by cemeteries. The utilization and thus requirement for these services is low, such that private servicing can typically suffice for the development. Where infrastructure costs are high, the question must be asked as to whether or not it makes sense to use 40 or more hectares of land for a use that does not require the infrastructure / municipal services that has been supplied for urban living.

Cemeteries are different in land use terms from other “traditional” land uses, which may experience constant change as the community itself evolves. Low density residential areas may give way to medium and high density development, industrial areas may evolve and relocate to respond to changing transportation systems, commercial areas may intensify and reinvent themselves as the community surrounding them evolves. All of these processes are

recognized by planning policy, and in the case of the Province of Ontario, such evolution / intensification of urban places is actually mandated by legislation. Even municipal green spaces may undergo changes in land use designation over time (Mytum, 2004). Cemeteries, however, do not undergo these changes, except in extreme and correspondingly rare cases.

### **3.6 Land Use Compatibility**

Cemeteries, as a land use, have been consistently demonstrated to represent a compatible development form with most traditional land uses, both urban and non-urban. These include: residential, commercial, industrial, institutional, parks and open space land uses. This issue was considered by the Ontario Municipal Board in the cases previously referenced: Memorial Gardens Canada Limited V The Town of Whitchurch Stouffville and Memorial Gardens Canada Limited V The City of Vaughan wherein the compatibility of cemeteries to various other land uses has been accepted. In the Whitchurch Stouffville hearing, Mr. Owen noted the following in his decision:

*Some residents who had concerns were either of Asian ancestry or had clients of Asian ancestry. Cemeteries are considered a bad omen and to be avoided where possible. The personal discomfort of the owners and customers of the businesses located nearby were described as socioeconomic issues and land use compatibility issues. The concern was the loss of business because of the effect of the cemetery on those businesses. I must note that at the 1994 Board hearing on OPA 88 referred to before, Memorial was represented as were certain of the residents who appeared before me. That panel of the Board modified OPA 88 to include a policy that stated: "This Plan recognizes land uses such as cemeteries and related uses as being compatible with the industrial land use designations contemplated under this amendment. However difficult the presence of the cemetery may be to the uses nearby, it has been found to be a compatible land use. I cannot find that personal preconceptions are matters that can be addressed in a planning context. (Ontario (OMB), 1997)*

In terms of their impact on land values, studies have demonstrated that the value of land around cemeteries are not adversely impacted by the cemetery. This may be because cemeteries are often considered to be park-like, and therefore represent a public amenity (Ontario (OMB), 2002). Kenneth V. Iserson, in Dust to Dust: What Happens to Dead Bodies (see S.1.1) discusses how early American cemeteries were once considered to be an integral component of

the urban structure. He cites the example of the Puritans using their cemeteries as places to stroll and picnic. The motivation for this action may have originated in a concern about security, however, the effect of these actions led to the cemeteries (burial grounds) being considered, at least at that time, as a social amenity.

In some cases, neighbouring residents have actually opposed intensification plans of a cemetery as they were concerned about the potential impact on their ability to enjoy the cemetery as a place for passive recreation. This was the situation in Memorial Gardens Canada Limited V The Town of Whitby. In her decision, Ms. S.D. Rogers, noted the following:

*The key concerns of the residents revolved around traffic, noise, details of the site plan and loss of property values and the compatibility of the Reception Centre with the adjacent residential uses. ...*

*Prior to the hearing, Memorial had worked with the residents located on Ardwick Street, the street just north of Parcel A on which the Reception Centre is to be located. The results of the discussion resulted in several changes to the site plan, including a relocating of major deliveries, the relocation of the Reception Centre away from some nearby back yards, plus berming and planting. ...*

*The evidence from the witnesses for the applicant responded to every issue raised by the residents. ...*

*What struck the Board throughout this hearing is that, with the proposed changes to the site plan agreed to by Memorial, there was no evidence of any tangible, undue adverse impact that will result from the approval of this application. ...*

*The Board was thus persuaded by the evidence called in support of the application, that with the changes in the site plan demanded by both the residents and the Town, there will be no adverse impacts on any surrounding lands (Ontario (OMB), 2002).*

The residents' concerns, in this case, reflected the value they placed on the cemetery and their consideration that, notwithstanding the property was privately owned, they viewed it as public green space. The proposed Reception Centre was seen as something that would potentially disrupt their continued passive use of the cemetery property. In this regard, the Board noted the following in the decision:

*... the Board finds that the uses which are proposed for the Reception Centre are uses which are presently occurring on site and which are permitted uses in a cemetery. Thus there is nothing in the construction of the Reception Centre, which changes the nature of the cemetery use (Ontario (OMB), 2002).*

The reasons for the separation of cemeteries from urban uses originally were based on a number of considerations as discussed previously (S.3.5). In land use terms, however, they represent a rather benign development form. The qualities that make them attractive and valued by society, the pastoral landscapes, their park-like appearance, contribute to their overall compatibility with all other land uses. Certainly, over time cemeteries have become part of the urban fabric from whence they were banished once again. This is evident in cases whereby an urban area has grown to encompass the cemetery which was once considered to be in the non-urban area.

Evidence of this is found in examining the locational characteristics of the early “Rural” and “Memorial Park” type cemeteries that were once in the country, only to be surrounded by urbanity today. For example, Mount Auburn Cemetery in Cambridge, Mount Pleasant Cemetery in Toronto, and Forest Lawn Memorial Park in Berkley, all are located in what now are urban areas. These examples attest to the compatibility of the cemeteries with other, in these cases, urban land uses. This compatibility, however, also limits their ability to expand in order to accommodate more families. As previously noted, the competition for urban land is increasing. Land use conversions and intensifications accommodate the more common land uses and are generally not realized for cemetery expansions.

In terms of non-urban areas, there are as well, no compatibility issues. While it is true that cemeteries compete with other land uses in non-urban areas, it is equally true that the characteristics of their use does not constrain or otherwise impede the ability of other non-urban uses to function.

In light of these considerations, the logical location to establish a new cemetery is within a non-urban area that is relatively close to its intended catchment area. These locations are, in the context of Ontario, located close to existing urban areas.

### **3.7 Need Considerations**

The question of the “need” for new cemeteries is commonly raised when a proponent brings forward just such an application for municipal land use approval. Land use planners typically



focus on population projections when determining the amount of land needed within communities to accommodate future growth. These projections influence the development of land use policy for Official Plans related to the traditional land use forms (residential, commercial, industrial / employment, institutional, open space and parks, and transportation). The policies are intended to articulate the municipal vision to guide future development and growth within the region / municipality.

The issue is, however, that the focus is for the purpose of preparing policy and plans for the living. There does not appear to be any consideration given respecting how society is supposed to accommodate the deceased. In simplistic terms, for every new resident of a municipality, someone is eventually going to die. In areas that are experiencing significant growth pressures, such as the Greater Toronto Area (GTA) in Ontario this lack of consideration has serious land use policy implications.

*Overall, Ontario's population is aging due to a period of low fertility and increasing life expectancy. This is also the case for the Greater Toronto Area. Based on the 2001 Census of Canada, 43 percent of the population was 40 years of age or older. In comparison to previous Census counts, in 1996, 39 percent of the population was over 40 years of age, and in 1991 this figure was 36 percent. It is also important to note that 11 percent of the GTA population is 65 years old or older. This is the group that creates the greatest demand for cemetery lots, both at-need and pre-need (Annand, Memorial Gardens Dickson Hill Cemetery Needs Analysis Markham, ON, 2011).*

Furthermore, the projections must consider not just age composition, but religion and ethnicity as well, as these factors influence the nature, type and amount of cemetery land that is going to be required in future.

*Between the years 1991 and 2001, we note a few changes in the composition of the population. In 1991, the percentage of the population made up of Roman Catholic, United Church and Anglican residents was 54 percent, but by 2001 they only represented 49 percent. This reflects a population that is becoming increasingly diverse, mainly due to significant immigration and a tendency to prefer no particular religious affiliation. The key point that emerges from this demographic analysis, and based on the experience of Memorial Gardens, is that a large number of religious groups in the GTA prefer in-ground burials. ...*

*An increasingly diverse population is reflected in the ethnic composition of the GTA. Although the top five ethnic groups (see Figure 2.4 below) in 1996 and 2001 were the same, the percentage of residents with a European origin decreased from 92% to 86%. This still represents a significant portion of the population, and this group tends to prefer in-ground burials as their means of interment (Annand, Memorial Gardens Dickson Hill Cemetery Needs Analysis Markham, ON, 2011).*

As noted in the introduction to this paper (S.1.1), land use policy in relation to cemeteries typically fails to adequately deal with this form of land use. This issue was considered by the Ontario Municipal Board in the cases previously referenced. In the Whitchurch Stouffville hearing, Mr. Owen noted the following in his decision:

*Having carefully reviewed the evidence and the testimony of the experts on this issue. I am satisfied there is sufficient evidence of need to support the proposal. I prefer and accept the evidence of Memorial's actuary to determine the "demand" figures, being the projected number of deaths for both Whitchurch-Stouffville and the broader catchment area. The actuary is the most qualified of the experts to determine this projection. On the question of "supply", I prefer and accept the evidence of the consultant for Memorial as the research into the exact available cemetery space was more precise and informed. ...*

*I find that the potential demand will exceed the supply within the "planning" time frame of either 20 or 25 years which is a reasonable time frame given the use as a cemetery, itself a very long term endeavour. I am satisfied that a comprehensive needs analysis has been carried out in compliance with the Growth and Settlement Policy Guidelines and the Implementation Guidelines Provincial Interest On the Oak Ridges Morrain [SIC] Area. (Ontario (OMB), 1997)*

The decision highlights three elements related to the determination of need: The demand; the supply; and, the planning horizon ("timeframe") within which need will be demonstrated. With respect to the later, the planning horizon, Mr. Owen also acknowledges that the time frame in relation to cemetery development is "very long" (i.e. in excess of the 20-25 year which is typically used in land use planning). In consideration of the planning horizon in relation to cemetery planning,, therefore, needs analysis must consider longer term projections than would be undertaken for traditional development, and look for potential shifts in societal attitudes

towards death and cemeteries in order to fully appreciate how much land for cemetery purposes will be ultimately required. As noted in the previous discussion (S.2.5), changes in the business structure respecting how cemeteries are provided and operated by the profession, changes in preferences regarding inhumation, including cremation, and the effects on the amount and type of burial space that will be required, and so on, all must be considered when assessing need. Nevertheless, intuitively it is clear that with an overall population increase, the requirement to deal with the dead is not going to disappear. Cemeteries, in one form or another, are going to be necessary for the foreseeable future.

### **3.8 Intensification Issues**

Land use planning principles, as articulated through The Provincial Policy Statement (Ontario (MMAH - PPS), 2005) and The Growth Plan for the Greater Golden Horseshoe (Ontario (MOI), 2006) (the “Growth Plan”) suggest that the intensification of urban areas and settlements is desirable from the perspective of the efficient and effective use of land when viewed as a social resource. In setting the context for its policies relating to growth, the Province of Ontario has identified the importance of intensifying urban areas as a means to control sprawl, and make better use of infrastructure in the Growth Plan:

*To ensure the development of healthy, safe and balanced communities, choices about where and how growth occurs in the GGH need to be carefully made. Better use of land and infrastructure can be made by directing growth to existing urban areas. This Plan envisages increasing intensification of the existing built-up area, with a focus on urban growth centres, intensification corridors, major transit station areas, brownfield sites and greyfields. Concentrating new development in these areas also provides a focus for transit and infrastructure investments to support future growth (Ontario (MOI), 2006).*

The Growth Plan encourages the optimization of the use of land and infrastructure to ensure that Ontario’s communities are healthy and balanced communities as a way to improve the overall quality of life for the citizens of Ontario.

*It is important to optimize the use of the existing land supply to avoid over-designating new land for future urban development. This Plan’s emphasis on intensification and optimizing the use of the existing land supply represents a new approach to city-building in the GGH, one which concentrates more on*

*making better use of our existing infrastructure, and less on continuously expanding the urban area (Ontario (MOI), 2006).*

When dealing with traditional land use forms this is logical: The same principles in relation to cemetery development, however, are not as clear. Originally, one of the factors in relocating cemeteries out of urban areas was the negative effect that overcrowding within burial grounds and cemeteries was having on urban areas. The results of early intensification attempts for cemeteries were somewhat suspect, and ultimately were deemed to be socially unacceptable.

*In the early United States, some graveyards were also reused. After the Methodist Church graveyard in Lancaster, Pennsylvania was filled to capacity, they simply added three more feet of soil above the existing graves and resold all of the sites. The town authorities eventually stopped this dubious practice. During the Middle Ages in Europe, however, Jewish cemeteries did the same thing out of necessity, since authorities allotted them only small amounts of land for their burial grounds. (Kenneth V. Iserson, 1994)*

For traditional land uses the rationale for intensification is logical in terms of the utilization of a community's land resource basis. The concept of intensification as contemplated by the Province of Ontario is problematic in relation to cemetery planning. In fact, within urban areas, however, the intensification principle has a negative effect in regards to cemetery development since the cemeteries cannot compete for the finite land resources within existing urban areas. The land utilization discussion presented previously (S.3.5) highlights this issue in the context of the rational use of land within urban areas. It has been noted that 'modern' cemeteries typically require large parcels of land, the average being 64 hectares (~159 acres)<sup>8</sup>. Since cemeteries do not require the provision of municipal services to the extent other land uses do, there is a question with respect to the logic of using "valuable land", in the context of the cost to provide municipal infrastructure, to a use that is not going to utilize the services. In other words, it would be more logical to maximize the return on the municipal investment in the provision of infrastructure by providing the services to land uses that require them rather than utilizing the land for cemeteries<sup>9</sup>.

The suggestion that all development should be directed to existing urban areas, therefore, just does not work in the context of cemetery planning. Provincial land use policy, as articulated by The Growth Plan for the Greater Golden Horseshoe (the "Growth Plan"), the Greenbelt Plan

and even the Oak Ridges Moraine Conservation Plan does nothing to assist in the resolution of this dichotomy<sup>10</sup>.

Notwithstanding the foregoing, the concept of intensification in relation to how cemeteries utilize their existing land resource is regularly applied by the cemetery owners, albeit with limited results. Infilling “solutions” such as the one employed by the Lancaster Methodist Church is neither appropriate, nor socially desirable. Other, socially acceptable solutions are required. Post Roman burial practices have historically focused on the development of burial plots to accommodate inhumation. Once land within a cemetery is registered and sold for a certain burial preferences it remains that way ‘forever’. As burial preferences evolved over time they included the accommodation of cremated human remains. Innovative use of the land, including the removal of roads between gardens, the construction of niche structures, columbaria and mausolea, all assist cemeteries in accommodating more burials<sup>11</sup>. Nevertheless, such intensification opportunities for existing cemeteries are generally limited, and focus by necessity on the utilization of small parcels of surplus land that might be utilized for the construction of niche structures to house cremated human remains: The solution for society is the development of new cemeteries.

### **3.9 Environmental Considerations**

The development of new cemeteries is often a controversial issue, as noted earlier by Harold Myturn. Local residents are typically nervous about the proposed development, and land use planners do not understand the complexities of cemeteries as a land use, nor do they have adequate land use policy which they can turn to assist in their consideration of the proposal. (Mytum, 2004) Once again, this issue was fully articulated by the Ontario Municipal Board in the Whitchurch Stouffville hearing. The chairman, Mr. Owen, acknowledged local resident concern respecting the possibility of contamination of their wells resulting from the development and use of the Memorial Gardens’ property as a cemetery. In this case, expert testimony was offered which addressed the issue to the Board’s satisfaction, and allowed the approval of the applications.<sup>12</sup>

In 1990 the Ministry of the Environment (Ontario) commissioned a study of the possible impacts to ground water associated with the decomposition of human remains and the use of certain preservatives commonly used to sanitize and preserve human remains following death, prior to burial. The study was undertaken by G.Soo Chan, of the Water Resources Branch, Ontario Ministry of the Environment.

*A survey of standard burial practices indicated that in populated areas in Ontario, the majority of bodies (90%) are embalmed and then placed into a casket. Caskets range from soft to hard woods to steel. Steel caskets are hermetically sealed. The casket may be placed into a concrete vault and sealed with impermeable caulking. According to MOE guidelines, the concrete vault is placed into the ground at a minimum depth of 0.5 metres above the highest water table. MOE guidelines also recommend that graves be a minimum of 3 metres from a well or surface water source being used for drinking purposes (Chan, 1992) .*

The study was conducted in the proximity of six cemeteries, examining groundwater samples from wells in the general proximity of the cemeteries for not only Formaldehyde, but various nitrates as well. The study concluded that there was a low potential for pollution of the ground water:

*The analysis of groundwater samples collected at wells located downgradient [SIC] of six cemeteries sites in Ontario, indicated that cemeteries are not a significant source of groundwater contamination by formaldehyde. In addition, the calculated loading estimates for formaldehyde and nitrates being released from cemeteries supports a low potential for groundwater contamination (Chan, 1992).*

Another study, this time undertaken by Beak Consultants Limited, assessed this issue for the Mount Pleasant Cemetery in Toronto, Ontario. The study, Soils and Groundwater Quality Study of the Mount Pleasant Cemetery, 1992, concluded there did not appear to be any evidence of elevated concentrations of Formaldehyde, methanol, arsenic, total organic carbon (TOC), or dissolved organic carbon (DOC).

*At all three locations, levels of metals in the groundwater did not indicate anything of environmental significance. Nothing of environmental concern was observed during the logging of the boreholes (Beak Consultants Limited, 1992).*

The literature in regards to this issue is sparse. Various studies, like the ones referenced above, and various conclusions drawn suggesting at the same time that there is an impact to groundwater resulting from the burial and decomposition of bodies, to there is no impact from this practice. Likewise, cremation has its detractors as well. It has been noted that while the practice might be clean in terms of the disposition of the body, and thus the potential of contamination, it is certainly not energy efficient (Kenneth V. Iserson, 1994).

It appears that from the literature that does exist, the potential for groundwater contamination depends on a variety of factors related to burial practice, soil composition, the nature of the water table, and location of surrounding potable water sources. The Ministry of the Environment regulation as noted previously specify a minimum of 0.5m separation between the bottom of a grave and the highest water table (groundwater).

Even the scattering of ashes outside of cemeteries can cause problems, or their perception:

*Ash-scattering is a deeply private ritual, yet it invariably takes place in a very public setting. Unlike other tributes to mark a death, it is an almost invisible one. There are no cellophane flowers, poignant plaques or sombre marble headstones. ...*

*Yet this ritual is leaving a different sort of trace. Earlier this year, the Mountaineering Council of Scotland asked bereaved relatives to avoid the most popular sites on Scottish summits because of worries that the volume of ashes was causing soil changes. In Leicestershire, boaters on the river Soar complained that if mourners continue to sprinkle ashes there, it will become unusable. Similarly, conservation officers in Snowdon recently asked people to consider alternatives because of the ecological effects on the vegetation. When Manchester City moved from Maine Road to the City of Manchester Stadium they had to build a special memorial garden because demand to scatter ashes was so high, there were worries it would affect the pitch (Cook, 2006).*

Nevertheless, cemeteries will continue to be an important element of society. In terms of land use planning, and the formulation of land use policy, it is important to be aware of potential environmental concerns, whether they are actual or perceived, and ensure that appropriate consideration of this matter is given to proposals to establish new cemeteries. The variance between sites, soil composition, water table levels, all need to be addressed in the planning process.

### **3.10 Considerations for Land Use Policy Formulation - Cemeteries**

In light of the foregoing, it should be clear that cemeteries represent an important cultural and social component of the structure of our municipalities. Because cemeteries are physically manifest, (i.e. they are 'there', they exist as a use of land, etc.) they represent a use of land that must be addressed in the land use policy that is intended to articulate the municipal vision for

the growth and development of our urban areas. Growth requirements are typically determined through demographic projections. These in turn influence land use policy with respect to the provision of adequate land and resources for residential, commercial, industrial (employment), institutional, transportation, parks and open spaces land uses. Along with these uses, the provision of adequate land to accommodate a community's needs for the burial of the dead is required. In considering this issue, the discussion in this chapter provides an outline of the matters that should be considered in the formulation of appropriate land use policy for this use. Specifically, the following matters should be considered:

- |                         |   |
|-------------------------|---|
| <b>Need:</b>            | 1. Are growth and mortality projections in line with each other and recognized in policy?   |
|                         | 2. Will the municipality be able to accommodate the projected mortality level and are suitable options available, not only in terms of the amount of land that will be required to accommodate future deaths, but in terms of the appropriateness of cemetery land to address cultural and societal values. |
| <b>Horizon:</b>         | 3. Does the land use planning horizon accommodate cemetery development such that the need for cemetery space can be accurately considered?  |
| <b>Location:</b>        | 4. Are there suitable locations available for the provision of appropriate cemetery space and is it appropriately sited such that it will not limit future growth options unnecessarily?  |
|                         | 5. Are cemeteries permitted within the non-urban areas of the municipality where sufficient land might be assembled for the use?  |
| <b>Size:</b>            | 6. Has the amount of land that will be required to address the projected need for cemetery land been appropriately identified?  |
| <b>Intensification:</b> | 7. Have provisions been made to facilitate the intensification of existing and new cemetery land as may be appropriate?   |
| <b>Compatibility:</b>   | 8. Are there land use compatibility issues identified that might affect the location of new cemetery space?   |
| <b>Environment:</b>     | 9. Are appropriate policies in place to ensure the suitable protection of the environment? Water supply?  |
| <b>Permanency:</b>      | 10. Has the permanency of the land use been considered in assessing its location?   |



11. Will the location of the proposed use become problematic for the future growth of the community because the use must be considered to be permanent?

The foregoing provides a template against which land use policy may be assessed to ensure that appropriate policies addressing the provision of cemeteries are provided and that the use can be accommodated within the structure of the municipality.

**FIGURE 2. SAMPLE OP Policy Assessment Matrix - Cemeteries**

Item ...	Consideration: Are the following matters considered and/or articulated in OP land use policy? ...	✓ Yes ✗ No	Score (0, 0.5, 1.0)
1. Need:	Recognition of the need to provide for the use...		
2. Planning Horizon:	Flexible to accommodate cemetery development...		
3. Location:	Recognition that cemeteries are urban and non-urban uses...		
4. Size:	Acknowledge amount of land required for cemetery use...		
5. Intensification:	Permit / facilitate intensification of existing cemetery lands...		
6. LU Compatibility:	Acknowledge that cemeteries represent a compatible use to other land uses...		
7. Environment:	Requirement to assess potential environmental impact of the development of cemeteries...		
8. Permanency:	Identification / acknowledgement of permanency of land use... i.e. Consideration of permanency when locating cemeteries...		
<b>TOTAL:</b>			

Larkin

This chapter has provided an overview of the planning process associated with the expansion or establishment of new cemeteries in terms of how they need to be accommodated through land use policy. Various elements and characteristics of cemetery development need to be considered in this process. In order for the formulation of effective land use policy, these matters must be considered. The problem is that although cemeteries have been part of the social environment throughout history, they continue to be either ignored or misunderstood in the context of land use policy. The following section examines the policy within which land use policy is formulated in Ontario, focusing first on the Provincial context, and then on specific municipalities to examine how cemeteries are accommodated in their land use policy as articulated by their official plans.

## CHAPTER 3 ENDNOTES ...

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- <sup>1</sup> The convention is to use “urban” and “rural”. In regards to land use policy, however, there is often a distinction made within the term ‘rural’ to mean ‘agricultural’ and ‘rural’ (non-agricultural). Many land use policy documents make this distinction, providing policies for ‘rural’ and ‘agricultural’ areas as separate entities. In the context of this discussion, rural and agricultural lands are jointly referred to as ‘non-urban’. This distinction is not typically made, however, in the literature respecting cemeteries outside of urban areas. They are typically referred to as being ‘rural’, which is intended to be understood to mean ‘non-urban’. The distinction is only of importance in the context of land use policy, as a means to identify lands within the rural area that are used for agriculture.
- <sup>2</sup> Such is the case with the relatively recent introduction of “Reception” or “Visitation” Centres to cemetery properties. Cemetery properties that have sufficient undeveloped space available that may not be required in the foreseeable future for burial gardens are adding such facilities to their properties where there is a demand for the facility. In future, if the cemetery is running out of land for burials, and there are no alternatives, all non-essential buildings could be removed and the land that becomes available developed for new burial gardens, niches, columbaria or mausoleums.
- <sup>3</sup> Mount Auburn Cemetery has been designated a National Historic Landmark, demonstrating its cultural and historic importance to the local area, and the nation as a whole (Mount Auburn Cemetery, 2009). The design of the cemetery was the basis for a new way to consider cemetery design, and inspired the developers of Mount Pleasant Cemetery in Toronto, Ontario (Filey, 1999).
- <sup>4</sup> Forest Lawn is the final resting place for many of Hollywood’s celebrities, including Humphrey Bogart, Nat King Cole, Sam Cooke, Sammy Davis Jr., Walt Disney, Errol Flynn, Clark Gable, Jean Harlow, Virginia O’Brien, Jimmy Stewart, Michael Jackson, Elizabeth Taylor and Spencer Tracy. The Glendale cemetery is the original property established in 1906. Hubert Eaton joined the cemetery in 1912 and is credited with establishing it as America’s first Memorial Park in 1913. The original cemetery is one of six “Forest Lawn” properties. (Wikipedia, 2011)
- <sup>5</sup> Pursuant to the Cemeteries Act RSO 1990, C.4, the closing of a cemetery is a complicated process, which essentially requires the consent of all owners of interment rights (not to be confused with the ‘owner’ of the cemetery, which are not the same), which might be difficult to obtain in many cases as the actual owners of the rights might rest with those who are buried. In such cases, the descendant(s) of the original owner must be located to obtain consent and arrangements made to relocate the remains. All trust funds held for ‘perpetual maintenance’ must be maintained and transferred to the new cemetery where the remains are to be reinterred. (Ontario (MCS - Cemeteries Act), 2007)
- <sup>6</sup> In relation to cemeteries, and plot ownership, the meaning of “perpetual”, however, is interpreted in Britain to be 99 years. In North America it means ‘forever’. (Mytum, 2004)
- <sup>7</sup> This is not unusual when one considers that in 1873 an 80 hectare (200 acre) property was purchased in what was then the countryside for what would eventually become the Mount Pleasant Cemetery in Toronto (Filey, 1999). Similarly, Mount Auburn was initially designed on a 29 hectare (72 acre) site, and eventually grew to its present size of 70 hectares (174 acres) (Sloane, 1991), while Forest Lawn is 121 hectares (300 acres) (Sloane, 1991). Clearly there is a range in size when considering the development of a new cemetery.
- <sup>8</sup> The examples of the Memorial Gardens’ cemeteries developed in the Town of Whitchurch Stouffville and the City of Vaughan are smaller than the average property size cemetery developers typically look for. In both these cases, the properties were selected on the basis of a number of criteria, of which

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the size of the properties were considered. Other considerations included proximity to market, and the availability of land. The Vaughan property was the result of an analysis of various other properties that might have been appropriate. One of the main reasons the site was selected was its proximity to another established cemetery, Glendale Memorial Gardens. The name given the new cemetery reflects this connection: Glenview Memorial Gardens.

<sup>9</sup> Of course, society places value on the incorporation of parks and open space within urban areas. These uses, like cemeteries, do not require the provision of municipal services to the same extent of other land uses. The difference, however, is that the provision of parks is generally a result of the development process through the park dedication provisions of The Planning Act (Ontario (MMAH - Planning Act), 2010). Perhaps if there was a similar provision for the provision of cemeteries the situation might be different.

<sup>10</sup> The list of Provincial Plans that do nothing to address the planning and development of new cemeteries in terms of addressing their logical location can be expanded to include the Niagara Escarpment Plan and even the Provincial Policy Statement.

<sup>11</sup> An example of this can be found in Vancouver with the City's only public cemetery, Mountain View Cemetery. Located west of Fraser Street, between 31<sup>st</sup> and 43<sup>rd</sup> Avenues, Mountain View opened in 1887. The cemetery is comprised of 106 acres, with approximately 92,000 plots containing 145,000 interred remains. The cemetery was closed to new interments since the mid 1980's, affecting its financial viability. In 2000 the City of Vancouver developed a new Master Plan for the property, with the intention of identifying additional burial capacity for the Cemetery and thus led to its revitalization and reopened in late 2008. This has been accomplished through the proposed development of more than 2,200 new spaces for cremated human remains. Mountain View Cemetery, therefore, provides one example of cemetery intensification that has been successfully employed in an urban area, although overall capacity in the cemetery has only marginally increased. Restrictions usually apply, however, making intensification unlikely in most places. Therefore, the only realistic alternative is to develop new, modern cemeteries. Due to intense competition for land within existing urban areas, however, the only realistic option for their development is on land located outside of existing urban areas. (City of Vancouver, 2011)

<sup>12</sup> The particulars of the evidence, as summarized by Mr. Owen are interesting but have no direct bearing on the main discussion of this paper. For interest purposes the discussion is presented in this note:

*The spectre of contamination of the water supply by bacteria or viruses from the graves was raised by the hydrogeologist for the Town. Having heard all the evidence and read the reports, I find that this allegation borders on scare mongering. 90% of the bodies buried are embalmed. Formaldehyde destroys most bacteria and viruses. Formaldehyde dissolves in water and is absorbed by clay soils. Formaldehyde is diluted before use in embalming and any remaining formaldehyde is removed from the body before burial. Viruses need a "host". They cannot survive without one and so cannot travel alive through the soil. Any bacteria or viruses that could hypothetically survive are both filtered out by these low permeable soils and absorbed by clay soils. Finally the travel distance is no more than six inches per year. The site will have a 30 metre buffer from any graves to all property boundaries. That same 30 meter buffer will apply from both creek tributaries. It would take 200 years to travel through that 30 metres let alone the additional time to travel off site from further into the site. The nearest well is 1,000 years away from the possible contamination source. The use of concrete vaults, which is more prevalent now, would contain any contaminates. I conclude, as did the hydrogeologists for Memorial, that the risk of contamination is minimal and insignificant. (Ontario (OMB), 1997)*

#### **4.0 LAND USE PLANNING POLICY IN ONTARIO**

Official plans in the context of the Ontario Planning Act represent the formal expression of a municipality's vision intended to guide its growth and development. (Ontario (MMAH), 2010) An official plan ("OP") provides formal land use policy to guide planning decisions intended to implement a municipality's vision, and is required by law to conform to the policies of the upper levels of government. Therefore, a 'lower-tier' plan must conform to the land use policies of any 'upper-tier' plan, which in turn, must conform to provincial land use policy. In this regard, formal land use policy guidance is typically provided for the provision of land for a variety of land uses such as residential, commercial, industrial ("employment"), institutional, recreational and open space as noted previously.

