



**REGIONAL DISTRICT OF CENTRAL OKANAGAN
ELECTORAL AREA SERVICES COMMITTEE
AGENDA**

Thursday, June 5, 2025
10:30 a.m.
Woodhaven Board Room
1450 K.L.O. Road, Kelowna, BC

Pages

1. CALL TO ORDER

Chair to call the meeting to order.

As an open meeting, a live audio-video feed is being broadcast and recorded on rdco.com.

2. LAND ACKNOWLEDGEMENT

The RDCO acknowledges our presence on the traditional, ancestral, and unceded tm̓x̌wúlaʔx̌w (land) of the syilx / Okanagan people who have resided here since time immemorial. We recognize, honour, and respect the syilx / Okanagan lands upon which we live, work, and play.

3. ADOPTION OF AGENDA

To adopt the June 5, 2025, Electoral Area Services Committee meeting agenda.

4. ADOPTION OF MINUTES

3 - 6

To adopt the January 30, 2025, Electoral Area Services Committee meeting minutes.

5. DELEGATIONS

**5.1 Jason Amer and Catherine Middleton - Delegation
Presentation regarding short term rentals in legal
suites**

15 m

7 - 20

Presented by Jason Amer.

6. LOCAL AREA SERVICES

6.1	Short-Term Rental Current Regulation Status	20 m	21 - 35
	To provide an overview of the RDCO's Short Term Rental regulations and recent provincial legislation changes.		
6.2	Antenna Systems Siting Consultation Policy	20 m	36 - 60
	To review a proposed Antenna Systems Siting Consultation Board Policy and consider forwarding it to the Regional Board for approval.		
6.3	Transfer Station Improvements - Financial Implications	20 m	61 - 106
	To seek endorsement from the EASC regarding Transfer Station improvements before preparing to incorporate these costs into the Financial Plan for Board consideration.		
6.4	Open Burning	15 m	107 - 164
	To review legislation, policy and other constraints limiting open burning.		

7. ADVOCACY

7.1	Letter to Minister of Transportation and Transit - Community Concerns with Road Conditions in Upper Fintry	5 m	165 - 166
	To consider recommending the Regional Board send a letter to the Minister of Transportation and Transit (MOTT) citing concerns with the road dust in Upper Fintry.		

8. CORPORATE SERVICES

8.1	Resolution to Schedule a Committee Meeting for July 9, 2025	5 m	167
	To schedule an Electoral Area Services Committee meeting for July 9, 2025.		

9. ADJOURN



Electoral Area Services Committee Meeting Minutes

Date: Thursday, January 30, 2025
Time: 10:30 a.m.
Location: Woodhaven Board Room
1450 K.L.O. Road, Kelowna, BC

Committee Members: Director K. Kraft, Chair
Director W. Carson, Vice-Chair
Director P. Van Minsel
Director Loyal Wooldridge *
Councillor A. Alexander* (Alternate for A. Derrickson)

Committee Members (absent) Councillor A. Derrickson

Staff: S. Ginter, CAO
C. Griffiths, Corporate Officer
J. Foster, Director of Communications
T. McCabe, Director of Finance
D. Noble-Brandt, Director of Development and Engineering Services
T. Kendel, Associate Director of Engineering
M. VanZerr*, Manager of Regional Planning
S. Horning, Deputy Corporate Officer
S. Ballan-Brown, Corporate Services Executive Assistant (Recording Secretary)

*Denotes partial attendance

1. **CALL TO ORDER**

The Corporate Officer called the meeting to order at 10:33 am and noted as an open meeting, a live audio-visual feed is being broadcast and recorded on rdco.com.

2. LAND ACKNOWLEDGEMENT

The Corporate Officer acknowledged our presence on the traditional, ancestral, and unceded tñxwúla?xw (land) of the syilx / Okanagan people who have resided here since time immemorial. We recognize, honour, and respect the syilx / Okanagan lands upon which we live, work, and play.

3. ELECTION OF THE CHAIR & VICE CHAIR

The Corporate Officer called for nominations for Chair of the Electoral Area Services Committee.

Director Kraft was nominated by Director Carson and seconded by Director Wooldridge. Director Kraft accepted the nomination.

The Corporate Officer called for further nominations and there being none, nominations were closed.

Director Kraft was declared elected as the Chair of the Committee for 2025 by acclamation.

The Corporate Officer called for nominations for Vice Chair of the Electoral Area Services Committee.

Director Carson was nominated by Director Kraft and seconded by Director Van Minsel. Director Carson accepted the nomination.

The Corporate Officer called for further nominations and there being none, nominations were closed.

Director Carson was declared elected as the Vice Chair of the Committee for 2025 by acclamation.

Director Kraft took over as Chair of the meeting at 10:37 am.

4. ADOPTION OF AGENDA

WOOLDRIDGE/ CARSON

THAT the January 30, 2025, Electoral Area Services Committee meeting agenda be adopted.

CARRIED

5. **ADOPTION OF MINUTES**

WOOLDRIDGE/ CARSON

THAT the December 12, 2024 minutes of the Electoral Area Service Committee be adopted.

CARRIED

6. **DELEGATIONS**

6.1 BC Transit - Delegation Presentation

Bart Walman, Manager of Government Relations, BC Transit presented an overview of the service and responded to questions from the Committee.

WOOLDRIDGE/ CARSON

THAT the Electoral Area Services Committee receives the January 30, 2025, BC Transit delegation presentation, for information.

CARRIED

6.2 North Westside Community Association - Delegation Presentation regarding the North Westside Waste Transfer Station

Councillor Alexander joined the meeting at 10:58 a.m.

Josh Galloway, President, North Westside Community Association, provided a presentation regarding the North Westside Waste Transfer Station and responded to questions from the Committee.

Staff responded to questions from the Committee.

Director Wooldridge left the meeting at 11:25 a.m.

CARSON/ VAN MINSEL

THAT the Electoral Area Services Committee receives for information the January 30, 2025, delegation presentation from the North Westside Community Association regarding the North Westside Waste Transfer Station.

