RECOMMENDATION
THAT Report RCP 19-33 Cemetery By-Law 3640 Violation be received;

AND THAT Council support the recommendation from the Parks, Beautification & Cemetery Advisory Committee to adhere to the Cemetery By-Law #3640 and direct the removal of a wooden pergola which was installed over a monument within the Cemetery without prior authorization from the Town.

EXECUTIVE SUMMARY
The Parks, Beautification & Cemetery Advisory Committee (PBCAC) recommends that Council adhere to the Cemetery By-Law #3640 and directs the removal of a wooden pergola which was installed over a monument within the Cemetery without prior authorization from the Town.

BACKGROUND
The following background information was presented to the PBCAC committee.
On June 11, 2019, Cemetery staff observed a wooden pergola that had been constructed within the Cemetery. The pergola was built over the Lonsbary family monument without prior communication and/or approval from the Town. This issue was reviewed within the Recreation, Culture & Parks Leadership team. On June 12, 2019, Corey Hill, Manager of Parks & Facilities, spoke with Les Lonsbary about the pergola. Mr. Lonsbary acknowledged that he built the structure and that he did not seek prior permission and/or approval from the Cemetery Office or any Town Staff. Staff explained that the pergola was deemed to be “not in keeping with the respect and dignity” of the Cemetery as per Cemetery By-Law #3640, section “F” and as such, requested Mr. Lonsbary to remove the structure. Mr. Lonsbary replied that he would not be removing the pergola and requested the process to challenge the By-Law interpretation. Staff explained that the By-Law permitted Town Staff to remove the structure right away, however given the sensitivity of the location Staff would leave the pergola in place until this matter had been more formally addressed.

The matter of the pergola was addressed at the PBCAC meeting on July 4, 2019. Committee members discussed concerns including wanting a consistent look to the Cemetery, that wooden structures and memorial/monuments are not permitted as per the By-Law, that there was no advanced permission and/or approval obtained prior to building the structure, that this may set a
precedent and more structures could appear in the Cemetery and that the pergola was not in keeping with the respect and dignity of the Cemetery.

The PBCAC passed the following resolution:

“THAT The Parks, Beautification & Cemetery Advisory Committee recommends Council adhere to the Cemetery By-Law #3640 and direct the removal of a wooden pergola which was installed over a monument within the Cemetery without prior authorization from the Town”.

CONSULTATION/COMMUNICATION
The item was reviewed at the PBCAC on July 4, 2019. Mr.Lonsbury was in attendance and was given the opportunity to speak to the PBCAC regarding his interpretation of the Cemetery By-Law #3640 and to address the Committee’s concerns.

FINANCIAL IMPACT/FUNDING SOURCE
N/A

COMMUNITY STRATEGIC PLAN (CSP) IMPACT
N/A