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Provincial Land Use Plans Branch  
13th Floor, 777 Bay St  
Toronto, ON M7A 2J3

VIA email & online submission: [growthplanning@ontario.ca](mailto:growthplanning@ontario.ca)

The Ontario Association of Cemetery and Funeral Professionals (OACFP) is resubmitting our recommendations initially sent during the 2023 Provincial Planning Statement. While we appreciate the opportunity and welcome the government's efforts in developing provincial land policies, we were disappointed to find that none of our recommendations were incorporated in the updated provincial planning statement. Existing cemeteries within urban boundaries are nearing capacity due to population growth and an increasing death rate, particularly in the Greater Toronto Hamilton Area (GTHA). Ontario cemeteries have a unique legal responsibility to be maintained indefinitely, yet the current Provincial Policy Statement fails to address the need for new cemeteries outside established settlement areas.

To address these challenges, we urge the government to prioritize the creation of viable burial spaces within settlement areas and recognize cemeteries as an essential public service. Along with our resubmission of recommendations (Appendix I), we would like to propose the following changes specifically:

- Include a bullet in either Section 3 or 4 of the preamble requiring municipalities to provide adequate land for licensed bereavement services based on growth forecasts, death rate projections, and community, cultural and religious considerations.
- Amend Section 2.1 "Planning for People and Homes" to include cemetery definitions and terminology that align with the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), and define cemeteries inclusively to encompass all related uses. Municipalities should adopt these definitions in their Official Plans and Zoning By-laws and ensure that cemeteries are provided with suitable and viable land. Furthermore, recognize cemeteries as critical cultural and heritage assets deserving of a 100-year planning horizon.
- Additional recommendations can be found in Appendix II

The urgency for new cemetery lands and related bereavement sector infrastructure in Ontario is critical as the population ages. Families are increasingly burdened with the challenge of finding burial spaces as existing options diminish. The government must act quickly to alleviate this burden by facilitating the establishment of new cemetery spaces that will serve future generations.

The current timeline for cemetery development, from the time of property acquisition, and navigating the approvals process, to preparing the property for interments can take a minimum of 10 years. Given this reality, we urge the government to take this opportunity to provide leadership and be proactive in its approach to bereavement sector infrastructure by providing the necessary policy guidance to ensure cross-jurisdictional guidance for development of that infrastructure throughout the province.

Sincerely,



Darren Denomme,  
Executive Director

## APPENDIX I – INITIAL SUBMISSION AUGUST 2023

The Ontario Association of Cemetery and Funeral Professionals (OACFP) is the province’s leading bereavement sector professional association, consisting of cemeteries, crematoria, funeral homes, and transfer services. Collectively, our members care for over 85,000 Ontario families every year at their time of loss and greatest need and are stewards of thousands of acres of cemetery green space across the province.

### Background

OACFP is concerned by the difficulties in establishing new cemetery locations across the province and particularly in the Greater Toronto Hamilton Area (GTHA). Existing cemeteries with available grave spaces within urban boundaries are reaching the end of their life cycle as active burial grounds. At the same time, the population and the number of deaths continue to grow. Unlike in other parts of the world, Ontario cemeteries have the added unique and legal responsibility to exist and be maintained in perpetuity.

This necessitates urgent attention to ensure suitable new land is available for use. Cemeteries are not just places of burial. They are of cultural importance, contributing to the establishment of complete communities within our province and also serve as important green spaces that are protected indefinitely after their “active” phase, providing a perpetual benefit to the communities within which they exist.

Unfortunately, unlike older, superseded versions of the Provincial Policy Statement (PPS), the current PPS, and subsequently the lower tier Official Plans, restrict the creation of new cemeteries to areas well outside of established settlement areas.

The OACFP believes it is crucial for the government to prioritize the creation of viable burial spaces to ensure that the needs of our communities are met both now and in the future. By addressing these challenges, we can ensure that grieving families can continue to have access to dignified and culturally appropriate burial options in the future, fostering a sense of belonging, continuity and remembrance within our society while harmoniously balancing the preservation of our natural environment.

We welcome the current consultation by the Ministry of Municipal Affairs and Housing (MMHA) as it seeks to integrate a province-wide land use policy document and we are encouraged that now will be the time that this government recognizes the vital role and function of cemetery space within Ontario communities. Cemeteries should be recognized by the Province as a matter of ‘public interest’ and an essential public service that serves the public beyond individual municipal borders. They are not only a land use that is part of ‘complete communities’ but as an urgent, critical, and continuing necessity for current and future populations.