CARRIED

7. **ADVOCACY**

7.1 Inclusive Regional Governance Update

The CAO presented an update on the progress of the Intergovernmental Working Group and the progress on the Board's strategy priority of Inclusive Regional Governance and responded to questions from the Committee.

The CAO noted that Julia Buck, Westbank First Nation, was in attendance as a representative of the Intergovernmental Working Group.

VAN MINSEL/ CARSON

THAT the Electoral Area Services Committee receives the Inclusive Governance Update from the Chief Administrative Officer dated January 30, 2025 for information.

CARRIED

8. **ADJOURN**

The January 30, 2025, Electoral Area Services Committee adjourned at 11:48 a.m.

C. Griffiths, Corporate Officer

Director K. Kraft, Chair

APPENDIX 1

DELEGATION REQUEST FORM

Name of person or group wishing to appear:	
JASON AMER	
CATHERINE MIDDLETON	
Subject of presentation:	
BUSINESS LICENCES FOR SHORT-TERM OCCUPANCY ACCOMMODATIONS (STOA) FOR LEGAL SECONDARY SUITES	
Purpose of presentation:	<input checked="" type="checkbox"/> Information only <input type="checkbox"/> Requesting a letter of support <input type="checkbox"/> Requesting funding <input checked="" type="checkbox"/> Other (provide details below)
DISCUSS IMPORTANCE OF ALLOWING STOA IN THE REGION.	
Contact person (if different than above):	
Telephone number:	Email address:
Meeting and date requested:	
KELOWNA AREA SERVICES COMMITTEE JUNE 5, 2025	
Technical requirements:	
Will you be using a PowerPoint presentation <input type="checkbox"/> Yes	
If yes, you are required to submit prior to the meeting or bring the presentation on a memory stick.	
If your software requirements are not compatible with the Regional District's you will be unable to use an electronic presentation.	
For more information contact: Corporate Services 1450 K.L.O. Road Kelowna, B.C. V1W 3Z4 Telephone: (250) 469-6224 Fax: (250) 763-0606 www.regionaldistrict.com	

To facilitate constructive and effective public engagement, the following information is provided:

1. A ten-minute time limit is necessary regardless of how many people will speak. Try to leave time for questions.
2. Name of person &/or group and subject will be published on the agenda (available to public and on website)
3. You are required to provide supporting documentation to be published in the agenda (no later than the Tuesday of the week prior to the meeting). If using PowerPoint, it is to be provided in advance and will be pre-loaded on the Regional District's computer.
4. Direct your presentation to the Regional Board or Board Committee.
5. Use the microphone provided.
6. Participate with integrity. A collaborative and respectful approach is appreciated.
7. Be concise.
8. Do not expect an immediate answer – your issue may be referred to staff for more information or to another meeting for further consideration.
9. Delegations regarding any aspect of an Official Community Plan or a Zoning application are prohibited between the conclusion of Public Hearing and Adoption of the Bylaw.
10. Your presentation may not be on the date requested due to prior commitments or staff resources. Your delegation is not confirmed until you are contacted by RDCO staff to confirm your place on the agenda.

Helpful Suggestions:

Arrive in advance of the meeting start time as delegations are heard as one of the first items of business.
 Turn off cell phones and pagers.
 Be prepared.
 Have purpose.
 Support your position with facts.
 Consider the big picture, as many issues are inter-related and shouldn't be considered in isolation.
 State your request, if any.
 Provide the Recording Secretary with any relevant notes if not handed out or published in the agenda.

I understand and agree to these rules for delegations:

JASON AMER

APRIL 8, 2025
 Date

Name of Group

For Office Use Only

☒ **Approved**

☐ **Declined**

☐ **Other**

By (signature):

Corie Griffiths

**Corie Griffiths
 Corporate Officer**

Regional District of Central Okanagan

Appearance date (if applicable): June 5, 2025

Applicant informed of decision on (date):

April 23 2025

By (signature):

Corie Griffiths

Date:

2025-23-04

Advocating for Short-Term
Accommodation Use
Amendments: *Enhancing
Community Growth and Tourism
in the RDCO*

*...boosting the local economy and
tourism through strategic planning*

Electoral Area Services Committee
Meeting Delegation Presentation

Presented by: Jason Amer
June 5, 2025



The Regional District of Central Okanagan (RDCO) features stunning natural landscapes, extensive parkland, and numerous tourist attractions, yet current land use bylaws restrict short-term accommodations in single-family homes, secondary suites, and accessory dwellings.

This presentation advocates for amendments to these bylaws to enhance community growth, support tourism, and provide residents with greater flexibility in managing their properties, particularly considering recent challenges such as the loss of key accommodation facilities due to wildfire damage.



Current Short-Term Accommodation Land Use Bylaws

In the Regional District of Central Okanagan (RDCO), short-term accommodations are only authorized on properties where such use is explicitly allowed under Zoning Bylaw No. 871 or Joe Rich Rural Land Use Bylaw No. 1195. Currently, short-term accommodation categories include:

- Dedicated commercial resort areas (such as La Casa Resort)
- Bed and Breakfast (B&B) accommodations
- Agri-Tourist accommodations

However, RDCO land use bylaws do not permit short-term accommodation uses in single-family dwellings (except for bed and breakfast accommodation), secondary suites or accessory homes.

Challenges with the Current Land Use Bylaws



The RDCO's land use bylaws regarding short-term accommodations were established without direct engagement from residents of the rural communities.



This lack of consultation raises concerns about the representation of rural voices in the decision-making process. While the bylaws focus on designated areas such as resorts and B&Bs, they do not permit similar uses in single-family homes or secondary suites.

Challenges with the Current Land Use Bylaws

Rural vs. Urban Considerations

Urban Approach

Current regulations apply urban-style restrictions to rural areas

- Strict zoning limitations
- Focus on long-term rentals
- Limited flexibility for property owners
- One-size-fits-all regulations

Rural Reality

Rural communities have different needs and contexts

- ✓ Seasonal tourism patterns
- ✓ Limited long-term rental viability
- ✓ Need for property use flexibility
- ✓ Support from electoral area directors

Rural residents outside city boundaries are frustrated by restrictions that don't fit their lifestyle and economic needs. The disconnect between urban-focused regulations and rural realities creates barriers to community growth and economic development.

