



“HOW-TO” GUIDE FOR GREEN BURIAL IN NOVA SCOTIA

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INTRODUCTION

This document is intended to be an introduction for those interested in exploring the establishment of a green burial site in Nova Scotia. It is not a comprehensive guide to “everything you need to know about green burial”, nor will it provide details about starting a new business. Rather it is a starting point, and it focuses on some specific information for this province. Extensive information and resources about green burial can be found on two excellent websites for the [Green Burial Society of Canada](#) (GBSC) and the [Green Burial Council](#) (GBC) in the US. We urge you to devote time to exploring both of those sites. The GBC site has many excellent resources and training materials covering all aspects of green burial, and the GBSC site describes their certification program.

THE FIVE PRINCIPLES OF GREEN BURIAL

The GBSC describes five essential criteria to qualify an interment as a ‘green burial’ and we provide them here as an introduction to the approach.

1. No Embalming

Human remains are prepared for green burial without embalming. Decomposition is nature’s way of recycling a body. From this perspective, families who choose green burial regard embalming as a highly invasive, unnatural and unnecessary practice. Human remains that are not embalmed can still be prepared for burial and viewing. With refrigeration and the use of topical (external) application of environmentally sensitive soaps, lotions and disinfection agents, human remains can, without embalming, be prepared and dressed for a dignified viewing.

2. Direct Earth Burial

Un-embalmed remains can be wrapped in a shroud made of natural, biodegradable fibres or placed in a casket or alternative form of container made of sustainable and fully biodegradable materials. In ideal circumstances, shrouds and/or caskets will be locally sourced, from as close as possible to the deceased’s place of death and green burial location.

No outside grave liner or protective vault is used in green burials. Shrouded and/or casketed bodies are buried directly into the ground.

3. Ecological Restoration & Conservation

Once a green burial has been completed, and time allowed for the ground to settle, the surface can be planted with locally indigenous plant materials, using a combination of groundcover, shrubs, and trees. Planting will normally be done according to a pre-established planting plan designed to optimize the creation, enhancement, and integration of the interment area into the greater local eco-system.

Sensitivity to and protection of the growing and established eco-system of the interment area is essential. Thus, visitation of individual graves is discouraged and may eventually be prohibited. Visitation of the interment area is managed through the sensitive placement of walking paths and the occasional bench, optimally placed adjacent to the communal memorial for the site.

Site preservation and perpetual protection is a key component of this principle of green burial. A combination of the use of covenants, protective easements and other enforceable guarantees made by the green burial cemetery operator are put in place to ensure the site will never be repurposed and the natural eco-system protected – in perpetuity.

4. Communal Memorialization

Use of individual memorials is discouraged in green burial. Instead, communal memorialization, again using naturally sourced materials, is placed in the green burial cemetery (or cemetery section) and only simple, basic inscriptions are made. Ultimately it is the green burial site as whole that becomes a living memorial to the persons interred there.

5. Optimize Land Use

A well-planned green burial cemetery (or cemetery section) will optimize the land it occupies. Design elements will include minimal installation of infrastructure, temporary roads that can be removed and converted into interment lots, operationally pragmatic grave dimensions and section lot plans that maximize interment capacity.

Border or surplus zones of a green burial cemetery or section, where interment of bodies cannot be accommodated may be used for green burial of cremated remains using surface or sub-surface disposition methods.

GOVERNING BODIES & CERTIFICATION

Various levels of government in Nova Scotia, as well as local and municipal groups and societies work together to define end-of-life care that people can expect to receive. All those involved in green burial are required to follow existing laws and regulations in their jurisdiction. Some of the main sources of information and support are listed here.

PROVINCIAL GOVERNMENT OF NOVA SCOTIA – RELEVANT ACTS

There are no laws in Nova Scotia that specifically address green burial – it is not mentioned in any Act. However, under existing legislation, green burial is considered to be no different than conventional burial including activities such as care and transport of human remains, and arrangements for burial. The same Acts and regulations that apply to conventional burial also apply to green burial.

Nova Scotia has several documents that define burial practices in the province. The primary document, that most other legislation refers to, is the [Cemetery and Funeral Services Act](#). This Act sets standards for business practices and outlines all activities that regulate a business – read it carefully! Under this Act, a cemetery is defined as any land which is designated or used as a place for burial and includes a structure for the permanent placement of human remains. These areas must be appropriately zoned and meet criteria outlined by the province and municipality. Guides for obtaining permits, who may possess, maintain, and sell lots, etc. are contained within this Act. The content is not repeated here – please visit the [Cemetery and Funeral Services Act](#) website for current information and review it in detail.