### Issues

- 1. Population Growth and Mortality Rates** – Ontario’s population is projected to increase by 38% to over 20 million by 2046. Furthermore, our population is aging and by 2031, all baby boomers will be 65 or older. Deaths are expected to increase rapidly and will exceed 170,000 annually by 2046. The rise in both population and deaths increases the demand for cemetery services but the lack of suitable cemetery lands and their inclusion in land use planning will negatively affect the communities we serve at their greatest time of need.
- 2. Religious and Cultural Needs** – Although cremation may reduce the impact on land use, given that Ontario has the most culturally diverse population in Canada, the OACFP emphasizes that cremation is not a viable option for numerous faith-based and traditionalist groups, further underscoring the need for accessible cemetery spaces.

- 3. Perpetual Obligation** – Cemetery lots in Ontario are sold in perpetuity, and cannot be replenished, reused or resold once utilized.
- 4. Restrictive Policies, Zoning and Finite Land** – Cemetery space is required within every community across the province; however, the current PPS restricts cemetery use (As-of-Right) to lands designated as Rural only (versus Agricultural or other white belt lands), often well outside the urban boundary. Such lands are typically unsuitable for agriculture due to factors such as quarries, escarpments, or forested areas, all of which make the lands similarly unsuitable for cemetery development.

Maintaining the current restrictions will force communities to bury their loved ones well outside of the city limits once existing cemeteries are depleted. This challenge is currently being experienced by our members within the GTHA but, if left unaddressed, will become a more widespread Provincial issue as other population centres grow, and their existing cemeteries reach capacity.

- 5. Lack of Provincial or Regional Service Areas** – Cemetery land development depends upon individual municipal development plans. The issue being if one municipal area has limited area for cemetery development lands and a neighbouring municipal area chooses not to recognize that need as it falls outside their geographic area it is Ontario families that are caught in the middle with no place to bury their families.
- 6. Costs** – White belt or other developable lands within and surrounding urban areas typically have high associated land costs. Cemeteries often do not have the financial resources to compete with other land developers/uses, making it economically challenging to acquire lands within designated white belt areas. When coupled with the uncertainty created by the policy challenges noted above, this creates significant financial risk for any of our members who may consider establishing a new cemetery in proximity to an existing urban centre.
- 7. Other Barriers** - Another challenge identified is the reluctance of municipalities to allow non-tax-paying, fully serviced land uses within urban boundaries. As cemeteries in Ontario are exempt from paying property tax, this presents another hurdle in finding suitable locations for new cemeteries.

### Proposed Policy Direction

1. The Province should recognize that the service areas of cemeteries cross geo-political jurisdictions, and should not be restricted by municipal or regional boundaries. Jurisdictional boundaries are often restrictive of cemetery development due to insufficient land inventory set aside for this land use within local plans, and/or the absence of any/adequate direction for cemetery uses within these planning instruments.
2. Definitions and terminology for cemeteries and all associated death care uses should be in conformity with the ***Funeral, Burial and Cremation Services Act, 2002 (FBCSA)*** and carry direct reference to the Act. Cemeteries should be defined to include any and all subsidiary and associated uses, without limitations using the phrases ‘such as’ or ‘including, but not limited to’. All upper-, lower- and single-tier municipalities should be required to incorporate these definitions verbatim in their Official Plans and Zoning By-laws.
3. The Province should recognize cemeteries as a provincially-permitted infrastructure and/or open space land use irrespective of the underlying land use designations, to eliminate the need for ad-hoc ‘amendments’ to local Official Plans and Zoning By-laws.



