



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Kevin Okimi, Director of Parks and Open Space

DATE: May 10, 2024

REPORT NO.: RP-2024-011

SUBJECT: Fairview Cemetery Request

RECOMMENDATION:

THAT Report No. RP-2024-011 dated May 10, 2024 be received;

AND FURTHER THAT Council direct staff to apply to the Bereavement Authority of Ontario to open a new section at Fairview Cemetery, as outlined in Report RP-2024-011;

AND FURTHER THAT Council approve a special rate which would apply to any full interments in the new section in the form of a 20% surcharge of the standard cost for a full interment, to be paid in addition to all other standard fees for services;

AND FURTHER THAT staff work with the requesting family to confirm the total number of plots to be purchased, prior to establishment of the new cemetery section in Fairview Cemetery;

AND FURTHER THAT the Commissioner of Community Services be delegated authority to direct staff to take the necessary steps to open new or expanded sections of any Town cemetery where technically feasible, if merited due to a special customer request or situation, provided there is no additional cost to the Town.

KEY POINTS:

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

- A request has been received for the Town to open a new section in Fairview Cemetery, adjacent to Section W.
- The area is currently open turf, and being maintained by Town Staff.

- The requesting family has a number of family members buried adjacent to the proposed new section, and wishes to purchase a number of plots near the existing family graves, as well as to install a memorial bench in the same area.
- Requests of this type have not been received in the past, and the situation is unique due to the existing cemetery conditions. Staff have confirmed that similar requests could be considered in the future in similar circumstances in order to accommodate special requests from families.
- The area does not currently have any formal plots or graves, so a new section is required to be established by making application to the Bereavement Authority of Ontario (BAO), prior to any potential sales.
- There would be nominal costs to establish the new section, which could be recovered by the sale of a number of plots.
- Burials in the new section would be more difficult than typical burials due to access limitations and would result in higher costs per burial. To address this, staff have recommended a fee surcharge for this section of the cemetery to recover the higher costs.
- The new section would collect additional revenue in the future; however, the area may not be the most desirable to other families due to the more remote location in the Cemetery compared to the other graves that are readily available at Fairview Cemetery.
- Despite any challenges with the expansion area, it is possible for the new section to be established in order to accommodate the family's request and any concerns can be mitigated to ensure no financial impacts to the Town.
- Staff recommend that Council direct staff to establish the new section, subject to:
 - The requesting family purchasing a sufficient number of new plots/graves to ensure the Town recovers any costs associated with establishing the new section (estimated at 4 minimum);
 - Council approval to apply a 20% surcharge in addition to the regular price for any full burials within the new section.
- If Council approves this report, staff will take the necessary steps to layout, establish and approve the new section with the BAO, in order to sell plots to the family, and incorporate the new surcharge rate into the Town's Cemetery Rate sheet.
- The family may purchase a donation bench at any time for installation in the area in coordination with staff.
- Staff recommend that the Commissioner of Community Services be delegated authority to direct staff to apply to the BAO to open new or expand existing sections of any Town Cemetery should a similar request be made in the future, provided that there are no additional costs to the Town and the request is technically feasible.

BACKGROUND AND DISCUSSION:

The Town was approached by a family requesting to purchase plots in Fairview Cemetery adjacent to existing plots where their family and relatives are buried in Section W.

Staff reviewed the request to determine feasibility, including discussing with the family to clarify the request, investigating technical feasibility, and confirming site limitations.

The family desires to purchase new full burial plots (not cremation) adjacent to the existing family burial plots in Section W, as well as to install a memorial bench along the edge of the wooded area. See Appendix A for a plan of the area including Section W.

Key points with respect to the staff technical review are noted below:

Availability/Suitability for Cemetery Plots:

- The area requested for plots to be sold does not currently contain any formal cemetery plots.
- In order to “sell” plots, staff would need to layout and establish a new/expanded section of the cemetery.
- Any expansion of cemetery sales plots requires Bereavement Authority of Ontario (BAO) approval, prior to being able to be offered for sale. This process can take 1-2 months, depending on the BAO response time and staff priorities. If the BAO does not approve of the expansion, staff would be unable to create/sell any plots. Staff anticipate that the BAO would approve the expansion based on previous applications.
- The proposed plots are located within 30m of the existing pond, and current standards recommend that burials not be located within 30m of a water body. However, staff have reviewed the technical information available (topographical elevation, water table levels, drainage pattern, and historical excavation information) and determined that this setback need not be applied to this section (there are existing graves within the setback).
- The subject area desired could accommodate up to approximately 14 back-to-back full double graves (28 full burials) or 56 cremation plots.

Operational Review/Input:

- The proposed expansion site has limited access for Town cemetery equipment (i.e. backhoe). The area is more suitable for 4x4 cremation plots as cremation burials are able to be dug by hand with less soil removed.
- Town operations staff confirmed that the area could be accessed for full burials (i.e. backhoe) if existing monuments are temporarily removed and wooded/brush areas cut back. Dirt for burials would also not be able to be removed or have to be removed by the backhoe as truck access is not possible.
- Staff estimate that each full burial would require approximately 20% additional expense to undertake, which could be recovered through a special fee for burials in an expanded zone.

