

MEMORIAL GARDENS CANADA LIMITED

REGION OF YORK – OFFICIAL PLAN REVIEW

POLICY MATTERS - CEMETERIES

(PUBLIC MEETING— SPEAKING NOTES)

7 October, 2009

- ✚ We represent Memorial Gardens Canada Limited, who own and operates cemeteries across Canada and is actively involved in the development of new cemetery properties.
- ✚ In York Region they own Highland Hills Memorial Gardens in Gormley, and Glenview Memorial Gardens in Vaughan. To keep up with the increasing demand for cemetery space they are also actively involved in establishing new cemeteries in the Region of York and the GTA.
- ✚ We have appeared previously before the Region's Planning Committee in the context of the Region's new Official Plan to highlight a lack of comprehensive planning policy regarding the development of new cemeteries.
- ✚ Cemeteries represent a land use that is typically ignored, but is nevertheless an important and necessary component of human habitation.
- ✚ We have reviewed the Region's draft Official Plan policies and note that there are policies included in the new Official Plan that would allow the consideration of a new cemetery in the Rural Area of the Region.
- ✚ While this is a step forward, we respectfully do not believe that it is enough. The Region should incorporate policies that allow for the consideration of new cemeteries in the Agricultural Area as well, provided it can be demonstrated that there will be no adverse impact to the Agricultural Area resulting from the use of the land for this purpose.
- ✚ In this regard, the Region may look to the Provincial Policy Statement for appropriate criteria to assess such applications, and should include the same criteria regarding the potential conversion of agricultural lands to non-agricultural use in the new Official Plan.
- ✚ This policy direction would bring the Region's Official Plan into conformity with the Provincial Policy Statement with regards to this matter.
- ✚ Cemeteries are an integral component of the social network and a necessary and important land use. We trust, therefore, that the Region will consider our submission in the finalization of the land use planning policies for the new Official Plan.

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October 7, 2009

Mr. John Waller, MCIP, RPP
Director Long Range and Strategic Planning Branch
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Re: **Regional Official Plan Update**
Follow up to Draft Official Plan release June 2009

Dear Sir,

We represent Memorial Gardens Canada Limited ("Memorial Gardens") regarding land use planning matters which may impact their cemetery properties. Memorial Gardens owns and operates cemeteries across Canada and is actively involved in the development of new cemetery properties in different provinces. In York Region, Memorial Gardens owns Highland Hills Memorial Gardens in Gormley (Whitchurch-Stouffville) and Glenview Memorial Gardens in Vaughan. To keep up with the increasing demand for cemetery space they are also actively involved in establishing new cemeteries in the Region of York and the GTA.

The draft Official Plan, 2009 proposed to implement policies for the provision of cemeteries within the 'Rural Area' designation. These policies (section 6.4.8) include criteria by which a new cemetery would be considered. While we believe that the provision of land use planning policies regarding the establishment of new cemeteries is a step forward in the context of land use planning policy, we believe that the Region's proposed policy is still too restrictive in light of current provincial policy initiatives. The primary issue is related to the constraints in siting a cemetery such as the land area required for new cemeteries and completion with other common land uses in urban areas. In light of this competition, we believe that it is not appropriate to restrict the siting of cemetery only to 'Rural Areas', but rather the development of a new cemetery should be permitted in Agricultural areas as well provided that Provincial policy as articulated through the Province's various plans can be complied with.

For example, the 'Provincial Policy Statement' has a series of criteria (section 2.3.5.1 c) which considers the removal of agriculture lands for other uses which should be incorporated into the 'Agriculture and Rural Areas' policies. These are noted as follows:

2.3.5 Removal of Land from Prime Agricultural Areas

2.3.5.1 Planning authorities may only exclude land from *prime agricultural areas* for:

- c. limited non-residential uses, provided that:
 - 1. the land does not comprise a *specialty crop area*;

2. there is a demonstrated need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use;
3. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
4. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

The Region's criteria, therefore, could include a requirement for an agricultural assessment showing that the proposed lands are not actually appropriately considered to be "prime lands" in terms of their agricultural and locational characteristics. Cemeteries are not a land use which will proliferate the countryside. It is better to have fewer large cemeteries which comply with specified criteria that are carefully considered than many smaller cemeteries. Whereas the Region's draft Official Plan has gone part way to address the policy vacuum we have previously identified, with the suggested revisions this policy document would more fully reflect the Provincial planning policy documents.

