



RESORT MUNICIPALITY OF WHISTLER

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STAFF REPORT TO COUNCIL

PRESENTED: June 20, 2023 **REPORT:** 23-066
FROM: Legislative Services and Parks Planning **FILE:** 3900-20-2367
SUBJECT: CEMETERY MANAGEMENT BYLAW NO. 2367, 2023 AND MASTER PLAN UPDATE

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Corporate Services and Public Safety and the General Manager of Climate Action, Planning, and Development be endorsed.

RECOMMENDATION(S)

That Council consider giving first, second and third readings to “Cemetery Management Bylaw No. 2367, 2023”; and further

That Council receive the Cemetery Future Needs Survey Results attached as Appendix B to this Administrative Report No. 23-066.

PURPOSE OF REPORT

The purpose of this report is to seek Council's consideration of first, second and third reading of the “Cemetery Management Bylaw No. 2367, 2023” (New Cemetery Bylaw) which will repeal and replace the “Cemetery Regulation Bylaw No. 1788, 2006” (Existing Cemetery Bylaw).

This report also provides an overview regarding the cemetery master planning process currently underway, and the feedback received from the Cemetery Future Needs Survey Results attached as Appendix B.

Information Report

Administrative Report (Decision or Direction)

DISCUSSION

Background

The Whistler Cemetery (Cemetery) is a 1.32 hectare (3.27 acre) property located on Alta Lake Road. Currently, a small portion of the parcel is developed for cemetery use. The remainder of the site is undeveloped second growth forest and is being held for future cemetery needs. Since 1986, the Cemetery has provided for the burial of human bodies and human cremains. In 2003, Council authorized staff to add a columbarium wall for the above ground burial of cremated remains and a scattering garden for the dispersal of ashes.

The Cemetery is operated by the Resort Operations Department with the Legislative Services Department responsible for the sales and administration of plots. The Existing Cemetery Bylaw governs the activities of the Cemetery and is consistent with the requirements of the *Cremation, Interment and Funeral Services Act* and associated regulations.

The Cemetery currently offers the following number of plots and memorialization services:

Type of Plot	Total	Sold	Available
Full Burial Plots	96	72	24
Cremation Burial Plots	192	141	51 (99)
Columbarium Niches	96	49	47
Scattering Garden Memorial Plaques	125	27	98

Analysis

In 2022, it became apparent that the Cemetery had limited remaining inventory for cremation burial plots and that the Existing Cemetery Bylaw required updates. Staff further identified that consideration needed to be given to the Cemetery’s long-term capacity and potentially new memorialization options. A Cemetery Community Engagement Survey was conducted in April 2023 that will help guide the long-term master planning process. The Parks Planning and Legislative Services departments have worked together, with the guidance of a cemetery consultant, to develop a modernized bylaw, an updated fee schedule and the first steps toward developing an updated cemetery master plan.

CEMETERY MASTER PLAN

The number of requests for in-ground cremation plots has been increasing annually, and by the spring of 2023 there were only three unreserved cremation burial plots available. There was therefore an immediate need for additional cremation burial plots to satisfy current demand. To address this pressure, 48 new in-ground cremation plots were constructed in the spring of 2023 and are now available for purchase. The location of these new plots are factored into the longer-term master plan process described below and included in the table above. The new plots are double interment plots, such that two urns can be placed in a single plot, where requested.

To assist with an evaluation of the long-term needs and capacity of the Cemetery, and to consider potential new interment and memorialization options, a cemetery-specific consultant was retained to help develop a master plan to guide future decision making and investments. The master planning process includes community outreach and engagement which is discussed in the “Community Engagement” section below.

A draft master plan is being prepared and will be provided for Council’s consideration later this year.

NEW CEMETERY BYLAW

The Existing Cemetery Bylaw, including the existing Fee Schedule was adopted in 2006 and no changes have been made since that date. However, in the ensuing 17 years, the legislation governing cemeteries has been modernized, the operational costs of the Cemetery have increased, and the

needs of the community have changed. Based on these factors, the proposed New Cemetery Bylaw repeals and replaces the Existing Cemetery Bylaw in its entirety. The New Cemetery Bylaw contains an updated fee schedule, adds some new interment options, clarifies the memorial and urn size requirements, provides an updated definition of resident and integrates some additional general housekeeping updates. The Existing Cemetery Bylaw is attached as Appendix A for reference. The New Cemetery Bylaw is included in the Council Package for review.

