

March 6, 2013

Attn: Planning & Growth Committee

Dear Committee Members:

Re: Separation Distances for Crematoriums from Sensitive Land Uses

Currently, the Province of Ontario licenses all funeral home, crematorium and cemeteries under the *Cemeteries Act (Revised)*, the *Funeral Directors and Establishment Act*. The legislation permits crematoriums only in cemeteries.

On July 1, 2012, the *Funeral, Burial and Cremation Services Act, 2002* came into effect and establish a new regulatory framework for most of the bereavement sector, including crematoriums. The new legislation allows applications for a license to operate a crematorium outside of a cemetery.

Crematoriums currently require and will continue to require, a Certificate of Approval from the Ministry of the Environment (MOE) to ensure the environment is not adversely affected through concentrations of air pollutants meeting provincial guidelines on and beyond a cemetery property under normal operations.

When human remains and the funeral caskets are cremated, a number of by-products or trace air pollutants are created that could pose potential health impacts. These include particulate matter volatile organic compounds, carbon monoxide, nitrogen oxides, sulphur dioxides, hydrogen chloride, plastic, fabric, wood, paper, rubber, chemicals, heavy metals (cadmium, mercury, lead) and dioxins and furans.

The City has the ability to impose separation distances between industrial uses and sensitive land uses to avoid or minimize the potential for land use conflicts that extend beyond the property limits of industrial activity. Typical emissions that may affect the amenity of nearby sensitive land uses includes gaseous and particulate emissions, noise, dust and odour. It is generally assumed that the impacts on the environment will generally decrease with increased distance from the source of the emission.

The Minister of Consumer Services has indicated that a municipality may wish to introduce separation distances through its zoning powers under the *Planning Act*. In this regard, MOE's "Compatibility Between Industrial Facilities and Sensitive Land Uses (D-6-3) Separation Distances (collectively known as the "D6 Guidelines") may be used as a guide to develop separation distances between crematoriums and sensitive land uses. Furthermore, the Minister has confirmed that a

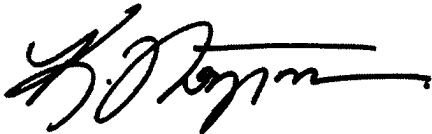
licence for a crematorium will not be granted by the Province until municipals approvals have been obtained.

Crematoriums are identified by air quality experts as Type II facilities under the D6 Guidelines. The recommended minimum set back for Type II industrial use from a sensitive land use is 70 metres with a potential area of influence of 300 metres. Based on this information, crematoriums shall be located a minimum 300 metres from sensitive and other sensitive land uses. According to the D6 Guidelines, residential land use shall be considered sensitive 24 hours/day.

Recommendation:

- 1) Impose a minimum 300 m setback of crematoriums from residential and other sensitive land uses to protect public health
- 2) Remove the requirement of siting crematoriums in cemeteries to allow for competitive expansion of the sector in the public interest
- 3) Direct crematoriums to designated areas zoned for industrial use and adequately separated from residential zones and consider incentives for the relocation of existing crematoriums to such designated 'crematorium zones'.
- 4) Withhold approvals for new crematoriums until such safeguards have been established in the Zoning By-Law

Respectfully submitted,

A handwritten signature in black ink, appearing to read "K. Wong-Tam".

Councillor Kristyn Wong-Tam
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