Municipal official plans seldom discuss cemeteries in a land use policy context. Whereas the location of existing cemeteries may be identified on land use schedules, formal land use policy which might guide the development of new sites, and/or the expansion of existing sites, is rarely provided. Where land use policy is provided in relation to this use, it often focuses on the process associated with the development of cemeteries, not the locational requirements for the community. In other words, there is little clarity respecting where cemeteries are to be provided. Often the suggestion is that cemeteries represent an "urban" use, and thus should be located within urban areas.

There is no rationale provided, however, for such views. For instance, the consideration of the use of land within urban areas does not address the rationality of designating 64 hectares of land (158 acres), for which municipal services are readily available, for a use that does not require them (See S.3.5). Modern cemetery developers / operators, therefore, are forced to either compete with traditional land development within existing communities, and thus compete for scarce land resources, or look to non-urban areas for their development, often at odds with land use planning policy. Cemeteries, whether by design or simple omission, appear to represent a forgotten land use.

The following discussion focuses on the manner in which land use policies have been accommodated within municipal official plans by first providing a brief overview of the context within which land use policy is formulated in Ontario. Following a brief review of current provincial planning initiatives, a summary of the review of the official plans for the selected municipalities that constitute the study group is provided. Finally, concluding remarks are provided with respect to the state of land use policy respecting cemeteries and what needs to

be done to ensure that this land use is appropriately accommodated in Ontario's future planning endeavours.

#### **4.1 Provincial Planning Initiatives**

Municipal planning in Ontario is undertaken in accordance with the plans and policies that the Province establishes under the umbrella legislation of The Planning Act (RSO 1990), (the "Planning Act") in what can be described as a "top-down" approach. The Province mandates the requirement for municipalities to adopt official plans through the Planning Act. In addition, the Province has adopted a number of Provincial Plans, or 'policy initiatives', to guide municipalities in their land use planning efforts. These major policy initiatives share the objective of rationalizing the growth patterns in Ontario by guiding development to existing established urban areas and thus limiting urban sprawl. Municipalities are obliged to update their individual planning policy documents, their "Official Plans", to conform to the vision the Province has established for Ontario.

Over the past decade the Province has undertaken a review of its planning policies on a broad scale. As a result, a number of "Plans" have been issued with the intention of changing the way land use planning is undertaken in Ontario (Ontario (MMAH), 2010). The focus has been on the intensification of urban areas; municipal expansions are limited. Sufficient land must be identified within existing municipal boundaries to accommodate future growth. The rural agricultural land base is to be protected, and new development in these areas is severely constrained.

The inference is that cemeteries, as a form of development, are to be located within existing urban and settlement areas. The result, from the discussion on this matter in the previous chapter, is that cemeteries cannot compete with the traditional urban land use (residential, commercial, industrial, and recreational) for what has become a scarce resource within municipal boundaries. At the same time, sufficient land for cemetery use outside of established urban areas cannot be developed because of the Province's land use planning policy as articulated in the aforementioned Plans.

##### **4.1.1 The Planning Act**

Land use planning in the Province of Ontario is governed by the Planning Act R.S.O. 1990, Chapter P.13 (S.16) (the "Planning Act") which provides the broad parameters within which

land use planning decisions are made by local municipalities. The purpose of the Planning Act is to:

- (a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;*
- (b) to provide for a land use planning system led by provincial policy;*
- (c) to integrate matters of provincial interest in provincial and municipal planning decisions;*
- (d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;*
- (e) to encourage co-operation and co-ordination among various interests;*
- (f) to recognize the decision-making authority and accountability of municipal councils in planning. 1994, c. 23, s. 4 (Ontario (MMAH - Planning Act), 2010).*

The primary focuses of the Province's land use planning system is to encourage and guide the development of "well-designed" communities for its citizens and to "attract jobs and investment". (Ontario (MMAH), 2010) The intent of the planning system "is to provide municipalities with the major role in planning decisions." (Ontario (MMAH), 2010) These decisions affect not only the physical organization of land within municipalities, but ultimately the quality of life for the public at large. The Planning Act, therefore, provides the building blocks upon which formal land use planning policy is developed and articulated in a top-down approach to planning. In this system, the Province established broad land use policies through the development of a "Provincial Policy Statement" and the various "Provincial Plans".

#### **4.1.2 The Provincial Policy Statement (2005)**

The objects of the Planning Act as outlined herein, are articulated through the Provincial Policy Statement ("PPS"), which is considered to be a "complimentary policy document" to the Planning Act. The document provides policy direction on matters considered to be of provincial interest related to land use planning and development. In this regard, the document provides high-level policy direction on matters such as the building of strong communities, the management and direction of land use to achieve efficient development and land use patterns, the provision of infrastructure and public service facilities, the wise use and management of natural resources and the protection of public health and safety (Ontario (MMAH - PPS), 2005). The PPS provides policies pertaining to housing, employment areas, public spaces, parks and open spaces, but does not identify the provision of opportunities for the development of new cemeteries as a key component of community development.

The only reference to cemeteries is found in the definition section, pertaining to the definition of “Cultural Heritage Landscape”. Whereas the PPS supports the building of “Strong Communities” (Ontario (MMAH - PPS), 2005), there is no acknowledgement of cemeteries as being a component of society, and therefore a land use that must be accommodated.

#### **4.1.3 The Growth Plan for the Greater Golden Horseshoe (2006)**

The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) is considered by the Province of Ontario to be:

*...the framework for implementing the Government of Ontario’s vision for building stronger, prosperous communities by better managing growth in this region to 2031” (Ontario (MOI), 2006).*

The Growth Plan provides policies to guide ‘where and how to grow’: growth forecasts; managing growth; general intensification; urban growth centres; major transit station areas and intensification corridors; employment lands; designated “greenfield” areas; settlement area boundary expansions; and non-urban areas.

*This Plan is about building complete communities, whether urban or rural. These are communities that are well-designed, offer transportation choices, accommodate people at all stages of life and have the right mix of housing, a good range of jobs, and easy access to stores and services to meet daily needs (Ontario (MOI), 2006).*

As previously noted, the Growth Plan encourages the optimization of the use of land and infrastructure to ensure that Ontario’s communities are healthy and balanced, however, there is no reference to “cemeteries”, or their development, within the Growth Plan.

#### **4.1.4 The Oak Ridges Moraine Conservation Plan (2002)**

The Oak Ridges Moraine Conservation Plan (“ORMCP”) provides land use policy direction to guide regional and municipal planning jurisdictions located within the Oak Ridges Moraine focused on ecological and environmental management principals. The Moraine is recognized as an “*environmentally sensitive, geological landform in south central Ontario, covering 190,000 hectares* (Ontario (MMAH - ORMCP), 2002). The effect of the ORMCP is to direct new development to existing settlement areas within its area of influence, and limit land use conversions in the sensitive areas of the countryside or rural areas.

Whereas the ORMCP provides for the development of “small scale” cemeteries within the Countryside designation, the intention is for such cemeteries to serve the local population only. There is no definition, however, of what constitutes “small scale” provided to assist with the interpretation of the policies, other than the reference to serving the local area. There is no consideration provided in a policy context for the provision for a cemetery of the size and scale that tend to define modern cemeteries. The importance of the ORMCP in terms of its impact on the development of cemeteries is that the Moraine envelopes the Greater Toronto and Hamilton Area (known as the “GTHA”), thereby providing a limit to future expansion of the urban area surrounding Toronto.

#### **4.1.5 The Greenbelt Plan (2005)**

The Greenbelt Plan (“Plan”) builds on the principles of the ORMCP with respect to directing new development to existing settlements. The area regulated by the Greenbelt Plan is significantly larger area than the ORMCP and it surrounds the City of Toronto. The Plan encompasses the whole of the Oak Ridges Moraine area, the lands deemed by earlier Provincial legislation to be within the Niagara Escarpment Protection area, the Parkway Belt West Plan area, along with additional lands surrounding the Greater Toronto Area designated to be “Protected Countryside” by the Plan. The Greenbelt Plan:

*identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological features and functions occurring on this landscape (Ontario (MMAH), 2005).*

The goals of the Greenbelt Plan relate to agricultural protection; environmental protection; culture, recreation and tourism; settlement areas; and infrastructure and natural resources. Unlike the ORMCP, there is no reference to “cemeteries” (even ‘small scale’ ones) or their development within the Plan. Once again, the Greenbelt Plan encompasses most of what remains of the GTHA that is not already designated as an urban area. Of specific note is that the Greenbelt Plan prohibits the redesignation of “Agricultural” land, as defined in Regional and local municipal official plans. The result of the Plan’s policies is even greater constraints for the development of cemeteries that may be required to serve the population within the GTHA. Options for the development of new cemeteries, when considered in the context of the two plans, are significantly limited.



#### **4.2 Implications of Provincial Policy on Cemeteries**

The Province's major policy initiatives share the objective of rationalizing the growth patterns in Ontario by guiding development to existing established urban areas and thus limiting urban sprawl. Municipalities within the area covered by the ORMCP and Greenbelt Plan are required to update their individual planning policy documents, their official plans, to conform to the vision the Province of Ontario has established. As a result, expansion of urban areas within municipalities are limited. Rather, the focus is on urban intensification, whereby sufficient land must be identified within existing urban boundaries to accommodate future growth. The rural agricultural land base within municipalities is to be protected. New development in the rural / agricultural areas is severely constrained. Although not specifically stated, the inference is that cemeteries, as a form of development, are to be located within existing urban and settlement areas.

This may explain, in part, why municipal land use policy typically does not accommodate the development of new cemeteries in the rural / agricultural areas. The PPS permits the redesignation of agricultural lands subject to certain criteria, including the demonstration of the need for the proposed use (Ontario (MMAH - PPS), 2005). The Greenbelt Plan, however, expressly prohibits the redesignation of agricultural lands. As a result, if land was available in the non-urban area of a municipality located in the GTHA, it would not be possible to redesignate the land for the development of a cemetery if the land was designated "agricultural" and deemed to be within the Greenbelt. If the same land was, however, designated "rural" it might be possible, unless of course it was in the "Protected Countryside" area of the ORMCP, wherein it could only be developed as a 'small-scale' cemetery.

The layering of the various policies and plans has the effect of prohibiting the development of cemeteries in the non-urban area, even though it may not be explicit<sup>1</sup>. The implication is that cemeteries are considered to be urban uses. The problem with this notion, however, is that cemeteries cannot compete with the traditional urban land use (residential, commercial, industrial, and recreational) for what has become a scarce resource within municipal boundaries. At the same time, sufficient land for cemetery use outside of established urban areas cannot be developed because of the Province's land use planning policy as articulated in the aforementioned Plans.

### 4.3 Municipal Policy Review

A review of the current land use policy for selected municipalities in Ontario was undertaken to determine the extent to which there are suitable land use policies in place to provide for cemeteries and guide the development of new properties. The intent of Official Plans is to guide municipal growth and development through the determination of a policy framework which articulates the municipality's overall vision with respect to its urban form.

Land use policy as articulated through Official Plans of the 10 largest municipalities in Ontario were reviewed to identify and assess the policies in the context of the provision / accommodation of cemeteries. These municipalities are identified herein as the "Primary" municipalities. As noted in S.1.2 of this paper, a secondary group of municipalities was included in the study group. These municipalities about the Primary municipalities, and constitute the group identified herein as the "Secondary" municipalities. Finally, a third group of municipalities were included in the study. These municipalities are comprised of the "upper-tier" municipalities within which the other two groups of municipalities are located. The rationale for the determination of the study group is that in the event that the primary municipalities are unable to adequately provide for this form of land use, they will be obliged to look to the neighbouring municipalities to accommodate the demand for such use by the public. The third group of municipalities have been included as their land use policies may influence the ability of the primary and secondary municipalities to provide and/or accommodate the development of new cemeteries.

Building on the research undertaken with this paper, the template for cemetery land use policy was refined and applied in the review of the land use policy for each municipality. An assessment matrix was developed, and is depicted in Figure 3. The key considerations pertaining to the development of land use policy for cemeteries is listed therein. A brief statement is provided to give an indication of what the policy should address. A column is included to indicate whether or not the item is addressed in the official plan under review. Finally, a numeric score is applied to indicate the extent to which the official plan policy appropriately addresses the item. In this regard, a score of "0" means the OP does not address the item, "1" means that the item is addressed, and "0.5" indicates that the policy only partially addresses the item. In some instances the OP policy does not expressly address cemeteries as a land use, however, sufficient direction is provided guidance with respect to the matter described in the item to support the development of a new cemetery, or facilitate the expansion

of an existing one. In these cases, the OP was awarded a score of “1” for the item in question. The item is considered to be addressed, therefore, if it provides “sufficient” guidance. A partial score, “0.5”, is provided if the item is addressed, but the guidance or reference to it is not clear with respect to supporting cemetery development. Finally, a score of “0” means that the item is not addressed, or although it may be overtly addressed, the policy does not aid in either the development of a cemetery, or the expansion of an existing one.

**FIGURE 3. – Sample Assessment Matrix ...**

<b>OP Policy Assessment Matrix – Cemeteries</b>		<b>SAMPLE MUNICIPALITY</b>	
<b>Item ...</b>	<b>Consideration: Is the following articulated in policy? ...</b>	<b>✓ Yes ✗ No</b>	<b>Score</b>
<b>1. Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>2. Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	0
<b>3. Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1.0
<b>4. Size:</b>	Acknowledge amount of land required for cemetery use...	✓	1.0
<b>5. Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	0.5
<b>6. LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	1.0
<b>7. Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✓	0.5
<b>8. Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	0
<b>TOTAL:</b>			<b>4.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

In light of the foregoing, the OP policies that either directly or indirectly pertained to cemetery land uses for the subject municipalities were reviewed. OP policy excerpts from the relevant Plans, along with individual municipal results is included in Appendix 2.

#### **4.3.1 Summary of Results**

All of the results were tabulated and then combined; these are depicted in Table 4, which indicates the individual municipal score for each policy criteria on the horizontal axis expressed as a number and subsequently as a percent of the total possible score. The intent of this ranking system is to provide an indication of how well a particular municipality has achieved the policy objective in regards to addressing the development of cemeteries in their official plans.

In addition to the foregoing, the overall extent to which the individual criteria are achieved in official plan policy has been assessed and is represented in the Table on the vertical scale. In this case, there are two indicators: The criteria is assessed in the context of the extent to which it has been achieved in policy (e.g. 46% of the need criteria has been addressed), and secondly, how many municipalities have actually considered the criteria (78% of all official plans reviewed assessed need, represented by 36 municipalities). Of the two measures in this case, perhaps the most interesting one is the second: the total number of official plans that have addressed the individual criteria, at least to some extent. Ideally both measures would be the same. The difference is accounted for the fact that some municipalities have not fully addressed the criteria, even though they have some level of policy that considers the criteria, thereby resulting in only a partial score for the particular criteria.

All of the criteria have been given equal weight. It is assumed that in order to provide appropriate land use policy direction all of the factors (criteria) need to be addressed. This is consistent with the approach typically employed in reviewing official plan policy for a particular matter. With respect to cemetery planning, all of the factors are important, and most are interrelated. For example, the planning horizon influences need, which influences size, which influences location, which could influence intensification options, while at the same time influencing land use compatibility, which is influenced by permanency, all of which may be influenced by environmental considerations. Practically, it would be difficult to attach more weight to any particular criteria over another, and philosophically it may not be appropriate to do so.

Finally, it should be noted that for the purposes of this analysis all of the municipalities have been weighted equally. The reason for this is that in the context of land use policy, the relative size of a municipality is not a factor in terms of the requirement for appropriate land use policy to guide the development of this use. The fact that the City of Toronto, for example, may be significantly larger than the Town of Markham does not mean that the land use policies for either municipality are more important than the other, nor are they necessarily more complex. The issue is the provision of land for the development of cemeteries in order to meet a societal requirement for the provision of this use (service). In cemetery planning, as in other forms of planning such as the provision of commercial space and opportunities, the primary determinant is the identification of a catchment area for the use, not the boundary of the municipality. Cemeteries are not constrained by municipal boundaries, and nor would it be practical to think of them in that light.

**Table 4: SUMMARY OP Policy Assessment Matrix - Cemeteries**

Municipality	Policy Assessment Criteria								Municipal Score	
	Need	Planning Horizon	Location	Size	Intensification	LU Compatibility	Environment	Permanency	Total Municipal Score	Possible Score % Policy Objective Achieved
Toronto, City of	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.5</b>	6%
Mississauga, City of	0.5	0.0	0.0	0.0	0.0	0.5	0.0	0.0	<b>1.0</b>	13%
Oakville, Town of	0.5	0.0	1.0	0.0	0.0	0.0	0.0	0.0	<b>1.5</b>	19%
Milton, Town of	0.5	0.0	0.5	0.0	0.0	0.0	0.0	0.0	<b>1.0</b>	13%
Brampton, City of	1.0	0.0	1.0	0.0	1.0	0.5	1.0	0.0	<b>4.5</b>	56%
Caledon, Town of	0.5	0.0	0.5	0.0	0.0	1.0	1.0	0.0	<b>3.0</b>	38%
Halton Hills, Town of	0.5	0.0	1.0	1.0	0.0	0.5	1.0	0.0	<b>4.0</b>	50%
Vaughan, City of	0.5	0.0	1.0	0.0	0.0	0.0	0.0	0.0	<b>1.5</b>	19%
Richmond Hill, Town of	0.5	0.0	0.5	0.0	0.0	0.0	0.0	0.0	<b>1.0</b>	13%
King, Township of	0.5	0.0	0.0	0.0	0.0	1.0	0.0	0.0	<b>1.5</b>	19%
Markham, Town of	1.0	0.5	1.0	1.0	0.5	0.5	1.0	0.0	<b>5.5</b>	69%
Whitchurch-Stouffville, Town of	0.5	0.0	1.0	0.5	0.0	1.0	0.5	0.0	<b>3.5</b>	44%
Uxbridge, Town of	0.5	0.0	0.0	0.0	1.0	0.0	0.0	1.0	<b>2.5</b>	31%
Pickering, City of	0.5	0.0	1.0	0.0	0.5	0.5	0.0	0.0	<b>2.5</b>	31%
Halton, Region of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%
Peel, Region of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%
York, Region of	1.0	0.0	1.0	0.5	0.5	1.0	1.0	0.0	<b>5.0</b>	63%
Durham, Region of	1.0	0.0	0.0	0.5	1.0	1.0	1.0	0.0	<b>4.5</b>	56%
Ottawa, City of	0.5	0.0	0.0	0.0	0.0	0.5	0.0	0.0	<b>1.0</b>	13%
Hamilton, City of	0.5	0.0	1.0	0.0	0.0	0.0	0.0	0.0	<b>1.5</b>	19%
Grimsby, Town of	0.5	0.0	1.0	0.5	0.5	0.5	0.0	0.0	<b>3.0</b>	38%
West Lincoln, Town of	0.5	0.0	0.0	0.0	0.0	0.5	0.0	0.0	<b>1.0</b>	13%
Haldimand, County of	0.5	0.0	0.0	0.0	0.0	0.5	0.0	0.0	<b>1.0</b>	13%
Brant, County of	1.0	0.0	0.0	0.0	0.5	0.5	0.0	0.0	<b>2.0</b>	25%
North Dumfries, Township of	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.5</b>	6%
Puslinch, Township of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%
Burlington, City of	0.5	0.0	0.0	0.0	0.5	0.5	0.0	0.0	<b>1.5</b>	19%

**Table 4: SUMMARY OP Policy Assessment Matrix - Cemeteries**

Municipality	Policy Assessment Criteria								Municipal Score	
	Need	Planning Horizon	Location	Size	Intensification	LU Compatibility	Environment	Permanency	Total Municipal Score	Possible Score % Policy Objective Achieved
Niagara, Region of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%
Waterloo, Region of	0.5	0.0	0.5	0.0	0.0	0.0	0.0	0.0	<b>1.0</b>	13%
Wellington, County of	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.5</b>	6%
London, City of	0.5	0.0	0.5	0.0	0.0	0.5	0.0	0.0	<b>1.5</b>	19%
Thames Centre, Town of	0.5	0.0	0.0	0.0	0.0	0.5	0.0	0.0	<b>1.0</b>	13%
Middlesex Centre, Town of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%
Southwold, Township of	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.5</b>	6%
Central Elgin, Municipality of	0.5	0.0	0.0	0.0	0.0	0.5	0.0	0.0	<b>1.0</b>	13%
Middlesex, County of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%
Elgin, County of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%
Windsor, City of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%
Tecumseh, Town of	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.5</b>	6%
LaSalle, Town of	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.5</b>	6%
Essex, County of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%
Kitchener, City of	0.5	0.0	0.0	0.0	0.0	0.5	0.0	0.0	<b>1.0</b>	13%
Woolwich, Town of	0.5	0.0	0.0	0.0	0.0	0.5	0.0	0.0	<b>1.0</b>	13%
Waterloo, City of	1.0	0.0	1.0	0.0	0.5	1.0	0.0	0.0	<b>3.5</b>	44%
Cambridge, City of	0.5	0.0	0.5	1.0	0.5	0.5	0.0	0.0	<b>3.0</b>	38%
Wilmot, Township of	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0.0</b>	0%

<b>Total Item Score:</b>	<b>21.0</b>	<b>0.5</b>	<b>18.5</b>	<b>5.0</b>	<b>7.0</b>	<b>14.5</b>	<b>6.5</b>	<b>1.0</b>	<b>74.5</b>	<b>368.0</b>	<b>20%</b>
<b>Possible Score:</b>	46.0										
<b>% Criteria Achieved</b>	46%	1%	40%	11%	15%	32%	14%	2%			
<b># of OPs addressing issue</b>	36	1	17	7	11	23	7	1			
<b>% of OPs addressing issue</b>	78%	2%	37%	15%	24%	50%	15%	2%			

#### 4.3.2 **Observations: Overall Criteria Scores**

- ✓ **Need:** 36 municipalities (~78%) recognized and/or addressed the “need” for cemeteries in their OP policies in some form or another: Of these, only 6 municipalities achieved full credit (i.e. a score of ‘1), representing only 13% of all municipalities addressing this item somewhat satisfactorily.
- ✓ **Planning Horizon:** Only 1 municipality (The Town of Markham) mentioned the planning horizon in their OP policies pertaining to cemeteries.
- ✓ **Location:** 17 municipalities (~37%) addressed the location of cemeteries in their OP policies: Of these, 11 municipalities achieved full credit (i.e. a score of ‘1), representing only ~22% of all municipalities addressing this item somewhat satisfactorily.
- ✓ **Size:** 7 municipalities (~15%) acknowledged cemetery size as a consideration in their OP policies, with only 3 municipalities achieved full credit (i.e. a score of ‘1), representing only ~6% of all municipalities addressing this item somewhat satisfactorily.
- ✓ **Intensification:** 11 municipalities (~24%) supported the intensification of uses in relation to cemeteries as a consideration in their OP policies, with only 3 municipalities achieved full credit (i.e. a score of ‘1), representing only ~6% of all municipalities addressing this item somewhat satisfactorily.
- ✓ **Compatibility:** 23 municipalities (~50%) acknowledged compatibility of uses in relation to cemeteries as a consideration in their OP policies, with only 6 municipalities achieved full credit (i.e. a score of ‘1), representing only ~6% of all municipalities addressing this item somewhat satisfactorily.
- ✓ **Environment:** 7 municipalities (~15%) acknowledged cemetery size as a consideration in their OP policies, with 6 municipalities achieved full credit (i.e. a score of ‘1), representing only ~11% of all municipalities addressing this item somewhat satisfactorily. This is interesting, considering that 36 municipalities (78%) provide some form of land use policies in their OPs pertaining to cemeteries, meaning that only ~16% of those address environmental matters in their policies relating to cemeteries.

- ✓ Permanency: Only 1 municipality (The Town of Uxbridge) recognizes the permanency of cemeteries in terms of land use terms, notwithstanding that the Town's total score was only 2.5 (recognizing a score of 0.5 for need, 1.0 for intensification, and 1.0 for permanency).
- ✓ Overall: The number of municipalities that do not provide land use policy to guide the expansion and/or development of new cemeteries was found to be 10. Of these, surprisingly, 2 did not have an Official Plan (the Township of Puslinch and County of Essex)
- ✓ Of the assessment criteria, need was addressed in approximately 35% of the official plans, planning horizon in 2%, location in 37%, size in 15%, intensification in 24%, land use compatibility in 50%, the environment in 13%, and finally the permanency of cemeteries as a land use in only 2% (representing only one municipality).

#### 4.3.3 Observations: Individual Municipal Scores

Each municipality was also assessed an individual score to provide an indication of the appropriateness of their cemetery land use policies. These scores are represented by the horizontal tabulation of their scores for each criteria. Municipalities with scores 50% and above are indicated in Table 5.

**Table 5: MUNICIPALITIES WITH SCORES OVER 50%**

Municipality	Policy Assessment Criteria								Municipal Score	
	Need	Planning Horizon	Location	Size	Intensification	LU Compatibility	Environment	Permanency	Total Municipal Score	Possible Score % Policy Objective Achieved
Brampton, City of	1.0	0.0	1.0	0.0	1.0	0.5	1.0	0.0	<b>4.5</b>	8.0 56%
Halton Hills, Town of	0.5	0.0	1.0	1.0	0.0	0.5	1.0	0.0	<b>4.0</b>	
Markham, Town of	1.0	0.5	1.0	1.0	0.5	0.5	1.0	0.0	<b>5.5</b>	
York, Region of	1.0	0.0	1.0	0.5	0.5	1.0	1.0	0.0	<b>5.0</b>	
Durham, Region of	1.0	0.0	0.0	0.5	1.0	1.0	1.0	0.0	<b>4.5</b>	



Out of a total of 46 municipalities in the sample, only 5 scored 50% and higher, representing 11% of municipalities. Their individual results are highlighted in Table 5. The Town of Markham scored the highest with a raw score of 5.5 out of a possible total of 8.0, suggesting that it achieved 69% of the policy objective for providing for cemeteries as a land use. Markham is followed by the Region of York (at 5.0, or 63%), and then the Region of Durham and City of Brampton (tied at 4.5, or 56%), and finally, the Town of Halton Hills (4.0, or 50%).

#### **4.3.4 Land Use Designations**

Cemeteries do not appear to be associated with a particular land use, nor is there any consistency in how they are treated in the context of land use policy. The only municipalities that actually identify cemeteries as a land use designation from the sample municipalities are Whitchurch-Stouffville and Uxbridge. Cemeteries, where they are identified as permitted uses, are accommodated in various land use designations, as evident from the data included in the following table:

**Table 6: LAND USE DESIGNATIONS PERMITTING CEMETERIES**

<b>Designation</b>	<b>Municipalities</b>
1. Cemetery	2
2. Open Space and/or Parkland	20
3. Rural	5
4. Institutional	10
5. Agricultural	4
6. Other (mostly Greenbelt, Natural Areas, Cemetery)	8
7. Non-specific	13

The data seems to suggest that there were 62 municipal OPs reviewed, although in actual fact there were 42. The numbers reflects the categorization of cemeteries under multiple designations in some OPs, which highlights the inconsistencies respecting how cemeteries are viewed in land use terms. Interestingly, some municipalities that permit cemeteries in 'open space' designations do not allow structures. Therefore, administration buildings, mausoleums, columbaria, niches and reception / visitation centres, all of which are typically found in cemeteries in one form or another, would not be permitted. (For an example, see Appendix 2: Milton). It was also noted that there is no uniform definition for cemeteries and their associated

uses (mausoleums, columbaria, niches, etc.) in official plan policy, which may be a factor in how they are treated in terms of land use designations.

Finally, it was noted that the development of a cemetery typically requires an amendment to the official plan, notwithstanding the presence of policies in those OPs that do address this land use form. For example, the Town of Markham includes cemeteries as an “Institutional” land use with a specific sub-designation “Cemetery”. Although the OP provides criteria respecting the establishment of the use, it requires an amendment to the Plan to implement it. In addition there are no formal definitions provided in the OP for either a “cemetery”, nor the various elements found on cemeteries.

The same situation exists with the Region of York, in their new Official Plan, provides for the development of new cemeteries within the “Rural” area of the Greenbelt Plan. Like Markham, the implementation of the use requires an amendment to the Official Plan. It is also interesting to note that although there is no explicit statement permitting cemeteries in the urban areas of the Region, the Region’s plan does not preclude cemeteries in urban areas. Nevertheless, the inference is that specific land use policy for urban areas is the responsibility of the local municipalities. Therefore, although there is a definition included for “Cemeteries” in the Region’s OP, the Region’s interest in this form of land use is limited to its potential accommodation in the “Rural” area, notwithstanding the previous discussion in S.4.2.

