

Clause 5 in Report No. 5 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on March 24, 2016 with the following additional recommendation:

3. Receipt of the correspondence from Michael Larkin, Larkin Land Use Planners Inc. on behalf of Arbor Memorial Services Inc., dated March 17, 2016.

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Cemetery Needs Analysis

Committee of the Whole recommends:

1. Receipt of the deputation by Matthew Bagnell, Larkin Land Use Planners Inc.
2. Adoption of the following recommendations contained in the report dated February 26, 2016 from the Commissioner of Corporate Services and the Chief Planner:
 1. The findings and recommendations contained within the York Region Cemetery Needs Analysis be considered as part of the York Region Official Plan Update.
 2. The Regional Clerk circulate this report and the Cemetery Needs Analysis to the Ministry of Municipal Affairs and Housing, the Ministry of Government and Consumer Services, the Ministry of Agriculture, Food and Rural Affairs and local municipalities.

Report dated February 26, 2016 from the Commissioner of Corporate Services and the Chief Planner now follows:

1. Recommendation

It is recommended that:

1. The findings and recommendations contained within the York Region Cemetery Needs Analysis be considered as part of the York Region Official Plan Update.
2. The Regional Clerk circulate this report and the Cemetery Needs Analysis to the Ministry of Municipal Affairs and Housing, the Ministry of

Government and Consumer Services, the Ministry of Agriculture, Food and Rural Affairs and local municipalities.

2. Purpose

This report provides Council with an overview of the Cemetery Needs Analysis undertaken for the Region. This analysis examines current cemetery capacity, projects future need and recommends direction regarding Official Plan policy development.

3. Background

Cemetery policy in the Regional Official Plan remains an issue at the Ontario Municipal Board

The York Region Official Plan, 2010 (YROP-2010) contains a policy (6.4.8) permitting cemetery uses in rural areas of the Greenbelt Plan subject to an official plan amendment and a number of criteria being satisfied. This policy is the only YROP-2010 policy remaining under region-wide appeal.

Cemetery industry representatives, including the appellant to the YROP-2010 Arbor Memorial, suggest that additional cemetery lands are required within York Region. Cemetery representatives identified provincial and regional land use policy, available land supply and economics as barriers to expanding existing or locating new cemetery uses in York Region. Staff is optimistic that undertaking a cemetery needs analysis may assist in resolving the appeal and may help avoid future appeals of the same nature.

The Regional Municipal Comprehensive Review and Regional Official Plan Update provide an opportunity to comprehensively plan for cemeteries

Not unlike places of worship and retail cemetery development has shifted from more diverse small-scale facilities serving a local community to commercial scale operations serving larger, often regional, geographic areas. Determining the need and policy context for cemeteries has become increasingly complex in an urbanizing Region. To address this change, a more comprehensive approach to planning for cemeteries is required.

Further, cemetery stakeholders suggest that cemetery needs within York Region cannot be addressed without some consideration for the use of agricultural land. In accordance with the Provincial Policy Statement, 2014, the use of agricultural

land for non-agricultural purposes can only be considered if there is an identified need within the planning horizon.

In 2014, York Region initiated a Municipal Comprehensive Review to update the Region's population and employment forecasts to 2041, and to review and update policies in the Official Plan. For the reasons noted above, staff indicated that a cemetery needs analysis would be undertaken through the Municipal Comprehensive Review work plan received by Council in May 2014. Council approved award of the contract to undertake the needs analysis to LEES + Associates (P-15-29) in April 2015.

4. Analysis and Options

The Cemetery Needs Analysis determines existing supply and future demand for cemetery lands in York Region

In undertaking the York Region Cemetery Needs Analysis, staff sought to understand:

- remaining capacity available within existing cemeteries,
- the need for new or expanded cemetery uses to accommodate the Region's needs to 2041, and
- a policy framework for accommodating new or expanded cemeteries.

The York Region Cemetery Needs Analysis and Policy Framework Report, January 2016 provides detailed methodology and identifies factors to consider when determining existing cemetery capacity and future demand. The executive summary is attached to this report (Attachment 1). The full Report is available under the '2014 Official Plan Review' section of the Regional Official Plan page at York.ca.

