

Strata Living

Headline: Strata council discovery of cremated remains brings up cultural issues

Topic: Death

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Dear Tony: Our strata corporation is a high rise building in Vancouver. The question we have and the subject are a bit creepy, so I am not going to identify how many floors or units as we do not want our building identified. One of our roof top planters was not draining during the recent rain, so we had to remove the plants and the soil to find the problem, which turned out to be a root that had overgrown the drain. That part was simple, but our caretaker also discovered and identified cremated remains that were dumped into the planter. We put up a notice in our building, and a few owners privately came forward to admit they had placed the remains of their pets, and one owner had placed the remains of her mother in the planter. The roof top garden is very popular in our community so we understand the sentiment; however, we would like to ensure that we are not violating any laws. Any help would be valuable. Thanks ,

Marie

Dear Marie: The disposition of human remains in British Columbia is regulated under the Cremation, Interment and Funeral Services Act. We are not permitted to dispose of cremated human remains on public property, and on private property we require the consent of the property owner.

As a strata corporation, the property owner is the strata corporation, which at the very least would require the consent of the owners; however, access to the property is gained by both the residents and the public which has the potential for debate.

There are strata corporations across the province, who have designated landscape areas as memorial gardens for past residents and their pets; however, they have also obtained the consent of their owners to permits the interment of the cremated remains and the specific location of placement, either scattered or in appropriate containers. We have people of many cultures and many faiths in our province, and it is important to respect their wishes and practices as well as the requests of others. The interment of the deceased is not the same for every culture. To avoid offending any party, violating any traditions, or creating the potential for a claim against the strata corporation, your council should seek legal advice on the consideration of a facility on the property to inter remains, before you proceed.

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