#### **4.3.5 Analysis Observations**

The presence of land use policy that speaks to cemeteries does not always translate into “good” policy. For example, the City of Waterloo has quite extensive policies that incorporate cemeteries into them, however, in the analysis of the policies undertaken herein the City scored on the low side (3.5). It is noted that with regards to the parameters of “need”, “location”, and “land use compatibility”, the City met the objective. In other areas, however, the policies were insufficient to satisfy the criteria. For instance, there was no consideration of the “planning horizon”, “size” of properties, “environment”, or “permanency”. Partial regard was given to “intensification”. Therefore, the overall score for the OP policies was low.

An understanding of the need for cemeteries was only demonstrated in 35% of the official plans that were reviewed. Perhaps even more disturbing is the evidence that only 2% of the municipalities acknowledged the planning horizon and permanency of cemeteries. In actual numbers, only two municipalities addressed these issues, and neither one acknowledged both.

In terms of the planning horizon, only the Town of Markham included a suggestion that cemeteries are a long term land use. This was in the context that any lands that are designated to permit a cemetery, and that are also located outside of the urban area, may be used on an interim basis for another use (i.e. agriculture, until the lands are needed for use as a cemetery. Notwithstanding the foregoing, none of the official plans reviewed indicated a clear understanding or acknowledgement that in assessing the need for a cemetery, a longer term planning horizon must be employed. None of the official plans, either by inference or actual acknowledgement, challenge the generally accepted 20 to 25 year planning horizon used in land use planning.

An issue that was addressed in the literature review of Chapter 2 and the analysis provided in Chapter 3 focuses on the idea that lands within urban areas are more likely to be developed for uses other than new cemeteries. The discussion considered an argument related to the optimization of land utilization, given that urban land is supported by municipal infrastructure which is not necessary for cemetery development. Although the City of Brampton does not clearly state this, it might be inferred from their policies that discourage the purchase of lands within the urban area for cemetery expansion and/or development. (See Appendix 2, City of Brampton - S.4.8.13.2).

#### **4.4 Conceptual Land Use Policy for Cemeteries**

Effective land use policy, recognizing the importance of cemeteries and the value that society places on this use must be both permissive and enabling. Generally, the literature and, where they exist, existing land use policies, recognize the compatibility of this form of land use. Whereas any development must be responsive to the context within which it is to be located, the overall notion of what constitutes good land use planning should guide the development of any land use, including cemeteries. The key factors when planning for cemeteries, are as follows:

1. The planning horizon for cemeteries is not the same as other land uses. Simply put, the 20 to 25 year planning horizon contemplated by the Provincial Policy Statement (Ontario (MMAH - PPS), 2005) does not relate to the practical realities of multi-generational planning which is the basis for cemetery development.
2. As with traditional land use planning, population projections are important, but from a different perspective: They must be related to mortality rates and projections. For instance, when planning communities it is important to know what the eventual

population will be in order to ensure that appropriate opportunities (access to housing, employment, recreation, institutions, transportation systems, etc), will be provided as and when needed. It is equally important to be able to project how much land will be required to accommodate the dead, based on the projections of population and mortality rates<sup>2</sup>.

3. The location for cemeteries is an important consideration. It is important that land use policy recognize that cemeteries constitute both an urban and non-urban use. Official plan policy that recognize cemeteries as only an urban use does not consider this land use in the context of the efficient and appropriate use of land and municipal services. Furthermore, it must be understood that the size of modern cemeteries make their development within urban areas unlikely.
4. Along with the previous two points, the size of the proposed cemetery is important. To a certain extent this is dependent on the expected composition of the client base for the new cemetery. It is recognized that cemeteries may represent various cultural, ethnic, and religious groups. The size of a cemetery that focuses on one segment of society may be different than a cemetery that is non-denominational / non-cultural based. The size must be compatible with the projected client base over the planning horizon (which has been shown to be ~100 years, or 4-generations).
5. It is important that new cemeteries are designed to be flexible and responsive to potential societal and cultural changes in attitudes towards how death and burial is to be accommodated. The modern history of cemeteries suggests that they will continue to require large properties, notwithstanding evolving practices such as a wider acceptance of cremation (Mytum, 2004). In practice, although individuals may choose to be cremated, the general practice is to have their ashes buried in a cemetery (Annand, Memorial Gardens Dickson Hill Cemetery Needs Analysis Markham, ON, 2011). It is also important that opportunities are provided for the placing of memorials (monuments, etc) as a form of 'touchstone', whereby their descendants may go to connect with their heritage.
6. Finally, it is recognized that, as with any form of development, potential environmental impacts must be considered in the land use approvals process. Historically, urban graveyards and cemeteries were the cause of some concern respecting the prospect of

the spread of disease. This was the result of overcrowding and poor sanitation and health practices (Mytum, 2004). The development of the modern cemetery represented a response to these concerns and issues. Nevertheless, public concerns are not uncommon when a new cemetery is proposed in proximity to a settlement area. These concerns are often manifest in concerns for the local residents' potable water sources, although they may be based on superstition, naivety about the use, and other reasons. It is important, therefore, the proposals for new cemeteries address any potential environmental concerns in order to justify the locational choice.

In light of the foregoing, therefore, a template for land use policy respecting cemeteries might consider the following format / policy direction:

It is recognized that cemeteries constitute an important societal use, which by their nature are to be considered to be permanent. It is also recognized that cemeteries, by the nature of their development form, are considered to be generally compatible to all other land uses within the municipality. Therefore, proposals for new cemeteries and accessory uses such as mausolea, columbaria, chapels / visitation centres, and/or proposals for expansions of existing cemeteries, shall be permitted, subject to an amendment to the zoning by-law and site plan approval, provided that the following matters have been addressed to the satisfaction of the municipality:

- a) The area and capacity of the cemetery and the accessory uses are appropriate for the location, and sufficient in size to serve the project population within the planning horizon of the cemetery, notwithstanding that it is recognized that the cemetery planning horizon is different (longer) than the planning horizon typically used in traditional land use planning.
- b) An analysis of the proposed use shall be provided, wherein the need for the new cemetery (or an expansion of an existing cemetery) will be demonstrated through an examination of the demand for additional cemetery land, assessed against the existing and potential supply of such land within the planning horizon for cemetery uses.

- c) Opportunities for alternative internment and/or burial practices to meet the needs of a diverse cultures and efficient use of the land area will be considered;
- d) An environmental evaluation of the proposed cemetery shall be prepared, which will include the completion of hydrological and hydrogeological studies, which indicate that the use will not have adverse impacts on the quality and quantity of ground and surface water on or nearby the site or any Wellhead Protection Area;
- e) An analysis of traffic patterns, including the consideration of any potential impacts to existing surrounding and area uses, including an assessment of projected onsite parking requirements in relation to such accessory uses as defined herein, shall be prepared; and,
- f) An enhancement plan shall be prepared that demonstrates the use of existing site characteristics, such as topography and vegetation, identifies natural native vegetation enhancement and sequential plantings, including opportunities for memorial groves and the establishment of arboreta, improvements to connectivity between key natural heritage features and key hydrologic features, provides for the development of a forest canopy.

The underlying principle is that cemeteries represent an important use to society. Unfortunately, it is a use that is currently poorly served in land use policy. Cemeteries represent a land use that is generally compatible with all other land uses, and as such, they should be permitted to be located wherever it is logical for them to locate (so as to not compete for municipal services they do not require). In assessing proposals for the development of new cemeteries, as well as the expansion of existing cemeteries, it should be demonstrated that there is a need for the use, and that the use can be supported subject to the consideration of typical land use / development matters associated with site planning; in other words, subject to good planning principles.

## CHAPTER 4 ENDNOTES ...

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<sup>1</sup> An example of perhaps the “unintended” prohibition of the development of cemeteries outside of urban areas can be found in the recent adoption of a new Official Plan by the Region of York (the “Region”). In December of 2009 the Region of York (the “Region”) adopted a new Official Plan, which was intended to bring the Region’s land use policies into conformity with the Province of Ontario’s various plans. Their previous Plan was adopted in 1994, and had since been amended on a number of occasions. The Province approved the Region’s new OP on September 7, 2010 (Region of York, 2011). To the Region’s credit, they incorporated land use policy directed at the development of new cemeteries, which were to be permitted within the Region’s “Rural” area of the Greenbelt. At the same time, in previous amendments to their Official Plan the Region had recognized that it is difficult for new cemeteries to be established in urban areas because of the competition for land through ROPA 8 (Region of York (ROPA 8), 1999) and ROPA 28 (Region of York (ROPA 28), 2005). The Region’s OP differentiates between “Rural” lands, and “Agricultural” lands. The new policies permitting cemeteries in the Rural Area, therefore, do not offend the Greenbelt Plan’s prohibition on the redesignation of Agricultural lands for other purposes (Ontario (MMAH), 2005). At the same time, the Official Plan does not permit the development of cemeteries on lands designated “Agricultural” outside of the Greenbelt area. Nevertheless, on the surface there appears to be some options for the development of cemeteries in the non-urban areas of the Region. The problem is, therefore, that the Rural land base within the Greenbelt Plan in York Region is limited. It is questionable, therefore, whether or not the remaining lands (i.e. “rural”) are appropriate for cemetery development (because of their location in relation to urban areas) and/or sufficient to adequately provide for the need for cemetery lands. The Official Plan is currently under appeal.

<sup>2</sup> Actual plot yields vary for cemeteries depending on the type of plot, site conditions, burial preferences, and product supplied by the cemetery. An estimation of single depth plot yield suggests that a typical burial garden can accommodate up to 1250 in-ground burial plots per net acre of land. Changing the composition of the garden to double depth plots could, in theory, double the plot yield to 2,500 plots per net acre. Often, however, burial gardens offer a variety of burial options, such as traditional single and double depth plots, niches, and columbaria.

This number may increase dramatically if the land is used for a Mausoleum or cremation burials. The lowest burial intensity is associated with in-ground graves. Mausoleum burials yield a slightly lower yield on the basis of plots (crypts) per square metre of ground floor, but with a multi-storey building the plot yield surpasses in-ground plot yield by a significant number. Cremation burials, whether within traditional burial plots (which may accommodate a number of cremation burials per plot), or within above ground niche structures represent the most intensive use of the land.

Kenneth V. Iserson, in his book Death to Dust: What Happens to Dead Bodies (Kenneth V. Iserson, 1994) discussed cemetery planning in terms of the actual site development (as opposed to the planning approvals process) and estimates plot yields to range from 1,815 per acre to 2,842 per acre. He does not define whether his calculation is on a “net” basis, but a reasonable assumption would be that it is. Plot yield is relevant in terms of determining how much land would be required over time to accommodate the expected deaths through a planning period. The multigenerational nature of cemeteries must also be considered in this calculation.

## 5.0 CONCLUSION

Land use policies are developed in order to guide the development and growth of municipalities. Historically, policies have been developed in this regard to govern the provision and development of residential, commercial, industrial (employment), institutional, and open space land uses, which are all considered to be a part of the structure of a municipality. In this context, an often overlooked land use is cemeteries, which nevertheless represent an integral component of social structure. They are a necessary social element servicing society's needs for the memorialisation and accommodation of the deceased.

Throughout history, cemeteries have provided an important service to society. Whereas the manner in which society deals with its dead may have evolved, influenced by cultural preference, in modern society<sup>1</sup> cemeteries play an important role. From the early burial grounds, to graveyards associated with churches to large properties, which may either be associated with a particular religious group or organization, or be non-denominational, cemeteries have been an important component of the structure of municipalities. Their importance in society has been recognized beyond the basic function of the provision of a depository for the dead. Cemeteries provide an important link to the past, a sense of history, and a link to the cultural and societal heritage of our communities.

*With the opening of Pere-Lachaise in 1804, and even more pointedly thirty years later with the rise of the America rural cemetery movement, cemeteries came to be important cultural institutions. In a time when few American cities had anything resembling public parks or museums, cemeteries filled these and other roles. Not only were they much larger, more hygienic, and more aesthetically pleasing than the older urban graveyards, but they were also intended to be socially and culturally uplifting in ways that the earlier sites were not. They were didactic landscapes, repositories for history and knowledge, showcases for fine art and horticulture, schools for the living. Cemetery visitors absorbed lessons on nature and its cycles, on mortality, humility, morality, and charity. In cemeteries, people learned about local and national history, encountering the patriotism of others that might fuel their own (Eggener, Cemeteries, 2010)*

Land use planning considers the range and locational characteristics of the various forms of land use needed to support society within both urban and non-urban areas of municipalities.



Official plans provide a formal policy basis for determining the structure of municipalities in the context of the arrangement of land uses. As such, official plans are future looking documents, intended to guide growth and development within a defined time frame, typically 20 to 25 years. In Ontario, the Provincial Policy Statement (PPS) seeks to guide planning and development in order to encourage the building of strong communities:

*Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth* (Ontario (MMAH - PPS), 2005).

The PPS actually specifies a planning horizon of up to 20 years, within which municipalities shall strive to ensure that land is available, either through intensification, redevelopment, and/or development in designated growth areas, for the provision of employment, housing, and associated uses required to support the needs of the public (Ontario (MMAH - PPS), 2005).

The issue, which is the focus of this paper, is that land use policy planning typically does not provide for one land use that should be an essential component of the land use and social fabric of municipalities, that being cemeteries. Cemeteries, which may be considered to represent a “residential” land use for the dead, are multigenerational providing an opportunity for families to focus their memorialisation and historical connectivity needs on one cemetery, thus providing a personal link with a family history. As a result, the business horizon, and therefore the planning horizon for the planning and development of cemeteries is typically 100 years, representing approximately four generations. Projections of need, therefore, have to consider longer timeframes than what would otherwise be considered for more traditional forms of development. This has serious implications for the land use planning process in that most planners are not accustomed to dealing with development proposals that contemplate a life span of “forever”. Cemeteries, in this context, represent a “permanent” use, one that is not going to evolve substantially, but one that once located, will not likely be moved and/or redeveloped. The implications for land use policy planning, therefore, is significant.

The analysis conducted through this paper reviewed the land use policy of Ontario’s ten largest urban centres, the municipalities that immediately surrounded them, and the regions or counties within which the municipalities were located. In all forty-six municipal official plans were

reviewed, representing 61.7% of Ontario's population in 2006 (Statistics Canada, 2011). In some cases, where official plans were under review by a municipality, the council adopted new official plan was also reviewed. Not only were a number of municipalities in the Greater Toronto Hamilton Area (GTHA) reviewed, but municipalities located in other population concentration areas (Windsor, London, and Ottawa) were included. These municipalities represent the primary concentration of population in Ontario, which in 2006 was reported to be 12,160,282.

Out of the entire sample (46) analyzed, only five municipalities achieved a score of 50% and higher. The highest score was the Town of Markham, which achieved 5.5 out of a possible 8 points. The Region of York's new official plan policies were in second place with a score of 5.0. In both cases, however, the policies that were provided were somewhat limited. The Town of Markham does recognize that cemeteries may have to be located in the non-urban area of the municipality. Likewise, the Region of York does as well, although this is not explicitly identified in the wording of the policy, rather it is found in two amendments to its previous Official Plan. Other municipalities incorporated wording that was applicable to cemeteries, but they failed to explicitly recognize the importance of the use, understand and thus provide for the use in the non-urban area, nor the permanency of cemeteries. Although 78% of the municipalities considered the need for cemeteries, the land use policies provide little guidance to assist in a practical manner with the development of new cemeteries in their respective municipalities.

In light of the analysis undertaken herein, it is apparent that most municipalities do not consider this development form when developing land use policy. Those that do, typically do not demonstrate that they recognize cemeteries as a land use, nor the characteristics of the use that will influence where it can and should be accommodated by the policies they incorporate into their official plans. Generally, the land use policies that are provided in official plans in Ontario are either woefully inadequate, or provide limited guidance for the development of new cemeteries. Furthermore, the official plans generally fail to address the challenges and logistics of this form of land use. The formulation of comprehensive land use policy must also include the provision of cemeteries intended not only to serve the current and immediate population (based on the 20 year planning horizon of the PPS), but recognizing the permanency of cemeteries as a land use, the projections of the land that will ultimately be required for this use should be based on the planning horizon typically used in cemetery planning: 100 years. Changes are required in the way cemeteries are considered and accommodated in the official plans of the Province of Ontario in order to ensure that society's requirements and interest in the

memorialisation of the dead are addressed. The requirement for this form of land use is not going to disappear.

The solution to this issue lies within the recognition of cemeteries as an essential component of the municipal land use fabric. This is not to suggest, however, that municipalities pre-designate lands for this use. Such pre-designation of land for cemeteries may be problematic for a number of issues related to the amount of land that may be required, its location, and even the composition and type of cemetery envisioned. Certainly it is evident that some municipalities may not be in the position to satisfy their projected demand for cemetery space within their physical boundary. This is especially true for the more urban municipalities, such as the Cities of Toronto and Mississauga. These types of cities generally do not have large tracts of undeveloped land within their boundary to designate for cemetery use. Thus, they are forced to look beyond their limits for suitable lands<sup>2</sup>. Furthermore, the determination of the amount of land required for cemetery purposes, along with the type of cemetery land needed (to respond to cultural burial preference) is a function of the projected need.

Municipalities, however, tend to be inward looking when undertaking planning exercises. This could affect the determination of need, which if it was based solely on local need, it could be significantly understated as a result of the need generated by an adjacent municipality. Due to the characteristics of this land use form, cemeteries must be considered on the basis of their anticipated catchment area, rather than a municipal boundary. This is true not only for cemeteries, of course, but also other uses that serve the overall public good, such as commercial lands (in the context of a municipality with a regional service area) and certain institutional uses (hospitals). As a result, the need for cemeteries will likely remain a reactive, or market driven, process. Accordingly, land use policy must be formulated and included in official plans which; recognizes the societal importance of this form of land use, considers the need for cemeteries on a broad basis which transcends municipal boundaries (i.e. on a 'catchment area' basis), accepts a planning horizon relevant to the type and characteristics of this form of development (i.e. ~100+ years), and provides appropriate guidance for the development of new cemeteries in areas that can appropriately accommodate the use (which is most likely / appropriately the non-urban areas of the municipality).

Finally, this research has identified a general lack of consideration of a land use that, while an important component of the structure of a municipality, is largely neglected in the formulation of policy intended to guide the growth and development of Ontario's municipalities. While this

paper has focused on Ontario, it is likely that this issue is found in other jurisdictions as well. Additional research should be undertaken to identify the extent to which this issue is prevalent in land use policy planning in general. The objective of the research would be to establish the importance of cemeteries as a land use, and the necessity to ensure they are appropriately incorporated into land use policy formulation in future. What is required is the formal recognition of the importance of this form of land use and the necessity to ensure its inclusion in the formulation of land use policy. Furthermore, a consistent approach to how cemeteries are treated in terms of their designation in land use policy would be appropriate. This would help in ensuring that as a land use, and as a component of the land use fabric of a municipality, cemeteries, and the need to provide for their development, is acknowledged and accommodated in land use policy planning.

## CHAPTER 5 ENDNOTES ...

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- <sup>1</sup> The concept of 'modern' in societal terms, and for the purposes of this paper, is taken to mean post World War II (1950s+) "CE", or "current era" (sometimes referred to as 'common era'). It is generally understood that CE coincides with the 'Christian Era', or the period after Christ (previously referred to as 'AD', which is Latin for Anno Domini".) It is defined by the Oxford Dictionary as the "period of time which begins with traditional date of Christ's birth". (Oxford Dictionaries, 2011)
- <sup>2</sup> It is recognized that some cities, for a variety of reasons, have significant tracts of undeveloped lands, such as the Cities of Ottawa, Hamilton and London. The former two (Ottawa and Hamilton) are the result of the collapse of the Regional Government tier into single municipalities. The Region of Ottawa Carlton became the City of Ottawa (City of Ottawa, 2011), and the Region of Hamilton Wentworth became the City of Hamilton (City of Hamilton, 2011). The City of London is also the result of a relatively recent amalgamation (City of London, 2011). As a consequence, these cities have large non-urban land base. Nevertheless, however, they tend to be the exception.

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## DETERMINATION OF MUNICIPAL SAMPLE, INCLUDING THE RELATIONSHIP BETWEEN MUNICIPALITIES FOR SELECTED ONTARIO MUNICIPALITIES

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### TABLE OF CONTENTS – LIST OF TABLES

1. INTRODUCTION.....	1
2. TABLES .....	2
TABLE A1-1: ONTARIO MUNICIPALITIES .....	2
List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010) .....	2
TABLE A1-2: MUNICIPAL MATRIX Depicting Municipal Relationships.....	3
TABLE A1-3a: PRIMARY MUNICIPALITIES.....	4
List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010) .....	4
TABLE A1-3b: SECONDARY MUNICIPALITIES List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010).....	5
TABLE A1-3c: UPPER TIER MUNICIPALITIES List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010).....	6
Municipal Relationships Matrices.....	6
TABLE A1-4: MUNICIPAL + AREA MUNICIPALITIES RELATIONSHIP MATRIX .....	6
1. TORONTO + AREA MATRIX Depicting Municipal Relationships.....	6
2. OTTAWA + AREA MATRIX Depicting Municipal Relationships.....	7
3. MISSISSAUGA + AREA MATRIX Depicting Municipal Relationships .....	7
4. HAMILTON + AREA MATRIX Depicting Municipal Relationships .....	7
5. BRAMPTON + AREA MATRIX Depicting Municipal Relationships .....	8
6. LONDON + AREA MATRIX Depicting Municipal Relationships.....	8
7. MARKHAM + AREA MATRIX Depicting Municipal Relationships .....	8
8. VAUGHAN + AREA MATRIX Depicting Municipal Relationships .....	9
9. WINDSOR + AREA MATRIX Depicting Municipal Relationships .....	9
10. KITCHENER + AREA MATRIX Depicting Municipal Relationships .....	9

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## DETERMINATION OF MUNICIPAL SAMPLE, INCLUDING THE RELATIONSHIP BETWEEN MUNICIPALITIES FOR SELECTED ONTARIO MUNICIPALITIES

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### 1. INTRODUCTION

In the course of this research, Official Plans for the 10 largest municipalities in Toronto have been reviewed to identify and assess their land use policy with regards to the provision and maintenance of cemeteries within their corporate boundaries. A secondary group of municipalities, consisting of those municipalities that abut the primary group of municipalities, have been examined in the same context. The premise is that in the event that the primary municipalities are unable to adequately provide for this form of land use, they will be obliged to look to the neighbouring municipalities to accommodate the demand for such use by the public. Finally, it is recognized that the provision of suitable land for cemetery purposes in the secondary municipalities may be satisfied only through the provision of land outside of identified and designated urban areas / centres. Consequently, the accommodation of this form of land use may be subject to the land use planning policies of upper-tier municipalities Official Plans where such secondary municipalities are located within such upper-tier municipalities. Therefore, in these cases the land use planning policies of these upper-tier municipalities will also be reviewed to ascertain the level of support for the provision of land for cemetery development and use.

The foregoing municipalities represent the “sample municipalities”, which are the subject of this research. These municipalities, and their relationships with each other in terms of “Primary”, “Secondary” and “Upper-Tier” are depicted in Table A1-2. It is noted that many of the primary and secondary municipalities overlap in terms of their relationship in that several of the primary municipalities are located adjacent to each other. For example, the City of Toronto abuts the Cities of Mississauga, Brampton, Vaughan and the Town of Markham. These abutting cities are, therefore, indicated as secondary cities in the Table, are also by definition “primary” cities by virtue of their population size.

The total sample size represents 46 municipalities. It is comprised of the following: 10 Primary Municipalities; 27 Secondary Municipalities; and, 9 Upper Tier Municipalities (7 Regions and 2 Counties). A summary of the OP policies for each municipality is found in Appendix 2.

## 2. TABLES

**TABLE A1-1: ONTARIO MUNICIPALITIES**

**List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010)**

#	RANK	MUNICIPALITY	TYPE	POPULATION 2006	POPULATION 2001	POPULATION 1996	% CHANGE 1996-2006
1	1	Toronto	city	2,503,281	2,481,494	2,385,421	4.9
2	4	Ottawa	city	812,129	774,072	721,136	12.6
3	6	Mississauga	city	668,549	612,000	544,382	22.8
4	9	Hamilton	city	504,559	490,268	467,799	7.9
5	11	Brampton	city	433,806	325,428	268,251	61.7
6	15	London	city	352,395	336,539	325,669	8.2
7	16	Markham	town	261,573	208,615	173,383	50.9
8	18	Vaughan	city	238,866	182,022	132,549	80.2
9	20	Windsor	city	216,473	209,218	197,694	9.5
10	21	Kitchener	city	204,668	190,399	178,420	14.7
11	26	Oakville	town	165,613	144,738	128,405	29
12	27	Burlington	city	164,415	150,836	136,976	20
13	28	Richmond Hill	town	162,704	132,030	101,725	60
14	29	Greater Sudbury	city	157,857	155,219	165,336	-4.5
15	32	Oshawa	city	141,590	139,051	134,464	5.3
16	33	St. Catharines	city	131,989	129,170	130,926	0.8
17	35	Barrie	city	128,430	103,710	79,191	62.1
18	38	Cambridge	city	120,371	110,372	101,429	18.7
19	39	Kingston	city	117,207	114,195	112,605	4.1
20	40	Guelph	city	114,943	106,170	95,821	20
21	42	Whitby	town	111,184	87,413	73,794	50.7
22	43	Thunder Bay	city	109,140	109,016	113,662	-4.0
23	45	Chatham-Kent	municipality	108,177	107,341	109,950	-1.6
24	49	Waterloo	city	97,475	86,543	77,949	25.1
25	53	Brantford	city	90,192	86,417	86,417	4.4

**TABLE A1-2: MUNICIPAL MATRIX Depicting Municipal Relationships**

Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
<b>1. Toronto</b>	Mississauga Brampton Vaughan Markham Pickering	Peel (Region) Peel (Region) York (Region) York (Region) Durham (Region)
<b>2. Ottawa</b>	n/a	n/a
<b>3. Mississauga</b>	Toronto Brampton Vaughan Milton Oakville Halton Hills	n/a Peel (Region) York (Region) Halton (Region) Halton (Region) Halton (Region)
<b>4. Hamilton</b>	Burlington Haldimand Brant Grimsby West Lincoln Puslinch Milton	Halton (Region) n/a n/a Niagara (Region) Niagara (Region) Wellington (County) Halton (Region)
<b>5. Brampton</b>	Toronto Vaughan Mississauga Caledon Halton Hills	n/a York (Region) Peel (Region) Peel (Region) Halton (Region)
<b>6. London</b>	Thames Centre Middlesex Centre Southwold Central Elgin	n/a
<b>7. Markham</b>	Toronto Vaughan Richmond Hill Whitchurch-Stouffville Uxbridge Pickering	n/a York (Region) York (Region) York (Region) Durham (Region) Durham (Region)



**TABLE A1-2: MUNICIPAL MATRIX Depicting Municipal Relationships**

Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
<b>8. Vaughan</b>	Toronto Markham Richmond Hill King Township Mississauga Caledon	n/a York (Region) York (Region) York (Region) Peel (Region) Peel (Region)
<b>9. Windsor</b>	Tecumseh Lasalle	n/a n/a
<b>10. Kitchener</b>	Waterloo North Dumfries Cambridge Wilmot Woolwich Blandford-Blenheim	Waterloo (Region) Waterloo (Region) Waterloo (Region) Waterloo (Region) Waterloo (Region) Oxford (County)

**TABLE A1-3a: PRIMARY MUNICIPALITIES**

List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010)

Sample ID. #	Grp A ID.#	NAT RANK	PROV RANK	MUNICIPALITY	TYPE	POPULATION 2006
1	1	1	1	Toronto	City	2,503,281
2	2	4	2	Ottawa	City	812,129
3	3	6	3	Mississauga	City	668,549
4	4	9	4	Hamilton	City	504,559
5	5	11	5	Brampton	City	433,806
6	6	15	6	London	City	352,395
7	7	16	7	Markham	Town	261,573
8	8	18	8	Vaughan	City	238,866
9	9	20	9	Windsor	City	216,473
10	10	21	10	Kitchener	City	204,668

**TABLE A1-3b: SECONDARY MUNICIPALITIES List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010)**

Sample ID. #	Grp B ID.#	NAT RANK	PROV RANK	MUNICIPALITY	TYPE	POPULATION 2006
11	1	26	11	Oakville	Town	165,613
12	2	27	12	Burlington	City	164,415
13	3	28	13	Richmond Hill	Town	162,704
14	4	38	18	Cambridge	City	120,371
15	5	49	24	Waterloo	City	97,475
16	6	55	27	Pickering	City	87,838
17	7	83	36	Caledon	Town	57,050
18	8	85	37	Halton Hills	Town	55,289
19	9	87	39	Milton	Town	53,939
20	10	101	44	Haldimand County	County	45,212
21	11	120	50	Brant	County	34,415
22	12	145	58	LaSalle	Town	27,652
23	13	158	62	Whitchurch-Stouffville	Town	24,390
24	14	160	63	Tecumseh	Town	24,224
25	15	163	65	Grimsby	Town	23,937
26	16	192	77	Woolwich	Township	19,658
27	17	194	78	King	Township	19,487
28	18	197	79	Uxbridge	Township	19,169
29	19	226	88	Wilmot	Township	17,097
30	20	247	94	Middlesex Centre	Township	15,589
31	21	280	108	West Lincoln	Township	13,167
32	22	281	109	Thames Centre	Municipality	13,085
33	23	289	111	Central Elgin	Municipality	12,723
34	24	420	156	North Dumfries	Township	9,063
35	25	510	181	Blandford-Blenheim	Township	7,149
36	26	545	195	Puslinch	Township	6,689
37	27	718	232	Southwold	Township	4,724

**TABLE A1-3c: UPPER TIER MUNICIPALITIES List of 25 Largest Municipalities By Population Size (Statistics Canada, 2010)**

Sample ID. #	Grp C ID.#	NAT RANK	PROV RANK	MUNICIPALITY	TYPE	POPULATION 2006
38	1	N/A	N/A	Durham	Region	N/A
39	2	N/A	N/A	Halton	Region	N/A
40	3	N/A	N/A	Niagara	Region	N/A
41	4	N/A	N/A	Waterloo	Region	N/A
42	5	N/A	N/A	York	Region	N/A
43	6	N/A	N/A	Peel	Region	N/A
44	7	N/A	N/A	Niagara	Region	N/A
45	8	N/A	N/A	Wellington	County	N/A
46	9	N/A	N/A	Essex	County	N/A

### Municipal Relationships Matrices...

The following tables provide a graphical relationship between the municipalities selected for this Official Plan land use policy analysis in relation cemetery development. The primary ranking (indicated by a number from 1 through 10) is in order of their size based on population.