A) New Interment Options

One of the updates included in the New Cemetery Bylaw is the addition of two new interment options. A review of the interment options available in similar municipalities to Whistler against what the Whistler Cemetery currently offers allowed for the opportunity, in the short-term, to make changes in two different categories.

- i) The first change is the introduction of a child category for all interment options. The Existing Cemetery Bylaw provided for adult and infant categories for interment. With the addition of a child category, it will lower the fees for the interment of a child (defined as children between the ages of two and twelve). This is shown in the fee table below.
- ii) The second change is to introduce a double cremation burial plot option. As discussed above, 48 new cremation burial plots were added to the Cemetery this year. When these were added, the ability to accommodate two urns was added. The cost for a double plot has also been added to the fees list as a new category.

B) Cemetery Fees

The Fee Schedule for the New Cemetery Bylaw has been updated to align prices with the cost of delivering the services, including the cost of the materials and labour for the upkeep of the Cemetery. As the operator of a cemetery, the Resort Municipality of Whistler (RMOW) is required to maintain the Cemetery in perpetuity. When a cemetery plot or memorial plaque is sold, there is an associated 'Care Fund' fee collected. By law this fee can be no less than 25 per cent of the cost of the plot or memorial plaque, and there is no upper limit. The Cemetery operator must assess the cost of maintaining their cemetery in perpetuity and set the Care Fund fee accordingly.

The table below sets out the existing fees and the proposed changes. These proposed fees reflect the current costs associated with operating the Cemetery and align with other similar municipalities in the province. Attached as Appendix C is a chart that shows the comparable costs charged by similar municipalities as additional information. The new proposed fees have taken this information into consideration along with the other operational costs that the RMOW absorbs and the recommendations of the cemetery consultant.

In addition to recommending the updated fees, staff also recommend that an annual increase of three per cent per annum be built into the fee schedule to address the annual increase in costs to provide these interment services to the community and effectively maintain the quality of the community's Cemetery services.

Summary of Proposed Fee Changes

PLOT TYPE	CURRENT RESIDENT	CURRENT NON-RESIDENT	PROPOSED RESIDENT	PROPOSED NON-RESIDENT
Adult Full Burial Lot	\$ 1,100.00	\$ 2,201.69	\$ 2,000.00	\$ 4,000.00
Child Full Burial Lot	n/a	n/a	\$ 1,500.00	\$ 2,250.00
Infant Full Burial Lot	\$ 642.16	\$ 1,284.32	\$ 1,000.00	\$ 1,500.00
In-Ground Cremation Lot	\$ 458.69	\$ 917.37	\$ 1,500.00	\$ 2,250.00
In-Ground Double Cremation Lot	n/a	n/a	\$ 2,600.00	\$ 3,900.00
Columbarium Niche Lot	\$ 917.37	\$ 1,834.37	\$ 1,500.00	\$ 2,250.00
Scattering Garden	\$ 119.26	\$ 238.51	\$ 350.00	\$ 500.00
INTERMENT		CURRENT		PROPOSED
Adult Full Burial Interment		\$ 2090.20		\$ 2,100.00
Child Full Burial Interment		n/a		\$ 1,500.00
Infant Full Burial Interment		\$ 1,034.52		\$ 1,050.00
In-Ground Cremation Interment		\$ 479.86		\$ 700.00
Columbarium Niche Inurnment		\$ 246.99		\$ 500.00

C) Other Updates

Other updates to the New Cemetery Bylaw include:

- i) Definitions updated, including “resident” to include a person who has recently left Whistler for medical or palliative reasons;
- ii) Clarification of memorial marker sizes and composition;
- iii) Offence section/bylaw enforcement tool added;
- iv) Addition of administration and customized inscription fees;
- v) Clarification of general rules of the cemetery including hours of use as well as the use of flower vases and other adornments;
- vi) Procedure for disinterment added;
- vii) Addition of a limit to the number of plots that can be purchased by a single person; and
- viii) Other miscellaneous updates to modernize the bylaw.