Lack of Short-Term Accommodations

The recent destruction of Lake Okanagan Resort by the McDougall Creek wildfire in August 2023 has drastically reduced short-term accommodation options in the West Electoral Area.

This resort was a key lodging source for tourists, and its loss creates a significant gap in the area's rental market.



Lack of Short-Term Accommodations



Currently, La Casa Resort is the only available option for short-term accommodations in the West Electoral District, classified as a "Dedicated Commercial Resort Area."

We seek to extend similar advantages to other regions within the RDCO that residents of La Casa Resort enjoy.

RDCO's Tourism Potential

30

Regional Parks

Spread across 2,100
hectares of pristine natural
landscape

86km

Trail Network

Designated trails for
hiking, biking, and
outdoor recreation

10

Lake Access Points

Parks with direct access to lakes for water
activities

Despite these impressive natural attractions that draw visitors year-round, the RDCO lacks sufficient accommodation options to capitalize on tourism opportunities. This gap limits our ability to leverage these assets for economic growth and community development.

Economic Benefits of Short-Term Rentals

Additional Income

Provides residents with supplemental income opportunities

Local Business Support

Tourists patronize local shops, restaurants, and services

Community Growth

Attracts visitors and potential new residents/businesses

Tax Revenue

Licensing system would contribute to local tax base



Establishing short-term rentals would enhance local tourism and provide economic benefits throughout the community. With domestic tourism expected to rise, particularly with fewer Canadians traveling to the U.S., the RDCO needs to position itself to capitalize on this opportunity.

Proposed Balanced Approach



We propose amendments to land use bylaws that permit short-term accommodations while maintaining neighborhood integrity. This includes regulations to ensure rentals don't negatively impact residential areas, such as limiting the number of units and enforcing noise levels.

Community consultation is essential to ensure regulations address local concerns and reflect the unique context of rural communities. The approach should integrate with existing zoning while providing the flexibility needed for rural property owners.

Embracing Short-Term Accommodations in the Okanagan

In British Columbia, several rural cities, particularly within the Okanagan region, have embraced short-term accommodations in single-family dwellings, secondary suites, and accessory homes. Notably, **Osoyoos** and **Penticton** stand out for their welcoming approach to short-term rentals, driven by their attractive climates and vibrant tourism sectors.

Osoyoos is renowned for its warm weather and wineries, with provisions in place for short-term rentals in residential neighborhoods, making it a popular destination for tourists seeking a relaxed getaway.

Penticton also allows short-term rental options, ensuring that community standards are upheld through specific regulations that maintain the character of the area.



Beyond the Okanagan, other notable tourist cities in British Columbia that permit short-term accommodations include Whistler, Revelstoke, Nelson, Fernie, Salt Spring Island, Tofino and Sooke.



Call to Action



Revisit Bylaws

Reconsider current land use regulations



Amend Regulations

Allow short-term rentals in appropriate settings



Implement Licensing

Establish fair oversight and revenue system



Support Growth

Enable community and tourism development

We urge the RDCO and the Electoral Area Services Committee to consider these amendments to better reflect the realities of rural living and the preferences of residents. Current regulations create "unintended consequences" for communities reliant on tourism and temporary housing.

By advocating for short-term occupancy accommodations, we align with our community's growth goals, promote tourism, and enhance our local economy, ensuring our region remains competitive and can fully benefit from its unique natural resources.



Standing Committee Report

Electoral Area Services Committee

To: Electoral Area Services Committee
From: Director of Development and Engineering Services
Date: June 5, 2025
Subject: Short-Term Rental Current Regulation Status

Objective: To provide an overview of the RDCO's Short Term Rental regulations and recent provincial legislation changes.

Background

Short-Term Rentals

Short-term rental accommodations (STRs) are defined as full or partial units made available for rent through online platforms for short durations, typically between 1 and 30 days. STRs combine elements of traditional housing and tourist accommodation. Over the past decade, their rapid growth has significantly impacted the housing and tourism markets. In the period following COVID, both housing and tourism have experienced significant pressure and market fluctuations. Since the provincial STR restrictions are recent, their full impact may not be immediately understood.

More Homes for People

In 2023, the Province introduced the *More Homes for People* strategy to address the province's housing crisis by creating more affordable and attainable homes, particularly for those who need them most. It focuses on increasing housing supply, supporting vulnerable populations, and creating a market where housing is for people who live and work in the province, rather than speculators. One of the focus areas of the strategy is to support renters by turning short-term rentals (STRs) into long-term housing options.

Short-Term Rental Accommodations Act

Effective May 1, 2024, the Province has implemented a principal residence requirement in some areas of the province which limits STRs to the host's principal residence, plus one secondary dwelling unit. Regional Districts are exempt from this requirement but can submit a request by resolution to the Minister of Housing to "opt-in" to the principal residence requirement. A local government's resolution must be submitted to the Province by March 31 of each year for the change to take effect November 1 of the same year. Currently, the Regional District of Central Okanagan (RDCO) has not opted in to this requirement and therefore does not receive provincial enforcement support.

Secondary Suites

In June 2024, the RDCO authorized secondary suites in eligible residential parcels in compliance with small-scale, multi-unit housing legislation (SSMUH). Current zoning bylaws prohibit short-term rentals (STRs) from being situated within a secondary suite.

Current RDCO Regulation

Short-term accommodation and other forms of tourist accommodation in the RDCO are only permitted on properties where the use is explicitly permitted by Zoning Bylaw No. 871 or Joe Rich Rural Land Use Bylaw No. 1195.

Short-term accommodation *uses* typically fall into three subcategories in the RDCO;

- Dedicated commercial resort areas (C5, C7, C8, RU7 zones)
- Bed and Breakfast (BnB) accommodations
- Agri-Tourist accommodations

RDCO land use bylaws do not permit short-term accommodation uses in single-family dwellings (with the exception of bed and breakfast accommodation), secondary suites or accessory homes.