**TABLE A1-4: MUNICIPAL + AREA MUNICIPALITIES RELATIONSHIP MATRIX**

### 1. TORONTO + AREA MATRIX Depicting Municipal Relationships

Primary Municipalities	Bordering Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
Toronto	Mississauga	Oakville	Halton (Region)
		Milton	
	Brampton	Halton Hills	
		Caledon	Peel (Region)
	Vaughan	Richmond Hill	York (Region)
		King Township	
	Markham	Whitchurch-Stouffville	Durham (Region)
		Uxbridge	
		Pickering	

**TABLE A1-4: MUNICIPAL + AREA MUNICIPALITIES RELATIONSHIP MATRIX** continued

**2. OTTAWA + AREA MATRIX Depicting Municipal Relationships**

Primary Municipality	Secondary Municipalities
Ottawa	n/a

**3. MISSISSAUGA + AREA MATRIX Depicting Municipal Relationships**

Primary Municipalities	Bordering Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
Mississauga	Toronto	Pickering	Durham (Region)
	Vaughan	Markham	York (Region)
		Richmond Hill	
		King Township	
	Brampton	Caledon	Peel (Region)
		Halton Hills	Halton (Region)
		Milton	
	↔	Oakville	

**4. HAMILTON + AREA MATRIX Depicting Municipal Relationships**

Primary Municipalities	Bordering Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
Hamilton	↔	Grimsby	Niagara (Region)
		West Lincoln	
		Haldimand County	n/a
		Brant County	n/a
		North Dumfries	Waterloo (Region)
		Puslinch	Wellington (County)
		Milton	Halton (Region)
		Burlington	

**TABLE A1-4: MUNICIPAL + AREA MUNICIPALITIES RELATIONSHIP MATRIX** continued

**5. BRAMPTON + AREA MATRIX Depicting Municipal Relationships**

Primary Municipalities	Bordering Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
<b>Brampton</b>	Toronto	Pickering	Durham (Region)
	Vaughan	Markham	York (Region)
		Richmond Hill	
		King Township	
	Mississauga	Milton	Halton (Region)
		Halton Hills	Peel (Region)
		Caledon	

**6. LONDON + AREA MATRIX Depicting Municipal Relationships**

Primary Municipalities	Bordering Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
<b>London</b>	↔	Thames Centre	Middlesex (County)
		Middlesex Centre	
		Southwold	Elgin (County)
		Central Elgin	

**7. MARKHAM + AREA MATRIX Depicting Municipal Relationships**

Primary Municipalities	Bordering Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
<b>Markham</b>	Toronto	Pickering	Durham (Region)
	Vaughan	Uxbridge	
		Richmond Hill	York (Region)
		Whitchurch-Stouffville	

**TABLE A1-4: MUNICIPAL + AREA MUNICIPALITIES RELATIONSHIP MATRIX** continued

**8. VAUGHAN + AREA MATRIX** Depicting Municipal Relationships

Primary Municipalities	Bordering Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
<b>Vaughan</b>	Toronto	Richmond Hill	York (Region)
	Markham	King Township	
	Mississauga	Caledon	Peel (Region)

**9. WINDSOR + AREA MATRIX** Depicting Municipal Relationships

Primary Municipalities	Bordering Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
<b>Windsor</b>	↔	Tecumseh	Essex
		Lasalle	

**10. KITCHENER + AREA MATRIX** Depicting Municipal Relationships

Primary Municipalities	Bordering Primary Municipalities	Secondary Municipalities	Upper-Tier Municipalities
<b>Kitchener</b>	↔	Woolwich	Waterloo (Region)
		Waterloo	
		Cambridge	
		Wilmot	
		North Dumfries	

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## OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

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### TABLE OF CONTENTS

INTRODUCTION.....	1
Data format.....	1
Municipality:    Toronto, City of .....	3
OP Policy Assessment Matrix – Cemeteries    TORONTO, ON .....	4
Municipality:    Mississauga, City of .....	5
OP Policy Assessment Matrix – Cemeteries    MISSISSAUGA, ON .....	7
Municipality:    Oakville, Town of.....	9
OP Policy Assessment Matrix – Cemeteries    OAKVILLE, ON .....	11
Municipality:    Milton, Town of.....	13
OP Policy Assessment Matrix – Cemeteries    MILTON, ON .....	15
Municipality:    Brampton, City of .....	17
OP Policy Assessment Matrix – Cemeteries    BRAMPTON, ON .....	18
Municipality:    Caledon, Town of .....	19
OP Policy Assessment Matrix – Cemeteries    CALEDON, ON .....	22
Municipality:    Halton Hills, Town of .....	23
OP Policy Assessment Matrix – Cemeteries    HALTON HILLS, ON .....	27
Municipality:    Vaughan, City of .....	29
OP Policy Assessment Matrix – Cemeteries    VAUGHAN, ON .....	30
Municipality:    Richmond Hill, Town of .....	31
OP Policy Assessment Matrix – Cemeteries    RICHMOND HILL, ON .....	32
Municipality:    King, Township of.....	33
OP Policy Assessment Matrix – Cemeteries    KING, ON .....	36
Municipality:    Markham, Town of.....	37
OP Policy Assessment Matrix – Cemeteries    MARKHAM, ON .....	41
Municipality:    Whitchurch-Stouffville, Town of .....	43
OP Policy Assessment Matrix – Cemeteries    WHITCHURCH-STOUFFVILLE, ON .....	47
Municipality:    Uxbridge, Town of.....	49
OP Policy Assessment Matrix – Cemeteries    UXBRIDGE, ON.....	50



OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

---

Municipality: Pickering, City of .....	51
OP Policy Assessment Matrix – Cemeteries PICKERING, ON .....	52
Municipality: Halton, Region of .....	53
OP Policy Assessment Matrix – Cemeteries HALTON, ON .....	53
Municipality: Peel, Region of .....	55
OP Policy Assessment Matrix – Cemeteries PEEL, ON .....	55
Municipality: York, Region of .....	57
OP Policy Assessment Matrix – Cemeteries YORK, ON .....	58
Municipality: Durham, Region of .....	59
OP Policy Assessment Matrix – Cemeteries DURHAM, ON .....	60
Municipality: Ottawa, City of .....	61
OP Policy Assessment Matrix – Cemeteries OTTAWA, ON .....	62
Municipality: Hamilton, City of .....	63
OP Policy Assessment Matrix – Cemeteries HAMILTON, ON .....	65
Municipality: Grimsby, Town of .....	67
OP Policy Assessment Matrix – Cemeteries GRIMSBY, ON .....	71
Municipality: West Lincoln, Town of .....	73
OP Policy Assessment Matrix – Cemeteries WEST LINCOLN, ON .....	74
Municipality: Haldimand, County of .....	75
OP Policy Assessment Matrix – Cemeteries HALDIMAND, ON .....	76
Municipality: Brant, County of .....	77
OP Policy Assessment Matrix – Cemeteries BRANT, ON .....	79
Municipality: North Dumfries, Township of .....	81
OP Policy Assessment Matrix – Cemeteries NORTH DUMFRIES, ON .....	82
Municipality: Puslinch, Township of .....	83
OP Policy Assessment Matrix – Cemeteries PUSLINCH, ON .....	83
Municipality: Burlington, City of .....	85
OP Policy Assessment Matrix – Cemeteries BURLINGTON, ON .....	87
Municipality: Niagara, Region of .....	89
OP Policy Assessment Matrix – Cemeteries NIAGARA, ON .....	89

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

---

Municipality: Waterloo, Region of .....	91
OP Policy Assessment Matrix – Cemeteries WATERLOO (Region), ON .....	92
Municipality: Wellington, County of .....	93
OP Policy Assessment Matrix – Cemeteries WELLINGTON, ON .....	94
Municipality: London, City of .....	95
OP Policy Assessment Matrix – Cemeteries LONDON, ON .....	96
Municipality: Thames Centre, Town of .....	97
OP Policy Assessment Matrix – Cemeteries THAMES-CENTRE, ON .....	98
Municipality: Middlesex Centre, Town of .....	99
OP Policy Assessment Matrix – Cemeteries MIDDLESEX-CENTRE, ON .....	99
Municipality: Southwold .....	101
OP Policy Assessment Matrix – Cemeteries SOUTHWOLD, ON .....	102
Municipality: Central Elgin .....	103
OP Policy Assessment Matrix – Cemeteries CENTRAL ELGIN, ON .....	103
Municipality: Middlesex, County of .....	105
OP Policy Assessment Matrix – Cemeteries MILTON, ON .....	105
Municipality: Elgin, County of .....	107
OP Policy Assessment Matrix – Cemeteries MILTON, ON .....	107
Municipality: Windsor, City of .....	109
OP Policy Assessment Matrix – Cemeteries WINDSOR, ON .....	109
Municipality: Tecumseh, Town of .....	111
OP Policy Assessment Matrix – Cemeteries TECUMSEH, ON .....	112
Municipality: Lasalle, Town of .....	113
OP Policy Assessment Matrix – Cemeteries LASALLE, ON .....	113
Municipality: Essex, County of .....	115
OP Policy Assessment Matrix – Cemeteries ESSEX, ON .....	115
Municipality: Kitchener, City of .....	117
OP Policy Assessment Matrix – Cemeteries KITCHENER, ON .....	118
Municipality: Woolwich, Town of .....	119
OP Policy Assessment Matrix – Cemeteries WOOLWICH, ON .....	120

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

---

Municipality: Waterloo, City of.....	121
OP Policy Assessment Matrix – Cemeteries WATERLOO, ON.....	125
Municipality: Cambridge, City of.....	127
OP Policy Assessment Matrix – Cemeteries CAMBRIDGE, ON .....	129
Municipality: Wilmot, Township of.....	131
OP Policy Assessment Matrix – Cemeteries WILMOT, ON .....	132

## APPENDIX 2

### OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

#### INTRODUCTION

The following section provides land use policy details for the municipalities included in this study. The summaries are structured such that land use policy for each Primary Municipality is presented along with the land use policy for the adjoining municipalities.

#### Data format...

Municipality:	Name of municipality (with indication of Primary or Secondary)
OP Approval Date:	Date Official Plan was approved
OP Designation:	Land use designation applied to cemetery lands or where cemeteries may be permitted
<u>Policy Summary:</u>	<i>Summary of policy</i>
<u>Definitions:</u>	Definitions provided in the OP relating to cemeteries
<u>Observation(s):</u>	General observations relating to the municipality's land use policy

OP Policy Assessment Matrix – Cemeteries			MUNICIPALITY
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...		
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...		
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...		
<b>Size:</b>	Acknowledge amount of land required for cemetery use...		
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...		
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...		
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...		
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...		
<b>TOTAL:</b>			<b>0.5</b>
Note...	Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).		

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Toronto, City of

**OP Approval Date:** June, 2006 (Consolidation: 30 April, 2009)

**OP Designation(s):** Parks and Open Space Areas

**Policy Summary...**

Cemeteries are identified as being part of the green space system which includes the lands within the “Parks and Open Space Areas” designation. This designation includes lands “*which are large, have significant natural heritage or recreational value and which are connected*”. The plan recognizes that private open space is part of this system.

Section 4.3 of the OP identifies cemeteries as a permitted land use within the “Parks and Open Space Areas” designation, as follows:

1. *Parks and Open Space Areas are the parks and opens spaces, valleys, watercourses and ravines, portions of the waterfront, golf courses and cemeteries that comprise a green open space network in Toronto. They comprise the areas shown on Maps 13 – 23 shown as Natural Areas, Parks and Other Open Space Areas.*

Policy 4.3 5. specifically identifies the designation within which cemeteries are identified as follows:

5. *The areas shown as Other Open Space Areas on Maps 13-23 will be used primarily for golf courses, cemeteries, and open spaces associated with utilities and other specialized uses and facilities.*

No specific cemetery policies are included in the City of Toronto Official Plan; however, development criteria are included for lands within the Parks and Open Space Areas. The development criteria pertain to the following: protecting and enhancing natural heritage features, preserving and improving public visibility and access, maintaining and creating linkages, maintaining or expanding size and improving usability of publicly owned parks and open spaces, respecting the physical form, design, character and function of these areas and providing comfortable and safe pedestrian conditions. Private open spaces, however, are not necessarily open to the public.

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Although the OP permits cemeteries within the parks and open space area designation, no specific policies are included that guide the location and development of cemeteries in the City of Toronto. It is also noted that there is no definition of “cemetery” provided in the OP.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries			TORONTO, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Mississauga, City of

**OP Approval Date:** 5 May, 2003 (Consolidation: 21 December, 2010)

**OP Designation(s):** Public Open Space, Private Open Space

**Policy Summary...**

Cemeteries are considered to be part of the open space system and are identified as a permitted use in the “Public Open Space” designation if they are publicly owned or “Private Open Space” designation if they are privately owned.

**Section 3.8 Open Space**

This section identifies two designations: public open space and private open space. The general open space policies include the following cemetery policies:

- 3.8.2.11 Cemeteries** will be permitted in either Public Open Space or Private Open Space and will be subject to the following: (MPA-25)
- a) as **cemeteries** constitute an open space use, consideration will be given to public **cemeteries** being used for passive open space purposes. However, **cemeteries** that are privately owned are not intended to be open to the public;
  - b) future and proposed **cemeteries and related facilities** will be located to minimize conflict with existing and future land use and transportation;
  - c) **crematoria, columbaria**, and mausolea will be located only in **cemeteries**;
  - d) **cemeteries** will recognise, reflect and integrate all **heritage resources** within and/or adjacent to **cemetery** property.

These policies are reiterated, in “Section 3.8.5 Cemeteries” as follows:

**3.8.5 Cemeteries**

- 3.8.5.1 Cemeteries and related facilities** form part of the Open Space network. As **cemeteries** constitute an open space use, consideration will be given to public **cemeteries** being used for passive open space purposes. However, **cemeteries** that are privately owned are not intended to be open to the public.
- 3.8.5.2 Future and proposed cemeteries and related facilities** will be located to minimize conflict with existing and future land use and transportation.
- 3.8.5.3 Crematoria, columbaria, and mausolea** will be located only in **cemeteries**.
- 3.8.5.4 Cemeteries** will recognise, reflect and integrate all **heritage resources** within and/or adjacent to cemetery property.

A cemetery is identified as a permitted use in the “Public Open Space” designation as follows:

**3.8.3 Public Open Space (MPA-25)**

**3.8.3.1 Permitted Uses**

- a. Lands designated Public Open Space will either be used for public parkland or a public cemetery. Accessory uses will be permitted and should generally be limited to a



## OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

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*maximum of twenty percent (20%) of the total Gross Floor Area (GFA) and should be on the same lot, clearly subordinate to and directly related to the functioning of the permitted use.*

A cemetery is also identified as a permitted use in the “Private Open Space” designation as follows:

### **3.8.6 Private Open Space**

**3.8.6.1** *Private Open Space uses are generally non-intensive outdoor uses, such as: private cemeteries; conservation; nursery gardening; golf courses; agriculture; and recreation.*

**3.8.6.2** *The **development** of private parks may be permitted subject to the following conditions being met:*

- a. adequate access;*
- b. compatibility with adjacent uses;*
- c. preservation, enhancement, and restoration of the **Natural Areas System**;*
- d. an approved site plan, where applicable.*

**Definitions** ... The following terms related to cemeteries are defined in the OP:

#### **CEMETERIES AND RELATED FACILITIES ...**

*means land legally used for the burying of the dead and related facilities such as crematoria, columbaria and mausolea.*

#### **COLUMBARIA ...**

*means buildings or structures with niches for the reception of cinerary urns.*

#### **CREMATORIA ...**

*means places for cremating corpses.*

#### **DEVELOPMENT ...**

*means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act; but does not include: (MPA-25)*

- a. activities that create or maintain infrastructure authorized under an environmental assessment process; or*
- b. works subject to the Drainage Act.*

#### **HERITAGE RESOURCES ...**

*means heritage resources are structures, sites, environments, artifacts and traditions which are of historical, architectural, or archaeological value, significance or interest. These include, but are not limited to: structures - for example, buildings, groups of buildings, monuments, bridges, fences, gates; sites associated with a historic event; environments - such as, landscapes, streetscapes, flora and fauna within a defined area, parks, heritage trails and historic corridors; artifacts and assemblages from an archaeological site or a museum; and traditions reflecting the social, cultural or ethnic heritage of the community.*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**NATURAL AREA SYSTEM ...**

*refers generally to a system consisting of the following components: the remnant natural features and areas such as wetlands, woodlands, ANSIs, and wildlife habitat which still maintain the basic structure of a natural system and which provide ecological function; the linkages between those natural areas; special management areas and Residential Woodlands. The final interpretation of the Natural Areas System is found within the Environmental Policies of this Plan. Detailed information regarding the Natural Areas System can be found in the Natural Areas Survey and supporting fact sheets.*

**Observation(s)....**

The OP differentiates between “public” and “private” cemeteries, both which are designations within the official plan. Cemeteries are identified on the land use maps through the icon “Cem” which overlays the Open Space designation.

The policy provides limited direction respecting the development of new cemeteries. Rather, it focuses on the question of land use compatibility, ensuring that they are located so as to minimize land use conflicts and conflicts with transportation infrastructure. There is no indication, however, of what might be considered to be a land use conflict.

There is an acknowledgement with regards to the importance of heritage resources when planning cemeteries. The policy does not, however, suggest that cemeteries represent a heritage resource themselves.

OP Policy Assessment Matrix – Cemeteries		MISSISSAUGA, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>
Note...	Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).		

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Oakville, Town of

**OP Approval Date:** 21 December, 1984 (Consolidation: 30 September, 2006)

**OP Designation(s):** Parkland, Private Open Space, Natural Areas, Mixed Use <sup>1</sup>

**Policy Summary...**

Cemeteries are considered to be part of the “Greenlands” system, which is organized into three land use designations: ‘Parkland’, ‘Private Open Space’, and ‘Natural Areas’, and are specifically identified as permitted uses within the ‘Parkland’ and ‘Private Open Space’ designations. The “Greenlands” system contemplates lands that are characterized as being in either an ‘undeveloped’ or ‘parkland’ state.

*Part “D” – Land Use Policies*

**4 Greenlands:**

*Greenlands generally refer to lands left in an undeveloped or parkland state for natural area preservation, conservation, hazard land, recreation uses, **cemeteries** and open space.*

*The Private Open Space designation includes all lands maintained in a natural or parkland state for private usage such as golf courses and privately operated **cemeteries**, except for private land containing natural features identified in Part D, Section 4.3 and shown on Figures “F1” and/or “F2”, in which case the natural features will be subject to the “Natural Area” designation.*

**4.1 PARKLAND**

*The “Parkland” designation delineates all municipal Community and Neighbourhood parks, except those portions of parkland containing natural features identified in Part D, Section 4.3 and shown on Figures “F1” and/or “F2”, in which case the natural features are subject to a “Natural Area” designation.*

*Notwithstanding the above, all parkland located at the harbours of the Sixteen Mile and Bronte Creeks are designated “Parkland”, irrespective of whether they contain natural features identified in Part D, Section 4.3 and shown on Figures ‘F1’ and/or ‘F2’.*

**4.1.1 USES**

*The range of uses permitted in the Parkland designation includes:*

- *public parks,*
- *active or passive indoor and outdoor recreational uses,*
- *garden plots,*

<sup>1</sup> This designation is contained in Part E “Community, District and Special Study Area Plans, S.1.12 “Palermo Village Centre Community” (P.297). The “Permitted Uses” include “Public and Institutional Uses, including ... cemeteries” (S.1.12.4.2 b) vi)). A reasonable interpretation of the wording in this section would suggest that cemeteries may be considered to be a “Public” and/or “Institutional” use.

## OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

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- *greenhouses,*
  - *conservation uses,*
  - ***cemeteries,***
  - *plant nurseries,*
  - *cultural uses,*
  - *pedestrian linkages,*
  - *bicycle trail systems,*
  - *other special purpose uses and similar uses,*
- all to be operated or authorized by a public agency.*

### 4.2 PRIVATE OPEN SPACE

#### 4.2.1 USES

*Where lands have been designated as Private Open Space, the predominant use shall be for conservation and outdoor recreation purposes. Such uses as:*

- *plant nurseries,*
- *garden plots,*
- *golf courses,*
- *driving ranges,*
- ***cemeteries,***
- *existing agriculture,*
- *managed forests, and*
- *similar low density, low intensity uses shall be permitted.*

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

#### **Observation(s)**....

The OP differentiates between “public” and “private” cemeteries. The former are permitted within the ‘Parkland’ designation, while the later within the ‘Private Open Space’ designation. There are no policies provided to guide the development of new cemeteries, nor is there a definition of “cemetery” in the OP.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries			OAKVILLE, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Milton, Town of

**OP Approval Date:** 14 December, 1997 (Consolidation: August, 2008)

**OP Designation(s):** Community Park Area, Escarpment Protection Area, Escarpment Rural Area

**Policy Summary...**

References to cemeteries are found in the sections of the plan that pertain to "Community Parks", the "Escarpment" and "Rural" areas, as described as follows:

**3.11 COMMUNITY PARK AREA \*D1(xi)**

**3.11.1 GENERAL \*D1(xi) PURPOSE**

**3.11.1.1** *The Community Park Area designation on Schedule "B" recognizes existing or proposed public parks that are primarily intended to serve all residents of the Urban Area, as well as the Town as a whole and which may include, in addition to facilities found in other types of parks, significant natural or physical features such as the Mill Pond, or unique attractions such as the Milton Fairgrounds, formal gardens, display greenhouses, animal farms, public use museums, or other specialized functions such as **cemeteries**.*

**3.11.2 PERMITTED USES \*D1(xi)**

**3.11.2.1** *The Community Park Area designation on Schedule "B" means that the main permitted use shall be a full range of active and passive recreation uses ranging from uses such as nature viewing and garden plots to public cultural/entertainment areas and major sports facilities such as arenas and sports fields.*

**3.11.2.2** *Limited small scale accessory retail uses may also be permitted within the Community Park Area designation, with the exception of areas in or adjacent to natural features or environmentally sensitive areas.*

**ESCARPMENT PROTECTION AREA  
PERMITTED USES**

**4.2.3.6** *The Escarpment Natural Area designation on Schedule "A" means that the following uses may be permitted subject to the policies of Section 4.2 and the Niagara Escarpment Plan:*

*n) Cemeteries with no major structures;*



**ESCARPMENT RURAL AREA  
PERMITTED USES**

**4.2.3.8** *The Escarpment Rural Area designation on Schedule "A" means that the following uses may be permitted subject to the policies of Section 4.2 and the Niagara Escarpment Plan:*

*v) Cemeteries with no major structures;*

**4.3 RURAL AREA \*D3, A5****4.3.1 GENERAL \*D3, A5 PURPOSE**

**4.3.1.1** *The purpose of the Rural Area designation is:*

- a) To protect, maintain and enhance environmental features;*
- b) To recognize and protect agriculture as a primary activity and land use in the Rural Area;*
- c) To maintain the open-space character, topography and landscape of the Rural Area;*
- d) To recognize existing development, while limiting new development in a manner sensitive to the ecological balance and the farming community; and,*
- e) To provide for the designation of new Mineral Resource Extraction Areas which can be accommodated in accordance with the policies of this Plan and by amendment to this Plan and the Regional Plan (1995).*

**4.3.1.2** *Within the Rural Area designation, the proponent of any non-farm land use that is permitted by specific policies of this Plan but has a potential impact on adjacent agricultural operations will be required to carry out an Agricultural Impact Assessment (AIA), based on guidelines adopted by Regional Council.*

**4.3.2 PERMITTED USES \*D3, A5**

*The Rural Area designation on Schedule "A" means that the following uses may be permitted subject to the policies of Section 4.3.3, to the other relevant policies of this Plan, and the applicable Zoning By-laws:*

*m) Cemeteries with no major structures;*

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Public cemeteries are recognized in the Community Park Area which are located within the urban area of the Town, although interestingly they are not identified as a permitted use.

## OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

Evergreen Cemetery<sup>2</sup>, located within the Town of Milton Urban Area, is designated Community Park Area.

In the Rural and Escarpment areas of the Town cemeteries are permitted provided that they do not contain any major structures. Thus, a typical modern cemetery would not be permitted in that such cemeteries incorporate a variety of structures (Mausolea, Columbaria, Reception / Visitation Centres, Administrative and Service buildings, etc.).

Notwithstanding the foregoing, the Heritage section (S2.10) of the Plan identifies pioneer cemeteries as a special resource and discourages their relocation. The inference of the policy suggests that cemeteries are considered a permanent form of land use and a valuable cultural asset to the Town.

OP Policy Assessment Matrix – Cemeteries			MILTON, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	0.5
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

<sup>2</sup> Milton's Evergreen Cemetery was established in 1880 on what was then the outskirts of the town. At the time, the Town had a population of 1,500. Burials at the new cemetery commenced in 1881. The original property was 10 acres. It has since grown to 26 acres. Plans are underway for the establishment of a new cemetery as space in Evergreen becomes scarce. (Milton Evergreen Cemetery, 2011)

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Brampton, City of

**OP Approval Date:** 24 January, 2008

**OP Designation(s):** Public Open Space, Private Open Space

**Policy Summary...**

Cemeteries are considered a recreational open space use and are permitted in the Recreational Open Space" designation. They are also recognized as part of the "Institutional & Public Uses" designation, although these uses are typically owned by a government body. This section of the plan includes cemetery policies.

**4.6.1 General Recreational Open Space Policies**

**4.6.1.1** Recreational open space includes City, and Community Parks, conservation areas, Cemeteries and Private Commercial Recreation facilities. These uses are generally depicted on Schedule "E" Major Recreational Open Space of this Plan. Natural heritage features and areas are shown for context purposes.

**4.8 Institutional & Public Uses**

**4.8.13 Cemeteries Policies**

**4.8.13.1** The Cemetery designation identified on Schedule "E" of this Plan include both public and private cemeteries and identifies land intended for the interment of human remains, and shall include crematoria, columbaria and mausoleums and other facilities that are ancillary or related to cemeteries.

**4.8.13.2** Cemeteries are permitted within the areas designated as Cemeteries on Schedule "E". **4.8.13.3** The City shall discourage the acquisition of additional lands within the urban development area for the purpose of enlargement of existing cemeteries. However, subject to conformance with licensing limits and the criteria of policy **4.8.13.4**, expansion of existing cemeteries will be permitted.

**4.8.13.4** When considering applications for new cemeteries or the enlargement of existing cemeteries, the City will have regard for the following matters pursuant to the Planning Act, the Cemeteries Act, the Ontario Heritage Act, and Section 4.5 Natural Heritage and Environmental Management and Section 4.10 Urban Design of this Plan:

- i. The impact of traffic on surrounding properties and the road system;
- ii. The appropriate limitation of ingress and egress points;
- iii. The adequacy of off-street parking and internal traffic circulation;
- iv. The use of tree planting and landscaping, particularly encouraging the use of native species, to complement the plot plan, existing contours and the surrounding area;
- v. The provision of screening where deemed appropriate;
- vi. The soil and sub-soil conditions including drainage;
- vii. Natural heritage features, functions and linkages as well as environmental and ecosystem impacts;

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

- viii. *Massing and the relationship of proposed buildings to each other and to adjacent roads and properties; and,*
- ix. *The financial ability of the proponent to be able to provide perpetual care and maintenance so that the City reduces the future possibility of having to assume an abandoned cemetery.*

**4.8.13.5** *Acquisition of additional lands for cemeteries within lands designated for urban development will need to be in conformance with licensing limits and the criteria identified above.*

**4.8.13.6** *The City shall designate all historic cemeteries subject to the provisions of the Ontario Heritage Act and the advice of the Brampton Heritage Board, and in accordance with the Cultural Heritage section of this Plan.*

**4.8.13.7** *The City will continue to maintain abandoned cemeteries as required under the Cemeteries Act.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are permitted under the “Recreational Open Space” designation and the “Institutional and Public Use” designation of the Official Plan and are identified on the land use maps as “Cemetery”. Specific policies are included for cemeteries the Institutional and Public Use policy section. There is an acknowledgement about the need to maintain a perpetual care fund, but it does not related to the planning horizon of a cemetery with regards to planning for their development. No definitions are included for cemeteries or their accessory uses.

OP Policy Assessment Matrix – Cemeteries			BRAMPTON, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	1
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	0
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	0
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	1
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✓	1
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	0
<b>TOTAL:</b>			<b>4.5</b>

Note(s) 1. Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Caledon, Town of

**OP Approval Date:** 31 December, 2008

**OP Designation(s):** Open Space, Agricultural, Institutional

**Policy Summary...**

Cemeteries are identified as a permitted use within three land use designations of the OP: “Agricultural Area”, “Open Space Policy Area”, and the “Oak Ridges Moraine Countryside Area”. Generally they are considered to be an “Intensive Recreational Use” by definition, except where they are located within the ORMCA, wherein they are considered to be “institutional”.

