

# Report to Council



**Date:** November 8, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** Kelowna Memorial Park Cemetery Bylaw Update  
**Department:** Parks Services

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## **Recommendation:**

THAT Council receives for information from the Cemetery Manager, dated November 8, 2021 recommending changes to the Kelowna Memorial Park Cemetery Bylaw No. 11664;

AND THAT Council gives reading consideration to Bylaw No. 12280 being amendment No. 3 to Kelowna Memorial Park Cemetery Bylaw No. 11664.

## **Purpose:**

To amend Kelowna Memorial Park Cemetery Bylaw No. 11664 to reflect annual price increases to Cemetery fees, and minor text amendments for clarification of niche sizes and existing regulations.

## **Background:**

The current Bylaw No. 11664 regulates Cemetery fees until the end of the year 2021. This proposed bylaw amendment is to provide pricing for the upcoming three years. The pricing structure follows the recommendations in the 2015 KMPC Masterplan, endorsed by City Council. The Masterplan recommends a 5% annual price increase until the year 2027, with a 2% annual price increase thereafter.

## **Discussion:**

The fees proposed in this bylaw follow the 5% annual increase recommendation for the upcoming three years; 2022, 2023, and 2024.

Highlights of additional amendments include:

- The maximum dimension of an urn for the Legacy Gardens niches. The individual niche size has not changed. The current bylaw indicates an urn must not exceed: 29 cm high x 29 wide x 29 cm deep. There is however a small aluminum lip at the opening to each niche which reduces the

opening down to 26.5 cm in height. As such, certain urns will not fit through the opening of the niche if the urn is over 26.5 cm in height and the urn is not able to be tipped on its side to make it through the opening. The bylaw will now reflect the true opening height available for an urn. The goal is to ensure the public purchase urns that will fit into the niche.

- Indicate the percentage of a Right of Interment fee allocated to the Cemetery Maintenance Fund. No change to the internal allocation of revenue is proposed. The bylaw currently indicates how much money is being allocated to the Cemetery Maintenance Fund as a dollar amount. Proposed in this bylaw amendment is the inclusion of that dollar amount represented as a percentage. This clearly indicates that KMPC is meeting the regulations of the *Cremation, Interment and Funeral Services Act, S.B.C. 2004* which requires a Cemetery to make deposits to its Care Fund in prescribed amounts (percentage of a sale) for the sale of a Right of Interment or marker installation. The City of Kelowna meets or exceeds these amounts.
- Minor amendments to grammar or language are included in the attached Schedule A – Proposed Text Amendments.

The Kelowna Memorial Park Cemetery completed a Value for Money Review in 2020 which found that the Cemetery is operating sustainably, identifying best practices already in place to build upon to improve long term success. An identified next step was to complete the Cemetery Business Plan which is being finalized in 2021. This business plan will provide KMPC and internal departments a sound predicted financial model. Once reviewed internally, the business plan will include additional bylaw amendments that will be presented for Council consideration in 2022.

**Legal/Statutory Authority:**

*Cremation, Interment and Funeral Services Act, S.B.C. 2004*

*Business practices and Consumer Protection Act S.B.C. 2004 c.2*

**Internal Circulation:**

Civic Operations Finance & Administration

Financial Services

**Considerations not applicable to this report:**

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

**Submitted by:** Tracey Hillis, Cemetery Manager, Parks Services

**Approved for inclusion:** Blair Stewart, Parks Services Manager

cc:

**Attachments:** Schedule A – Proposed Text Amendments