Note that the Cemetery and Funeral Services Act requires that operators obtain a cemetery license (although a few types of cemeteries do not require one – see following section). The steps are outlined on the provincial website, and to give you an introduction, some of the steps are to:

- Establish a perpetual care fund
- File a lot plan with the Registrar
- Create and maintain a register
- File cemetery by-laws with the Registrar
- Pass a licensing pre-inspection
- Receive approval from the Department of the Environment (although their site does not have details of what is required for this – a professional engineer can help)
- Receive approval from the municipality.

One important point in the Act to note about the lot plan of a cemetery that must be filed – it must be drawn to scale, showing the location and dimensions of every lot, walk, fence, road, watercourse and building in the cemetery and the adjoining roads and compass bearings. Every plan of (a) a cemetery that contains three or more acres of land or of an extension to an existing cemetery that contains three or more acres of land; and (b) a cemetery operated for gain or profit shall be prepared by and the land shall be surveyed and subdivided by a Nova Scotia land surveyor or a professional engineer.

Several other sites to review include:

[Cemetery and Monuments Protection Act](#)

[Cemetery and Funeral Services Regulations](#)

[Obtaining a Cemetery and Funeral Salesperson License \(NS\)](#)

OBTAINING A CEMETERY LICENCE

According to the Cemetery and Funeral Services Act, the following types of cemeteries do NOT require Cemetery and Cemetery Sales Licenses:

- city, incorporated town, municipal or county cemetery
- church cemetery
- non-profit cemetery containing less than 1,500 lots

However, by law, you need a licence to sell pre-need cemetery plans. You must have a [Cemetery and Cemetery Sales License](#) if you are a for-profit company that sells cemetery lots or cemetery lots and pre-need cemetery plans, or if you are a not-for-profit company with 1500 or more lots.

CONSERVATION CEMETERY

Cemeteries for green burial that seek to have the GBSC Conservation designation will require a conservation easement. This means the land must meet provincial criteria for protection. A piece of property cannot be designated as a conservation site just because the owner would like it to be conserved – criteria for protection are clear. Review the [Conservation Easement Act](#) carefully if this is part of your plans.

[The Nova Scotia Department of Lands and Forests website](#) states the following:

“One way a private landowner can protect their land is through a conservation easement - a legally binding agreement between a landowner and a conservation organization (such as a land trust) or government conservation agency that attaches to the title to the land. The land remains the private

property of the owner and the decision to place a conservation easement on a property is strictly a voluntary one, however once the easement is in place it restricts future use of the land. Development restrictions contained in the agreement are registered with the property deed and apply to both current and future landowners. Generally, a Conservation Easement is made for the purpose of protecting, restoring or enhancing land that contains rare or outstanding species, important habitats, natural ecosystems, landforms, or landscapes that the owner and the province would like to protect for future generations”.

INDIVIDUAL COUNTY AND MUNICIPALITY BYLAWS IN NOVA SCOTIA

Nova Scotia has eighteen counties and many municipalities. While counties generally do not have their own bylaws, individual municipalities will often have zoning requirements and legal definitions that must be adhered to. Guidelines from federal to municipal governments must be followed, and any questions should be directed to the correct authorities or answered via mentors and others who have followed a similar path to the creation of a green burial site (see “Networking”). Municipal bylaws can often be accessed by doing a web search such as “<City/Town> cemetery bylaw.”

GENERAL ENVIRONMENTAL REQUIREMENTS

Although an environmental assessment is not required for certification, it is necessary to align with the principles of green burial. That is, ideal conditions that facilitate timely decomposition are encouraged, and possible interference of the surrounding environment from human decomposition should be mitigated.

<p>Environmental consulting companies reliably provide the necessary service – it is recommended that interested persons discuss the scope and cost of such work with various consulting firms. College and university environmental science departments may also be able to provide environmental inventories at a reasonable rate.</p>
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CERTIFICATION WITH GREEN BURIAL SOCIETY OF CANADA

Certification with the GBSC is optional but encouraged. Although you do not need certification to have green burial practices, certification prevents “greenwashing” and encourages consistency and reliability across industry, so it is seen as an important goal.

There is no reason why the plans we make around our own burial cannot be in keeping with practices that are supportive of nature and mindful of the environment.