**Section 5.1 Agricultural Area**

**5.1.3.14** *The Agricultural Area classification of land shall mean that the predominant use of the land in the areas so designated shall be for agricultural, forestry, recreation or conservation purposes. The specific policies to be considered in the development and control of the use of such land are as follows:*

- a) *The uses permitted shall be limited to agriculture and associated single family dwellings, forestry, conservation, major open space and recreation. Apartments-in-Houses, as per Section 3.4.3.6 of this Plan, shall be permitted in the Agricultural Area. Garden Suites as per Section 6.2.13.3 of this Plan, shall be permitted in the Agricultural Area. In the case of a garden suite, it shall form part of the farm building cluster and shall maintain the minimum separation distance of the Agricultural Code of Practice. Other uses permitted shall include limited non-farm single family residential uses subject to consent being granted by the Land Division Committee, greenhouses, home occupation uses per Section 5.14, **cemeteries**, places of worship and public uses. Within the ORMCPA, permitted uses shall also be required to conform to all applicable provisions of Section 7.10. Notwithstanding any policy contained in Section 5.1, where the provisions of Section 7.10 are more restrictive, the more restrictive policies shall apply.*

**5.8.4 Open Space Policy Area (OSPA)**

**5.8.4.1** *OSPA generally includes publicly and privately owned lands, not designated EPA, whose primary function includes intensive and non-intensive recreational uses. This designation generally includes Conservation Areas, the Caledon Trailway and the Cataract-Elora Trailway, the Forks of the Credit Provincial Park, golf courses, ski clubs, municipal parks, campgrounds, **cemeteries** and fairgrounds.*

**5.8.4.2** *The uses permitted in OSPA shall be limited to existing uses, activities associated with approved forest management or environmental management plans, essential infrastructure and intensive and non-intensive recreation, including related facilities, operations and programs. Within the ORMCPA, in addition to being subject to the provisions of Section 5.8, uses shall only be permitted in accordance with the provisions of Section 7.10.*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

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*Notwithstanding any policy contained in Section 5.8, where the provisions of Section 7.10 are more restrictive, the more restrictive policies shall apply.*

- 5.8.4.3** *OSPA lands shall be zoned in a separate classification in the implementing Zoning By-law except in the area of the Niagara Escarpment Plan, where Town's policies shall be implemented through the Niagara Escarpment Development Control process, as appropriate, and new development shall conform to the applicable policies of the Escarpment Recreation designation, the Niagara Escarpment Parks and Open Space System Policies and the Development Criteria of the Niagara Escarpment Plan.*
- 5.8.4.4** *New intensive recreational uses shall only be permitted through an amendment to this Plan and to the Implementing Zoning By-law. Applications for new recreational uses shall be supported by appropriate background material as required by the Town and other relevant agencies. This shall include any environmental investigations/studies deemed necessary by the Town and other relevant agencies, up to, and including, an EIS & MP.*
- 5.8.4.5** *Where lands in public ownership are currently being used, or are proposed to be used for recreational uses, including related facilities, operations and programs, the Town encourages the preparation and implementation of Comprehensive Master Plans, or comparable documents, for these lands. These Plans should be prepared through a cooperative process, involving the landowner, the Town and other relevant agencies and organizations. If these properties include lands designated EPA, the Comprehensive Master Plan shall also respond to policy 5.7.3.4.3.*
- 5.8.4.6** *In the event that publicly owned lands which are designated OSPA are sold or otherwise disposed of, such lands shall be redesignated through an amendment to this Plan and the implementing Zoning By-law to permit such uses as may be anticipated or proposed for the lands. If such lands are to be used for recreational development or uses not existing at the time of the disposal of the lands, the proposed recreational uses shall be treated as new development and shall be required to demonstrate adherence to the Town's ecosystem goals, objectives policies and performance measures pursuant to the applicable provisions of Sections 5.7 and 5.8. This shall be demonstrated through the completion of appropriate environmental investigations and studies, and/or through specific implementation requirements, as determined jointly by the Town and other relevant agencies. This may include the completion of an EIS & MP.*
- 5.8.4.7** *Notwithstanding the provisions of Section 5.8 and the definition of Intensive Recreation contained in Section 6.7.36, within the ORMCPA **cemeteries** are deemed to be institutional uses and shall be subject to the provisions of Section 7.10, and in particular 7.10.6.5.*

**7.10 Oak Ridges Moraine Conservation Plan****7.10.6.5 Small-scale Commercial, Industrial and Institutional Uses**

**7.10.6.5.1** *New small-scale commercial, industrial and institutional uses may be considered on lands within Oak Ridges Moraine Countryside Areas where the underlying land use designation is Rural Area, Palgrave Estate Residential Policy Areas 1, 2 or 3 or Settlement Area. In addition to being subject to the applicable provisions of the primary land use designation, new small-scale commercial, industrial and institutional uses must satisfy the following criteria:*

- a) The use is supportive of, complementary to or essential to uses that are permitted in the Town's Rural and Agricultural Areas;*
- b) The use does not require large-scale modification of terrain, vegetation or both or large-scale buildings and structures; and,*
- c) Uses may include, but are not limited to:*
  - i. farm implement stores, feed stores and country markets; and,*
  - ii. schools, places of worship, community halls, retirement homes, and **cemeteries**, intended mainly to serve the nearby rural community.*

**Definitions** ... The following terms related to cemeteries are defined in the OP:

69. ***Intensive Recreation**, shall mean recreational and open space development and uses, including related facilities, operations and programs, which involve a relatively high degree of human activity, maintenance or management and which can reasonably be expected to negatively effect the form, function or integrity of Environmental Policy Area, when assessed either individually or cumulatively. Includes such uses as municipal parks, fairgrounds, campgrounds, golf courses, ski clubs, **cemeteries**, and recreational uses dependent on the primary use of motorized vehicles.*

There is no definition of "cemetery" within the Plan.

**Observation(s)....**

The OP considers cemeteries to be an intensive recreational use by definition. They are permitted with varying degree within the Agriculture Area, Open Space Policy Area and the Oak Ridges Moraine Countryside Area designations. With regards to the ORMCA designation, cemeteries are considered to be an institutional use which is permitted on a "small scale" only, which are intended to serve the nearby rural area only. New cemeteries within the Agricultural and Open Space designations will require amendments to both the Town's Official Plan and Zoning Bylaw subject to the criteria specified in Policy 5.8.4.4.



OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries			CALEDON, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	0.5
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	1
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✓	1
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>3.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

<b>Municipality:</b>	<b>Halton Hills, Town of</b>
<b>OP Approval Date:</b>	28 March, 2008 (Consolidation: May, 2008)
<b>OP Designation(s):</b>	Major Parks & Open Space, Private Open Space, Protected Countryside, Agricultural Area  Open Space (in Secondary Hamlet Plans)

**Policy Summary...**

Public cemeteries are permitted in “Major Parks & Open Space” designation and private cemeteries are permitted in “Private Open Space” and the “Protected Countryside” designation. The secondary hamlet plans permit both private and public cemeteries in the “Open Space” designation. The development of new cemeteries and the expansion of existing cemeteries are permitted in the agricultural/rural area provided certain criteria are met.

**A3.1.3 Private Open Space Area**

*This designation applies to lands in private ownership that are maintained in a natural state or accommodate manicured open space uses such as golf courses and private cemeteries.*

**B2 Major Parks and Open Space**

**B2.3 PERMITTED USES**

*Permitted uses in the Major Parks and Open Space Area are limited to passive and active recreational uses and accessory uses. Community facilities, such as public **cemeteries** and public community centres, infrastructure and utilities may also be permitted in the Major Parks and Open Space Area provided any adjacent natural features and functions are protected and enhanced and the scale of the use is compatible with the character of adjacent development. The development of new Community Parks and Town Wide Parks or expansions to existing facilities outside of the Urban Area, Hamlet Area, and Rural Cluster Area designations shall require an amendment to this Plan in accordance with the applicable criteria set out in Section E1.4.9 and E2.4.4 of this Plan.*

**B2.4.2 Public Cemeteries**

*Public cemeteries and accessory uses such as crematoriums, columbariums and mausoleums are permitted in the Major Parks and Open Space Area designation subject to the policies of this Section:*

- a) *Public cemeteries and related facilities shall be sited to minimize conflicts with adjacent existing and planned land uses and transportation systems.*
- b) *Proposals for new public cemeteries, or the enlargement of existing public cemeteries, may be considered, provided that:*
  - i) *the cemetery can be accessed by roads that are designed to accommodate high volumes of traffic in short periods of time;*

- ii) *adequate off-street parking and an appropriate internal traffic circulation system are provided;*
- iii) *the tree planting and landscaping on the site is designed to complement the plot plan, the existing contours and the use of abutting lands; and,*
- iv) *appropriate hydrogeological studies have been completed which indicate that the public cemetery will not have a negative impact on the quality and quantity of groundwater and surface water in the surrounding area.*

### **B3 Private Open Space Area**

#### **B3.2 LOCATION**

*The Private Open Space Area as shown on the Schedules to this Plan applies to lands in private ownership that are maintained in a natural state or accommodate manicured open space uses such as golf course and private **cemeteries**.*

#### **B3.3 PERMITTED USES**

*Permitted uses in the Private Open Space Area are limited to passive and active recreational uses including existing golf courses, private **cemeteries**, conservation uses and forestry uses in accordance with good management practices and accessory uses. The development of new golf courses and other recreational uses or expansions to existing facilities shall require an amendment to this Plan in accordance with the applicable criteria set out in E1.4.9 and E2.4.4 of this Plan. Residential dwelling units and overnight accommodation uses are not permitted within the Private Open Space Area.*

### **E1 Agricultural Area**

#### **E1.4.9 Recreational and Other Non-Agricultural Uses**

*The development of new recreational uses and expansions to existing recreational uses, such as golf courses and driving ranges, and cemeteries is not permitted on lands designated Agricultural Area by this Plan since it is the intent of this Plan to protect lands which are suitable for agricultural uses for as long as possible. However, Official Plan and Zoning By-law applications to develop such uses may be considered subject to the submission of appropriate studies, including an Agricultural Impact Assessment, that demonstrates to the satisfaction of the Town and the Region of Halton that:*

- a) *there is a need within the planning horizon of this Plan for the proposed use;*
- b) *there are clearly no other reasonable alternatives that are outside of prime agricultural areas;*
- c) *there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands;*
- d) *the proposed use will not be located in an area that may have an impact on the efficient and logical expansion of nearby urban areas; and,*
- e) *the proposed use conforms to the applicable criteria set out in Section E2.4.4 of this Plan.*

**E2 Protected Countryside****E2.4.3 Cemeteries**

*Cemeteries may be permitted in the Protected Countryside Area designation subject to an amendment to the implementing Zoning By-law. A cemetery may include, as an accessory use, a mausoleum and/or a crematorium. Before considering such an amendment, Council shall be satisfied that:*

- a) the size of the cemetery and the accessory uses are appropriate for the area;*
- b) no lands are available for a cemetery in the urban areas;*
- c) the cemetery will not create the need to develop other uses, such as a place of worship, on the site in the future;*
- d) appropriate hydrogeological studies have been completed which indicate that the use will not have a negative impact on the quantity and quality of groundwater and surface water;*
- e) the proposed use can be accessed by roads that are designed to accommodate high volumes of traffic in short periods of time; and,*
- f) where applicable, the use conforms with Section E2.5 of this Plan.*

*Notwithstanding the foregoing, a cemetery shall not be permitted on lands within Protected Countryside Area that are below the Niagara Escarpment Plan Area.*

**F General Development Policies****F7 Parkland****F7.4 PUBLIC CEMETERIES**

*Public cemeteries and related facilities are considered part of the Town open space system since cemeteries are largely an open space use. Public cemeteries are only permitted in the Major Parks and Open Space Area designation and are subject to the policies of Section B2 of this Plan.*

**Hamlet of Glen Williams Secondary Plan (Office Consolidation: August 2005)****8.0 Open Space****8.1 Purpose**

*The purpose of the Open Space designation is to recognize and provide for open space uses within the Hamlet of Glen Williams.*

**8.2 Permitted Uses**

*The uses permitted within the Open Space designation will include public and private open space uses such as:*

- a) Parks;*
- b) Cemeteries; and*
- c) Trails.*

**8.3 Land Use Policies**

*Development within the Open Space designation shall be consistent with the following land use policies:*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

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- a) *Adequate off street parking for open space uses shall be provided on site; the parking standard to be applied shall be based on the anticipated number of vehicles to be generated by the proposed use and/or the standards contained in the zoning by-law as amended;and,*
- b) *Adequate landscaping, tree planting and buffering shall be provided.*

**Hamlet of Norval Secondary Plan** (Office Consolidation: August 2003)**8.0 Open Space****8.1 Purpose**

*Open space uses that presently exist in the Hamlet include: Norval Park, McNab Park, Hillcrest Cemetery and McNab Pioneer Cemetery. The purpose of the Open Space designation is to recognize these uses and their role in the community.*

**8.2 Permitted Uses**

*The uses permitted within the Open Space designation include public and private open space uses such as:*

- a) *parks;*
- b) *cemeteries.*

**8.3 Land Use Policies**

*Development within the Open Space designation shall be consistent with the following land use policies:*

- a) *Adequate off street parking for open space uses shall be provided on site; the parking standard to be applied shall be based on the anticipated number of vehicles to be generated by the proposed use and/or the standards contained in the zoning by-law as amended; and,*
- b) *Adequate landscaping, tree planting and buffering shall be provided.*

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are generally considered to be an open space use in the Plan. The policies differentiate between “public” and “private” cemeteries. Policies addressing the development of new public cemeteries are provided. Private cemeteries are considered to be a recreational use under the “Private Open Space” policies. Policies addressing the development of new “private” cemeteries are provided by reference to policies in the “Agricultural” and “Protected Countryside” designations, with the later specifically referencing cemeteries.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries		HALTON HILLS, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✓	1
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✓	1
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>4.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Vaughan, City of

**OP Approval Date:** 7, September, 2010

**OP Designation(s):** Open Space, Private Open Space

**Policy Summary...**

In the newly adopted official plan, cemeteries are considered an open space use and are designated “Private Open Space” in the Official Plan. A number of Parks and Open Space design policies are included in S.7.3.2 of the OP. Although none specifically pertain to cemeteries, they could affect the development of a new cemetery.

The plan describes Open Space as the following:

*“At one end of the spectrum of open spaces there are the more naturalized areas that support passive recreational uses and ecological functions, such as trails, sensitive wetlands, valley lands and forests, **cemeteries**, the Don and Humber river systems, and the casually tended landscapes around stormwater management ponds. At the other end of the spectrum are the smaller publicly accessible open spaces that consist of both public and private spaces and comprise greenways, pedestrian pathways, and amenity spaces. Creating and enhancing the full spectrum of open spaces and parkland is essential in developing a system that connects both significant and minor destinations, encouraging citizens to enjoy a range of recreational activities.”*

**7.3.1 Parks and Open Space Types**

*It is the policy of Council:*

**7.3.1.3.** *To accommodate a variety of open spaces types, which provide important benefits to the City, are evenly distributed throughout the City, in accordance with the Active Together Master Plan, as follows:*

- a. greenways, which are typically a minimum of 25 metres in width, provide important linkages for pedestrians and cyclists, can improve connections between significant destinations such as other parks and open spaces and community facilities, and provide opportunities for small-scale recreational activities within the greenway corridor;*
- b. nature reserves, which provide opportunities for passive recreation and trails, where such activities will not have an adverse impact on significant natural features and ecological functions;*
- c. woodlots, which provide opportunities for trails and should be encouraged on public and, through partnerships, on private lands;*
- d. stormwater management facilities, which provide opportunities for trails and resting areas and can improve linkages to other parks and open spaces; and,*
- e. **cemeteries**, which can, where appropriate, provide opportunities for passive recreational uses such as pedestrian and bicycle routes.*



# OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

## **Observation(s)....**

Cemeteries are considered part of the open space system and appear to be visualized as an open, naturalized and parkland environment which could preclude the development of any structures on the site. No specific cemetery policies are included, although several design policies are which pertain to all parks and open space uses.

S.6 of the OP pertains to “Cultural Heritage”. The section identifies Council’s interest in maintaining a Heritage Inventory, which by reference to the Cemeteries Act (S.6.1.2.3) suggests that cemeteries are a component of the City’s “Cultural Heritage”.

OP Policy Assessment Matrix – Cemeteries			VAUGHAN, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Richmond Hill, Town of

**OP Approval Date:** 12 July, 2010 (Council Adopted)

**OP Designation(s):** Major Urban Open Space

**Policy Summary...**

The Official Plan recognizes cemeteries as being part of the open space system, but are identified as being permitted on one parcel of land.

**4.10.9 MAJOR URBAN OPEN SPACE**

*The urban open space system includes a network of parks, stormwater management ponds, **cemeteries** and urban linkages such as walkways, trails, utility corridors and boulevards. The Major Urban Open Space designation includes large areas of land within the urban open space system that serve specialized recreational or cultural functions and provide focal points within the Town.*

**4.10.9.1 LAND USE**

*It is the policy of Council that:*

1. *The following uses shall be permitted on lands designated Major Urban Open Space shown on Schedule A2 (Land Use) of this Plan:*
  - a. *Fish, wildlife and forest management;*
  - b. *Conservation projects and flood and erosion control projects including stormwater management works;*
  - c. *Low-intensity recreational uses;*
  - d. *Active recreation and cultural facilities; and*
  - e. *Public parks.*
2. *Secondary uses, including any necessary buildings or structures, which may be permitted subject to a Zoning By-law Amendment include the following:*
  - a. *Botanical and zoological gardens; and*
  - b. *Small-scale retail or commercial uses accessory to other permitted uses.*

*Permitted uses on lands known as Part of Lot 24 and Part of Lot 25, Concession 3 E.Y.S. (1591-1753 Elgin Mills Road East} designated as Major Urban Open Space as shown on Schedule A2 (Land Use) of this Plan shall include a cemetery, mausolea, columbaria, visitation/chapel reception centre and crematoria facilities.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

There are no policies in the OP that would guide the development of a new cemetery.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries		RICHMOND HILL, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	0.5
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** King, Township of

**OP Approval Date:** Township of King Rural Official Plan 1970, Hamlet Secondary Plan (OPA 23) 1983, King City Community Plan (2000), Nobleton Community Plan (OPA 57), Official Consolidation 2005 Amendment 230 to the Official Plan of the Township of King Planning Area, October 20, 2003

**OP Designation(s):** Open Space, Institutional

**Policy Summary...**

Cemetery uses are included in both the Hamlet Secondary Plan (including OPA 230) and the Nobleton Community Secondary. The Hamlet Secondary Plan considers cemeteries to be both an open space use and an institutional use and permits cemeteries under both of these designations. The Nobleton Community Plan also considers cemeteries to be an institutional use but permits cemeteries in the residential designation as well. OPA 230 brought the official plan into conformity with the Oak Ridges Moraine Conservation Plan. OPA 230 permits small scale institutional uses, such as cemeteries, on the Oak Ridges Moraine.

***Township of King Rural Official Plan Plan 1970***

There are no policies which would guide the development of new cemeteries in this plan.

***Hamlet Secondary Plan (OPA 23) - 1983***

**2.9 OPEN SPACE**

*The predominant use of lands designated as Open Space shall be for public and private recreational uses, public works and **cemeteries**. Recreational uses permitted in this designation may include parks, playgrounds, tennis courts, outdoor athletic fields, picnic areas, bowling greens, swimming pools, libraries, community centres and other similar uses. However, recreational uses such as a track for racing animals or vehicles, campgrounds or a golf driving range shall not be permitted.*

*Lands designated as Open Space shall be developed in compliance with the following criteria:*

- i. Recreational uses developed on lands not owned by a public authority shall be zoned in a separate classification from public recreational uses in the implementing Restricted Area By-law. Development of private recreational uses will be permitted only in areas where the topography, vegetation, soils, water supply and road access are suitable and where the proposed use is compatible with surrounding uses. Also, a Site Plan Development Agreement, entered into pursuant to The Planning Act, may be required by the Township as a condition of approval of any development or redevelopment of land, buildings or structures used for private recreational use. Public authority shall mean any School Board, Public Utility Commission, Transportation Commission, Board of Health, Board of Commissioners of Police, Planning Committee or other Board or Commission or Committee of the Township or the Regional Municipality of York established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the Township or a portion thereof, and*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

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*includes any Committee or local authority established by by-law of the Township and any agency of the Province of Ontario or the Government of Canada;*

- ii. Where recreational areas are designed for public use, adequate automobile parking areas, where necessary, shall be provided and designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic; and*
- iii. Lands designated as Open Space shall be placed in a separate category in the implementing Zoning By-law.*

## **2.10 INSTITUTIONAL**

*The predominant use of lands designated as Institutional shall be for public and institutional uses, such as government administration buildings and schools. Uses permitted shall include schools, places of worship, governmental administration buildings, museums, **cemeteries**, parks and recreational uses. A commercial use may be permitted within an institutional area, but only if it provides a service to the institutional uses within the area in which it is located and does not interfere or conflict with the satisfactory development and operation of the area for the institutional use. Residential uses which, although not part of an institution, are intended to provide accommodation for persons associated with the institutional use may also be permitted, but only if Council is satisfied that there will not be special problems in the provision of services required by the residential use.*

*All institutional development shall be developed in compliance with the following criteria:*

- i. Lots shall be of sufficient size to meet the requirements of the Regional Medical Officer of Health in regards to the proper installation and functioning of a private sewage disposal system and any requirements that the Township may have with regard to the provision of sufficient areas for such things as parking, buffering and/or screening and landscaped areas;*
- ii. A Site Plan Development Agreement, entered into pursuant to The Planning Act, may be required by the Township as a condition of approval of any development or redevelopment of land, buildings or structures used for Institutional purposes;*
- iii. All Institutional development shall be adequately regulated by the Township with provision for such matters as setbacks from property lines, off-street parking, landscaped areas and buffering requirements; and*

*Lands designated as Institutional shall be placed in a separate zoning category in the implementing Zoning By-law.*

### **King City Community Plan (OPA 54) - 2000**

#### **6.10.1 Purpose**

The Cemetery Area designation applies to existing cemeteries.

#### **6.10.2 Permitted Uses, Buildings and Structures**

The permitted uses are:

- i) cemetery uses; and,
- ii) passive recreation uses.

**6.10.3 Land Use Policies**

The Township shall work with those responsible for the management of the cemeteries to ensure that the cemeteries are properly maintained.

**9.3.5 Special Resources (re: Heritage Preservation)**

The Township shall discourage the closure and relocation of small cemeteries.

**Nobleton Community Plan (OPA 57) - 2005****3.2 Residential Policies****3.2.1 Definition**

*The Residential designation applies to existing and proposed areas which are predominantly residential in character, and includes land uses which are normally associated with residential areas such as schools and parks, and may also include small-scale commercial uses.*

*The main uses permitted in the Residential designation are:*

- *single and semi detached dwellings*
- *home occupations (in accordance with Policy 3.2.6)*

*Other uses which may be permitted within the Residential designation include:*

- *medium density residential uses (in accordance with Policy 3.2.5)*
- *small-scale commercial uses (in accordance with Policy 3.4.4)*
- *public and private schools (in accordance with Policy 3.7.3)*
- *churches and **cemeteries** (in accordance with Policy 3.7.4)*
- *libraries and other similar small-scale institutional uses (in accordance with Policy 3.7.6)*
- *parks and parkettes (in accordance with Section 3.8)*
- *open space (in accordance with Section 3.9)*

**3.7 Institutional Policies****3.7.1 Definition**

*The Institutional designation has been applied to existing institutional uses within the Nobleton Community which occupy large sites (e.g. schools, Nobleton Arena complex). Other institutional uses are not designated on Schedule AA@ but are permitted within other land use designations (e.g. Residential, Village Core, Commercial).*

**3.7.2 Permitted Uses**

*The uses permitted in the Institutional designation are:*

- *public and private schools*
- *churches and **cemeteries***
- *libraries*
- *recreation centres and arenas*
- *health and social service facilities*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

- emergency service facilities (e.g. fire hall, police station)
- daycare facilities
- parks and open space.

*It is intended that institutional uses will be placed in a separate category in the Zoning By-law and the establishment of new institutional uses will require a rezoning. The Zoning By-law may permit one or more of the above-noted institutional uses on any individual site.*

### **Amendment #230 to the Official Plan of the Township of King Planning Area**

*This section is added between the first and second paragraph of Section 2.10 (see above)*

*“Notwithstanding the above, where lands designated Institutional are within the Oak Ridges Moraine Plan Area as shown on Schedule C, the permitted uses shall be limited to small scale institutional uses including but not limited to schools, places of worship, community halls, retirement homes and cemeteries which are in conformity with the provisions of section 2.4.7 xvii) and xviii) of this Plan. Reference must also be made to the policies in section 2.4.6 (v), (vi), and (viii).”*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

### **Observation(s)....**

The Township of King land use policies are found in a number of “Plans”, none of which provide policies to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			KING, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	1.0
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Markham, Town of

**OP Approval Date:** 5 April, 1993 (Consolidation: July 2006)

**OP Designation(s):** Institutional (Cemetery)

**Policy Summary...**

Cemeteries are considered an auxiliary use to a Place of Worship. They also are permitted in the Institutional (Cemetery) designation. Only policies relevant to cemeteries are included in the following Policy Summary.

Section 3.6.4 contains general policies relating to cemeteries, recognizing existing cemeteries and that some existing cemeteries may not be designated INSTITUTIONAL. Regardless of their actual designation they shall still be subject to the policies contained in this section of the TMOP.

**3.6 Institutional**

**3.6.1 Permitted Uses**

- a) *...Where land is designated as INSTITUTIONAL (Cemetery) on Schedule 'A' – LAND USES, the use of the land shall be for the interment of the dead.*
- b) *Cemeteries, columbaria, mausolea, funeral homes (subject to Provincial legislation) and crematoria shall be permitted on lands designated as INSTITUTIONAL (Cemetery) in accordance with the policies in Section 3.6.3 of this Plan.*

**3.6.2 General Institutional Policies**

- b) *Notwithstanding the provisions of Section 3.6.1c), no institutional use, with the exception of schools ... shall be permitted on a site of 2 hectares or more in area without a specific amendment to this Plan.*
- c) *Institutional uses shall be located only where they are compatible to adjacent land uses.*
- i) *Appropriate visual screening, planting and/or fencing shall be provided between institutional uses and adjacent residential uses.*
- j) *Parking areas for institutional uses shall be adequate in size, and access to the sites of such uses shall be designed to minimize danger to pedestrian and vehicular traffic.*
- k) *The existing and future availability of public transit shall be considered in the location of institutional uses that involve extensive public use or employment.*
- l) *The implementing Zoning By-laws shall incorporate zoning and development standards appropriate for specific institutional uses.*



**3.6.3 Cemeteries****a) Introduction**

*It is the intention of this Plan that cemeteries shall be established or expanded only by amendment to this Plan. This Plan therefore incorporates the specific designation of INSTITUTIONAL (Cemetery) to be applied to lands set aside or used for cemeteries. This specific designation is identified as a distinct sub-category of the INSTITUTIONAL designation and is to be applied to lands which are used, or intended to be used for cemetery purposes, or for similar uses customarily associated with the interment of the dead, as described in Section 3.6.3b).*

**b) Permitted Uses**

*Permitted uses within the INSTITUTIONAL (Cemetery) designation shall include cemeteries, and mausolea, columbaria and crematoria in conjunction with a cemetery. A chapel and building to house functions relating to the operation of the cemetery shall also be permitted. A place of worship shall not be permitted. A funeral home may also be considered for approval on a large cemetery in excess of 40 hectares in area, provided the use is permitted by provincial legislation. Approval of a funeral home use shall be subject to the review of a specific development proposal and zoning approval; and pursuant to the provisions of this Plan including criteria c) through g) of Section 3.4.5.3 and any implementing Secondary Plan.*

*Lands which designated as INSTITUTIONAL (Cemetery) and located outside the urban area, may be used for compatible farming activities on an interim basis, pending their use for cemetery purposes.*

**3.6.4 General Policies Relating to Cemeteries**

*The following policies shall apply to cemeteries:*

- a) i) *Existing cemeteries shall generally be designated INSTITUTIONAL (Cemetery). Exceptions may include existing cemeteries located on lands designated by this Plan as HAZARD LANDS, PARKWAY BELT WEST and HAMLET; existing cemeteries associated with an existing place of worship, on the same property as the place of worship, will unless expanded, retain the designation of the associated place of worship.*
- ii) *Notwithstanding the fact that an existing cemetery may not be designated as INSTITUTIONAL (Cemetery) on Schedule 'A' – LAND USE, all cemeteries shall be subject to the policies contained in Sections 3.6.3, 3.6.4 and 3.6.5 of this Plan.*
- b) *The establishment of a new cemetery, or the expansion of an existing cemetery shall require an amendment to this Plan to designate the subject lands as INSTITUTIONAL (Cemetery).*
- c) *In considering an amendment to this Plan to permit the establishment or expansion of a cemetery, the Town will have regard for the following matters:*
  - i) *the need for the proposed use and the appropriateness and suitability of the proposed location;*

- ii) *the type and character of uses on surrounding properties and the possible impacts of the proposal on these uses;*
- iii) *accessibility, and points of access to the subject lands, and the impact of traffic generated by the proposed use on other uses in the surrounding area;*
- iv) *adequate off-street parking and internal traffic circulation;*
- v) *landscaping including planting, grading, and screening as appropriate, to complement the proposed and adjacent uses; and,*
- vi) *the geophysical and environmental conditions in the general area including soil and sub-soil conditions.*

*Proponents of cemeteries may be required to furnish studies or similar information, prepared by qualified professionals in respect of matters such as those noted above. All requirements of the Ministry of Consumer and Business Services shall be satisfied.*

- d) *Soils and hydrological tests and reports shall be required to be undertaken by a qualified professional prior to approval of an amendment to this Plan to permit the establishment or expansion of a cemetery. Such tests and reports shall be prepared to the satisfaction of interested and responsible government agencies, including the Town of Markham, the Medical Officer of Health and other authorized agencies.*
- e) (i) *Graves located in a cemetery shall be adequately set back from any wells, watercourses or streams on the subject or adjacent lands, such setback requirements to be determined in consultation with the Medical Officer of Health and other authorized agencies.*
- (ii) *Graves shall have sufficient separation of unsaturated soil between the bottom of the excavation and the water table, and in no event shall the separation be less than any existing standards that may be adopted by the Medical Officer of Health and other authorized agencies.*
- f) *A stormwater management study if required by the Town shall be undertaken by a qualified professional and shall be submitted for the approval of the Town of Markham, the Toronto and Region Conservation Authority, and for the information of other authorized agencies prior to site plan control approval for any development.*
- g) i) *Cemeteries shall be permitted only where there is direct access from the property to an arterial road or Provincial highway.*
- (ii) *A landscaped strip of land shall be provided on cemetery property adjacent to any arterial road or Provincial highway, within which no graves or burial structures shall be located.*

- h) All abandoned wells on a cemetery property shall be capped in accordance with the regulations of the Medical Officer of Health and other authorized agencies.*
- i) A crematorium shall be permitted only in association with a cemetery, preferably a larger regional cemetery, and shall be subject to the approval of the Medical Officer of Health and other authorized agencies.*

### **3.6.5 Implementation**

- a) Policies relating to the uses permitted on any lands designated INSTITUTIONAL may be included in Secondary Plans.*
- b) The range of uses permitted on lands designated INSTITUTIONAL, and the development standards pertaining to such uses, shall be specified in the implementing Zoning By-laws.*
- c) The policies of this Plan regarding cemeteries shall be implemented by appropriate amendments to the relevant Zoning By-law(s). The Zoning By-law shall incorporate appropriate development standards as well as other standards related to the location, setback, and separation requirements for graves, buildings and other structures.*
- d) All buildings and structures shall be subject to site plan control approval, pursuant to Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Prior to the commencement of the operation of a cemetery the owners shall enter into a Site Plan Control Agreement with the Town which will contain, inter alia, an approved site plan, landscaping plan, tree preservation plan and drawings of building and structure elevations.*

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

### **Observation(s)....**

The Town has incorporated considerable policy direction regarding the development of new cemeteries. Nevertheless, the expansion of an existing cemetery or the establishment of a new one shall require an amendment to the TMOP, as noted in the policies.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries			MARKHAM, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	1.0
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✓	0.5
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1.0
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✓	1.0
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	0.5
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✓	1.0
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>5.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Whitchurch-Stouffville, Town of

**OP Approval Date:** 20 March, 2001 (Consolidation: September, 2010)

**OP Designation(s):** Private Open Space Area, Institutional, Cemetery

**Policy Summary...**

Cemeteries are recognized as part of the Greenlands System for the Town of Whitchurch-Stouffville and are designated "Private Open Space Area". Cemeteries are directed to the communities of Stouffville, Ballantrae-Musselman or Vandon Preston Lake or the Gormley Industrial Area; however, non-farm uses are permitted in the rural area through an OPA, subject to the policies of Section 4.3.3. Cemeteries are also included as part of the Rural Commercial / Industrial / Institutional Area designation which recognizes existing and approved commercial, industrial and institutional uses in the Rural Area, and permits the extension and expansion of such uses. Cemeteries are considered to be an institutional use in this designation.