The study concludes there is sufficient cemetery capacity to meet the land needed by York Region residents to 2041

The York Region Cemetery Needs Analysis demonstrates that at a Regional scale, based on available data, there is sufficient supply of cemetery lands to meet York Region's burial needs to 2041. The study finds that York Region existing cemetery land supply consists of 59 active cemeteries with 761 acres of total capacity broken down as follows:

- 419 acres of developed cemetery land with plots available for sale; and
- 342 acres approved, but undeveloped cemetery land.

Cemetery Needs Analysis

The study determined that York Region's resident demand to 2041 is 214 acres. This is driven by 232,000 deaths, and has regard for the proportion of the population expected to be interred. The study notes that only a portion of all cremations are interred and contribute to the cemetery land need. More detail on cemetery demand and supply can be found in the study.

While this need is less than the current estimated supply of cemetery lands, it doesn't consider additional factors as discussed below.

The Study identified that cemetery planning should acknowledge non-resident demand, a longer planning horizon, sectoral needs and geographical distribution

Stakeholder consultation was an important part of the York Region Cemetery Needs Analysis. Through this consultation, and in particular the stakeholder survey, a number of factors influencing York Region's ability to deliver cemetery needs were identified:

- Demand for cemetery services from surrounding regions
- A planning horizon of 2041
- Not all active cemeteries are available to all residents
- Geographic distribution and proximity to existing communities

A detailed summary of stakeholder consultation can be found in Appendix A of the York Region Cemetery Needs Analysis.

Demand for cemetery services from surrounding regions consumes approximately 33 percent of York Region's cemetery capacity

There are a number of social, cultural and religious factors that influence where and how residents choose to be buried. These factors are unlikely to change over time. In addition to demand for cemetery services arising from York Region residents, there is also demand for cemetery services from surrounding regions. With the exception of the City of Toronto, GTA evidence suggests a 1:1 ratio between people entering and leaving the Region to access burial services. On average, City of Toronto residents account for an additional 33 percent of cemetery sales in York Region which are not offset by an equivalent accommodation of York Region residents in Toronto. Although not contemplated in the original terms of reference, staff agrees with the consultant's recommendation to account for these additional pressures. As a result, York Region will require 320 acres of cemetery land to meet demand between to 2041, well above the 214 acres needed for York Region residents alone.

Stakeholders indicate that cemetery planning requires a longer time horizon than typically used in land use planning

Stakeholders recommended a minimum planning horizon of 50 years and upwards of 100 to 150 years. This longer planning horizon better reflects the permanence and long term operation of cemetery uses. It also better reflects the 5 to 20 year lead time to take a cemetery from design and approval to establishment within a community.

The Provincial Policy Statement does not allow for planning land uses beyond the current planning horizon (2041). The York Region Cemetery Needs Analysis does not include any demand beyond 2041.

The delivery of cemetery services on a sectoral basis needs to be considered when determining supply

Cemeteries are operated by local municipalities, religious groups, private and non-profit organizations. This system of cemeteries provides a range of services to address the cultural and religious diversity of residents. The result is that not all active cemeteries are available to all residents. The Needs Analysis identifies this reality as an additional limitation on the adequacy of York Region's current cemetery supply.

The geographic distribution of cemeteries and proximity to existing communities are not addressed through a purely regional scale analysis

Local municipal supply and distance, measured in travel time, are important factors in determining catchment area and assessing cemetery land need. While the study concludes that Region-wide there is sufficient land available, it also demonstrates the existing supply of cemetery land is not well distributed throughout the Region. Given the geographic extent of the Region, it is reasonable to consider addressing cemetery land needs based on smaller geographic units or service areas. It is also reasonable to consider northern, central and southern York Region as service areas given that a number of local municipalities are either fully built out, or will be shortly and therefore may not be able to deliver new or expanded cemeteries within their boundaries.

