

Committee of the Whole (1) Report

DATE: Wednesday, June 4, 2025

WARD(S): ALL

TITLE: REPEAL AND REPLACE CEMETERY BY-LAW 144-2022

FROM:

Emilie Alderman, Deputy City Manager, Public Works

ACTION: DECISION

Purpose

To seek approval to enact a new Cemetery By-law and repeal the existing cemetery By-laws 180-92, 406-2002, and 144-2022.

Report Highlights

- In June 2021, Council endorsed the recommendations presented in the Cemetery Services Review to ensure the long-term sustainability of cemetery services delivery by the City, which included updating Cemetery By-law 180-92.
- By-law 144-2022 was approved by Council in 2022 with the intention of updating Cemetery By-law 180-92.
- The Bereavement Authority of Ontario requires legislative revisions to By-law 144-2022 with respect to modernizing terminology, refining definitions, and clarifying regulations to the satisfaction of provincial requirements.
- Updated by-law language is primarily based on technical amendments related to memorial foundation depth, foundation material, plot dimensions, and plot sale limitations.

Recommendations

1. THAT staff be directed to return to Council with a By-law substantially in accordance with the draft in Attachment 1, subject to any further direction from the Committee of the Whole and Council, and in a form satisfactory to the Office of the City Solicitor.

Background

The City provides cemetery services in compliance with the Funeral, Burial and Cremation Services Act, 2002

The Funeral, Burial and Cremation Services Act, 2002 governs the bereavement sector services within Ontario to ensure basic legislative and regulatory standards are met. The City operates 20 cemeteries, seven active and 13 inactive, offering basic interment services, maintenance activities and administrative services in alignment with the *Funeral, Burial and Cremation Services Act, 2002*.

The City's active cemeteries offer burial services for both cremation and caskets, with casket burials being the primary interment method. Maintenance services include grass cutting, plot marking, headstone repairs, and seasonal cultural practices. Administration supports the sale of plots, payment processing, and records management.

In June 2021, Council endorsed the recommendations presented in the Cemetery Services Review, which included an update to the long-standing Cemetery By-law 180-92

The City retained Lees & Associates to conduct a Cemetery Services Review, which resulted in several recommendations to ensure the long-term sustainability of delivering cemetery services to citizens. Council endorsed the report and recommendations which included the recommendation to revise the existing Cemetery By-law 180-92, as amended, to ensure continued compliance with legislative changes and alignment with the *Funeral, Burial and Cremation Services Act, 2002*.

In June 2022, Council approved By-law 144-2022 to modernize cemetery regulations and achieve compliance with provincial requirements

In 2022, Council approved Cemetery By-law 144-2022 which repealed By-law 180-92. As part of the regulatory process for the new Cemetery By-law to come into force and effect, the Bereavement Authority of Ontario is required to approve the final and Council approved version of the new Cemetery By-law.

The new Cemetery By-law (Attachment 1) addresses revisions sought by the Bereavement Authority of Ontario to By-law 144-2022 which is based on a series of technical amendments to ensure legislative compliance.

Previous Reports/Authority

- [Cemetery Services Review \(June 2021\)](#)
- [Revision of Cemetery By-law Number 180-92 Report \(June 2022\)](#)
- [Cemetery By-law 144-2022](#)
- [Cemetery By-law 180-92](#)

Analysis and Options

The proposed new Cemetery By-law includes technical amendments to further clarify and standardize the operational regulations in By-law 144-2022

The proposed new Cemetery By-law aligns with the regulations under the *Funeral, Burial and Cremation Services Act, 2002* and addresses operational gaps within Cemetery By-law 144-2022 including:

- Expanded enforcement provisions
- Clearer guidelines on cemetery operations
- Updated policies for floral arrangements and visitation
- Modernized definitions and terminology
- Detailed memorial installation requirements
- Limitations on lot purchases
- Interpretation of the Cemetery Care and Maintenance Fund

Table 1 provides a summary of some of the technical amendments to the proposed By-law.

Table 1: Summary of Updates in the New Cemetery By-law

Issue	Existing By-law 144-2022	Proposed New Cemetery By-law
Terminology Used	Cemeteries Act (outdated)	Funeral, Burial and Cremation Services Act, 2002
Foundation Material	Aggregate	Concrete
Foundation Depth	Unspecified	1.2 metres (4 feet)
Visiting Hours	8:30 a.m. – One hour after Sunset	8:30 a.m. - Sunset
Minimum Plot Dimensions	Unspecified	Clearly defined
Lot purchase limits	Maximum four lots or total members of the immediate family	The City reserves the right to limit the quantity of Interment Rights released for sale.

Clarification of the term "Child"	Person between the age of one year and 17 years of age.	An individual that is one year of age and older but less than 18 years of age
Monuments in a state of disrepair	Removal by the City as the only option	Request the monument owner reinstall, replace, repair, or remove the monument
Fines and Penalties	Maximum fine of \$5,000	Maximum fine of \$5,000 with the option to issue a more flexible administrative penalty of \$300/day

Upon Council approval, the New Cemetery By-law will be resubmitted to the Bereavement Authority of Ontario for final approval and implementation will require public notification and industry engagement as outlined by Bereavement Authority of Ontario policies and procedures

In accordance with Bereavement Authority of Ontario, a notice of the filing must be:

- Published in a local newspaper
- Delivered to each of the City's markers suppliers
- Clearly posted on a sign at the entrance to cemetery sites, for a minimum of four weeks

To receive approval, the City is required to provide the following documents to the Bereavement Authority of Ontario:

- A copy of the newspaper notices with the new Cemetery By-law published
- A photo of the sign that was posted at the cemetery entrance for four weeks
- A list of monument dealers and their addresses that the new Cemetery By-law was delivered to
- Two copies of the new Cemetery By-law to be approved by the Registrar

Financial Impact

The costs associated with addressing the Bereavement Authority of Ontario's revisions and introducing a new Cemetery By-law have been managed within the existing budget for Cemetery Services.

Operational Impact

Consultation with other departments, including the Office of the City Solicitor and By-law and Compliance, Licensing and Permit Services, was conducted to ensure all revisions met the necessary standards. The new Cemetery By-law will streamline Cemetery Services operations and improve compliance with provincial legislation.

Broader Regional Impacts/Considerations

The new Cemetery By-law aligns with regional standards and ensures that Vaughan's cemetery services are consistent with those of neighboring municipalities. This alignment will facilitate better cooperation and service delivery across the region.

Conclusion

The new Cemetery By-law incorporates necessary revisions to meet the Bereavement Authority of Ontario's requirements and ensure the long-term sustainability of cemetery services in Vaughan. Approval of the new Cemetery By-law by Council is recommended before resubmission to the Bereavement Authority of Ontario.

For more information, please contact: Shanon Kalra-Ramjoo, Director, Parks, Forestry and Horticulture Operations, ext. 6308

Attachment

1. Draft Cemetery By-law, Parks, Forestry and Horticulture Operations, June 2025

Prepared by

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