The Gormley Industrial Secondary Plan recognizes cemeteries as being a compatible use; however, cemeteries are not permitted in the Gormley Industrial Secondary Plan Area. The Community of Stouffville Secondary Plan includes a "Cemetery" designation in the land use policies. Cemeteries and passive recreation are permitted in this designation, but crematoria are specifically not permitted.

**Town of Whitchurch Stouffville Official Plan**

**3.4 Greenlands System**

**3.4.4 Private Open Space Area**

**3.4.4.1 Purpose**

*There are a number of existing golf courses, other recreational facilities, **cemeteries** and institutional uses in the Town. In the future other large areas of private open space may be created. While these areas are not directly accessible by the public, they provide a visual open space linkage as part of the Greenlands System. In addition, there is the potential that arrangements may be made for public trails across such lands.*

**3.4.4.2 Relationship of Private Open Space Areas to Greenlands System**

*The Town will work with the owners of private open space uses to maximize the role of such uses as components of the Greenlands System by:*

- i. entering into agreements or other arrangements to permit public trail access to such lands;*
- ii. encouraging landowners to restore vegetation, either through planting or naturalization, and to strengthen linkages between natural features;*
- iii. by providing for the potential of such connections in the design of the public trail system, where it is not immediately possible to arrange public trail access to such lands;*
- iv. ensuring that new development adjacent to such lands is designed to maximize public views into such sites; and,*
- v. ensuring that, where a private open space use is replaced with a non-open space use, provision is made to continue and/or enhance key parts of the open space feature and/or trail connections.*

**4.4 Rural Area****4.4.1.2 Other Permitted Uses****4.4.1.2.1 General**

*Non-farm uses shall generally be discouraged in the Rural Area designation and shall be encouraged by the Town to locate in the Communities of Stouffville, Ballantrae-Musselman Lake or Vandorf Preston Lake or the Gormley Industrial Area. However, consideration may be given to proposals for the location of limited rural commercial, rural industrial, rural institutional, resort/recreation, commercial recreation, cemetery and public open space and recreation uses in the Rural Area subject to an Official Plan amendment and the relevant policies of this Plan including the policies of Sections 4.4.2 and 4.3.3.*

**4.3.3 Land Use Policies****4.3.3.1 Agricultural Industry**

*The Town will work with the farming community to support and develop plans and programs that promote agriculture, and, in particular, the Town shall:*

- i. direct non-farm uses to other areas of the Municipality; and,*
- ii. establish an advisory committee to provide input to Council regarding issues affecting the farming community.*

**4.3.3.2 Minimum Distance Formulae**

*All new development shall, at a minimum, comply with the minimum distance formulae. However, in evaluating an application for a nonfarm use, the Town shall take into consideration not only the impacts on existing farming operations, but also impacts on the potential for the expansion of such operations, to ensure that maximum flexibility is provided to such operations for future expansion.*

**4.3.3.3 Official Plan Amendments**

*Applications for amendments to the Official Plan to remove lands from the Agricultural Area designation shall generally not be approved and must satisfy the following criteria:*

- i. a specific detailed development proposal has been submitted to the Town;*
- ii. there is a demonstrated need and demand for the proposed land use;*
- iii. there are no suitable alternative locations on lower capability agricultural land in the Town;*
- iv. the use will not reduce or impede surrounding farm operations or their potential for expansion;*
- v. the site is suitable for the proposed use and does not include unnecessary land; and,*
- vi. the proposed use is compatible with surrounding uses; and,*
- vii. adequate water supply and waste disposal facilities are available to the satisfaction of the Town and the Region of York Health Services Department. Notwithstanding the foregoing, an application for approval of a pit or quarry operation which requires the removal of lands from the*
- viii. Agricultural Area designation, shall be permitted subject to the policies of Section 4.8.5.3 of this Plan.*

**4.3.3.4 Relationship to Regional Plan**

Where the Agricultural Area designation does not conform with the Agriculture Area designation in the Regional Official Plan, the provisions of the Agricultural Area designation of this Plan prevail in the event of any conflict.

**4.14 Rural Commercial/Industrial/Institutional Uses****4.14.1 Purpose**

The Rural Commercial/Industrial/Institutional Area designation on Schedule "8" recognizes existing and approved commercial, industrial and institutional uses in the Rural Area, and permits the extension and expansion of such uses.

**4.14.2 Permitted Uses, Buildings and Structures****4.14.2.1 Permitted Uses**

The permitted uses in the Rural Commercial/Industrial/Institutional Area designation are rural commercial, industrial and institutional uses:

- i. which comply with or are similar to those permitted by the zoning for the site existing at the date of adoption of this Plan; or,
- ii. which are generally small scale uses primarily related to, and designed to serve, the rural/agricultural/environmental areas or utilize the products of those areas.

Institutional uses shall be deemed to include cemeteries.

**4.14.3 Land Use Policies****4.14.3.1 New Uses**

Applications for new rural commercial, industrial or institutional uses shall require a site specific amendment to the Official Plan and shall only be permitted provided that the use:

- i. is designed and located to protect and enhance the Greenlands System identified on Schedule "A" and in the policies of Section 3 and will not have any negative impact on environmental functions, attributes and linkages;
- ii. is designed to minimize audio and visual nuisances and hazards, and shall provide to the satisfaction of the Town, a combination of mitigation measures in order to minimize any potential negative impacts that the development may have on adjacent agricultural or
- iii. residential uses;
- iv. is located on lands designated "Rural Area" on Schedule "8" to this Plan;
- v. complies with the minimum distance separation formulae;
- vi. has direct access from a Regional major or minor arterial, or collector road;
- vii. the use satisfies the following criteria:
  - a) a specific detailed development proposal has been submitted to the Town;
  - b) there is a demonstrated public need and demand for the proposed land use;
  - c) there are no suitable alternative locations in the Town;
  - d) the use will not reduce or impede surrounding farm operations or their potential for expansion;
  - e) the site is suitable for the proposed use and does not include unnecessary land;
  - f) the proposed use is compatible with surrounding uses;
  - g) adequate water supply and waste disposal facilities are available to the satisfaction of the Town and the Region of York Health Services Department; and,



OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

- h) for industrial uses, the uses are limited to dry industrial uses which do not use water for washing, cooling or processing and do not generate more than 4500 litres per day of employee sanitary waste.*

**4.19.4.1 Special Policy - Part Lot 2, Concession 3**

*In addition to any other policies of this Plan, the lands designated as "Special Policy Area" in Part Lot 2, Concession 3 as identified on Schedule "8" shall only be used for institutional uses including:*

- i. cemeteries, and associated facilities including but not limited to*
- ii. mausoleum, crematorium and columbaria;*
- iii. places of worship and chapels; and,*
- iv. related uses including service buildings, administrative offices and*
- v. buffering requirements.*

*All institutional uses shall be regulated by the provisions in the Zoning Bylaw and developed through site plan approval. Phasing of development shall be permitted. The development of the cemetery shall have regard for:*

- i. access to the road system such that traffic hazards are not created;*
- ii. provision of adequate on-site parking facilities; and,*
- iii. screening and landscaping to complement the plot plan and*
- iv. permitted uses.*

**Secondary Plan for the Gormley Industrial Area**

**10.2.6 Cemeteries**

*This plan recognizes land uses such as cemeteries and related uses as being compatible with the Industrial land use designations contemplated under this amendment. However, cemeteries shall not be permitted within the Secondary Plan area.*

**Community of Stouffville Secondary Plan**

**12.7.10 Cemetery Area**

**12.7.10.1 Purpose**

*The Cemetery Area designation applies to existing cemeteries.*

**12.7.10.2 Permitted Uses, Buildings and Structures**

*The permitted uses, and related buildings and structures, are:*

- i. cemetery, excluding a crematorium; and,*
- ii. passive recreation.*

**12.7.10.3 Land Use Policies**

*The Town shall work with those responsible for the management of the cemeteries to ensure that the cemeteries are properly maintained, in accordance with the Cemeteries Act.*

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Observation(s)....**

Cemeteries are designated as “Private Open Space” in the Greenlands System of the Official Plan and are also permitted in the Rural Commercial / Industrial / Industrial Designation. Cemeteries are also permitted in the Community of Stouffville Secondary Plan with their own designation of “Cemetery”.

Cemeteries are permitted to expand to the Rural Area designation through an Official Plan Amendment.

The only specific policies for cemeteries are included in a Special Policy Area Designation which pertains to a specific parcel of land in the Town of Whitchurch Stouffville.

OP Policy Assessment Matrix – Cemeteries		WHITCHURCH-STOUFFVILLE, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes * No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1.0
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✓	0.5
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	1.0
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✓	0.5
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>3.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Uxbridge, Town of

**OP Approval Date:** August 2007 (Office Consolidation)

**OP Designation(s):** Cemetery

**Policy Summary...**

The Township's OP is intended to guide growth and development within the urban limits of the Uxbridge settlement area. Land use policy for the rural area defers to the Region's OP. Cemeteries in the OP have their own designation and specific policies. Cemeteries are considered to be a key component of the "Natural Heritage System".

**2.3 Natural Heritage System**

**2.3.1 Purpose**

*A natural heritage system consists of natural features including stream valleys, wetlands and forested areas, as well as parkland and trail systems and areas of significant wildlife habitat. The basis of this system already exists in the Uxbridge Urban Area and surrounding lands.*

*The key components of the Natural Heritage System are: ...*

*viii) Cemetery Area.*

**2.3.8 Private Open Space System**

**2.3.8.2 Relationship of Private Open Space Areas to Natural Heritage System**

*The Township will work with the owners of private open space uses to maximize the role of such uses as components of the Natural Heritage System by:*

- i) entering into agreements or other arrangements to permit public trail access to such lands;*
- ii) by providing for the potential of such connections in the design of the public trail system, where it is not immediately possible to arrange public trail access to such lands;*
- iii) ensuring that new development adjacent to such lands is designed to maximize public views into such sites;*
- iv) ensuring that where a private open space use is replaced with a non-open space use provision is made to continue and/or enhance key parts of the open space feature and/or trail connections;*
- v) ensuring that a portion of such areas are naturalized so there will be natural linkages to other parts of the Natural Heritage System; and,*
- vi) ensuring that new facilities are designed to enhance linkages within the Natural Heritage System where feasible.*

**2.3.9 Cemetery**

**2.3.9.1 Purpose**

*The Cemetery Area designation recognizes existing cemeteries which represent permanent open space areas.*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

### 2.3.9.2 Permitted Uses, Buildings and Structures

*The permitted uses, and related buildings and structures, are a cemetery, excluding a crematorium.*

### 2.3.9.3 Land Use Policies

*Cemeteries shall be properly managed and maintained in accordance with the Cemeteries Act. (In addition, cemeteries shall also be subject to the policies of Section 2.3.8.2 of this Plan.) New cemeteries and expansions of existing cemeteries shall require an official plan amendment and shall be evaluated in accordance with the policies of Section 5.3.6 of the Durham Regional Official Plan.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

### **Observation(s)....**

The OP permits cemeteries under the “Cemetery” designation. There are some policies included in the OP to guide cemeteries; however they are fairly limited. Policies guiding the development of new cemeteries are deflected to the Region’s OP. An OPA, however, is required for the development of a new cemetery.

OP Policy Assessment Matrix – Cemeteries			UXBRIDGE, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	1.0
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✓	1.0
<b>TOTAL:</b>			<b>2.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Pickering, City of

**OP Approval Date:** 24 September, 1997 (Consolidation: February, 2010)

**OP Designation(s):** none

**Policy Summary...**

Cemeteries are recognized as a community facility, a use which is directed to downtown cores/mixed use areas. Community uses are permitted in almost all land use designations except Open Space System – Natural Areas, Marina Areas, Oak Ridges designations, and Agricultural Areas. According to the City of Pickering planning department, new cemeteries are not permitted, as of right, in the land use designations that permit “community uses”, but rather new cemeteries must be established by official plan amendment.

**Definition of Community Facilities provided in OP:**

*Community services refer to the uses, facilities, programs and services addressing the broad range of human, social and infrastructure needs integral to the community’s quality of life. The services are provided by various levels of government, non-government organizations, and private groups and individuals.*

*Facilities often associated with community services include the following:*

- ambulance depots
- **cemeteries** and related facilities
- child care facilities
- cultural facilities and theatres
- fire halls
- government offices
- hospitals and medical
- clinics
- libraries
- parks
- places of religious assembly
- police stations
- post offices
- recreation centres and arenas
- schools, colleges and universities
- works depots

**Rural Lands**

**2.27** *In addition to those uses permitted by the designations established under section 2.26, City Council may consider permitting other uses and activities within the rural area by amendment to this Plan, subject to the relevant provisions of Chapter Fifteen (Development Review) of this Plan.*

**Exceptions**

**3.20** (b) *on lands identified by the symbol “E3” on Schedule I, a cemetery and related uses including an office, chapel, crematorium, mausoleum, columbarium, and maintenance yard, other than on those portions of the lands that may be required for*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

*the proposed Westney Road By-pass and its intersection with the proposed Highway 407/ Transitway;*

**Development Review**

**15.37** City Council,

*a) shall permit existing and approved cemeteries in any land use designation to continue to operate and expand subject to site specific zoning and appropriate public health considerations; and may permit the development of new cemeteries only by amendment to this Plan considering the policies of this Plan, the Durham Region Official Plan and provincial legislation governing cemeteries.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

The OP policies consider cemeteries to be a community facility, a use which is permitted in most designations. Existing cemeteries are recognized as an important cultural heritage resource. Although new cemeteries require an official plan amendment, limited policy guidance is provided for their establishment.

OP Policy Assessment Matrix – Cemeteries			PICKERING, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1.0
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	0.5
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>2.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Halton, Region of

**OP Approval Date:** 1993 (Consolidation: 17 August, 2006)

**OP Designation(s):** none

**Policy Summary...**

In the original Regional Official Plan, cemeteries were permitted in several designations, including the Parkway Belt West area, the Environmental Protection Area and the Agricultural Rural Area. ROPA No. 38, however, essentially removed cemeteries as a specific permitted use. The intent of the Region is for cemeteries to be directed to urban areas.

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are not identified as a permitted use in the Official Plan; although, the Region has stated that they consider cemeteries an urban use. There are no policies provided to guide the development of new cemeteries, nor is there a definition of "cemetery" in the OP.

OP Policy Assessment Matrix – Cemeteries			HALTON, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✗	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).



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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Peel, Region of

**OP Approval Date:** 22 October 1996(Consolidation: November 2008)

**OP Designation(s):** none

**Policy Summary...**

Cemeteries are not addressed within the Region of Peel Official Plan.

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are not identified as a permitted use in the Official Plan. Development is directed away from prime agricultural land. There are no policies provided to guide the development of new cemeteries, nor is there a definition of "cemetery" in the OP.

OP Policy Assessment Matrix – Cemeteries			PEEL, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✗	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** York, Region of

**OP Approval Date:** 7 September 2010 (under appeal)

**OP Designation(s):** Rural Area

**Policy Summary...**

Cemeteries are permitted in the “Rural Area” of the Greenbelt Plan.

**6.4 8.** *That notwithstanding policy 6.4.5, new cemeteries and accessory uses such as mausolea, columbaria, small scale chapels, expansions of existing cemeteries, but not freestanding places of worship, may be permitted in the Rural Area of the Greenbelt Plan subject to an amendment to this Plan and the local official plan and zoning by-law, where the following provisions are met to the satisfaction of the Region and local municipality:*

- a. the area and capacity of the cemetery and the accessory uses are appropriate for the Rural Area and intended to serve the Region’s population, as demonstrated by a demand analysis based on the 2031 planning horizon;*
- b. the proposal demonstrates opportunities for alternative internment or burial practices meeting the needs of a diverse cultures and efficient use of the land area;*
- c. lands are not available for cemetery uses in the existing Urban Area, Towns and Villages or Hamlets in the Regional market area;*
- d. the cemetery and accessory uses will not create the need to develop other uses, such as a freestanding place of worship on the site in the future;*
- e. appropriate hydrological and hydrogeological studies have been completed, which indicate that the use will not have adverse impacts on the quality and quantity of ground and surface water on or nearby the site or a Wellhead Protection Area;*
- f. the proposal has no adverse traffic, parking or visual impacts on the surrounding land uses or residents and maintains the rural character of the area;*
- g. there is an enhancement plan that demonstrates the use of existing site characteristics, such as topography and vegetation, identifies natural native vegetation enhancement and sequential plantings, including opportunities for memorial groves and the establishment of arboreta, improvements to connectivity between key natural heritage features and key hydrologic features, provides for the development of a forest canopy; and,*
- h. the use conforms with the policies in Chapter 2 of this Plan.*

**Definitions ...**

**CEMETERIES**

*Religious or commercial enterprises that include the in-ground and aboveground internment of human remains.*

# OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

## Observation(s)....

Cemeteries are identified as a permitted use in the “Rural Area” of the Greenbelt Plan. Policy guidance is provided for the consideration of cemetery development proposals. An OPA is required to implement the use.

OP Policy Assessment Matrix – Cemeteries			YORK, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	1.0
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...		
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1.0
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✓	0.5
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	0.5
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	1.0
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✓	1.0
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>5.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Durham, Region of

**OP Approval Date:** 24 November, 1993 (Consolidation: 5 June, 2008)

**OP Designation(s):** Urban Area, ORM Settlement Area

**Policy Summary...**

Cemeteries are considered to be a Community Facility. Community facilities are permitted in Urban Areas.

**Section 5 Cultural, Health & Community Facilities, and Infrastructure**

**5.2 General Policies**

**CULTURAL, HEALTH AND COMMUNITY FACILITIES**

**5.2.1** *Cultural facilities for such purposes as education, as recognized by the Ministry of Education, the arts, heritage and religion, shall be permitted in Urban Areas, and if appropriate in scale, in Hamlets. Within the Oak Ridges Moraine, such uses may only be permitted in Settlement Areas and Hamlets, subject to the provisions of the Oak Ridges Moraine Conservation Plan. Health facilities for such purposes as hospitals shall only be permitted in Urban Areas.*

*Cultural and health facilities shall be directed to locations that are visible and accessible to residents of the Region, preferably in close proximity to existing and future transit routes.*

**5.2.2** *Municipally owned and operated community facilities, for such purposes as day care centres and recreation shall be encouraged to locate within Urban Areas and if appropriate in scale, in Hamlets, but may be permitted in any designation, except Prime Agricultural Areas. Within the Oak Ridges Moraine, such uses are encouraged to locate in Settlement Areas and Hamlets, but may be permitted in the Countryside Area, outside of Prime Agricultural Areas, subject to the provisions of the Oak Ridges Moraine Conservation Plan. Within the Greenbelt Protected Countryside, such uses shall be subject to the provisions of the Greenbelt Plan.*

*All other community facilities shall only be permitted in Urban Areas; and on the Oak Ridges Moraine in Settlement Areas, subject to the provisions of the Oak Ridges Moraine Conservation Plan.*

*Community facilities shall be directed to locations that are visible and accessible to residents of the Region, preferably in close proximity to existing and future transit routes.*

**5.3 Policies**

**5.3.6** *Cemeteries are recognized as necessary and essential community facilities. Cemeteries may vary in scale, depending upon the location and needs of the population to be served. Existing cemeteries are recognized as permitted uses in this Plan. Such cemeteries may be permitted to expand to the limits of the license issued under the Cemeteries Act, provided that they comply with the respective zoning by-law and intent of this Plan, and that provisions have been made for roads identified in this Plan and the respective area municipal official plan.*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

*The establishment of new cemeteries, and expansions to existing cemeteries, may be permitted by amendment to the respective area municipal official plan, provided that the proposal:*

- a) meets the general intent of this Plan;*
- b) has no adverse traffic, parking and visual impacts on the surrounding land uses and residents;*
- c) is situated on lands suitable to be developed as a cemetery;*
- d) has no adverse impacts on the natural environment and satisfies the provisions of Section 2 of this Plan; and*
- e) has made provision for future roads.*

*No new cemetery may be located in Prime Agricultural Areas. In addition, within the Oak Ridges Moraine, the establishment of cemeteries may only be permitted in the Countryside and Settlement Areas, subject to the provisions of the Oak Ridges Moraine Conservation Plan. Within the Greenbelt Protected Countryside, the establishment and expansion of cemeteries shall only be permitted subject to the provisions of the Greenbelt Plan.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries recognized as an important land use and are permitted within the urban system, and are expressly prohibited from the Agricultural Area. Policies are included in the Official Plan to guide the establishment of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			DURHAM, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	1.0
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✓	0.5
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	1.0
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	1.0
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✓	1.0
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>4.5</b>
Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).			

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Ottawa, City of

**OP Approval Date:** 14 May, 2003

**OP Designation(s):** Rural

**Policy Summary...**

Cemeteries are considered to be part of the “Rural” system, and are specifically identified as permitted uses within this designation.

**3.7- Rural Designations**

**3.7.2 – General Rural Area**

The General Rural Area contains a variety of land uses, such as farms, rural housing, wood lots and forests, small industries, golf courses, and in many places, small clusters of residential and commercial development. The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location and a limited amount of residential development where such development will not preclude continued agricultural and non-residential uses.

**Policies**

**Purpose** [Amendment #76, June 24, 2009]

1. General Rural Areas are designated on Schedule A with the intent to provide:
  - a. A location for agriculture and for those non-agricultural uses that, due to their land requirements or the nature of their operation, would not be more appropriately located within urban or Village locations;
  - b. For a limited amount of residential and other rural and tourist service uses that do not conflict with a) above.

**Permitted Uses** [Amendment #76, June 24, 2009]

2. The following uses will be permitted within the General Rural Area without requiring a zoning by-law amendment:
  - a) Agricultural uses, forestry and conservation, and natural resource management activities;
  - b) Residential uses on existing lots of record and on new lots created by severance as provided for by this Plan;
  - c) Animal boarding, breeding, and training facilities, including stables;
  - d) Bed and breakfast establishments;
  - e) Open space;
  - f) Cemeteries

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Although cemeteries are permitted in the “General Rural Area, there are no policies provided to guide the development of new cemeteries.



OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries			OTTAWA, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Hamilton, City of

**OP Approval Date:** March 16, 2011 (Urban Plan) – Note: Rural Plan not Available

**OP Designation(s):** Open Space

**Introductory Note:**

The City of Hamilton is comprised of the former Region of Hamilton-Wentworth, City of Hamilton, Town of Dundas, Town of Ancaster, Town of Flamborough, Township of Glanbrook, and the City of Stoney Creek. The City has recently completed the preparation of a new Official Plan that encompasses all of the older separate Regional and Municipal Plans. Although the original Plans are currently still in effect, this review considers the policies presented in the new OP as an indication of Council's latest direction regarding land use policy.

**Policy Summary...**

The new OP is segregated into two Plans reflecting the urban and rural characteristics of the city. Both the Rural and the Urban Plan permit cemeteries in the "Open Space" land use designation.

*(from Council adopted Official Plan, 2010)*

**Urban Official Plan Policies**

**3.3 Open Space Designations**

***Function***

- 3.3.1** *Lands designated as Open Space are public or private areas where the predominant use of or function of the land is for recreational activities, conservation management and other open space uses.*
- 3.3.2** *The Open Space designation applies to lands greater than 4 hectares in size designated open space on Schedule E-1 – Urban Land Use Designations. Lands used for open space purposes less than 4 hectares shall be permitted within the Neighbourhoods designation subject to the provisions of this Plan.*
- 3.3.3** *Open Space designations shall be further refined in secondary plans and rural settlement area plans or identified in Appendix A - Parks Classification in accordance with Section B.3.5.3 – Parkland Policies.*

***Permitted Uses***

- 3.3.4** *The following uses shall be permitted on lands designated Open Space on Schedule E-1 – Urban Land Use Designations:*
- a) parks for both active and passive recreational activities;*
  - b) publicly owned and operated recreation/community centres or historic sites;*
  - c) pedestrian pathways, trails, bikeways and walkways;*
  - d) marinas;*
  - e) forest, fish and wildlife management areas; and,*
  - f) cemeteries.*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

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- 3.3.5** *Secondary commercial uses such as food concessions, recreational equipment rentals, and water-oriented recreational uses may be permitted provided they are complementary to the permitted uses specified in Policy C.3.3.4 and provided they do not interfere with or have any negative impacts on the open space nature of the land.*

## **Rural Official Plan Policies**

### **3.3 Open Space**

- 3.3.1** *Lands designated as Open Space on Schedule D - Rural Land Use Designations are public or private areas where the predominant use of or function of the land is for recreational activities, conservation management and other open space uses. These uses include, but are not limited to parks for both active and passive recreational activities including resource-based recreational and tourism uses, recreation/community centres, pedestrian pathways, trails, bikeways and walkways, seasonal campgrounds, marinas, woodlots, forestry and wildlife management areas, fishing reserves, hazard lands and **cemeteries**. Ancillary commercial uses may be permitted as defined by section B.3.5.1, Parkland Policies and section C.2, Natural Heritage System policies of this Plan.*
- 3.3.2** *Open Space designations shall be further refined in Secondary Plans and Rural Settlement Area Plans or identified in an Appendix to this Plan in accordance with Section*
- 3.3.7** *Where a re-designation to Open Space is required for the establishment of a new or expansion of an existing resource-based recreation and tourism uses or other major recreational use including campgrounds, golf courses, trailer parks, resorts and similar tourism-based accommodations and recreational/open space uses such use may be permitted, subject to Section D.4.1.1.2 b) of the Plan.*

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

### **Observation(s)**....

Cemeteries are considered part of the open space system in both parts of the City of Hamilton Official Plan. There are no policies included in the Plan to guide their development.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries			HAMILTON, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1.0
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Grimsby, Town of

**OP Approval Date:** November 2009 (Council adopted – awaiting Regional approval)

**OP Designation(s):** Rural Area, Parks and Open Space, Rural Area, Institutional

**Policy Summary...**

Cemeteries are identified as a permitted use in the “Rural Area”, “Parks and Open Space” and “Institutional” designations. Parks and Open Space uses are permitted in all designations.