Policies to address new or expanded cemetery facilities will be developed through the ROP update

Based on recommendations in the Cemetery Needs Analysis, staff will develop policy based on the following:

Cemetery Needs Analysis

- Accommodating anticipated need for interments consistent with the findings of the Cemetery Needs Analysis
- Acknowledging the long term presence of cemeteries
- Respecting interment and memorialization traditions of all residents
- Acknowledging the diversity of cemetery services and service providers
- Promoting innovative options to deliver cemetery uses
- Recognizing on the value of cemeteries as part of a complete, sustainable community
- Optimizing the environmental and social value of cemeteries
- Locating cemeteries within reasonable distance to population centres
- Locating and designing cemeteries to meet multiple land use planning and environmental objectives (e.g. groundwater protection, natural heritage linkages, and passive recreation)

Policies will be developed in consultation with local municipalities and stakeholders. The study recommends updating the Cemetery Needs Analysis every 10 years. This update cycle would ensure that the best available data is used to plan for cemetery land needs in York Region.

The Study recommends working with the Province to advance cemetery planning

Land use planning in York Region is guided by Provincial plans and policy. The York Region Cemetery Needs Analysis notes the absence of strong policy direction at all levels of government and recommends development of a coordinated strategy.

In May 2015, Council endorsed a number of recommendations that were forwarded to the Minister of Municipal Affairs and Housing as input to the 2015 Provincial Land Use Plans Coordinated Review. One of the recommendations was that the Province consider removing the requirement that cemeteries be “small scale” on rural lands within the Oak Ridges Moraine Conservation Plan (ORMCP) to provide access to a greater supply of land to accommodate future needs.

The study recommends further reducing restrictions on cemetery uses within the Greenbelt Plan area, specifically as it pertains to restrictions on the use of lower quality agricultural lands. Staff will continue to discuss options for siting cemetery facilities in Plan areas with Provincial staff.

Link to key Council-approved plans

Undertaking a cemetery needs analysis as a component of the York Region Official Plan Review and Update supports the Strengthen the Region's Economy, Manage Environmentally Sustainable Growth, and Provide Responsive and Efficient Public Service Strategic Plan goal areas. In addition, undertaking the cemetery needs analysis also recognizes cemeteries as a component of Liveable Cities and Complete Communities, a goal area of Vision 2051.

5. Financial Implications

As the study has been prompted in large part by an outstanding appeal to the current Official Plan, this study has been funded through reserve funds identified for defending the York Region Official Plan at the Ontario Municipal Board. Consideration of study recommendations through the review and update of the York Region Official Plan will occur within the existing staff complement and budget.

6. Local Municipal Impact

Staff will continue to consult with stakeholders on recommended policy direction through the Municipal Comprehensive Review and Official Plan Update. Local municipal planning staff are part of the Technical Advisory Committee supporting the Regional Municipal Comprehensive Review and Official Plan Update. Local municipal staff will be consulted on the results of the cemetery needs analysis and development of policy.

7. Conclusion

As a component of the Municipal Comprehensive Review and Regional Official Plan Update, a Cemetery Needs Analysis was undertaken. This study has:

- Provided a sound understanding of York Region's cemetery industry, existing cemetery land supply and future demand for cemetery uses
- Met the requirement of the Provincial Policy Statement to demonstrate need during the planning horizon in the event that agricultural lands are required to meet the Region's cemetery needs

In accordance with the Cemetery Needs Analysis recommendations Regional staff will develop Official Plan policy to address new or expanded cemeteries.

Cemetery Needs Analysis

These policies will consider, among other factors, sectoral needs and an appropriate geographic distribution of cemetery facilities and services.

For more information on this report, please contact Teresa Cline, Senior Planner, Long Range Planning Division, Planning and Economic Development Branch at ext. 71591.

The Senior Management Group has reviewed this report.

February 26, 2016

Attachments (1)

#6602782

Accessible formats or communication supports are available upon request

EXECUTIVE SUMMARY

In June 2015, the Regional Municipality of York (York Region, or the Region) commissioned LEES+Associates to prepare a Cemetery Needs Analysis and Policy Framework for York Region. The need for a cemetery needs analysis arose in 2012 in response to appeals to York Region's Official Plan (YROP-2010). The study is being undertaken through the course of York Region's five year Municipal Comprehensive Review to update the Official Plan, initiated in 2014.

