

**Developing a Natural Burial Ground in Ontario  
Where to Start**

Great! You're interested in creating a natural burial ground (NBG). Your timing couldn't be better; there's more and more interest in this eco-friendly option. It's not going to be easy, or fast, or cheap, but it's worth it. You will be providing your community with something they really want – a natural burial ground.

This document provides an overview of the process of creating a natural burial ground. Every situation is different, but these are the key steps. It's a highly regulated sector; which is both good and bad. It's comforting to know that there are associations ensuring our deceased are forever treated with care. Unfortunately, Ontario is said to have the strictest legislation in North America. The two governing bodies are your municipality and the Bereavement Association of Ontario (BAO).

**Municipal Approval**

The good news is that municipalities are looking for ways to protect natural habitat, and if it can be done in a financially sustainable way, all the better. The municipalities also want to answer to the needs of their constituents and there is a growing demand for green burial. Here are a couple things to note:

- Cemetery land is protected against development in perpetuity, so municipal planners want to make sure a cemetery fits with their overall zoning plan.
- If a cemetery is abandoned, by law the municipality must assume responsibility for its maintenance. Municipalities factor this into cemetery approvals. (The Natural Burial Association is advocating for grave re-use, a practice done in Quebec, most of Europe, and some Middle Eastern countries. Grave re-use will make a cemetery applications more palatable for the municipality because the cemetery will always be financially sustainable).

The zoning designation of a cemetery differs for each municipality. Most frequently cemeteries are zoned as open space/industrial. If you have land that's zoned appropriately that's a good start when you apply to your municipality. Again each municipality is different, however the following are some elements the municipality will require:

- An environmental assessment (a hydrogeological study may be required). They make sure the land doesn't have a high water table. The body must be separated from the water table by one metre, and must be 75 metres from any source of potable water.
- A landscape plan which includes a layout of the plots
- How will this benefit the community and the environment
- Public amenities (washrooms, accessibility, road access, parking, etc). These elements are with a view to conventional cemeteries. A natural cemetery may not have washrooms, parking, etc., however it will require road access.

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### Municipal Approval (cont'd)

The best bet is to approach your town or city councillor, or go directly to the planning department. Gain an understanding of how your land fits into the municipal plan, and what about your proposal for an NBG appeals and concerns them.

Timing matters. By law, municipalities in Ontario must have a 5 year official plan review, and at this time they must consult with the public. Make natural burial a part of the initial discussion and public consultation. Gather champions to go to the public forums, and make sure natural burial is a topic on the survey if your municipality issues a survey. Find at least one councillor who will promote the benefits of a natural burial ground.

### Provincial Cemetery License

[The Bereavement Authority of Ontario \(BAO\)](#) is the governing body responsible for reviewing and enforcing [the Funeral, Burial and Cremations Act](#). The BAO approves new cemeteries and regularly monitors your books to ensure that:

- 40% of each plot sale goes into the cemetery's Maintenance Fund
- A small amount of each sale also goes to the BAO
- Oversight of the pre-need sales are well documented and protected
- The Maintenance Fund is in good order
- The cemetery bylaws are being followed

No one in Ontario can launch or run a cemetery in Ontario without a cemetery license. BAO issues those licenses. The BAO will ask for:

- An indication of municipal approval for the cemetery
- Plot map
- cemetery bylaws
- maintenance, pricing, and more. You may be the first stand-alone natural burial ground to submit an application to the BAO. We have to hope they are open minded in accommodating an entirely different idea of a cemetery, because natural burial grounds bare little resemblance to the conventional cemeteries.