Requirements for a valid bed and breakfast business license are:

- The applicant must occupy the single-detached home where the bed and breakfast operates;
- There must not be a secondary suite associated with the parcel;
- Cannot be operated in an accessory home.

Bed and breakfasts are therefore limited to guest rooms within a single-detached home that is occupied by the resident of the home. As bed and breakfasts are the only form of residential STR currently allowed in select zones in the Electoral Areas, there currently is a high volume of bed and breakfast business license applications that fail to meet either the zoning or licensing criteria.

Central Okanagan STR Regulation: Municipal Comparison

Municipality	Principal Residence Requirement	STR permitted in a suite	STR allowed in residential zone(s)	STR and BnB permitted concurrently	Additional Requirements
City of Kelowna	Yes	Yes	Yes	No	BL*, fire plan, good neighbour agreement
City of West Kelowna	Yes	Yes, except detached suites	Yes	No	BL, fire plan, parking plan, good neighbour agreement
District of Lake Country	Yes	Yes, except detached suites	Yes	No	BL, parking req's
District of Peachland	Yes	Yes, except detached suites	Yes	No	BL, parking plan, bi-annual fire inspection
RDCO Electoral Areas	Yes	No	BnB only	No	BL, fire plan

*BL = Business License

Infrastructure and Safety Considerations

The unique rural geography of Electoral West and East imposes constraints on where short-term rental activity can safely occur. When considering more permissive regulations for STRs within the Electoral Areas, the following table captures some of the servicing and safety considerations that must be considered:

Constraint	Issue	Implication
Private access roads	Emergency vehicle access	STRs may be inaccessible to personal or emergency vehicles if not maintained.
Steep driveway grade	Emergency vehicle access	Emergency vehicle access may be inaccessible due to grades > 12%.
Increased wastewater flow rates	Health risk	Septic systems may need to be upgraded to accommodate increased use by STR visitors.
Fire protection zones	Safety risk	Increase in visitors to areas not covered by a RDCO fire protection service area.
Road network volume	Increased traffic and congestion	Increased tourist traffic on roads outside RDCO authority
On-site parking	Adequate on-site parking	Sites with limited parking access could spill over into public roadways and require parking management.

Next Steps:

Short-term rentals (STRs) enable residents and property owners to engage in the region's tourism economy. However, if commercial activity is not appropriately regulated in residential, rural, and agricultural areas, STRs can disrupt neighborhoods, pose safety risks, and harm the environment when not properly managed by an owner/operator. The aim of any future policy or regulatory updates will be to ensure that STRs operate in a safe and responsible manner, without causing disruption to neighborhoods.

Should the Board direct staff to consider updates to the current regulatory regime for STR's, the following bylaws would require coordinated and comprehensive updates:

- Zoning Bylaw No. 871 and/or Joe Rich Rural Land Use Bylaw No. 1195
- Licensing and Regulation of Business Bylaw No. 1555
- Ticket Information and Utilization Bylaw No. 1537

Since all bylaws must align with the Official Community Plans (OCPs), significant work will be required to address the four OCPs and the Joe Rich Rural Land Use Bylaw. This policy review would need to assess whether specific neighborhoods or geographical areas within the Electoral Areas are more suitable for STRs or if a broader application is advisable.

Recommendation:

THAT the Electoral Area Services Committee receives the Short-Term Rental Current Regulation Status report from the Director of Development & Engineering Services dated June 5th, 2025, for information.

Respectfully submitted by: Thor Goodman, Planner I

Report Approved by: Danielle-Noble Brandt, Director of Development & Engineering Service

Approved for Agenda: Sally Ginter, Chief Administrative Officer

Attachment(s): 1. Short-term rental municipality overview
 2. Short-term rental current regulation status presentation

Municipality	Max. No. per Parcel	Bedrooms (max.)	Patrons (max.)	Parking Spaces	Health & Safety Inspections	Proof of Insurance
Kelowna	1, 2 if a lot contains a single detached dwelling and a carriage house and/or a secondary suite	3, 5 if 2 STR dwelling units apply	2/bedroom	n/a	Y	.Y
West Kelowna	1	4	2/bedroom	1 or 2 bedrooms: 1. 3 or 4 bedrooms: 2. B&B: 1/bedroom.	Y	N
Peachland	1	4	8	1/sleeping unit	Y	N
Lake Country	n/a	4	n/a	1/sleeping unit	Y	N
Vernon	2	n/a	2/sleeping unit	1/ dwelling unit	N	N
Penticton	1	n/a	6, 2/bedroom (STR high occupant: rent out to 7 or more guests, additional review and public consultation required)	1/ licensed bedroom For high occupant: up to 4	Y	N
RDOS	1	n/a	10, 2/bedroom	1/ bedroom	Y	N

Short-Term Rental Current Regulation Status

Electoral Area Services Committee Meeting

June 5, 2025

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Short-Term Rentals (STR)



Defined as full or partial units made available for rent typically between 1-30 days



Combine elements of traditional housing and tourist accommodation



Impact on the housing market is a core concern of the Province

Provincial Regulations

Homes for People

- Provincial housing action plan to address the housing crisis
- One major focus is turning short-term rentals into long-term homes

Short-term Rental Accommodations Act (2023)

- Empowers municipalities with stronger enforcement tools
- Aim is to return STRs to the long-term market
- Establishes the Province's role in STR regulation
- Establishes principal residence requirements

Current Zoning Regulations



Short-term rentals are permitted in three areas:

- Dedicated commercial resort areas (C5, C7, C8, RU7 zones)
- Bed and Breakfast (BnB) accommodations
- Agri-tourist accommodations

Bed and Breakfast and Agri-tourism accommodations have additional permitting requirements

Current Zoning Regulations



Land use bylaws do not permit STRs in single-family dwellings, except for Bed and Breakfast (BnB) accommodations



To operate a valid Bed and Breakfast

- The applicant must occupy the home where the bed and breakfast operates
- There must not be a secondary suite associated with the parcel
- Must not be operated in an accessory home