**3.3.4 Rural Area**

***Permitted Uses:***

**3.3.4.1** *The following uses shall be permitted within the Rural Area designation, delineated on Schedule B:*

- a) *Agricultural uses;*
- b) *One single detached residence as an accessory use to an agricultural operation;*
- c) *Uses secondary to agricultural uses including::*
  - i. *Home occupation wholly within a dwelling unit,*
  - ii. *Home industry subject to Section 3.3.1.5 6 and 3.3.4.9,,*
  - iii. *Bed and Breakfasts,*
  - iv. *Farm holidays, and farm tours,*
  - v. *Help-house subject to Section 3.3.1.4, and*
  - vi. *Garden suites;*
- d) *Agricultural related uses including farm-related commercial and farm-related industrial uses and farm markets subject to Sections 3.3.4.7 and 3.3.1.3;*
- e) *Other rural uses including:*
  - i. *Forestry, conservation of plants and wildlife,*
  - ii. *Nurseries,*
  - iii. *Small scale institutional uses which serve the rural community,*
  - iv. *Animal kennels,*
  - v. *Veterinary clinic, vi) Stockyards,*
  - vi. *Grain drying and grain mills,*
  - vii. *Farm supply stores, and*
  - viii. *Farm equipment sales and service;*
- f) *Certain types of low intensity non-agricultural development and resource based recreational activities including:*
  - i. *public and private parks,*
  - ii. ***cemeteries,***
  - iii. *golf courses, and*
  - iv. *campgrounds.*

***General Policies:***

**3.3.4.7** *Those agricultural related uses, other rural uses, and resource-based recreational uses referred to in Section 3.3.4.1 shall only be permitted in the Rural Area, through site specific rezoning, when it is clearly demonstrated that:*

- a) *The use is designed primarily to serve the needs of rural residents;*
- b) *The use cannot reasonably function in a nearby Urban Settlement area or Hamlet Settlement area, or there are no suitable locations within these areas;*
- c) *The use is desirable in the rural area and will not have an adverse impact on the natural resources or features of the area;*
- d) *The feasibility of the proposed water supply and sewage disposal system is demonstrated through appropriate technical studies;*
- e) *Adequate setbacks and buffering from adjacent uses are provided;*
- f) *There is adequate access to the site from an opened and maintained public road, and it will not create a traffic hazard;*
- g) *The use is compatible with and does not hinder surrounding agricultural operations;*
- h) *The use is in compliance with the minimum distance separation formulae; and,*
- i) *A hydrogeological study has been undertaken to determine no impact on adjacent wells or on the ecological function of nearby Natural Environmental Area features.*

**3.3.4.8** *When reviewing applications to redesignate lands from the Rural Area designation, the following shall be considered:*

- a) *The use cannot be located in the Urban Area Settlement or Hamlet Settlements;*
- b) *The feasibility of the proposed water supply and sewage disposal system is demonstrated through appropriate technical studies;*
- c) *The amount of land already designated for the use;*
- d) *The impact of the use on surrounding agriculture operations is mitigated to the extent feasible;*
- e) *The impact on natural environmental features and functions are assessed as set out in Section 3.1;*
- f) *The traffic impacts are assessed;*
- g) *The use is in compliance with the minimum distance separation formulae; and,*
- h) *The impact on existing licensed aggregate operations as well as those lands identified as Mineral Aggregate Areas on Schedule B is assessed as set out in Section 3.11.*

### **3.8 PARKS AND OPEN SPACE**

#### ***Intent:***

*It is a fundamental principal of this Plan that the Town promotes an active, healthy lifestyle for its residents. Part of an active, healthy lifestyle is the provision of parks, trails and recreational facilities that are well distributed, strategically located, connected, well maintained and diverse.*

*The Town of Grimsby includes a network of existing public open spaces, facilities and trails, which include the public road network. In the future, it is anticipated that this system will be continuously expanded and improved. Parks and public open spaces may be located within any land use designation. It is the intent of the Town to retain all existing Town parks, including those components within the Parks and Open Space designation as well as those components located within other land use designations. These areas will be maintained as parks and open spaces with an array of facilities that meet the recreational needs of residents and tourists.*

*It is the Town's intention to plan and develop a parks and trails network that will link residential areas, environmental features, the Escarpment, the waterfront and the downtown.*

## OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

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*The Town shall endeavour to ensure that privacy and security impacts of the trails network on abutting residential areas can be mitigated. Potential mitigation mechanisms to be investigated shall include alternative routes, screening, limited hours of entry, and limits on the forms of use of the linkage.*

### **Permitted Uses:**

**3.8.1** *Permitted uses on lands designated Parks and Open Space include passive and active recreational uses, conservation uses, **cemeteries** and public infrastructure*

### **General Policies:**

**3.8.2** *Lands designated Parks and Open Space are identified on Schedule B, they include Town parks, other publicly owned lands and some privately owned lands which are free of major buildings or structures. It is the intent of Council to retain Town-owned lands in public ownership and to use these lands for public recreation purposes.*

**3.8.3** *Any new Parks and/or Open Spaces will be buffered from adjacent residential uses in order to minimize impacts. It is expected that privately owned lands will continue to contribute to the visual open space of the Town. Development of privately owned land, designated as Open Space, will not require an amendment to this Plan provided it is planned in a comprehensive manner, is integrated with adjacent land uses and preserves significant mature vegetation.*

## **3.10 INSTITUTIONAL AREA**

### **Intent**

*The intent of this Plan is to recognize new and existing institutional uses within the Town of Grimsby.*

### **Objective**

1. *To ensure that institutional uses are located in a manner that maximizes accessibility to residents and compatibility with adjacent uses.*

### **Permitted Uses**

**3.10.1** *Within the Institutional Area designation permitted uses shall include:*

- a. Facilities related to federal, provincial or municipal government service delivery and administration;*
- b. Places of worship;*
- c. Educational and recreational facilities; d) Nursing homes and retirement facilities, such as retirement homes, continuum of care development and independent living units developed in conjunction with the on-site provision of retirement related services, facilities and amenities;*
- d. Accessory housing related to the institutional use;*
- e. Retail and service commercial uses that specifically serve the primary institutional use, subject to a review of their suitability by the Town; and,*
- f. **Cemeteries.***

### **General Policies**

**3.10.3** *Evaluation of an application for new development within an Institutional designation will be based on conformity with the following criteria:*



## OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

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- a. Incompatibilities with surrounding uses, particularly residential uses, can be mitigated in an acceptable manner through the provision of buffering, landscaping and/or engineering solutions or other similar approaches;
- b. Preparation of a traffic impact study, which outlines potential impacts of traffic on surrounding areas;
- c. The scale of the buildings are compatible with the character and image of the surrounding area;
- d. The site is in proximity to Regional Road 81, Livingston Avenue Corridor and/or the Downtown; and
- e. Where a location outside the Urban Settlement Area is proposed, the location of the site and the land area must be justified, must not negatively impact existing land uses, must not be located within the Specialty Crop Area – Tender Fruit and Grape Lands designation, and will require a Town and Regional Official Plan Amendment in the Agricultural Area.

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)**....

Cemeteries are permitted in the open space, rural and institutional designation. Expansion of these uses is permitted subject to certain criteria being met.

- In the Rural Area designation Cemeteries are permitted through a site-specific rezoning of the property. Criteria is provided to assess the proposal. It is noted, however, that the use must be intended to serve the needs of rural residents. A large cemetery intended to serve the municipality may not meet this requirement.
- In the Parks and Open Space designation Cemeteries are permitted without an amendment to the Plan. There is no mention of a requirement for a site-specific zoning amendment. There are no criteria provided, however, to guide the assessment of a cemetery application.
- In the Institutional designation Cemeteries are permitted. Criteria is provided to assess applications for new development which could be applied to the development of a cemetery.

There are no policies included specifically to guide the development of new cemeteries.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries			GRIMSBY, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1.0
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✓	0.5
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	0.5
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>3.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** West Lincoln, Town of

**OP Approval Date:** 16 June, 1998 (Consolidation: November, 2008)

**OP Designation(s):** Institutional

**Policy Summary...**

Cemeteries are permitted in the Institutional designation of the Official Plan, although they are not identified specifically in the institutional policy section. The policies direct institutional uses to be located in either Smithville or one of the Hamlet areas.

**4.6 Hamlet Community**

**(a) Definitions**

*The predominant use of land in this category shall be for single-detached dwellings. Other uses which are considered necessary to serve the Hamlet Community or the surrounding agricultural area may be permitted including schools, parks, churches, bed and breakfast establishments, home occupations, nursing homes, government and institutional uses and public utilities. This category may include commercial uses deemed necessary to serve the surrounding residential and agricultural area and commercial or industrial uses such as a builders' supply, feed mill, public garage, farm implement dealer or other similar commercial or industrial uses which primarily serve the surrounding agricultural community.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are permitted within the institutional designation and are directed to Smithville or the hamlet areas. Where a cemetery is proposed outside these areas, an official plan amendment is required. There are no policies provided to guide the development of new cemeteries.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries		WEST LINCOLN, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Haldimand, County of

**OP Approval Date:** June 2009 (Consolidated)

**OP Designation(s):** Institutional

**Policy Summary...**

Cemeteries are considered to be institutional uses and are permitted within the residential areas of the County.

**URBAN AREAS**

**2) RESIDENTIAL**

1. *The residentially designated areas within each of Haldimand's ~~County~~ communities are expected to continue to accommodate attractive and functional neighbourhoods that provide a variety of housing forms and community facilities supportive of a residential environment. The following are general policies for each urban area.*
2. *The predominant use of lands within the Residential designation shall be for residential purposes, including all forms of residential development in accordance with the policies of this Plan. Development shall proceed in an orderly, phased manner contiguous to existing development and take into consideration, the availability of services.*
3. *Community-oriented, institutional uses such as places of worship, **cemeteries**, schools, long term care facilities, community centres, libraries, cultural centres such as art galleries and museums, day care facilities, special needs housing in accordance with Section 7.C., group homes in accordance with Section 7.D., centres for the care, boarding and/or teaching of children and other similar uses are permitted in areas designated residential in accordance with the following criteria:*
  - a) *the use should generally be located in proximity to an arterial or collector road;*
  - b) *adequate on-site parking must be provided, including provision for drop-off and pick-up facilities, where required;*
  - c) *screening and buffering shall be implemented in accordance with subsection 5.F.1)1. of this Plan, as appropriate; and*
  - d) *buildings are designed in a manner that reflects the character of the neighbourhood in which it is proposed, including consideration of the nature, scale and density of existing development in the vicinity.*

*If a site specific Zoning By-law amendment is required, the suitability of the amendment will be addressed through application of the above criteria. In addition, the Zoning By-law may set out various development standards such as minimum lot area, minimum setbacks, dwelling type, minimum usable floor area or any other standard that is considered to be appropriate.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Observation(s)....**

Development guidelines are provided to community-orientated institutional uses, however, there are no policies provided specifically to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			HALDIMAND, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Brant, County of

**OP Approval Date:** 7 September, 2010 (Adopted by Council)

**OP Designation(s):** Institutional

**Policy Summary...**

Cemeteries are permitted within the “Institutional designation”. The intent of the Institutional designation is to recognize public institutional that serve and benefit the local communities.

**3.14 INSTITUTIONAL**

**3.14.1 INTENT**

*The Institutional designation accommodates important land uses that provide specialized services and employment, including but not limited to major hospitals, medical and dental clinics, homes for the aged, retirement homes, group homes, major community uses, university and college campuses, secondary schools, detentions centres, fire halls, police stations, places of worship, **cemeteries**, offices used by utility providers, and government centres. Land designated Institutional is illustrated on Schedule A.*

*The intent of the Institutional designation is to recognize public institutions that serve and benefit the residents of local communities and in some cases residents of the broader County. Institutional uses are often intensely built and attract high volumes of traffic. They are generally operated by the County or other public agencies and regulated organizations.*

**3.14.2 PERMITTED USES**

*Subject to the applicable strategies, as set out in Section 2.0, and other policies of this Plan, the following policies shall apply in determining uses that are generally permitted on land that is designated Institutional:*

- a) The primary form and predominant use of land in the Institutional designation shall include major institutional uses, such as hospitals, clinics and treatment facilities, secondary schools, post-secondary educational facilities, community facilities, government offices, places of worship, **cemeteries**, and government-operated institutions.*
- b) Places of worship, nursing and retirement homes, museums and other cultural establishments, and private clubs which are permitted principally in other land use designations shall also be permitted within the Institutional designation.*

**3.14.3 LAND USE POLICIES**

*The following policies apply to lands designated Institutional:*

- a) New major institutional uses shall be directed to lands designated Institutional that are also located within one of the County’s Urban Settlement Areas.*
- b) Where an existing use in the Institutional designation ceases, the County may consider the redesignation of the site to an appropriate alternative designation only after examination of the following options for part or all of the site:*



OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

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- i. *the use of the site for a suitable alternative institutional purpose;*
  - ii. *acquisition of the site or a portion of it by the County for institutional or open space use, based on the community park needs of the County and surrounding area;*
  - iii. *the use of the site to meet housing targets, particularly for special needs housing; and*
  - iv. *the use of the site for other appropriate land uses.*
- c) *Any proposal to expand an existing Institutional designation shall be evaluated on the basis of:*
  - i. *the impact on and the compatibility with the uses surrounding the proposed site; and*
  - ii. *the adequacy of social and physical services, including roads to accommodate the proposed use.*
- d) *Adequate off-street parking and loading areas shall be provided in accordance with the provisions of the County Zoning By-law, and access to parking areas shall be limited and designed to provide maximum safety for pedestrian and vehicular traffic.*
- e) *Where possible, permitted uses within the Institutional designation shall be located where there is direct access to an arterial or collector road to discourage traffic from using local roads.*
- f) *Urban design and character of proposed institutional uses shall relate to the adjacent buildings and uses and result in a gradual transition in terms of the profile of buildings, where applicable and appropriate.*
- g) *Institutional uses and sites shall be designed to be accessible to all persons within the*  
*community, including the elderly and those persons with physical disabilities, in accordance with the Barrier-Free Design policies of Section 2.7.5.2 of this Plan.*
- h) *Appropriate landscaping and buffers shall be provided to enhance the physical separation between the use and adjacent sensitive uses, where applicable and appropriate.*
- i) *Where land designated Institutional is under private ownership, it is not intended that this land shall remain so designated indefinitely, nor shall it be construed to imply that these areas are free and open to the general public or that they shall be purchased by the County or any other public agency.*

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)**....

The policies contemplate that “Institutional” uses shall be public. Such uses are directed to the County’s “Urban Settlement Areas”. Policies are provided for the expansion of existing institutional uses, but not for the development of new institutional uses, such as cemeteries.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries			BRANT, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	1.0
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	0.5
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>2.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** North Dumfries, Township of

**OP Approval Date:** 1 May, 2008 (Consolidated)

**OP Designation(s):** Open Space

**Policy Summary...**

Cemeteries are considered to be part of the open space system and are specifically identified as a permitted use within the 'Open Space' designation.

***Chapter 2 – General Development Policies***

**2.4 Land Use Designations**

**2.4.8 Open Space**

**2.4.8.1** *The Open Space designation will be applied to conservation areas, major public parks, privately owned recreation areas, cemeteries, appropriate heritage features, fairgrounds, golf courses, camping facilities and recreational trailer parks.*

**2.4.8.2** *Where lands are designated as Open Space on Map 2A and Environmental Constraint on Map 2B, uses permitted within the Open Space designation will be subject to the restrictions as established through the policies contained in Sections 6.1 and 6.2 of this Plan.*

**2.4.8.3** *Specific uses within the Open Space designation will be regulated through the Township Zoning By-law.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

There are no policies provided to guide the development of new cemeteries.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries		NORTH DUMFRIES, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Puslinch, Township of

**OP Approval Date:** n/a

**OP Designation(s):** n/a

**Policy Summary...**

The Township does not have their own Official Plan. The Township relies on the County of Wellington Official Plan for land use policy.

**Definitions ...** n/a

**Observation(s)....**

There are no Official Plan land use policies to guide the development of cemeteries. Cemeteries are defined as a use in the Township's Zoning Bylaw and are indicated as permitted in the following zones: Institutional (I), Open Space (OS) and Open Space (OS-1). Zoning Bylaws are considered to be prescriptive documents.

*An official plan sets out your municipality's general policies for future land use. Zoning by-laws put the plan into effect and provide for its day-to-day administration. They contain specific requirements that are legally enforceable. (Ontario, 2008)*

OP Policy Assessment Matrix – Cemeteries			PUSLINCH, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✗	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Burlington, City of

**OP Approval Date:** 5 March, 1997 (Consolidation: December 2010)

**OP Designation(s):** Institutional

**Policy Summary...**

Cemeteries are considered an institutional use and are permitted in “Mixed Use Activity Area” designations. The “Mixed Use Activity Area” designation is divided into several sections, two of which permit institutional uses: Mixed Use Centre, Downtown Mixed Use Centre.

**4.0 INSTITUTIONAL USES**

*Institutional uses provide facilities that satisfy the health, education, religious, recreation and leisure needs of the community. These facilities take many forms, ranging in size from a large City-wide hospital to a small neighbourhood library or community centre. The development of institutional uses will be directed towards the following principles, objectives and policies:*

**4.1 Principle**

*Opportunities for Institutional uses*

- a) *Encourage the educational, health and social well-being of residents of the City by providing opportunities for the development of institutional uses within the community.*

**4.2 Objectives**

*Permit Institutional uses*

- a) *To recognize and permit institutional land uses within the Plan, while considering the potential effects of these uses on adjacent uses.*

*Compatible development*

- b) *To ensure that the use of surplus institutional lands or buildings is compatible with adjacent uses.*

**4.3 Policies**

*Definition*

- a) *Institutional uses are defined as uses with the primary purpose of serving the educational, health and social needs of the community and are further defined as the following:*
  - (i) *educational facilities such as universities, colleges, elementary and secondary schools, both public and private;*
  - (ii) *places of worship, monasteries and convents;*
  - (iii) *hospitals, and other public health care and social service facilities, such as family counselling centres and emergency shelters;*
  - (iv) *long-term care facilities and day care centres;*
  - (v) *public community facilities such as libraries and public auditoria, public community and recreational centres, fire and police stations;*



- (vi) **cemeteries** and associated facilities and structures; including a crematory only if it is located in accordance with Provincial Land Use Compatibility Guidelines. A crematory which does not meet Provincial Guidelines shall be considered an industrial use and shall be subject to the Employment Lands policies of this Plan. In addition, notwithstanding any other policies of this Plan, a crematory is recognized as a permitted use on the property at 1756 Snake Road, with a minimum setback of 10 m from the easterly lot line;
- (vii) buildings and facilities owned by municipal, provincial and federal governments.

## **5.0 Mixed Use Activity Area**

### **5.2 General**

#### **5.2.1 Objectives**

*Integrate uses*

- a) To encourage comprehensively planned mixed use employment, shopping and residential areas that provide for the integration of uses such as retail stores, offices, hotels, institutional and entertainment uses with residential uses, community facilities, cultural facilities, institutions and open space in a compact urban form, while retaining compatibility with nearby land uses.

*Compact urban form, pedestrian /transit oriented*

- b) To ensure Mixed Use Activity Areas are developed in a compact urban form, are pedestrian-oriented and highly accessible by public transit, and foster community interaction.

*Infrastructure and services*

- c) To direct the phasing and/or expansion of municipal infrastructure and services to ensure the timely and orderly development of Mixed Use Activity Areas.

## **5.4 Mixed Use Centre**

### **5.4.1 Objectives**

- a) To provide locations centred at the intersection of selected major arterial roads, inter-municipal transit stations and the Downtown that will serve areas for mixed use developments consisting of medium and high density residential, retail, service commercial, industrial, entertainment, community facilities and institutions and open space uses.

#### **5.5.10 Downtown Major Institutional Precinct**

- c) To permit mixed use developments on individual sites where residential, retail, office and other uses are located, or on different sites where residential, retail, office and other uses are located next to one another.

#### **5.5.10.1 Objectives**

*Identify for uses*

- a) To identify an area of the Downtown Mixed Use Centre for major public, institutional, open space and related uses.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

## 5.5 **Downtown Mixed use Area**

### 5.5.10.2 **Policies**

a) *The following uses may be permitted in the Downtown Major Institutional Precinct:*

*Permitted uses*

- (i) public uses;*
- (ii) institutional uses;*
- (iii) community facilities and open space;*
- (iv) the properties identified as 1205 Lakeshore Road and 1230 North Shore Boulevard may be developed in accordance with the “Business Corridor” policies of Part III of this Plan, except that recreation and conference centre/hotel uses are also permitted.*

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

### **Observation(s)....**

Cemeteries are considered an institutional use which is permitted in mixed use designations that are predominantly in urban centres. In this regard, institutional uses are defined and includes cemeteries and their associated facilities and structures. There are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			BURLINGTON, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes × No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	×	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	×	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	×	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	0.5
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	×	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	×	
<b>TOTAL:</b>			<b>1.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Niagara, Region of

**OP Approval Date:** 16 June, 1978 (Consolidation: December 2010)

**OP Designation(s):** n/a

**Policy Summary...**

The Region of Niagara Official Plan does not address cemeteries within the document.

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are not identified as a permitted use in any designation. Cemeteries have been permitted as a site specific amendment to the Plan<sup>3</sup>.

OP Policy Assessment Matrix – Cemeteries			NIAGARA, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes * No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	x	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	x	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	x	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	x	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	x	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	x	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	x	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	x	
	Consideration of permanency when locating cemeteries...	x	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

<sup>3</sup> For example, Pleasant View Memorial Gardens, owned by Memorial Gardens Canada Limited, located in the Town of Thorold, is permitted as a site-specific amendment in the "General Agricultural" designation.

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Waterloo, Region of

**OP Approval Date:** 22 December 2010 (under appeal)

**OP Designation(s):** non-specific

**Policy Summary...**

Cemeteries are permitted in the Rural and Agricultural areas provided they are small scale and intended to preserve and support the historic, social and cultural needs of the local population. There is no reference to cemeteries intended to support the broader population base.

**6 Supporting the Countryside**

**6.C General Policies**

**6.C.4** *To preserve and support the historic, social and cultural needs of a unique segment of the region's existing rural community which relies on horse-drawn vehicles as their primary means of transportation, Area Municipalities may, by amendment to their zoning by-law, permit the establishment of small-scale schools, places of worship and associated cemeteries. In prime agricultural areas, an alternative locational analysis needs to be completed and the policies of Section 6.D.1 (b) to (d) inclusive, apply.*

**6.D Rural Area Special Policies**  
**Rural Institutional Uses**

**6.D.2** *Area Municipalities may permit the establishment or expansion of a rural institutional use by amendment to their official plan and/or zoning by-law, provided that the proposed use:*

- (a) has a demonstrated need to locate within the Rural Areas designation; and*
- (b) will be in conformity with Policy 6.D.1 (a) to (d).*

**Rural institutional uses** – *institutional uses related to and directly serving the needs of the rural community, such as schools, places of worship and rural community centres.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

There are no policies to guide the development of cemeteries other than those intended to serve small rural communities. The Region's Urban Communities policies do not address the provision of this land use form.

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries		WATERLOO (Region), ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	0.5
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Wellington, County of

**OP Approval Date:** 6 May, 1999 (Consolidation: 24 February, 2011)

**OP Designation(s):** Prime Agricultural Area

**Policy Summary...**

Cemeteries are considered to be community service facility and are permitted within “Prime Agricultural Areas” for local communities which rely on horse-drawn carriages for transportation.

**6.4 PRIME AGRICULTURAL AREAS**

**6.4.3 Permitted Uses**

*Permitted uses and activities in Prime Agricultural Areas may include:*

- a) agricultural uses
- b) secondary uses including home businesses and farm businesses
- c) agriculture-related uses
- d) existing uses
- e) single detached homes
- f) accessory residential uses
- g) forestry uses
- h) wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts
- i) licensed aggregate operations
- j) **community service facilities**
- k) group homes on existing lots of records
- l) kennels on existing lots of record

*All uses permitted by this section must be compatible with and not hinder surrounding agricultural uses.*

**6.4.10 Community Service Facilities**

*For the purposes of this section, community service facilities are restricted to buildings, structures and uses for which a location in the prime agricultural area is necessary for reasons of public safety or government service delivery, such as: emergency services (fire halls, police detachments, ambulance facilities, public works, temporary emergency facilities); municipal works garages; trails; and schools, churches and **cemeteries** required for local communities that rely extensively on horse drawn vehicles as their sole means of transportation. The foregoing does not include: any other schools or churches; hospitals; medical clinics; seniors housing; or waste management facilities*

**8.5 RESIDENTIAL TRANSITION AREA**

**8.5.1 Overview**

*The Central Business District is primarily intended to be a retail commercial area with shopping, restaurants and accommodations catering to the traveling public and local needs. Other commercial uses in urban centres such as professional offices, clinics, personal services, day care centres, nursery schools, as well as churches and*



## OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

*service clubs require sites to serve the community. These uses do not generate the same level of vehicular and pedestrian traffic as retail facilities for shopping, dining and overnight accommodation.*

*A RESIDENTIAL TRANSITION AREA has been identified as illustrated on Schedule "A" to provide an opportunity for non-retail commercial uses as well as other community services.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

### **Observation(s)....**

Cemeteries are identified as a community service facility; however, this use is not permitted in any designation except "Prime Agricultural Area" for a specific group. Institutional uses are permitted in several designations; however, cemeteries are not included in the definition of "Institutional " uses. There are no policies provided to guide the development of new cemeteries

OP Policy Assessment Matrix – Cemeteries			WELLINGTON, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes * No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** London, City of

**OP Approval Date:** 19 June, 1989 (Consolidation: 17 December 2009)

**OP Designation(s):** Open Space

**Policy Summary...**

Cemeteries are permitted in the “Open Space” designation. Existing cemeteries are recognized in the rural designation but new uses are encouraged to locate in urban community or in areas designated for urban growth.

**8A.2.1. Areas Identified as Open Space**

*Areas designated Open Space on Schedule "A" - the Land Use Map, shall consist of, public open space, including district, city-wide, and regional parks; private open space, including such uses as **cemeteries** and private golf courses; flood plain lands and lands that are subject to natural hazards; components of the Natural Heritage System, which have been evaluated and which are recognized by Council as being of city-wide, regional or provincial significance; and, lands that contribute to important ecological functions. The Open Space designation may also be applied to natural physical features which are desirable for preservation.*

**8A.2.2. Permitted Uses**

*Public open space uses including district, city-wide, and regional parks; and private open space uses such as **cemeteries** and private golf courses are permitted in the Open Space designation. Agriculture; woodlot management; horticulture; conservation; essential public utilities and municipal services; and recreational and community facilities; may also be permitted. Zoning on individual sites may not allow for the full range of permitted uses.*

**9. AGRICULTURE, RURAL SETTLEMENT AND RESERVE LAND USE DESIGNATIONS**

**9.2.3. Existing Uses**

*Subject to the provisions of Section 19.5, uses not permitted as primary or secondary uses but which legally exist on the date of Council adoption of this policy, may be regarded as permitted uses. These uses include institutional uses such as schools, churches, group homes, **cemeteries**, and specialized care facilities; recreational facilities such as golf courses, campgrounds, trailer parks and recreational vehicle facilities; non-farm residential uses; and aggregate resource uses. New institutional and recreational uses such as those listed in this subsection are not considered to be primary or secondary permitted uses in the Agriculture designation and are encouraged to locate within the urban community or areas designated for urban growth.*

**9.2.10. Minimum Distance Separation Requirements**

*Application of MDS to Cemeteries*

*The City shall treat cemeteries in compliance with the Minimum Distance Separation Implementation Guidelines.*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are permitted as “private open space” and are identified as an open space use. In the “Agricultural”, “Rural Settlement” and “Reserve” land use areas cemeteries are identified as an “Institutional” use. New “Institutional” uses in these areas are encouraged to locate within existing urban areas or areas identified for urban growth. There are no specific cemetery policies included in the document.

OP Policy Assessment Matrix – Cemeteries			LONDON, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	0.5
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Thames Centre, Town of

**OP Approval Date:** 20 July 2004 (Consolidation: January, 2009)

**OP Designation(s):** Institutional

**Policy Summary...**

Cemeteries are identified to be an institutional use and are permitted in all designations within the settlement area without an official plan amendment.

**4.1.3 Policies – All Settlement Designations  
(10) Institutional Uses**

*The development of new institutional uses that serve a community and are not significant traffic generators, except those utilities referred to in Sections 2.15 and 2.16 of this Plan, and except the land uses that are explicitly designated “Institutional”, shall be permitted in all Settlement Areas without an amendment to this Plan. Uses included in this section as being permitted in other land use designations include neighbourhood-oriented institutional uses such as churches, community halls of less than 500 square metres and/or a hall associated with either a school or a church, cemeteries, public utilities, neighbourhood recreation facilities and parks, libraries, and facilities for special population groups (including centres or elementary schools for the care, boarding or teaching of children, interval houses for the physically abused, daycare facilities, and senior citizen centres).*

*Secondary schools, nursing homes, hospitals, arenas, larger community centres, correctional facilities and other major institutional uses will require an “Institutional” designation. On those lands not within Settlement Areas, only reasonable expansions to existing institutional uses on existing lots shall be permitted without an amendment to this Plan.*

*Both the development of new and the expansion of existing institutional uses shall be subject to the following policies:*

- (a) the institutional uses shall be appropriately zoned in the Municipality’s Zoning By-law;*
- (b) adequate precautions shall be taken to ensure that the institutional uses have no adverse effects on adjacent land uses;*
- (c) adequate parking, vehicular access, landscaping, tree planting, buffering and site and building design shall be required where necessary to create an attractive appearance and ensure compatibility with surrounding land uses; and*
- (d) suitable arrangements will be made for water supply, sewage disposal, storm drainage and all other similar services.*

*Furthermore, new development or redevelopment in the “Residential” designation shall satisfy all of the following location and design criteria:*

- (a) frontage or flankage on an arterial or collector street as indicated on Schedule “C” of this Plan;*
- (b) design which is residential in character, maintaining the scale, density and character of existing land uses;*

# OFFICIAL PLAN CEMETERY POLICY SUMMARY FOR SELECTED ONTARIO MUNICIPALITIES

- (c) adequate buffering and transition is provided to protect surrounding existing development;
- (d) provision of adequate off-street parking to serve the particular use, while retaining sufficient useable yard space to maintain the visual characteristics of the area;
- (e) on those streets which have been designated "no stopping" areas by the Municipality, provision shall be made for off-street locations to accommodate drop-off and pick-up of the users of such facilities; and
- (f) they are able to conform to the policies of the underlying designation.

Generally, low density residential areas will be restricted to existing institutional uses with the only exceptions being elementary schools and day care facilities, in accordance with the policies of the "Institutional" designation.