The Cemetery Needs Analysis and Policy Framework has the following goals:

1. To provide an overview of the remaining interment capacity available within York Region cemeteries, and
2. To establish the projected need for future cemetery lands within York Region to 2041.
3. To recommend criteria for siting and development of expanded or new cemetery land uses.

The findings and recommendations that emerged from this study's analyses are summarized below:

CEMETERY SUPPLY

The York Region currently has:

- **59 active cemetery sites**, of which 34 sites are managed by religious organizations, 12 are operated by municipalities and 12 are operated by private or non-profit operators, 1 is a family burial site;
- **144 inactive cemetery sites**, which may have infill opportunities to supplement existing cemetery land supply;
- **419 acres** of developed cemetery land available for sale of which:
 - 74% is owned by religious groups;
 - 22% is owned by private/non-profit organizations, and
 - 4% of developed cemetery land for sale in York is owned by municipalities.
- **761 acres** of total cemetery land capacity, of which:
 - 62% of total cemetery land capacity is owned by religious groups;
 - 35% of total cemetery land capacity is owned by private/non-profit organizations, and
 - 3% of total cemetery land capacity is owned by municipalities.

CEMETERY SERVICES DEMAND

From 2015 to 2041, the York Region can expect:

- 232,000 deaths, including 91,000 residents choosing casket burial and 141,000 residents choosing cremation;
- 91,000 resident caskets and 28,000 resident cremated remains interred in York cemeteries;
- An additional 45,000 non-resident caskets and 14,000 non-resident cremated remains interred in York cemeteries (assuming 33% of cemetery use arises from non-residents);
- An additional 176,000 non-resident caskets and 54,000 non-resident cremated remains interred in York cemeteries (if cemetery use increases to 66% non-resident);
- York cemeteries will inter York residents in **107 acres** of land;
- York cemeteries will sell residents **214 acres** of land.

CEMETERY LAND USE – NON-RESIDENT USE + RESIDENT DEMAND

From 2015 to 2041, York Region Cemeteries can expect to:

- Use a total **160 acres** of land for all interments and sell a total **319 acres** of land to all families if 33% of cemetery use is by non-resident;
- Use a total **315 acres** of land for all interments, and sell a total **629 acres** of land to all families, if 66% of cemetery use is non-resident;
- Experience the greatest demand on cemetery land (from highest to lowest) from the communities of Vaughan, Markham and Richmond Hill.

CEMETERY LAND NEED GAP ANALYSIS

In land need terms, this report finds that:

- Region-wide, York Region has enough total cemetery land capacity to accommodate **35 to 60 years** of resident demand and non-resident use.
- Region-wide, assuming an even distribution of cemetery land use, York has enough developed cemetery land to accommodate about **45 years** of York Resident demand only;
- York Region has enough developed land for approximately **30 years** of resident demand and non-resident use, assuming the rate of non-resident use does not change in the future;
- However, according to the parameters for need identified by the cemetery stakeholders surveyed in this study, there is a significant land need for specific user groups (e.g. Roman Catholics and some private cemeteries) and municipalities, including:
 1. **Newmarket;**
 2. **Georgina;**
 3. **East Gwillimbury;**
 4. **Aurora, and**
 5. **Richmond Hill.**

- Additionally, York Region will not have enough cemetery land capacity for 25 years of resident demand and non-resident use if the proportion of non-resident use increases to **66%** in the future.

CEMETERY POLICY FRAMEWORK

A robust policy framework is needed for the Region of York but also for all member municipalities in the Region that incorporates both the benefits and perceptions cemeteries present for communities of the future.

- There is a declining amount of land available within York Region suitable for cemetery purposes, and an increasing number of competing interests for these lands.
- The lack of sufficient reference regarding cemeteries in the Provincial Policy Statement (PPS), other pieces of provincial legislation and often even in Official Plans is compounded by two additional issues: the planning horizons and the permanent nature of cemeteries. Typically most plans forecast need and generate responses within a time range of 25 years, sometimes 40 years. This presents a challenge when planning for cemeteries, as the planning horizon for a cemetery is typically 100 years.
- A multi-pronged strategy is needed to meet the demand for sacred spaces where York can bury their dead, remember lives lost and realize the multiple benefits that these spaces can offer. The limited supply of land to meet all of the rapidly growing needs across the community has to be managed with care and an eye to the very long term, especially with respect to cemetery lands.

