

STAFF REPORT: RECREATION DEPARTMENT

REPORT TO: Infrastructure & Recreation Committee
MEETING DATE: June 22, 2010
REPORT NO.: DOR 10 39
SUBJECT: St. George's Anglican Church
 Scattering Garden request
PREPARED BY: Shawn Everitt
 Director of Recreation

A. Recommendations

THAT Council receive Staff Report DOR 10 39 St. George's Anglican Church Scattering Garden Request, and direct Staff to provide St. George's Anglican Church correspondence noting no objection to the application for a Scattering Garden to the Ministry of Consumer Affairs.

B. Background

St. George's Anglican Church forwarded correspondence to Staff dated June 3, 2010 requesting a letter from the Town stating no objection to the continued use of the existing Scattering Garden at 166 Russell Street, Clarksburg.

The Church has been providing a Scattering Garden since 2001. A Scattering Garden is an area that is used for the scattering of cremated Human remains, and requires a licence from the Ministry of Consumer Affairs to provide such an area. The following two bullets are excerpts from the Ministry of Consumer Affairs website identifying Scattering Garden information and requirements.

► **What is done with the cremated remains?**

Cremated remains may be retained by the family, interred in a cemetery, placed in a niche in a columbarium, or scattered on one's private property or in a designated area of the cemetery

► **Is scattering ashes legal?**

The law in Ontario states that no person is to scatter human remains at a place other than at a scattering ground operated by a licensed individual. Many cemeteries offer the service at an additional charge. We suggest you discuss this question with your funeral director. As well, if you are seeking information about laws or regulations regarding the scattering of ashes outside of Ontario or outside Canada, you should seek direction from local government officials regarding regulations.

Town Staff is currently developing strategic planning and land use mapping of the Thornbury Clarksburg Union Cemetery and suggest that a letter noting no objections to the existing Scattering Garden at the St. George's Anglican Church be provided as per the request from Rev. Stephen Haig of the St. George's Anglican Church.

The Town is investigating all opportunities of burial services at the Thornbury Clarksburg Union Cemetery, the addition of a 72 Niche Columbarium is expected to be completed in September 2010 as well as the development of an additional cremation section. The Scattering Garden at the St. George's Anglican Church does provide residents alternative locations for their remains to be scattered.

As per the application process St. George's Anglican Church representatives must supply a plan or survey of the property showing the dimensions and boundaries of the scattering ground. The Church is also responsible for developing a set of By-laws that outline the rules of the scattering ground and how it will be operated or used. Staff has requested that the Town be provided with copies of the entire application package for information purposes.

C. The Blue Mountains' Strategic Plan (Statement(s) identifying how actions further the goals of the Strategic Plan)

- Supporting the development of social and recreational programs to meet the broad range of needs in the community
- Preserving and enhancing natural and environmental features, and cultural heritage of the community
- Addressing the Town's municipal infrastructure needs

D. Environmental Impacts (Focus on local impacts and comment on greenhouse gasses if appropriate)

Providing alternative and approved methods of honouring loved ones

E. Budget Impact (cc: Treasury if required)

The Church does not charge for the scattering of ashes however do request a small donation.

It is typical of scattering gardens, that no fee be applied for the scattering of ashes however request donations be made. Through the Strategic Planning process, Town Staff will be reviewing opportunities for the Thornbury Clarksburg Union Cemetery.

F. Attached (Relevant documentation not personal information about an identifiable person)

- 1) St. George's Anglican Church Correspondence

Respectfully submitted,

Signature

For more information, please contact:

Shawn Everitt
severitt@thebluemountians.ca
519-599-3131 ext 281

Attachment #1



St. George's Anglican Church

THE BLUE MOUNTAINS

The Reverend Canon Stephen M. Haig

166 Russell Street
Box 9, Clarksburg, ON
N0H 1J0

e-mail: stgeorge@bmts.com
Tel: 519-599-3047
Fax: 519-599-2874

RECEIVED

JUN - 3 2010

June 3, 2010

Mr. Shawn Everitt,
Infrastructure and Recreation Committee,
Town of the Blue Mountains,
26 Bridge Street East,
Thornbury, ON N0H 2P0

TOWN OF THE BLUE MOUNTAINS

Dear Mr. Everitt:

St. George's Anglican Church has had a Scattering Garden in its Garden of Remembrance since 2001. There have been only a small number of ashes scattered in it. At the time we instigated it, we had conflicting information regarding any procedure that was to be followed. It has come to our attention that we require a licence in order to comply with government regulations.

After a discussion with Ms Corina Burnell at the Ministry of Consumer Services, we have received an application to apply for our licence. To complete the application, we require a letter from the Town stating that you have no objection to our Scattering Garden. We request your assistance in this regard.

Enclosed please find a plan of our garden indicating the area designated as a Scattering Garden. If you have any questions, please contact Elaine Beard (705) 445-2357 or myself.

Sincerely yours,

Rev. Stephen Haig,
Rector,
St. George's Anglican Church, Clarksburg
(519) 599-3047

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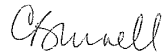
Cemetery owners are responsible for maintaining the cemetery grounds, ensuring public safety and preserving the dignity of the cemetery. In addition, a cemetery owner must keep a public register that records the scatterings. In addition, once licensed, the Church is required to have a set of By-Laws that outline the rules of the scattering ground and how it will be operated or used. A sample copy of a Public Register and set of By-Laws is enclosed.