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

## **Observation(s)....**

Cemeteries are identified as being an institutional use which, by policy inference, are small scale (i.e. "neighbourhood-oriented" as opposed to community or municipality orientated.) These uses are permitted in the "Settlement Area". Major institutional uses must be designated as "Institutional". Although there are policies to guide the development and expansion of new institutional uses, there are no specific policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries		THAMES-CENTRE, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Middlesex Centre, Town of

**OP Approval Date:** 12 September, 2000 (Consolidation: 1 June, 2010)

**OP Designation(s):** n/a

**Policy Summary...**

Cemeteries are not identified as a permitted use within a land use designation; however, institutional uses are permitted within the “Hamlet Settlement Area” designation. Institutional uses, such as churches and schools, are also permitted in the “Residential” designation within Urban and Community Settlement Areas and in “Village Centres”.

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are not referred to in the Official Plan in a land use designation. There is a reference to cemeteries as a “Type A” land use in the context of MDS calculations, however, cemeteries are not specifically identified as a permitted use in any designation.

The OP provides policies regarding “Institutional Uses” which include, among other uses, churches, but does not mention cemeteries as this type of use.

There are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries		MIDDLESEX-CENTRE, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes * No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	x	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	x	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	x	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	x	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	x	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	x	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	x	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	x	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Southwold

**OP Approval Date:** February 2011

**OP Designation(s):** Agriculture, Open Space

**Policy Summary...**

Existing cemeteries are permitted within the Agricultural designation and cemeteries, including crematoria are permitted within the Open Space designation.

**4.6 OPEN SPACE**

***Permitted Uses***

*Open space and recreational uses will be the primary uses permitted within the Open Space Areas. Additional uses such as land, water and forest conservation, storm water detention areas, and ancillary accessory structures or buildings are also permitted.*

*Permitted open space and recreational uses include uses such as the following:*

- a) Golf courses and associated uses, such as accommodation, driving ranges and putting greens;*
- b) Public and Private parks;*
- c) Campgrounds;*
- d) Cemeteries including crematoria;*
- e) Non-commercial gardening including nurseries;*
- f) Botanical gardens;*
- g) Zoological parks;*
- h) Swimming pools, skating rinks and ponds;*
- i) Public trails;*
- j) Accessory commercial uses and parking facilities;*
- k) Parks and playgrounds;*
- l) Stormwater management facilities; and,*

*Community centres and similar community or neighbourhood facilities.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Generally, cemeteries are considered an open space use and are identified as a permitted use within this designation. There are, however, no policies provided to guide the development of new cemeteries.



OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries		SOUTHWOLD, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Central Elgin

**OP Approval Date:** June 2011 (Not Approved – Final Draft Only)

**OP Designation(s):** Residential

**Policy Summary...**

Existing cemeteries are identified as permitted within the residential designation.

**4.2.1 Residential Policies**

- f) *Existing cemeteries are permitted within the Residential designation. New cemeteries or the expansion or enlargement of existing cemeteries shall require an amendment to this Plan.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

There are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries		CENTRAL ELGIN, ON	
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes * No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	x	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	x	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	x	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	x	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	x	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	x	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Middlesex, County of

**OP Approval Date:** 17 December 1997 (Consolidation: August, 2006)

**OP Designation(s):** n/a

**Policy Summary...**

Cemeteries are not addressed in the Official Plan.

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are not identified as a permitted use in the Official Plan. Accordingly, there are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			MIDDLESEX, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✗	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Elgin, County of

**OP Approval Date:** In process

**OP Designation(s):** n/a

**Policy Summary...**

Cemeteries are not addressed in the Official Plan

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are not identified as a permitted use in the Official Plan. Accordingly, there are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			ELGIN, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✗	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Windsor, City of

**OP Approval Date:** 31 December, 2007

**OP Designation(s):** n/a

**Policy Summary...**

Cemeteries are not addressed in the Official Plan.

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are not identified as a permitted use in the Official Plan. Accordingly, there are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			WINDSOR, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✗	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).



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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** **Tecumseh, Town of**

**OP Approval Date(s):** Township OP: 2 April, 2008 (Consolidation: January 2009)  
St. Clair Beach: 15 September, 2009 (Consolidation: January 2011)  
Sandwich South: 13 March, 1998 (Consolidation: December 2008)

**OP Designation(s):** Community Facility (Sandwich South OP only)

**Policy Summary...**

The Township of Tecumseh is divided into three separate planning areas: the Village of St. Clair Beach, the Township of South Sandwich and the Township of Tecumseh.

Township: The Township of Tecumseh Official Plan does not identify cemeteries as a permitted use within the document. A "Community Facility" designation is provided in the Tecumseh OP but cemeteries not are included in the list of permitted uses. Accordingly, there are no policies included in the OP to guide the development of new cemeteries.

Cemeteries are identified as a permitted use only in the Sandwich South Official Plan area and are permitted within the "Community Facility" designation in this plan.

St. Clair Beach: The Village of St. Clair Beach is a suburban residential community in the metropolitan area of Windsor with limited areas to support new development. Cemeteries are not addressed in the St. Clair Beach OP.

Sandwich South: Cemeteries are identified as a permitted use only in the Sandwich South Official Plan area and are permitted within the "Community Facility" designation in this plan.

**3.9 COMMUNITY FACILITY**

*The Community Facility designation is shown on Schedules "A-1", "A-2" and "A-3" of this Plan.*

**3.9.1 Goals**

*The following goals are established for the Community Facility area:*

- i. to facilitate and support public and private sector projects and programs that will expand the range of facilities and community services that are available for use by township residents;*
- ii. to encourage and support school board and parent initiatives that will ensure that adequate educational facilities are available to meet the needs of existing and future township ratepayers;*
- iii. to ensure that community facility uses are situated in areas of the township which are suitable for their intended use, and minimize land use conflicts with other uses.*

**3.9.2 Policies**

*The following policies shall apply to those lands designated "Community Facility" on the Land Use Schedules of this Plan:*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

- i) *the permitted uses shall include schools, places of worship, community centres, **cemeteries**, private clubs, places of assembly, libraries, and other buildings and facilities used by the township, the county and other levels of government;*
- v) *adequate precautions shall be taken to ensure that the community facility uses do not have adverse impacts on adjacent land uses;*
- vi) *all development in the Community Facility designation shall be in accordance with the land division policies contained in Section 4 of this Plan;*
- vii) *new community facility development may be subject to site plan control pursuant to Section 41 of the Planning Act.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Township: Cemeteries are not identified as a permitted use in this Official Plan. Accordingly, there are no policies provided to guide the development of new cemeteries.

St. Clair Beach: Cemeteries are not identified as a permitted use in this Official Plan. Accordingly, there are no policies provided to guide the development of new cemeteries.

Sandwich South: Cemeteries are permitted in the “Community Facility” designation. There are policies that apply to all uses within the “Community Facility” designation; these, however, are not specific to cemetery development.

OP Policy Assessment Matrix – Cemeteries			TECUMSEH, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes * No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	x	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	x	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	x	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	x	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	x	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	x	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	x	
<b>TOTAL:</b>			<b>0.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Lasalle, Town of

**OP Approval Date:** 18 May 1998 (Consolidation: 4 November 2003)

**OP Designation(s):** Community Facility

**Policy Summary...**

Cemeteries are permitted within the "Community Facility" designation.

**3.9.2 Policies**

*The following policies shall apply to those lands designated "Community Facility" on the Land Use Schedules of this Plan:*

- i) the permitted uses shall include schools, places of worship, community centers, **cemeteries**, private clubs, places of assembly, libraries, and other buildings and facilities used by the town, and other levels of government;*
- v) adequate precautions shall be taken to ensure that the community facility uses do not have adverse impacts on adjacent land uses;*
- vi) new community facility development will be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

There are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			LASALLE, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** **Essex, County of**

**OP Approval Date:** 19 July, 2005

**OP Designation(s):** n/a

**Policy Summary...**

Cemeteries are not addressed in the Official Plan.

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are not identified as a permitted use in the Official Plan. Accordingly, there are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			ESSEX, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✗	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Kitchener, City of

**OP Approval Date:** 1996 (Consolidation: 5 November, 2010)

**OP Designation(s):** Open Space

**Policy Summary...**

The City of Kitchener includes their land use policies in their secondary plans. In the secondary plan, cemeteries are permitted under the Open Space designation, a selection of which has been included in this appendix.

**13.2 King St. E. Secondary Plan**

**13.2.2 Land Use Designation**

**9. Open Space**

*The Open Space category is intended to reserve lands for a variety of reasons such as for preservation of natural features, outdoor recreation, lands undevelopable for reasons of flooding or instability, and land parcels made available through public works, water courses and railway right-of-ways.*

*Uses include major community scale parks, conservation areas, hazard lands, **cemeteries, crematoriums, mausoleums**, outdoor recreation, and golf courses.*

**13.3 Cedar Hill Secondary Plan**

**13.3.3 Land Use Designations**

**12. Open Space**

*The permitted uses within Open Space land use designation include major community scale parks, conservation areas, hazard lands, **cemeteries, crematoriums, mausoleums**, outdoor recreation and golf courses.*

**13.4 Mill Courtland-Woodside Park Secondary Plan**

**13.4.3 Land Use Designations**

**13. Open Space**

*The Open Space designation in this Plan is intended to reserve lands for district or city scale recreational facilities as well as to identify areas unsuitable for development due to steep slopes, possibility of flooding or poor soils and are considered to be hazard lands. Certain lands, although physically suited for urban development may also be designated Open Space in the public interest. ....*

*The major permitted use in Open Space is recreation, including the necessary buildings and structures. Permitted uses are restricted to major district or city scale parks; conservation areas; **cemeteries; crematoriums; mausoleums**; swimming pools, ice rinks and associated buildings; sportsfields; golf courses; and, community trail links. Woodside Park and part of Highland Court Park have been covered with this designation as both provide district scale facilities for residents who live beyond the neighbourhood. Woodside Park provides both swimming and sportsfield facilities while Highland Courts Park contains the Highland Court Tennis Club and the Kitchener Lawn Bowling Club.*

**13.5 Victoria Park Secondary Plan**

**13.5.3 Land Use Designations**

**13. Open Space**



OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

*The Open Space category is intended to reserve land for a variety of reasons such as for preservation of natural features, outdoor recreation, lands considered undevelopable for reasons of flood susceptibility or instability, and land parcels made available through public works, water courses and railway right-of-ways. Uses include major community scale parks, conservation areas, hazard lands, **cemeteries, crematoriums, mausoleums**, outdoor recreation and golf courses.*

**13.6 Victoria Street Secondary Plan**

**13.6.3 Land Use Designations**

**6. Open Space**

*The Open Space designation is intended to reserve land for a variety of reasons such as for agriculture, preservation of natural features, outdoor recreation, lands considered undevelopable for reasons of flood susceptibility or instability, Grand River Conservation Authority lands, and land parcels made available through public works, water courses and railway right-of-ways. Uses include major community scale parks, conservation areas, hazard lands, **cemeteries, crematoriums, mausoleums**, outdoor recreation and golf courses.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are envisioned as part of the open space system; columbarium and mausoleum are also permitted in this designation. Although cemeteries are identified as being permitted in this designation, there are no policies provided to guide their development.

OP Policy Assessment Matrix – Cemeteries			KITCHENER, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

<b>Municipality:</b>	<b>Woolwich, Town of</b>
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<b>OP Approval Date:</b>	8 May, 2002 (Consolidation: 15 November, 2010)
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<b>OP Designation(s):</b>	Open Space
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**Policy Summary...**

Cemeteries are permitted in the rural area but only to service the needs of the communities which rely on horse-drawn vehicles as their sole form of transportation. In settlement areas cemeteries are considered to be part of the “Open Space” system.

**Chapter 6 Rural Land Use Policy****6.1.2.2.6 Schools, Churches and Cemeteries**

*In order to preserve and support the historic social and cultural needs of a unique segment of the Township’s existing rural community which rely on horse-drawn vehicles as their sole means of transportation, the Township may, by amendment to the Zoning By-law, permit the establishment of small-scale schools, churches and associated cemeteries where their location in the Rural Land Use designation can be justified and the use complies with the Environmental policies contained in Chapter 13 of this Plan.*

**Chapter 7 Settlement Patterns****7.2 LAND USE POLICIES – IDENTIFIED SETTLEMENTS****Open Space**

*The Open Space Land Use Designation is applied to two major designations of lands.*

- i) The first of the areas so designated will include major publicly owned park areas, **cemeteries**, major school sites, fairgrounds, golf courses, etc. It is intended where the Open Space designation is applied to such areas within Settlements that the areas shall continue to be used for public and quasi-public purposes and shall not be used for other urban development purposes except by amendment to this Plan.*
- ii) The second designation of lands which are designated as Open Space are lands which present potential for some form of hazard when related to concentrated urban development and on which no other Land Use Designation is deemed appropriate. Where lands are designated Open Space in this designation, it is intended that the use of the lands shall be restricted to open space, recreation, reforestation or conservation purposes and that no buildings or structures shall be erected on such lands except for buildings or structures accessory to the above noted permitted uses.*

*In all cases where lands is intended to be designated in this second designation, a Restricted Land Use Area designation shall also be applied and any development of*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

*these lands shall be subject to the restrictions placed by the Restricted Land Use Area designation.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are permitted in the settlement areas of the Township within the open space designation, however, there are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			WOOLWICH, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>1.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Waterloo, City of

**OP Approval Date:** 28 June, 1990 (Consolidated: 30 April, 2004)

**OP Designation(s):** Rural, Open Space

**Policy Summary...**

Cemeteries are permitted in the Rural area if the City subject to specific criteria. They are also identified as a permitted use in the Open Space designation, and have specific policies pertaining to their development in S.3.7.4 of the Plan.

**3.6 RURAL**

**3.6.1 General Policies**

**3.6.1.5** *Cemeteries and recreational uses may be permitted subject to an amendment to this Plan and the zoning by-law, and the following criteria:*

**3.6.1.5.1** *such uses shall consider locations on lower capability agricultural land;*

**3.6.1.5.2** *such uses shall generally be extensive, open space uses that require large amounts of land;*

**3.6.1.5.3** *cemetery uses must comply with the policies set out in Section 3.7.4;*

**3.6.1.5.4** *recreational uses must be able to be established on private water and sewage disposal systems;*

**3.6.1.5.5** *a community trail/access link through this area may be required as a condition of any zoning by-law amendment; and*

**3.6.1.5.6** *an Environmental Study as set out in section 2.3.14.4 of this Plan may be required when deemed necessary by the City of Waterloo.*

**3.6.1.6** *An application to amend the Official Plan to permit a cemetery or recreational use as per section 3.6.1.5 shall include a report that addresses the following:*

**3.6.1.6.1** *that in the public interest, the need or desirability of the proposed use outweighs the need and desirability of Council to protect and preserve productive agricultural soils for the production of food and after full consideration of the possibility and feasibility of locating the proposed use on lands which are not productive agricultural soils; and,*

**3.6.1.6.2** *a report from the Ontario Ministry of Agriculture and Food to determine if the use proposed will adversely affect the continued operation of adjacent lands for food production and that consideration has been given to maintaining the minimum distance separation requirements as determined by the Agricultural Code of Practice.*

**3.6.1.7** *The City of Waterloo recognizes the justification analysis requirements contained in the Regional Official Policies Plan for all proposals to expand Settlement Policy Area A within the City.*

**3.7 PARKS AND OPEN SPACE**

**3.7.1 General Policies**

**3.7.1.1** *The Open Space designation as shown on Schedule 'A' is a designation in which the predominant use of land shall be conservation, public parks, private parks, or*

*commercial parks, passive and active recreation areas, **cemeteries**, Environmentally Sensitive Policy Areas, Environmentally Significant Areas, and woodlots. The objectives and policies respecting woodlots, hazard lands, floodplains, Environmentally Sensitive Policy Areas, and Environmentally Significant Areas are contained in section 2.3 of this Plan and the areas are shown on Schedule 'B'.*

### **3.7.4 Cemeteries**

**3.7.4.1** *In considering proposals to develop lands for use as a cemetery or for the enlargement of an existing cemetery, Council shall evaluate proposals in accordance with the provisions of the Cemeteries Act and the following criteria:*

**3.7.4.1.1** *the impact of traffic on surrounding properties and the road system;*

**3.7.4.1.2** *limited ingress and egress;*

**3.7.4.1.3** *adequate off-street parking and internal traffic circulation;*

**3.7.4.1.4** *tree planting and landscaping to complement the plot plan, existing contours and the surrounding area;*

**3.7.4.1.5** *peripheral screening along the boundary of existing, designated or possible future residential areas; and*

**3.7.4.1.6** *proposed locations in conjunction with existing, designated or possible future open space areas in order to complement the city-wide open space systems.*

**3.7.4.2** *In addition to the prime function of cemeteries, passive recreational uses may be incorporated into, or near the fringe of cemeteries. Such uses might include walkways, benches, etc.*

### **OP REVIEW...**

The City is undergoing a comprehensive review of their OP. The second draft was released in June 2011 for public review. As with the current Plan, the proposed Plan provides policies pertaining to the development of new cemeteries, which are recognized as a component of the Open Space system.

### **5.3.2 Defining a Comprehensive, Connected and Multi-Functional Network**

*(1) The trails and open space network will be planned as a comprehensive and interconnected system that supports transportation, environmental, social, cultural and recreational functions.*

*(2) The trails and open space network will be comprehensive, well-connected within the City and to adjacent municipalities, and generally include the following two categories of components:*

*(a) Trails: Trails are linear corridors that provide connectivity for nonmotorized movement within and between parks, open space areas and other*

*destinations throughout the community. Trails may provide for either on-road or off-road linkages.*

- (b) *Open Space: Open Space can include environmental open space areas, such as natural features and natural hazards that are not intended for development and, in some cases, may be planned to accommodate little or no human activity. Open space may also include municipal parkland. These are areas throughout the City that serve a range of users and are generally intended to accommodate active and/or passive recreation and leisure activities. Finally, open space can include **cemeteries**, municipal landfill, golf courses and other green spaces such as hydro corridors, stormwater management facilities, environmental reserves, conservations areas and buffers associated with natural features.*

## **10.5 OPEN SPACE LAND USE POLICIES**

### **Vision**

*... It is recognized that some Open Space lands, such as stormwater management facilities, hydro corridors, conservation areas, environmental reserves, natural features, buffers associated with natural features, **cemeteries**, landfill and golf course are not managed as parkland and may not be City-owned. These lands are identified as Open Space as they provide important connections and green space which contribute to the connectivity of the comprehensive open space system. ...*

### **10.5.1 General Policies**

- (3) *The following uses shall be permitted on lands designated Open Space, subject to policy 10.5.1(4): ...*  
(f) *Cemeteries*

### **10.5.2.2 Cemeteries**

- (1) *The Cemetery designation as shown on Schedule 'A3'- Open Space Land Uses is a designation in which the predominant use of land shall be cemeteries and buildings or structures required for the operation and maintenance of the cemetery use or services.*
- (1) [SIC] *The City will continue to provide a diverse range of cemetery and cremation services to meet the needs of the Waterloo community as outlined in the Cemetery Services-Bechtel Park Master Plan and any other applicable implementing tools.*
- (a) *Cemetery plans will promote connectivity/seamless transition between the urban fabric and cemetery through walking paths, trails and landscaping.*
- (b) *Opportunities to collaborate with other groups or agencies should be pursued in order to implement the Cemetery Services-Bechtel Park Master Plan.*
- (c) *The City will undertake an expansion of the Parkview Cemetery at the existing site within the Bechtel Park lands in the immediate future.*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

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- (d) The City will engage in a process to potentially establish a new cemetery at a new location before 2025.*
- (2)** *When considering proposals to develop lands for use as a cemetery or for the enlargement of an existing cemetery, Council shall evaluate proposals in accordance with the provisions established in the Cemeteries Act (Revised) or any other applicable legislation as well as the following:*
- (a) The cemetery lands should be integrated with the surrounding urban fabric.*
  - (b) The cemetery must be recognizable as a public landscape, that clearly communicates public access and passive usage are acceptable.*
  - (c) The impact of traffic, egress and ingress into the cemetery must be understood and mitigated.*
  - (d) Adequate off-street parking and internal traffic circulation must be provided.*
  - (e) Landscaping should be undertaken to complement the cemetery plan, existing contours and the surrounding areas.*
  - (f) Peripheral screening or fencing or other demarcation should be considered along the boundary of existing, designated or possible future residential areas.*
  - (g) The location of new cemeteries will be considered within existing municipal parkland or open space lands.*
- (3)** *In addition to the prime function of cemeteries, it is important to recognize that cemeteries are public spaces and can and should be used and enjoyed in a respectful way. Passive recreational uses should be incorporated into, or near the fringe of cemeteries.*

**Definitions** ... There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)**....

Cemeteries are recognized as a component of the Open Space system. Detailed policy direction is provided to guide the development of new cemeteries. The current Plan recognizes small scale cemeteries as part of the Rural landscape, while directing larger cemeteries to urban areas. The proposed new Plan does not make this distinction explicitly, however, cemeteries are considered to be part of the “urban” fabric (undefined).

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

OP Policy Assessment Matrix – Cemeteries			WATERLOO, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	1.0
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	1.0
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	0.5
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	1.0
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>3.5</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).



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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Cambridge, City of

**OP Approval Date:** 14 July, 1999 (Consolidated January 2004)

**OP Designation(s):** Open Space

**Policy Summary...**

Cemeteries are considered to be part of the “Open Space System”. Within the Class 3 (Cemetery) Open Space District, cemeteries and several uses related to cemeteries are permitted.

**6.1.1 Elements of the Open Space System**

**6.1.1.1** *The Open Space System includes the following key elements:*

- a) significant natural features;*
- b) flood plains and hazard lands;*
- c) conservation areas;*
- d) City-owned parks;*
- e) **cemeteries**; and*
- f) privately-owned open space.*

**Chapter 12: Open Space Districts**

**12.1 Classification of Districts**

*In this plan, it is the policy of the City to recognize three classes of Open Space District: ...*

- c) Class 3 (Cemetery) Open Space Districts, consisting of lands used or proposed to be used as a cemetery and related facilities.*

**12.4 Class 3 (Cemetery) Open Space Districts**

**12.4.1** *It is the policy of the City that the lands designated on Map 15 as Class 3 Open Space Districts may be developed and used for the following purposes:*

- a) a cemetery;*
- b) a mausoleum or necropolis;*
- c) a crematorium;*
- d) a place of worship or meditation;*
- e) an arboretum;*
- f) any passive recreational use which, in the opinion of Council, is appropriate in a cemetery;*

*and, Council may pass by-laws, acquire and manage such lands or otherwise facilitate or encourage the management of such lands for such purposes in accordance with the policies of Section 2 of this plan.*

**12.4.2** *For the purposes of providing an adequate system of burial grounds when a sufficient amount of suitable land may not be available within the municipality for such purposes, it is the policy of the City that lands outside the municipality may be acquired and developed for such purposes; and Council may pass by-laws and acquire and develop lands in another municipality for such purposes pursuant to the Cemeteries Act.*

**12.5 Public Open Space System**

**12.5.2** *It is the policy of the City that, wherever feasible, river valleys, watercourses, utility rights-of-way, abandoned railway rights-of-way, built heritage resources, pedestrian walkways, bicycle paths, hedgerows, woodlots, **cemeteries** and similar features of the City should be considered for incorporation into the design of the open space system to provide for the physical continuity of and connection between different activities in the system.*

**OP REVIEW...**

The City is undergoing a comprehensive review of their OP. The second draft was released in June 2011 for public review. As with the current Plan cemeteries are recognized as a component of the Open Space system. Specific policy reference found in the current OP (S.12.4) has been deleted from the proposed new OP.

**Chapter 7: Parks and Open Space****7.0 Objectives**

*The following objectives provide a foundation for the parks and open space policies of this Plan:*

- a) To support social, cultural, artistic, heritage, educational and recreational initiatives that accommodate a range of needs;*
- b) To promote the establishment and operation of facilities and services which are accessible and serviced by public transit where feasible;*
- c) To maintain and further develop an accessible, continuous, safe and well maintained trail system;*
- d) To protect the parks, open space, gardens, private landscapes, views vistas and other neighbourhood characteristics and cultural heritage resources associated with cultural heritage landscapes;*
- e) To balance the needs for active and passive recreation while protecting natural features;*
- f) To pursue opportunities for additional open space throughout the city, including parkland dedications under the Planing Act, the purchase of land, and partnerships with other community interests;*
- g) To develop a full range of publicly –accessible built and natural settings and high quality, vibrant, and attractive public open spaces and public realm design elements as components of intensification areas and as foundations of complete communities; and,*
- h) To acquire land in order to meet future cemetery, recreation, parks and opens space demands.*

**7.1 The Open Space System**

- 1. The open space system within Cambridge is a network of parks, open space, active and passive recreational facilities, trails and cemeteries. The open space system includes the following key elements;*
  - a) Natural heritage system;*
  - b) Core Environmental Features;*
  - c) Floodplains and hazardous lands;*
  - d) Publicly-owned parks and open space;*
  - e) Privately-owned parks and open space ; and,*
  - f) Cemeteries.*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

2. *The City will establish a comprehensive public open space system to create healthy active communities, pedestrian/cycling infrastructure, and a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, open space areas, bikeways and trails.*
3. *Wherever feasible and appropriate, river valleys, watercourses, utility rights-of-way, abandoned railway right-of-ways, cultural heritage resources, pedestrian walkways, bicycle paths, hedgerows, woodlots, cemeteries or similar features should be considered for incorporation into the design of the parks and open space system to provide for the physical continuity of and connection between different components of the system.*
7. *For the purposes of providing an adequate system of burial grounds, and if a sufficient amount of suitable land may be available within the city for such purposes, Council may pass by-laws, acquire and develop lands in another municipality for such purposes pursuant to the Cemeteries Act.*

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries appear to be supported within the official plan; however, there are no specific policies included to guide the development of new cemeteries in either the existing, nor proposed new OP. It is noted, however, that the municipality has included a policy to secure land in other municipalities if land is need for burial grounds.

OP Policy Assessment Matrix – Cemeteries			CAMBRIDGE, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes * No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✓	0.5
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	x	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✓	0.5
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✓	1.0
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✓	0.5
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✓	0.5
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	x	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	x	
<b>TOTAL:</b>			<b>3.0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).

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OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Municipality:** Wilmot, Township of

**OP Approval Date:** Consolidation: 1 May, 2008

**OP Designation(s):** un-specified

**Policy Summary...**

The majority of cemeteries are located within the Agriculture Resource Area. The few urban cemeteries are designated “Urban Residential” or “Settlement Residential”, although none of these designations identify cemeteries as a permitted use.

**3.8 NON-FARM-RELATED NON-RESIDENTIAL DEVELOPMENT**

**3.8.1** *The creation of lots for non-farm-related non-residential uses will not be permitted within the Agricultural Resource Area except in accordance with Policies 3.2.4. For the purpose of determining whether a new lot is being created through a development proposal, regard will be had to the provisions of Policy 3.2.5.*

**3.8.2** *Expansions to existing recreational and/or institutional uses may be permitted in the Agricultural Resource Area designation subject to a site-specific amendment to this Plan. Such development applications will comply with the following:*

- a) the lots accommodating the proposed expansion will not be located within the Prime Agricultural Areas designation;*
- b) the need for the proposed expansion in the Agricultural Resource Area is justified taking into consideration the nature of the proposed use and the availability of lands designated within the Baden and New Hamburg Urban Areas, Rural Settlement Areas, and Agricultural Resource Areas for such uses; c) the amount of land proposed to be designated and zoned is the minimum appropriate for the requirements of the proposed use based on the nature of the proposed use;*
- c) conformity with the Minimum Distance Separation;*
- d) the use is clearly demonstrated to be compatible with the adjacent agricultural operations; and*
- e) submission of environmental and servicing studies as required by the policies of this Plan.*
- f) (MODIFICATION NO. 29)*

**3.8.3** *Minor additions to, or intensification of existing industrial, commercial, recreational and/or institutional uses located outside of a Rural Settlement Area, or minor changes in use thereof, may be permitted. Minor expansions to lot areas may be permitted where:*

- a) consideration is given to both the size of the lot addition and the impact of the proposed development on surrounding agricultural uses; and*
- b) the lot addition does not result in the creation of any additional lot held, or capable of being held, in distinct and separate ownership pursuant to the Planning Act.*

OFFICIAL PLAN CEMETERY POLICY SUMMARY  
FOR SELECTED ONTARIO MUNICIPALITIES

**Definitions ...** There are no relevant definitions in the OP relating to cemeteries.

**Observation(s)....**

Cemeteries are not identified in the Official Plan as a permitted use although they exist within several designations. There are no policies provided to guide the development of new cemeteries.

OP Policy Assessment Matrix – Cemeteries			WILMOT, ON
Item ...	Consideration: Is the following articulated in policy? ...	✓ Yes ✗ No	Score
<b>Need:</b>	Recognition of the need to provide for the use...	✗	
<b>Planning Horizon:</b>	Flexible to accommodate cemetery development...	✗	
<b>Location:</b>	Recognition that cemeteries are urban and non-urban uses...	✗	
<b>Size:</b>	Acknowledge amount of land required for cemetery use...	✗	
<b>Intensification:</b>	Permit / facilitate intensification of existing cemetery lands...	✗	
<b>LU Compatibility:</b>	Acknowledge that cemeteries represent a compatible use to other land uses...	✗	
<b>Environment:</b>	Requirement to assess potential environmental impact of the development of cemeteries...	✗	
<b>Permanency:</b>	Identification / acknowledgement of permanency of land use...	✗	
<b>TOTAL:</b>			<b>0</b>

Note... Partial points are assessed if the policies only partially meet the consideration, or are not as explicit as they could be (i.e. clarification of policy needed).