



COLUMBARIA POLICY

Niche burials are becoming an increasingly popular interment choice within the bereavement sector and, as a consequence, there is a growing trend to construct columbaria within church buildings, as well as on church grounds. Only the latter location is acceptable and permitted.

The *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c.33 (the “Act”) treats columbaria the same as cemeteries, in that when they can no longer financially support themselves, the property owner and subsequently the municipality must assume the responsibility for care and maintenance.

Under the Act, Regulation 30/11, ‘Care and Maintenance Fund or Account’, section 168, states that when cemetery plot rights are sold, the greater amount of either forty percent (40%) of the amount paid for said rights or \$150.00 (in the case of an in-ground grave that is smaller than 2.23 square metres or 24 square feet) shall be paid into a Trust Fund, the interest of which is paid to the cemetery operator (ex. Cemetery Board) and is to be used for the day-to-day care and maintenance of said cemetery. However, when rights to a niche or compartment in a columbarium are sold, the greater of either fifteen percent (15%) of the amount paid for said rights or \$100.00 shall be paid into a Trust Fund. The principal or capital portion of the Trust Fund is kept in perpetuity for future use.

The remaining portion of the amount paid for said rights can be used by the cemetery operator only for the prescribed purposes and in accordance with the prescribed rules.

PLACEMENT AND CONSTRUCTION – PROCESS:

1. Columbaria on church property must be freestanding and moveable so as to mitigate against the expense that would arise to relocate and/or re-establish a columbarium from church property in the event that the church should be closed, partially or fully destroyed, or damaged.
2. Prior to the building of a columbarium, there must be written approval from Parish Vestry, Diocesan Council as per Canon 6, the municipality thereof, and The Ministry of Consumer Services, under the Act and Regulations (as amended).
3. When approval for the building of a columbarium is given, full regard for the viability, particularly financial viability, of the said parish will be a consideration.
4. When columbarium rights are sold, whether to a parishioner or otherwise, the grantee (rights holder) or family, or heir, will be kept abreast annually of any church business or trends that may affect the columbarium, and in particular the financial situation of the said parish, in written form.
5. When columbarium rights are sold, in addition to all statutory requirements, a further fifteen percent (15%) or \$100.00 of the monies received for said rights, whichever is greater, will be set aside with the Diocese, for possible future relocation of the said columbarium.

For additional resources, please see the Diocese of Toronto website:

<http://www.toronto.anglican.ca/parish-administration/real-estate/church-property/cemeteries/>