The policy framework and supporting recommendations include:

- Location and Size
- Development Criteria and Process
- Environmental Stewardship
- Leadership and Advocacy

Location and Size

- Implement the size and location criteria for expanding and new cemeteries shown in summary table 22.
- Allow for expansion of cemeteries and new cemeteries on lands designated by the York Region as Greenbelt Protected Countryside and the Countryside Area of the Oak Ridges Moraine (See Figure 17 “Greenlands System within York Region”, York Region OP, 2010).
- When there are no reasonable alternatives, demonstrate the need to remove prime agricultural lands within the Greenbelt and use these lands for cemetery development, so long as these lands are not specialty crop areas. Ensure that lower priority agricultural lands are considered prior to prime agricultural land being applied for cemetery purposes.

Development Criteria and Process

- Implement the cemetery site development criteria for expanding and new cemeteries shown in summary table 23.

- Encourage every member municipality to draft a cemetery master plan, whether or not they operate their own cemetery.
- As a condition of approval of any cemetery expansion, or new cemetery larger than 5 acres, the proponent should provide evidence of meaningful community engagement.

Environmental Stewardship

- Encourage member municipalities to include municipal cemeteries in their urban forest enhancement plans.
- Encourage non-profit, faith-based and commercial cemeteries to participate in urban forest canopy cover initiatives.
- Leverage the ability of cemetery lands to retain moisture and recharge groundwater by encouraging appropriate site grading, retention ponds, and swales and raingardens with absorbent soils in all new and expanded cemetery plans.

Leadership and Advocacy

- Incorporate the cultural, health and environmental benefits of cemeteries in the update of York Region's service plans, budgets and strategies.
- Update the appropriate Provincial Ministries as to York Region's challenges associated with long term planning for sufficient cemetery land, including ongoing liaison towards:
 - Re use of pioneer cemeteries;
 - Introduction of fixed term and/or renewable leases of grave sites;
 - Re define "in perpetuity" use of graves to 99 years;
 - Extension of cemetery planning horizons to at least 50, if not 100 years;
 - Integration of the concept of permanence in all cemetery land planning;
 - Inclusion of cemeteries as a legitimate land use on agricultural lands, the ORMCP and greenbelt lands;
 - Allowing removal of land from agricultural areas and the transition of this land into 'rural areas' as opposed to 'settlement areas'. Understanding the benefits of removing prime agricultural lands within the Greenbelt and transitioning these lands into 'rural areas' for use as cemetery lands.
 - Use of closed gravel pits, land fill sites and other brownfields for cemetery purposes;
 - Limitations and/or mitigation of provincial road expansion and improvements adjacent to cemeteries;
- Update the York Region Cemetery Needs Analysis every 10 years in order that the Region, member municipalities and the Province can plan using the best available data relevant to cemetery land needs in York Region.

MEETING YORK REGION'S CEMETERY LAND NEEDS

This report outlines the urgent need for land use policy that will lead to the provision of sufficient cemetery lands to meet the needs of the current and future generations of residents of York

Region. A new suite of policies is needed at both the Regional and Municipal levels. Ideally, the Province would also be part of the strategy to develop new policies, as this would ensure there is sufficient burial lands available to meet the needs of residents of the York Region, as well as those from adjacent communities choosing to be interred there.

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2016-03-17

Mr. Dennis Kelly
Regional Clerk
Regional Municipality of York
17250 Yonge Street, 4th Floor
Newmarket, Ontario, L3Y 6Z1

Re: York Region Cemetery Needs Analysis (LEES + Associates)

Dear Sir,

We represent Arbor Memorial Services Inc. ("AMI") on land use planning matters in regards to their interests in cemeteries. On their behalf, and as a result of our considerable experience in matters related to cemetery development, we participated as a stakeholder in the York Region Cemetery Needs Analysis undertaken by LEES + Associates ("LEES") on behalf of the Region.