Member Municipality – STR Overview

Municipality	Principal Residence Requirement	STR permitted in a suite	STR allowed in residential zone(s)	STR and BnB permitted concurrently	Additional Requirements
City of Kelowna	Yes	Yes	Yes	No	BL, fire plan, good neighbour agreement
City of West Kelowna	Yes	Yes, except detached suites	Yes	No	BL, fire plan, parking plan, good neighbour agreement
District of Lake Country	Yes	Yes, except detached suites	Yes	No	BL, parking req's
District of Peachland	Yes	Yes, except detached suites	Yes	No	BL, parking plan, bi-annual fire inspection
RDCO Electoral Areas	BnB only	No, STR in principal dwelling only	BnB only	No	BL, fire plan

BL = Business License

Bylaws related to STR regulation

Zoning Bylaw

- Defines *where* and *how* STRs may operate

Business License Bylaw

- Requirements and fees for STR operators to obtain a business license

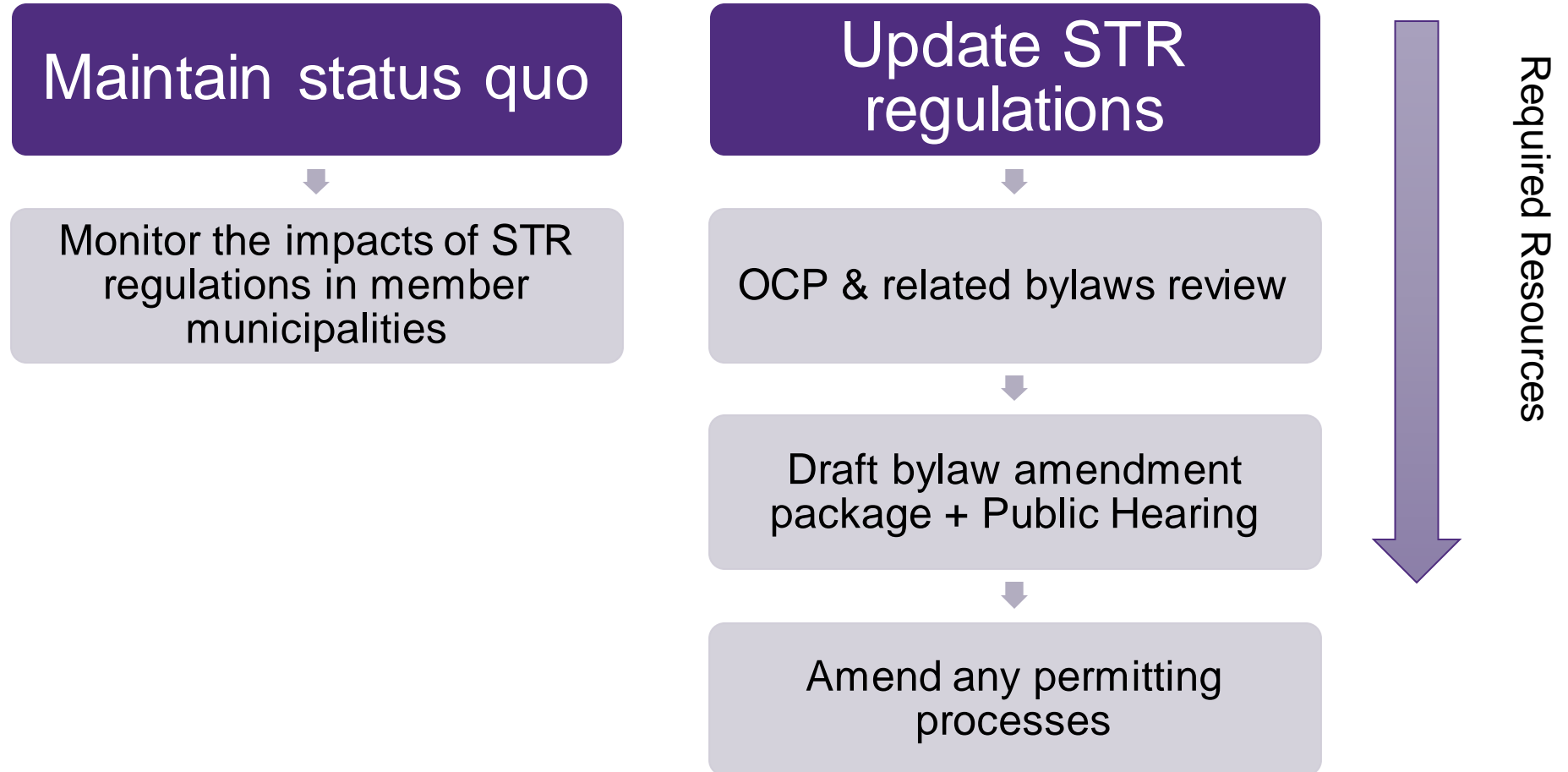
Ticket Enforcement and Utilization Bylaw

- Offences and fines for non-compliance

Infrastructure and Safety Considerations

Constraint	Issue	Implication
Private access roads	Emergency vehicle access	STRs may be inaccessible to personal or emergency vehicles if not maintained.
Steep driveway grade	Emergency vehicle access	Emergency vehicle access may be inaccessible due to grades > 12%.
Increased wastewater flow rates	Health risk	Septic systems may need to be upgraded to accommodate increased use by STR visitors.
Fire protection zones	Safety risk	Increase in visitors to areas not covered by a RDCO fire protection service area.
Road network volume	Increased traffic and congestion	Increased tourist traffic on roads outside RDCO authority
On-site parking	Adequate on-site parking	Sites with limited parking access could spill over into public roadways and require parking management.

Next Steps



Recommendation

THAT the Electoral Area Services Committee receives the Short-Term Rental Current Regulation Status report from the Director of Development & Engineering Services dated June 5th, 2025, for information.

