

Staff Report

Report To: City Council
Report From: Adam Parsons, Manager of Parks and Open Space
Meeting Date: June 12, 2023
Report Code: CS-23-070
Subject: Greenwood Cemetery By-law Regulator Revisions

Recommendations:

THAT in consideration of Staff Report CS-23-070 respecting revisions to the Greenwood Cemetery By-law required by the Bereavement Authority of Ontario (the regulator), City Council directs staff to bring forward a by-law to repeal By-law No. 2023-012 and replace it with By-law No. 2023-068 as outlined in the report.

Highlights:

- The update to the Greenwood Cemetery Master Plan completed in 2020 included 16 recommendations under 3 key themes:
 - Interment Options;
 - Administration, Operations and Grounds; and
 - Buildings and Maintenance.
- In order to ensure the Cemetery meets the needs and expectations of families and funeral service providers and ensures that the Cemetery can respond to the changing ways that the interment of a loved one can be celebrated, several recommendations required updates to the Greenwood Cemetery By-law to enact the changes.
- The regulator has recommended minor amendments to the updated Greenwood Cemetery By-law.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: Service Excellence - KR1 - Further develop a culture of learning, development, well-being and embrace new approaches to service provision

Climate and Environmental Implications:

There are no anticipated climate or environmental impacts.

Previous Report/Authority:

[Greenwood Cemetery Master Plan](#)

[Report CS-22-104 Greenwood Cemetery By-law Update and Dedicated Section Agreements](#)

Background:

In September 2022, Staff initiated a by-law update process and City Council approved a new [Greenwood Cemetery By-law](#) that incorporated changes to reflect the recommendations in the Greenwood Cemetery Master Plan in January 2023. The By-law was sent to the BAO for review.

Upon review, the Bereavement Authority of Ontario, the regulator for Cemeteries, Funeral Homes, Transfer Services and other bereavement sector service providers in Ontario, requested additional changes to ensure clarity for the consumer on two points in the new by-law. The table below indicates the September 2022 wording alongside the new wording required by the regulator:

January 2023 – By-law #2023-12	June 2023 – By-law #2023-068)	Rationale
Clause 53. b. infant and/or preferred cremation lot: i. The interment of 1 infant and/or preferred cremation	Clause 53. b. infant and/or preferred cremation lot: i. The interment of 1 infant casket or 4 cremated remains	The regulator requested clarification on the number of cremated remains that can be interred in a preferred cremation lot

January 2023 – By-law #2023-12	June 2023 – By-law #2023-068)	Rationale
<p>Clause 94. Where installed in the Cemetery, the following are subject to a Care and Maintenance Fee in accordance with the Fees and Charges By-law:</p> <p>A. Any upright monument; or B. Any marker of 436.9 sq. cm</p>	<p>Clause 94. Where installed in the Cemetery, the following are subject to a Care and Maintenance Fee in accordance with the Fees and Charges By-law:</p> <p>A. Any upright monument; or B. Any marker of 1116.23 sq. cm</p>	<p>The regulator increased the minimum size of markers that are subject to care and maintenance contributions.</p> <p>It is important to note that the change to minimum marker size eligible for care and maintenance fees is reflected in the City's 2023 fees and charges by-law update.</p>

Analysis:

The changes required by the regulator are housekeeping in nature. The intent of the changes is to add clarity to the spirit and intent of the original wording, and staff support the changes.

The by-law approved in January (By-law #2023-12) will be repealed and replaced with an updated By-law (By-law #2023-068).

The regulator has confirmed that this update is an extension of the by-law update process initiated in September and that a new 30-day notice and posting period is not triggered by this change.

Financial Implications:

There are no financial implications to the City initiated by this report.

Communication Strategy:

The Bereavement Authority of Ontario

Once approved, the updated By-law will be posted on the Greenwood Cemetery webpage.

Consultation:

[Bereavement Authority of Ontario](#)

City Clerks

Attachments:

1. BAO Letter of Approval for By-law No. 2023-068

Recommended by:

Adam Parsons, Manager of Parks and Open Space

Pam Coulter, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Adam Parsons, Manager of Parks and Open Space at aparsons@owensound.ca or 519-376-4440 ext. 1221.