Further to the Committee of the Whole Meeting held on Thursday, March 10, 2016, we provide the following comments on the above-noted study and ask that these be considered at Regional Council on Thursday, March 24, 2016 under the relevant item.

LARKIN+ and our wider project team, Cosmopolitan Associates and urbanMetrics, have been actively involved and engaged as part of the preparation of the Needs Analysis undertaken by LEES + Associates, on behalf of our mutual client, AMI. This included attendance at two workshops, as well as written submissions to Staff.

We have now had an opportunity to review the Needs Analysis and note that the LEES study does recognize a number of specific aspects important to planning for new cemeteries, including:

- ✓ Recognition that York Region's cemetery needs will be driven to a large extent by inflow from other areas in the GTA, and specifically the City of Toronto that is currently exhausting its supply of cemetery land. LEES recognizes that this inflow could be as high as 66%;
- ✓ That ethnic and religious factors do have an important impact on both the demand for and available supply of cemetery land;
- ✓ The impact of an aging population on future death rates in York Region;
- ✓ Increases in cremation compared with in ground burials as a preferred means of interment;
- ✓ The significant lead time required to plan for new cemeteries, some 5 to 20 years in advance of actual need, due to the time required to gain approval, design and actually bring a cemetery to market; and
- ✓ Most importantly, to examine a planning horizon of up to 100 years when determining cemetery need in a Region or smaller community.

Although the LEES study noted the importance of these factors, most have not been incorporated into the needs analysis and hence LEES' conclusion that at least to 2041, the study period prescribed in the Region's Terms of Reference, there is no need for additional cemetery land in York Region. It is the opinion of the AMI consulting team that had LEES built all of these factors into their analysis they would have come to a very different conclusion. For example:

✘ **The Planning Horizon used in the Analysis is 2041 (25 years):**

In their analysis LEES notes in a number of instances that a suitable horizon for cemetery planning is more appropriately 100+ years, notwithstanding the horizon used in the Analysis of 25 years. This is apparently due to the input of Regional Planning Staff that the planning horizon must conform to the Provincial Policy Statement, which is interpreted to impose a 20 year Planning Horizon: We do not share this interpretation. Whereas for "traditional" or "conventional" development forms the Planning Horizon presented in the PPS may be reasonable, in cemetery planning it is not. This is because cemetery planning is multi-generational. Cemetery operators try to accommodate four+ generations, which statistically translates to 112+ years (a generation replaces itself statistically every 28 years). Therefore, the horizon for cemetery planning should be 100+ years, as recommended by LEES in their report, not 25 years.

✘ **Consideration of Religion on Disposition Preferences and Cemetery Supply**

Whereas the Analysis recognizes that religious affiliation (burial practices) influences the applicability of the overall supply of burial space to the overall population, it does not take into consideration the type of cemeteries by religion within the key findings for supply, nor the religious demographics of the Region. It is reasonable to expect that the Analysis would take into account the religious affiliations of existing cemeteries in order to determine the genuine capacity available, and determine how these relate to the Region's demographics. Unfortunately it appears that the Analysis considers all burial plots to be equal, and thus available to all denominations. For example, survey results showing capacity within a Catholic cemetery does not equate to a supply that is available to all residents. Catholic, along with Muslim and Jewish cemeteries, are largely restricted to those denominations.

Religious affiliation continues to be a critical factor in the uptake of cemetery supply, particularly when we consider the limited supply of non-denominational cemetery plots in certain York Region communities, and its omission within the conclusions of the Analysis results in an inaccurate conclusion respecting the amount of cemetery space available to serve all of York Region's population.

The foregoing represents two examples of factors that, although acknowledged, were omitted from the conclusions and recommendations of the LEES report, but should not be considered an exhaustive list of the report's limitations. We recognize and support the Region's efforts to understand the complex land use planning challenges of providing a policy framework to ensure that the burial needs of the Region's population are addressed. Unfortunately, we do not believe that the Cemetery Needs Analysis accomplishes this due to its inherent and unnecessary limitations.

Sincerely,

LARKIN+



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