Memorial Gardens currently has planning applications before the Region of York and the Town of Markham for the establishment of a new cemetery in and adjacent to the Hamlet of Dickson Hill. In support of their applications we have recently completed a comprehensive policy review of Provincial, Regional and Municipal land use policy. The need for cemeteries has paralleled the historic growth of settlements. Early burial grounds were located away from settlement areas for health and perception reasons. As the settlements grew, however, the burial grounds became part of the community and became more formalized in terms of their organization. To this end, early cemeteries were often associated with local churches, typically located within the church yard itself. As the settlement areas expanded, however, larger properties were needed to accommodate the burial needs of the settlement residents. New cemeteries, therefore, were by necessity located on the outskirts of communities as this was generally the only place properties of sufficient size could be secured. As settlement plans evolved, however, little thought was given to the provision of sufficient land for cemetery use. Nevertheless, cemeteries are a necessary social element servicing society's needs for the memorialisation and accommodation of the deceased. In addition to the practical function of accommodating society's deceased, cemeteries also contribute to the maintenance of the cultural diversity and social history of communities. As such, they represent a valuable land use that should be appropriately accommodated within the structural framework of our urban and rural communities.

In terms of "land use planning", cemeteries represent one of the few "permanent" types of land use. As such the planning horizon associated with cemetery development is significantly longer than what is employed during the development of typical land use planning policy. Whereas most planning policy documents have planning horizons of up to twenty years, the development horizon for a cemetery is often between 50 to 100 years: This development horizon is intended to span many family generations, and, as a result, contributes to the social history of an area.

The Region's population projections anticipate a growth in population from just below 1 million people to 1.5 million by 2031, an increase of over 60%. The Land Budget and Urban Boundary Expansion takes into account additional land for the traditional land uses: residential, commercial, employment, park land, etc. These are the land uses which should be grouped in urban areas as each one (except park land) requires the construction of infrastructure to support the form of development. In this regard, public infrastructure should be used efficiently, as articulated through the Provincial

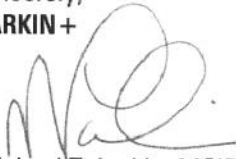
documents – “Places to Grow”, the “Greenbelt Plan” and the “Oak Ridges Moraine Conservation Plan”. Conversely, cemeteries do not require the infrastructure that traditional land uses do, but do require relatively large parcels of land – 20 to 40 hectares. Parcels of such size within existing urban areas are rare and do not represent the most efficient use of land resources.

With an increase in population, there is an increase in demand for all land uses including an increase demand for burial and memorialisation close to home. Research that has been done for Memorial Gardens shows that 60% of the population, within any catchment area, will chose interment options close to their general area of residence. This increase will translate to pressure to provide this land use but without policy guidance through the regional official plan proper guidance is not available for municipalities to address this issue in their local official plans. As this is one of the few ‘permanent’ land uses, higher order planning is necessary.

Cemeteries are an integral component of the social network and a necessary and important land use. The memorialisation of the deceased is a fundamental social requirement that needs to be appropriately accommodated. Cemetery providers such as Memorial Gardens provide facilities and properties that are multi-denominational, servicing many ethnic and cultural groups. We trust that the Region will consider this matter and revise the land use planning policy guidance to ensure that this issue is addressed through this Official Plan review. We would be pleased to provide the Region with more information to assist in this regard.

Sincerely,

LARKIN +



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Principal

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cc Cosimo Casale; Cosmopolitan Associates Inc.
W. Thomas Barlow, Fasken Martineau Dumoulin LLP