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4. The Province should specifically recognize the 100-year planning horizon for cemeteries and other death care-related land uses, which is significantly longer than the provincially-mandated 25- to 30-year land use planning horizon as required for Official Plans.
5. The Province should recognize that cemetery uses have a development life-cycle longer than most other forms of development, and that cemetery lands are purchased/acquired/consumed (pre-need) much earlier than when the actual interments (at-need) take place.
6. Upper-, lower-, and single-tier municipalities, as applicable, should be directed by the Province to conduct Land Needs Analysis studies and develop long-term Strategic Land Use Plans on the existing availability and adequate future provision of death care land uses based on growth and mortality projections, inclusive of all forms of death care services.
7. The Province should encourage the expansion of existing cemeteries and the establishment of new cemeteries for maximum yield on the land through the efficient use of the invested infrastructure and intensification of existing cemetery lands.
8. Cemeteries are a permanent land use, and occupied in perpetuity i.e., there is no 'redevelopment' potential except for future intensification of the cemetery itself.
9. The Province should create a process of accelerated approvals for cemetery development, either through modified MZO or another form of Provincial development approval.
10. Even fully-occupied (non-active) cemeteries are maintained as required by the FBCSA, contributing much-needed privately-owned, publicly accessible, perpetual open space.
11. The Province should recognize cemeteries as part of the municipal inventory of passive open space and, therefore, also account for cemetery lands as a unique form of 'open space' when addressing the utilization of payments-in-lieu towards the creation of public open space, as well as include cemeteries in land inventory calculations for open space. However, it should be noted in any such unique 'open space' designation that cemeteries are ultimately private lands whose primary function is to serve interment rights holders.
12. Cemeteries should be protected as an important cultural, historical and heritage asset and encouraged as new cemeteries and expansions to existing cemeteries would contribute to future heritage and cultural assets.

The OACFP appreciates the opportunity to bring these important issues to your attention for consideration in developing and refining the new provincial land planning policies that may affect the bereavement sector.



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## APPENDIX II – ADDITIONAL COMMENTS BASED UPON PROPOSED PROVINCIAL POLICY STATEMENT 2024

We suggest that the following specific policy (**additions are bold and underlined**) revisions be incorporated.

1. The fourth paragraph of “Vision” on Page 4 should be revised to state: “Ontario’s land use planning Framework, and the decisions that are made, shape how our communities grow and prosper. While progress has been made, equity-deserving groups still face a complex range of challenges. Municipalities will work with the Province to design complete communities with increased access to housing, employment, schools, transportation options, recreation and public spaces, **cemeteries and related bereavement sector facilities**, and services that are equitable and sustainable for all Ontarians.”
2. The sixth paragraph of “Vision” on Page 5 should be revised to state: “Land use will be managed to accommodate appropriate development to meet the full range of current and future needs. Efficient land use and development patterns will contribute to achieving equitable outcomes for all Ontarians by design. Downtowns, main streets and rural areas will be vital and viable. Cultural heritage and archaeology in Ontario will provide people with a sense of place. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians. **Cemeteries and other bereavement sector uses will be provided to ensure after-life care is adequate and sustainable for current and future generations respecting the cultural and religious importance of this necessary infrastructure.**”
3. Policy 2.5.3, Rural Areas in Municipalities, should be revised to state: “When directing development in rural settlement areas in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels, **including long-term and perpetual services such as bereavement sector facilities and services.**”
4. Policy 2.6.1.f, Rural Lands in Municipalities, should be revised to state: “**cemeteries and other bereavement sector uses**; and”
5. Policy 2.8.2.3.b, Employment Areas, should be revised to state: “prohibiting residential uses, commercial uses, public service facilities and other institutional uses, with the **exception of bereavement sector uses other than cemeteries;**”
6. **Policy 4.3.2.1, Permitted uses, agriculture, should be revised to state:** “In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture related uses, ~~and~~ on-farm diversified uses based on provincial guidance, **and public service facilities such as cemeteries.**”
7. **Policy 4.3.5.1.c should be created in Non-Agricultural Uses in Prime Agricultural Areas to state:** “**or cemeteries including any associated bereavement sector uses and interment services such as a funeral establishment, mausoleum, crematorium, columbarium, places of worship, chapels, and transfer services.**”
8. **Policy 6.2.8, Coordination, should be revised to state:** Municipalities, the Province, and other appropriate stakeholders are encouraged to undertake a coordinated approach to planning for large areas with high concentrations of employment uses **and bereavement sector uses** that cross municipal boundaries **in terms of land area, service area or market area.**”



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9. Policy **Coordination, should be revised to state:** Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
- a. identify and allocate population, housing, ~~and~~ employment projections, **and appropriate mortality and deathcare projections based on a 100-plus-year planning horizon for lower-tier municipalities;**
  - b. identify areas where growth and development will be focused, including strategic growth areas, and establish any applicable minimum density targets;
  - c. identify minimum density targets for growth and development taking place in new or expanded settlement areas, where applicable; and
  - d. provide policy direction for the lower-tier municipalities on **matters including cemeteries and bereavement sector uses,** that cross municipal boundaries.