Here's the link to the BAO application. Two forms are required: Application for cemetery operator's license and Application for Consent to Establish, Alter or Increase the Capacity of a Cemetery. <https://thebao.ca/for-professionals/cemeteries-crematoriums/forms/>

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**The Maintenance Fund**

To become a licensed cemetery, one requirement is a Maintenance Fund. The cemetery holds this fund in trust. The sum of this fund is set by the BAO and depends on the size of the cemetery and other factors. The maximum fund requirement starting in 2022 is \$165,000. The Maintenance Fund is intended as a safeguard that the municipality can use if the cemetery closes and it has to maintain upkeep of the cemetery. Natural burial grounds are a fraction of the cost of conventional cemeteries to maintain. In essence, they are maintained by mother nature. NBA is challenging the 65% increase in the Maintenance Fund. As well, while initially the BAO expressed openness in accommodating a lower fee given the lower costs, they appear to have reneged on this.

The cemetery operates off the interest from the fund, and 60% of each plot sale. 40% of the sale of each plot (known as the maintenance fee) must by law be deposited into the fund. Updates in the legislation do allow for access to the capital.

**Your Vision**

Natural burial grounds offer a chance for someone to leave this earth in a way that is natural and nourishes the soil. That's what goes on beneath the ground. Above ground there's so much opportunity to support the eco-system. Perhaps you partner with a local land trust or an arborist. What about an artist to create a communal marker and other enhancements? Bee hives, butterfly pollinators are also prevalent in natural burial grounds. What about bird feeders? Create a plan to restore, maintain and preserve the natural habitat. One of the reasons people like natural burial is because they like the idea that their very presence helps to preserve the land in its natural habitat forever. Consider how you would like to structure your cemetery; non-profit, co-op?

**Local Resources**

Wait until you discover the support you will have! Many like minded groups will be happy to spread the word, and potentially help with the fundraising. Reach out to them. As well, while many funeral homes haven't embraced the idea of natural burials and natural burial grounds, others are supportive. Feel out your local funeral homes. Your natural burial ground could bring them business and make them more relevant in their community. You could partner with a conventional cemetery that's already set up in your community. That way, if their Maintenance Fund is in good standing, you don't need the \$165,000 initial Care Fund.

**FINANCIAL CONSIDERATIONS** Here are some costs to earmark:

- Landscaping (you need a landscaping plan to show the municipality and BAO)
- Hydro-geological study
- Start up costs for infrastructure (that could be as minimal as a small, un-paved parking lot, trails, and washrooms).
- Website and marketing costs

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### How the Natural Burial Association Can Help

We are a volunteer run organization whose mandate is to foster the creation of natural burial grounds in Ontario. There's so much learning necessary to get a natural burial ground up and running, our goal is to arm individuals and local communities with information so everyone has some tools to begin the task. There's still going to be lots of work, and each situation is different but we are here to help share learning.

Here's how we can help you:

- Our website offers tons of information on what natural burial grounds are, with a list of sites in Ontario (that are truly natural burial grounds – not green wash), and about 30 answers to the commonly asked questions about natural burial. There's also a pamphlet people can print to get the conversation going with their loved ones. Familiarize yourself with the site and encourage others to visit.
- Let us know you want to start a natural burial ground. Our website gets thousands of visitors every month and the first page they visit is the page about Ontario. We will add your project to the list.
- We are collecting not just names but postal codes of everyone interested in natural burial (via our [e-news sign-up](#)). Your municipal application may involve public input (eg, town halls). The Natural Burial Association will help to rally your supporters, and help you prepare for public discussions.
- In addition to building awareness of natural burial around the province, NBA creates marketing campaigns in support of local initiatives. These are strategically timed when you need the most support.
- The Natural Burial Association also hopes to promote legislative change that will make NBG's easier to create. The current laws make no distinction between natural burial (traditional) and conventional burial (grave markers, mowed lawn, etc). We'd like to create a distinction between traditional and conventional burial in order that the initial fund requirement can be lower. After all, natural burials are a fraction of a cost to maintain compared to conventional burials.
- We are advocating for a law allowing for grave re-use. It's already practiced in Quebec and many other places worldwide. With grave re-use, the cemetery can always be financially sustainable – which in turn will be attractive to municipalities.
- Keep in touch with us and let us know your goals. We might be able to put you in touch with people in the sector who can help you jump the hurdles that may come your way.

The Natural Burial Association

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