POLICY CONSIDERATIONS

Section 8(f) of the *Community Charter* states that "a council may, by bylaw, regulate, prohibit and impose requirements in relation to cemeteries, crematoriums and mausoleums and the interment or other disposition the dead."

The operation of municipal cemeteries in British Columbia is regulated by the *Cremation, Interment and Funeral Services Act* and the associated regulations.

Relevant Council Authority/Previous Decisions

"Cemetery Regulation Bylaw No. 1788, 2006" – attached as Appendix A

2023-2026 Strategic Plan

The 2023-2026 Strategic Plan outlines the high-level direction of the RMOW to help shape community progress during this term of Council. The Strategic Plan contains four priority areas with various associated initiatives that support them. This section identifies how this report links to the Strategic Plan.

Strategic Priorities

- Housing
Expedite the delivery of and longer-term planning for employee housing
- Climate Action
Mobilize municipal resources toward the implementation of the Big Moves Climate Action Plan
- Community Engagement
Strive to connect locals to each other and to the RMOW
- Smart Tourism
Preserve and protect Whistler's unique culture, natural assets and infrastructure
- Not Applicable
Aligns with core municipal work that falls outside the strategic priorities but improves, maintains, updates and/or protects existing and essential community infrastructure or programs

Community Vision and Official Community Plan

The Official Community Plan (OCP) is the RMOW's most important guiding document that sets the community vision and long-term community direction. This section identifies how this report applies to the OCP.

The Future Needs Survey Report and New Cemetery Bylaw moves the RMOW toward our Community Vision, by ensuring adequate provision of land for the resort community's needs whilst also preserving the Whistler Cemetery's tranquil and forested character.

BUDGET CONSIDERATIONS

Funds for the master planning process are included in the RMOW's Five-Year Financial Plan 2023-2027, sourced from General Capital Reserves.

Updates to the Fee Schedule reflect the costs of operating and maintaining this service for the community.

LÍLWAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Líl'wat People, known in their language as *L'il'wat7úl* and the Squamish People, known in their language as the *Skwxwú7mesh Úxwumixw* to: create an enduring relationship; establish collaborative processes for Crown land planning; achieve mutual objectives; and enable participation in Whistler's resort economy.

There are no specific considerations to include in this report.

COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

Inform Consult Involve Collaborate Empower

Comment(s):

As part of the master plan work, an online community engagement survey was conducted in April of 2023. While the full results from the community engagement are appended to this report in Appendix B, below are some notable highlights:

- Online survey was available to the public between Friday, April 14, 2023, through to Friday, April 28, 2023
- Just over 100 responses were received
- 98% of respondents are permanent residents of Whistler
- 88% of respondents do not plan to incorporate any faith-based, cultural or secular practices into their end-of-life interment arrangements
- 60% of the respondents were over 55 years of age
- 59% of respondents have no current connection to the Whistler Cemetery
- Of the interment options currently offered, in-ground cremation plots are the most sought-after (15%), followed by scatter gardens (12%), columbarium niche (11%) and traditional in-ground burial (8%) and
- Of the interment options not currently offered, there was support for green/natural burial (33%), memorial walls (25%), family columbaria (15%), multiple interment lots (15%), and an infant/child area (6%)

This feedback is being incorporated into a draft master plan.

REFERENCES

“Cemetery Management Bylaw No. 2367, 2023” (included in Council Package)

Appendix A – “Cemetery Regulation Bylaw No. 1788, 2006”

Appendix B – Feedback summary from the Whistler Cemetery Master Plan – Future Needs Survey – Response Report

Appendix C – Cemetery Fees Schedule Comparison Chart from Similar Municipalities

SUMMARY

This report requests Council’s consideration of first, second and third reading for “Cemetery Management Bylaw No. 2367, 2023”.

Additionally, a brief overview of the long-term cemetery master plan work currently underway is provided for information purposes. This work includes community engagement, the results of which are appended to this report.

SIGN-OFFS

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