Standing Committee Report Electoral Area Services Committee

To: Electoral Area Services Committee
From: Director of Development & Engineering Services
Date: June 5, 2025

Subject: Antenna Systems Siting Consultation Policy

Objective: To review a proposed Antenna Systems Siting Consultation Board Policy and consider forwarding it to the Regional Board for approval.

Discussion:

Background

The telecommunications industry is regulated by the federal government through the Radiocommunication Act, which is primarily administered by Innovation, Science and Economic Development (ISED) Canada. For telecommunications to function, antenna towers, referred to as antenna systems by ISED, are required to provide telecommunications services to businesses, institutions, and the public. As telecommunications systems are regulated by the federal government, they are therefore not subject to municipal zoning bylaws or Official Community Plans. However, ISED considers the local government to have the best knowledge of land uses in an area. Therefore, ISED encourages the development of policies and/or protocols by the local government to ensure that a clear process is established for the consideration of new telecommunications facilities within the community. In response, staff have developed a proposed Antenna Systems Policy (Attachment #2) that is harmonized with ISED Canada's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03). The proposed policy is being presented to the Electoral Area Services Committee for review to consider forwarding to the Regional Board for approval.

The proposed Antenna Systems Policy outlines preferences that reflect the unique geography of the Central Okanagan, provides an improved notification radius that will encapsulate more residents compared to the default ISED policy, and requires proponents to address any relevant concerns of the residents within the notification radius. Additionally, the proposed policy would allow for the implementation of antenna systems in a more efficient and timely manner for applications that adhere to the policy's guidelines. This would assist in providing opportunities for telecommunication services in more remote areas of the electoral areas, where residents receive telecommunication services below the national average.

If the Regional Board ultimately approves the proposed Antenna Systems Siting and Consultation Policy, the proponent would need to receive a letter of concurrence from the RDCO that the proposal complies with the policy, before ISED Canada issues an approval for the antenna system. While the RDCO is not the approving authority for antenna systems, the RDCO's role would be to issue a statement of concurrence or non-concurrence to the proponent and to ISED. The statement would need to consider RDCO design and location preferences, comments from residents, and the proponent's adherence to the proposed RDCO Antenna Systems Siting Consultation Policy.

Limits to Municipal Authority and Regulation

Federal Jurisdiction

In Canada, the federal Minister of Innovation, Science and Economic Development (“ISED”) has the authority under the *Radiocommunication Act* to approve antenna system installations. The final decision to authorize antenna systems is held solely by ISED. Municipalities do not possess the authority to override ISED’s decision in this regard. The process that must be followed by proponents seeking to install or modify antenna systems is outlined in ISED’s Client Procedures Circular *CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems*.

Health and Safety Requirements

Health concerns relating to radiofrequency, energy, and safety fall under the national jurisdiction of Health Canada. Local governments possess no authority to regulate health and safety requirements related to antenna systems. Health Canada requires that all antenna system installations comply with all existing safety regulations which determines exposure limits on the amount of radio frequency energy that can be present in publicly accessible areas. This means that proponents must comply with the regulatory requirements and process established in *CPC-2-0-03* before an installation is approved. Once antenna systems are installed, operators must ensure that their installations comply with the Canadian exposure limits as a condition of their licence.

Antenna Systems Siting

The final decision to approve the location of antenna systems is made only by ISED. However, ISED considers public consultation important to their approval process, and believes that local governments have the best understanding of local preferences. Therefore, ISED requires proponents to receive a letter of concurrence from local governments before they approve an antenna system. ISED encourages local governments to develop policies that establish development guidelines for antenna systems and an accompanying community consultation process. Therefore, the role of the RDCO is to issue a statement of concurrence or non-concurrence to the proponent and to ISED. The statement considers the land use compatibility of each antenna system proposal, RDCO design and location preferences, comments from residents, and the proponent’s adherence to the RDCO policy.

Proposed Antenna Systems Siting Consultation Policy

Purpose

The purpose of this policy is to establish procedural standards that will allow the region to effectively participate in and influence the placement of antenna systems proposed within the Electoral Areas. The policy is intended to assist the Regional Board, staff, representatives of the telecommunications industry, and members of the public in being aware of and understanding the implementation methods, processes, procedures, and criteria required to receive a letter of concurrence.

Policy Development

To assist municipalities with developing local processes, ISED published a guide for developing antenna systems siting policies and/or protocols. The Federation of Canadian Municipalities and the Canadian Wireless Telecommunications Association jointly developed an antenna system siting protocol template for Canadian municipalities to establish protocols that guide the antenna system siting process. Staff have developed the proposed policy in alignment with the guide from ISED and the template from the Federation of Canadian Municipalities and the Canadian Wireless Telecommunications Association.

Rationale for Consultation Radius

Where a local government does not have an antenna systems policy, ISED requires that proponents follow ISED's default consultation process outlined in *CPC-2-0-03*. The default public consultation process lacks design and location guidelines that are contextual to the uniqueness of the Central Okanagan. Additionally, the default notification radius in which proponents are to mail letters to residents informing them of a proposed antenna system lacks the distance required for meaningful public consultation within the Central Okanagan context. The default notification radius is a radius of 3x the height of the tower extending from the base of the tower. As parcel area size tends to be large in the Electoral Areas, the default notification radius results in only a few residents being informed of an antenna system being proposed near their property.

Exclusions from the policy

ISED allows for certain antenna proposals to be exempt from all land-use authority and public consultation requirements. The criteria for exemption are:

- New antenna systems where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems proposed by telecommunication carriers, broadcasting undertakings, or third-party tower owners.
- Existing antenna systems where modifications are made, antennas added or the tower replaced, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial antenna system installation.
- Non-tower structures, including antennas on buildings, water towers, lamp posts, etc. These may be excluded from consultation provided that the height above the non-tower structure is not increased by more than 25%.
- Temporary antenna systems used for special events or emergency operations. Temporary antenna systems must be removed within three months after the start of the emergency or special event.

Although proponents are not required to contact the local government if they meet the exclusion criteria, they are asked to inform the RDCO so that Planning Services can direct future proponents to possible areas of co-location.