- Operations staff would prefer not to establish a new section with a significant quantity of full burials with access limitations, to minimize disruption to existing monuments in the future to the degree possible.

Cemetery Sales and Service Review:

- The plots of other family members have capacity for additional cremation burials, but not for full burials as requested. The monument options (which can be an important memorialization feature for families) are limited.
- Fairview Cemetery has an adequate number of available plots of all types (40 year+ supply), and no new sections are immediately needed according to the Cemetery Business Plan.
- Plots in the new area may not sell quickly given the overall supply in Fairview Cemetery. Staff indicate that many customers prefer areas near cemetery roads or closer to the entrance.
- Due to this, any new section should only be established if sufficient plots are purchased initially to cover the costs to establish the new section.

Memorial Bench Request:

- The memorial/dedication bench is a standard item available for purchase through Cemetery Sales staff, and can be purchased at any time, subject to final approval of the location by Town staff.

New sections in active cemeteries are usually established based on the Cemetery Business Plan forecast of needs, and identification of future expansion areas. However, staff acknowledge that no requests like this have been received in the past, as this situation is unique to this particular area of Fairview Cemetery based on the location of existing family graves and available space. Few undeveloped areas of Fairview Cemetery and Hillcrest Cemetery are directly adjacent to existing historic sections, and Greenwood Cemetery has minimal expansion capacity as full graves are extremely limited at that location.

In reviewing this request, staff acknowledge requests like this could receive similar consideration should the circumstances merit. Despite any constraints noted above, staff are confident that the family's request can be accommodated on compassionate grounds by the Town without incurring additional costs, if certain conditions are implemented to mitigate any challenges.

Based on the information above, staff recommend that Council direct staff to establish a new section adjacent to Section W, as shown in Appendix A, subject to the following:

- The new section will include the final number of full double graves agreed to with the family, with a minimum of 2 double graves (4 plots) being required.
- The balance of the new section would be laid out as cremation plots to minimize the frequency of larger equipment access.
- Costs to establish the new section are recovered by the initial sale of plots; and

- A 20% surcharge is applied to any interments in the new section as described further in the financial impact section.

Staff discussed the situation with the requesting family and confirmed that they are willing to purchase sufficient plots to cover the costs (final quantity is TBD), and are willing to pay a surcharge for future burials should Council approve the recommendations of this report.

Should Council approve the recommendations in this report, staff will layout the new section and submit it for approval by the BAO. Once approved by the BAO, the plots would be entered into the sales system and be available for sale to the requesting family.

The overall time for approval would be approximately 1-3 months from the approval of this Council Report, depending on staff workload and BAO review/response time.

Given the time sensitive nature of cemetery services, staff also recommend that the Commissioner of Community Services be authorized to direct staff to apply to the BAO to open new or expand existing sections of any Town Cemetery should a similar request be made in the future, provided that there are no additional costs to the Town and the request is technically feasible. This will allow staff to better address customer requests in a timely manner if needed for compassionate reasons.

STRATEGIC PLAN ALIGNMENT:

This report identifies a safe and welcoming community as one of the Town's Strategic priorities.

RELATIONSHIP TO CLIMATE CHANGE:

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

PUBLIC ENGAGEMENT:

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

INTERNAL CONSULTATION:

Staff from Transportation and Public Works (Park & Cemetery Operations), Recreation & Parks (Cemetery Sales & Services) and Finance were consulted in the preparation of this report.

FINANCIAL IMPLICATIONS:

This report will be funded through an existing approved budget source.

The costs to establish the new cemetery section are not extensive and include:

- Parks and Open Space staff time to layout and design the new section, create new drawings, and send them for approval by the BAO;
- Operations staff would be required to lay the section out in the field; and
- The plots would be entered into the Town's Cemetery sales software by the software provider, and sales information updated by Cemetery Sales staff.

There is no fee to establish an expanded or new section within an existing cemetery.

Overall, staff estimate the time would not exceed 2-4 days of various staff time. Staff recommend that four (4) full graves minimum (\$7,400 sales revenue plus \$5,000 Care & Maintenance contributions - \$12,400 total) be required in order to ensure that the Town's initial costs to establish the new/expanded section would be recovered, and there would be no net cost to the Town.

The future sale of plots would provide (long term) revenue for the Cemetery, though as noted above, Fairview Cemetery's current supply will be adequate for a significant time (40+ years minimum). The total revenue from future plot sales would be from \$45,000-\$52,000, plus the revenue from burials/interment if they were sold (based on current prices) and Care & Maintenance contributions.

The incremental additional cost for full burials in the proposed new section are estimated at approximately 20% (approximately \$225 plus 13% HST at current rates) per burial. Staff recommend that, if Council approves establishment of the new/expanded section, that Council approve a special surcharge rate for full burials in this section in order to ensure full cost recovery.

While any Town costs to establish the new/expanded section or for future burials would be recovered by the sale of plots and the surcharge, staff acknowledge that slightly less net revenue would be received than if the family purchased lots that are already available for sale in existing opened sections of Fairview Cemetery. Staff do not consider the amount to be significant.

Since Town staff are already mowing the area of the cemetery requested for the new plots, there are no additional operating costs associated with establishing the new section.

Reviewed and approved by,

Damian Szybalski, Commissioner of Community Services

Chris Mills, Chief Administrative Officer