There are four categories of *Green Burial Society of Canada Approved Provider* certification with increasing levels of sustainability and specific requirements. Some categories are available to current cemetery providers, and others can stand alone. Decide which certification you would like to strive for – this will help guide the development of your green burial cemetery. The [GBSC](#) site provides details and a summary is provided here to introduce the categories.

APPROVED PROVIDER CRITERIA FOR CERTIFICATION

1. Green Service Provider

A suitable piece of land can be inside or adjacent to a traditional cemetery, or it could be a new plot elsewhere. Green burials can be incorporated between traditional graves or wherever space permits. However, this may not be feasible in historic cemeteries where record keeping of plot locations may not be reliable. Land used for green burials can be of any size and can be considered marginal, i.e., unfit specifically for traditional burials. Easements or commitments of use are required for the three green burial land types described here, so ensure that you are willing to pursue this need. Note that the following three types must ALL meet the criteria for being a Green Service Provider first.

2. Small Green Burial Cemetery

These meet the requirements of a Provider and have suitable land in an existing cemetery that is exclusive for green burial and is between a quarter of an acre to one acre in size. It must also meet 8 other criteria on a list of 14 criteria.

3. Large Green Burial Cemetery

These also meet the requirements of a Provider and have a cemetery (or sections in a traditional cemetery) exclusively for green burials and are at least 1 acre in size and meet 10 other criteria.

4. Green Burial Conservation Cemetery

These also meet the requirements of a Provider and 12 additional criteria. A suitable piece of land is stand alone, i.e., not within a traditional cemetery, and used exclusively for green burials. These cemeteries also require a conservation easement, protecting against future change of use.

The "[Approved Provider Application](#)" on the GBSC website can be sent to them with the application fee and, if possible, supporting photos of the land and documentation. You will be asked to provide a list of applicable Green Cemetery Bylaws in your proposed area, and Price List of services offered. You will then be contacted by the GBSC Vetting Committee.

New Land Purchase

Each Nova Scotia municipality has their own land use bylaws, except for the Halifax Regional Municipality which has 22 "community plan areas" with differing land use bylaws and policies. Regardless, the information needed to determine whether a green burial cemetery can be created on the land in question is easily accessible; on the municipality website there are zoning maps to determine which zone the land falls under, and land use bylaw documents to see the specific regulations for that zone. The permitted land use outlined in the bylaws for the zone should include "cemetery", "community service", or "conservation". You should be very clear that green burial will be permitted before proceeding.

Land Already in Your Possession

Review the zone's development requirements outlined in the municipal land use bylaws to ensure that incorporation of a green burial cemetery is feasible; that is, that the proposed location of the green burial cemetery or section within a pre-existing traditional cemetery will be in accordance with setbacks and other requirements. You can also request this information in a Zoning Confirmation Letter from the municipality for free or a fee, depending on the municipality. A call to the municipal planning office may be helpful.

OTHER CONSIDERATIONS FOR STARTING A NEW OPERATION

Starting a new business requires careful planning. In addition to studying the specifics of the relevant Acts, regulations and guidelines, and learning about green burial, you will need to consider financial and human resources, operational needs, and marketing and sales. We cannot address these topics here, but some helpful resources follow.

JOINT STOCK COMPANIES REGISTRY

Most businesses and non-profits operating in Nova Scotia must register with the [Registry of Joint Stock Companies](#). Their website explains the various business structures, how to reserve a name and how to register a non-profit.

BUSINESS START-UP SUPPORT

If you are starting a new business, there are many free resources available to help with the process. Most chartered banks and the [Business Development Bank of Canada](#) have extensive free resources on their websites. The [Government of Canada](#) also has start-up guides and checklists for first-time businesses in Canada. [Starting a small business in Nova Scotia](#), the [Forum for Women Entrepreneurs](#), and [Nova Scotia Business Inc.](#) are other useful sites to explore.

DEVELOPMENT & INFRASTRUCTURE

You also need to consider property and operational needs for:

- Roads and parking
- Buildings and other facilities
- Grave digging and other service
- Other equipment
- Ongoing maintenance and property enhancements.

NETWORKING, SALES & MARKETING

You will need to develop a marketing and sales plan and establish relationships with a range of community groups. Some to consider are

- Local funeral homes
- Religious organizations
- Lobby groups for sustainable development
- Local government officials – municipal and provincial
- Ecology Action Centre
- Local cemetery owners
- Community business development groups
- And of course, Green Burial Nova Scotia!