Benefits of the Proposed Policy

The proposed antenna systems policy would enable effective participation and cooperation between proponents, the Regional District, and local residents. The proposed policy outlines general preferences that reflect the unique geography of the Central Okanagan but also provides an improved notification radius that will encapsulate more residents than the default ISED policy. Understanding that every community is unique within the Electoral Areas, the policy would require that proponents address any relevant concerns of the residents within the notification radius.

The policy would also allow for the implementation of antenna systems in an efficient and timely manner for applications that adhere to the policy's guidelines. Therefore, the policy would streamline the application process of antenna systems for the proponent and facilitate the efficient placement of antenna systems that integrate local context. This would assist in providing telecommunication services in more remote areas, where residents receive telecommunication services below the national average.

Referral Comments

Planning Advisory Committee

Supported the policy.

Westbank First Nation

Approved policy with the following condition:

Westbank First Nation requires each location/project be submitted individually to WFN to allow for a satisfactory review of the potential impacts on the environment, wildlife and asserted Title & Rights.

Okanagan Indian Band

Draft policy has been circulated and referral comments are pending.

RDCO Parks Services

Supports the policy and acknowledges that the default ISED notification radius is insufficient.

Next Steps:

Should the Electoral Area Services Committee support the proposed policy, staff will forward the policy to the Regional Board, for approval.

Recommendation(s):

THAT the Electoral Area Services Committee recommends that the Regional Board approve BP24-2025, Antenna Systems Siting Consultation Policy, as outlined in the Report from the Director of Development & Engineering dated June 5, 2025.

Respectfully submitted by: Thor Goodman, Planner I

Report Approved by: Danielle Noble-Brandt, Director of Development & Engineering Services

Approved for Agenda: Sally Ginter, Chief Administrative Officer

Attachment(s): 1. BP24-2025 Antenna Systems Siting Consultation Policy (DRAFT)
 2. Antenna Systems Policy – Presentation



Regional Board Policy

BP24-2025

Antenna Systems Siting Consultation Policy

Category: PLAN	Authority: Regional Board	Date Adopted: [XXXX-XX-XX]	Date of last Amendment: [XXXX-XX-XX]
Office of Primary Responsibility: Development and Engineering Services			
Related Policy: N/A			

GUIDING PRINCIPLE

To establish a transparent land use consultation process, and guidelines for *antenna system* siting proposals which respect the Regional District of Central Okanagan's community context in Electoral Areas.

PURPOSE

Under the *Radiocommunication Act*, Innovation, Science and Economic Development Canada (ISED) is responsible for the licensing and location of radiocommunication antennas. The *Radiocommunication & Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03) defines processes where local authorities may establish a policy to help determine consultation requirements in their community.

The purpose of this policy is to:

- 1) Establish a land use consultation process and guidelines for *antenna system* siting proposals in the RDCO's Electoral Areas;
- 2) Minimize the number of new *antenna system* tower sites by encouraging *co-location*;
- 3) Encourage designs that integrate with the surrounding land uses;
- 4) Allow ISED and the *proponent* to identify and resolve any potential land use, siting or design concerns with the RDCO at an early stage in the proposal process;
- 5) Establish a land use consultation framework that ensures the *Regional District* and members of the public contribute local knowledge that facilitates and influences the siting and design of *antenna systems*; and
- 6) Ensure that the RDCO has a suitable evidence base for all *antenna system* siting proposals to allow the Regional Board to make an informed decision on whether to issue a *Letter of Concurrence* or *Letter of Non-concurrence* for the *proponent*.

APPLICATION

This policy applies to proposals to site radiocommunication antennas within the Regional District of Central Okanagan Electoral Areas, however under Section 6 of CPC-2-0-03, certain proposals are considered to have a minimal impact on local surroundings and are excluded from public and local government consultation requirements.

Despite the Section 6 exclusions, *proponents* are asked to inform the RDCO of all new *antenna system* installations within RDCO boundaries so the RDCO can:

- 1) Be prepared to respond to public inquiries;
- 2) Be aware of sites for future *co-location* opportunities within the RDCO;
- 3) Maintain records to refer to in the event of future modifications and additions; and
- 4) Engage with the *proponent* with respect to the appearance of the *antenna system* and structure prior to the *proponent* investing in full design.

Section 4 of CPC-2-0-03 requires that *proponents* contact applicable land-use authorities with an interest in the proposal. The RDCO is located within the traditional, ancestral, and unceded land of the syilx / Okanagan people, and therefore in addition to meeting the requirements of this policy, *proponents* must contact Westbank First Nation and/or Okanagan Indian Band to confirm their independent requirements for consultation.

Definitions:

Antenna system: Means an antenna and supporting structure, normally a tower. Most antennas have their own integral mast so they can be fastened directly to a building or a tower.

Co-location: Means the placement of *antenna systems* that are operated by different providers on a single antenna supporting structure.

CPC-2-0-03: Means the Radiocommunication & Broadcasting Antenna Systems Client Procedures Circular.

Height: Means the distance from the lowest ground level at the *antenna system*, including the foundation, to the tallest point of the *antenna system*. Any attempt to artificially reduce the *height* (addition of soil, aggregate, etc.) will not be included in the measurement of the *height* of the *antenna system*.

ISED: Means Innovation, Science and Economic Development Canada.

Letter of Concurrence: Means a letter from the RDCO supporting the *proponent's* proposal for the installation of the *antenna system* at the specified location within the RDCO Electoral Areas.

Letter of Non-concurrence: Means a letter from the RDCO signifying non-support for the *proponent's* proposal for the installation of an *antenna system* within the *Regional District*.

Proponent: Means a company, business or organization, including contractors or agents undertaking work for telecommunication carriers, to install or modify an *antenna system*.

Prescribed distance: Means the area surrounding the proposed *antenna system* where property owners and tenants must be notified of the proposal and given the opportunity to provide feedback. The *prescribed distance* encapsulates all properties 150 metres of the boundary of the subject property, or if the subject property is within the Joe Rich Rural Land Use Bylaw area, all properties within 500 metres of the boundary of the subject property.