Please include with your application, a photograph of the scattering ground and a list of the names of those persons whose remains have already been scattered on the church premises.

The *Cemeteries Act (Revised)* may be viewed online at www.e-laws.gov.on.ca, or a hard copy may be obtained by contacting Publications Ontario at 416-326-5300 or 1-800-668-9938.

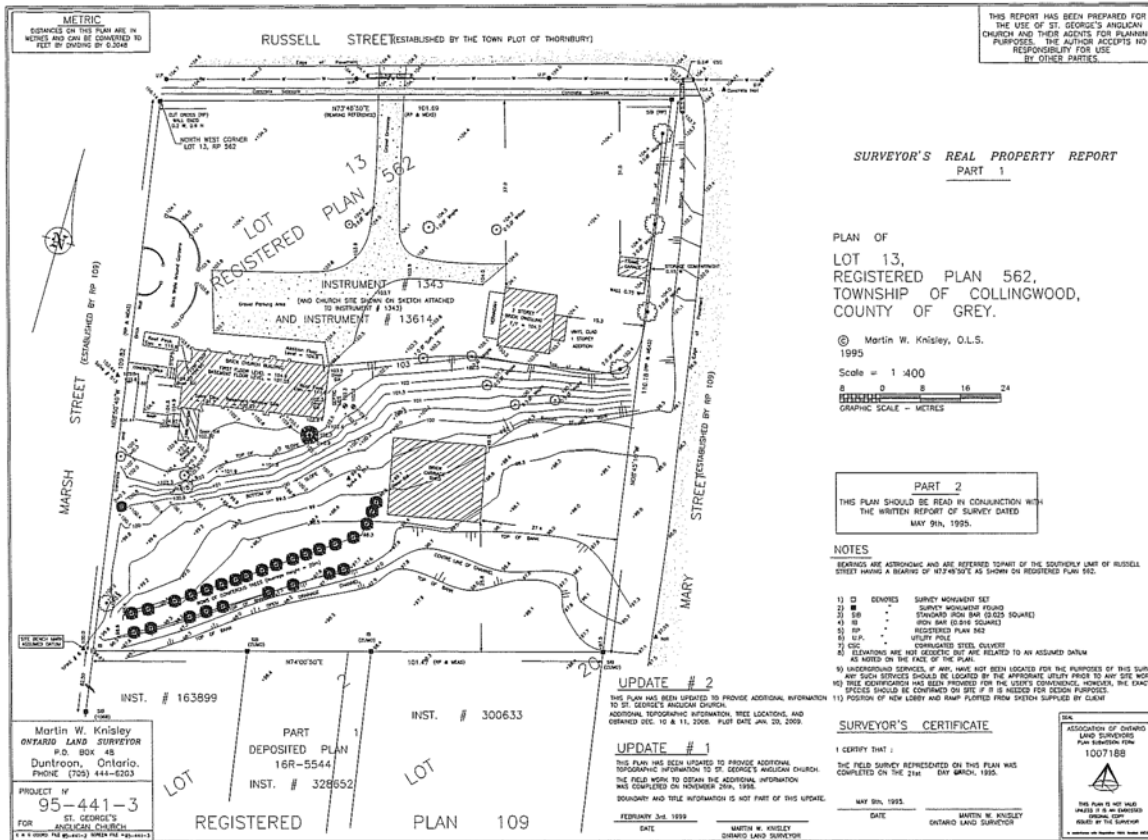
Should you have any questions or require assistance with the application, please do not hesitate to contact me directly at 416-326-8514 or 1-800-889-9768.

Yours truly,



Corina Burnell
Registration & Compliance Officer

Enclosure



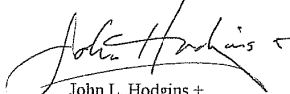
St. George's Garden of Remembrance

The *Garden of Remembrance* has been developed as a part of the long-range property development plan of St. George's Parish, The Blue Mountains. The plan began development in 1993. Preliminary work on the garden site was begun in 1999 and completed in 2000, with a formal blessing and dedication in May 2001. The garden is designated for the remembrance of individuals who are deceased and whose remains are in the community or elsewhere. The names of those commemorated are recorded in the *Book of Remembrance* which is kept in St. George's Church.

The understanding we have had is that the interment of human remains in a marked grave or location must be in a cemetery which comes under the statutes of the Province of Ontario. The scattering of cremated human remains on private property is allowed under the statutes of Ontario so long as there is no interment or marked grave. The Garden of Remembrance is not a cemetery.

When Mr. Tony Clement, Minister of Health visited at St. George's in June 2001 we asked if there was any change in the provincial regulations in this respect and he indicated that there had not been any change.

The parish of St. George's maintains the Garden of Remembrance for the community and does not provide for interment of cremated remains in marked graves in the garden. The respectful placement of cremated remains in suitable locations should be done in consultation with the priest-in-charge or the rector.


John L. Hodgins +
Rector

July A.D. 2001