



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall  
1229 Esquimalt Road  
Esquimalt, B.C. V9A 3P1

## Legislation Details (With Text)

**File #:** 18-410      **Version:** 1      **Name:**  
**Type:** Staff Report      **Status:** Passed  
**File created:** 9/21/2018      **In control:** Council  
**On agenda:** 10/1/2018      **Final action:** 10/1/2018  
**Title:** Cemetery Operation - 1379 Esquimalt Road [St. Peter and St. Paul's Church], Staff Report DEV-18-074

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Appendix A - Location of Cemetery - 1379 Esquimalt Road, 2. Appendix B - Applicants Letter - Cemetery site operation

| Date      | Ver. | Action By | Action   | Result |
|-----------|------|-----------|----------|--------|
| 10/1/2018 | 1    | Council   | approved |        |

## REQUEST FOR DECISION

**DATE:** September 26, 2018

Report No. DEV-18-074

**TO:** Laurie Hurst, Chief Administrative Officer

**FROM:** Karen Hay, Planner, and Bill Brown, Director of Development Services

**SUBJECT:**

Cemetery Operation - 1379 Esquimalt Road (St. Peter and St. Paul's Church),

### RECOMMENDATION:

If Council has adopted Bylaws No. 2932 and No. 2933, that Council then approve the operation of a Cemetery (for the internment of cremated remains), in the area adjacent to the property line fronting Esquimalt Road and north of St. Peter and St. Paul's Church, as identified in Appendix A of Staff Report DEV-18-074, and authorize staff to provide the property owner with a letter confirming the use is permitted.

### RELEVANT POLICY:

Official Community Plan Bylaw, 2018, No. 2922

Zoning Bylaw 1992, No. 2050

Development Application Procedures and Fees Bylaw, 2012, No. 2791

Subdivision and Development Control Bylaw, 1997, No. 2175

### STRATEGIC RELEVANCE:

This Request for Decision does not directly relate to a specific strategic objective.

## **BACKGROUND:**

Appendix A: Location of Cemetery map

Appendix B: Applicant's Letter - Cemetery site operation

### **Purpose of the Application**

CitySpaces Consulting, on behalf of the owner of St. Peter and St. Paul's Church (the Anglican Synod of the Diocese of British Columbia), has requested that Council confirms that the proposed use (Cemetery for cremated remains) is permitted by its bylaws. The *Cremation, Internment and Funeral Services Act* requires that a 'Certificate of Public Interest' be obtained for the establishment and enlargement of places of internment. Consumer Protection BC is the provincial licensing agency that would issue the licence and register a notice on the title of the property.

Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2933 adds 'Cemetery (exclusively for cremated remains)' as a permitted use in Site C. The applicant has provided a letter affirming that the cemetery is operated and maintained by the parish on behalf of the Anglican Diocese of British Columbia and that there is space for up to twenty-four (24) internments of cremated remains [Appendix B]. The operation of the cemetery will not change from current procedures.

### **Context**

Applicant: Deane Strongitharm, CitySpaces Consulting

Owner: The Anglican Synod of the Diocese of British Columbia

## **ISSUES:**

### 1. Rationale for Selected Option

If Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2933 has been adopted, then 'Cemetery (exclusively for cremated remains)' would be a permitted use in this location. Staff will be authorized to provide a letter for the applicant, allowing the Anglican Diocese of BC to complete the application process with Consumer Protection BC.

### 2. Organizational Implications

This Request for Decision has no organizational implications.

### 3. Financial Implications

This Request for Decision has no financial implications.

### 4. Sustainability & Environmental Implications

This Request for Decision has no sustainability or environmental implications.

### 5. Communication & Engagement

The Local Government Act does not require that notification be provided when a municipality is considering approval of a 'Place of Internment' where the use is permitted by its bylaws.

## **ALTERNATIVES:**

1. If Council has adopted Bylaw No. 2932 and No. 2933, that Council then approve the operation of a Cemetery (for the internment of cremated remains), in the area adjacent to the property line fronting Esquimalt Road and north of St. Peter and St. Paul's Church, as identified in Appendix A, and

authorize staff to provide the property owner with a letter confirming the use is permitted.

2. That Council request further information.