Regional District: Means the Regional District of Central Okanagan (RDCO).

POLICY STATEMENTS:

Location Guidelines

The RDCO permits telecommunications and similar utility facilities in all zones (Zoning Bylaw No. 871 section 3.12.2), however the intent of this policy is to ensure *antenna systems* are sited and designed to respect local surroundings and community preferences.

The *Regional District* encourages *co-location* of *antenna systems*. This may include:

- 1) The installation of a *proponent's* telecommunication antenna on an existing tower.
- 2) The construction of a new *antenna system* on which other *proponents* are invited to co-locate.
- 3) The reconstruction or modification of an existing *antenna system* to accommodate the equipment of additional *proponents*.
- 4) The relocation of a *proponent's* existing *antenna system* to another *proponent's antenna system* followed by the removal of the redundant antenna structure.

When new *antenna systems* must be constructed, the following locations are preferred:

- 1) Areas that maximize the distance from residential areas, parks and public amenities.
- 2) The utilization of existing structures, transmission towers, utility poles, roof tops and similar structures.
- 3) Areas that utilize existing road access to proposed locations.
- 4) Industrial, commercial and institutional areas.
- 5) Areas that minimize the impact on public views and vistas.
- 6) Agricultural and rural areas where the siting of the *antenna system* will not significantly impact agricultural outcomes or resource production.
- 7) Areas not within sensitive terrestrial and/or sensitive aquatic development permit areas.
- 8) Transportation and utility corridors.

Design Guidelines

- 1) The architectural style of *antenna systems* should be compatible with the surrounding area and adjacent uses.
- 2) The *proponent* should mitigate negative visual impacts through use of appropriate landscaping, screening, and design techniques. Screening may include existing vegetation, landscaping, fencing or other measures to blend with the built and natural environment.
- 3) Where appropriate an *antenna system* may be designed to resemble or integrate with existing built or natural landmark features found in the area.

- 4) In commercial areas, and in parks, public spaces or heritage areas, the design of the *antenna system* should generally be unobtrusive and consider special design treatments.
- 5) *Antenna systems* should have a non-reflective surface and colours that blend into the surroundings.
- 6) Antennas that extend above the top of a supporting utility pole or light standard should appear in terms of colour, shape, and size to be a natural extension of the pole.
- 7) The use of monopoles is strongly encouraged.

APPLICATION PROCESS

The *Proponent* will review the guidelines identified above early in the design process and should attempt to resolve any outstanding issues prior to submitting an *antenna system* siting proposal and undertaking public consultation.

Pre-Application Consultation with the Regional District of Central Okanagan

Prior to submitting an *antenna system* proposal, the *Proponent* will undertake preliminary-application consultation with RDCO Development Services staff for initial guidance on siting, design, consultation and application processes.

The *Proponent* will submit the following information prior to a pre-application meeting:

- 1) The proposed location;
- 2) Potential alternative locations;
- 3) The type and *height* of the proposed *antenna system*; and
- 4) Preliminary site plans, footprint, elevations, drawings or visual renderings of the proposed *antenna system* to depict the context, scale and design of the proposal;

Proposal Submission

The *Proponent* must provide the following when submitting an *antenna system* siting proposal:

- 1) A letter or report from the *Proponent* indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing *antenna systems* in the general area and a summary of opportunities for *co-location* on existing or proposed *antenna systems* within 1,600 meters of the subject proposal;
- 2) Visual renderings of the proposed *antenna system* superimposed to scale;
- 3) A site plan showing the proposed development situated on the site and all setbacks from property boundaries and other structures on site;
- 4) An area map showing all properties within the *prescribed distance* of the proposed *antenna system*;
- 5) Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other persons having legal or equitable interest in the land;
- 6) Payment of application fees as prescribed by the RDCO Development Application Fees and Charges Bylaw.

ISED expects that land-use consultation with the RDCO will be completed within 120 days. The consultation period commences once *proponents* have formally submitted the documentation described above.

Notification Requirements

If the proposed *antenna system* is not excluded from public consultation requirements, the *Proponent* will initiate the RDCO's public consultation process. When public consultation is required, mailed notification shall be sent to properties within 150 metres of the subject property, or within 500 metres of the subject property if within the Joe Rich Rural Land Use Bylaw No. 1195 area. The buffer area shall be measured from the lot lines of the subject property.

In addition to the public notification requirements noted above, where proposals are for an *antenna system* over 30 metres in *height*, *proponents* must concurrently place a notice in a local community newspaper circulating in the subject property's area. Electronic notification shall also be posted according to the Regional District of Central Okanagan Public Notice Bylaw No. 1549.

If, during pre-application discussions with the RDCO, Development Services staff determine it may be in the public interest to extend the *prescribed distance*, the *Proponent* will be advised. Furthermore, *proponents* may be asked to:

- 1) Post development application signs at the subject property boundary, and/or
- 2) Host a public information session. Details of the public meeting shall be included in the written notice to properties and published according to the Regional District of Central Okanagan Public Notice Bylaw No. 1549.

The *Proponent* will send mailed notifications to:

- 1) All affected properties owners and tenants within the *prescribed distance*;
- 2) Any local governments within the *prescribed distance*; and
- 3) The ISED regional office.

Mailed notifications shall be sent in an envelope addressed to the "Occupant" and/or "Tenants" and shall clearly show in bold type on the face of the envelope the statement: "NOTICE FOR RESIDENTS: NEW PROPOSED CELL TOWER - INFORMATION IS ENCLOSED."

Mailed notification packages shall include:

- 1) Information on the location, *height*, type, design and colour of the proposed *antenna system*, including a copy of the site plan submitted with the application;
- 2) The rationale, including *height* and location requirements, of the proposed *antenna system*;
- 3) Clear information on the role of ISED as the sole approving authority for the siting of *antenna systems*, consultation requirements, and that the *proponent* has requested a *Letter of Concurrence* from the RDCO Regional Board;
- 4) An attestation that the *antenna system* will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices;
- 5) Guidance to recipients on how and when they can convey their comments to the *proponent*, the *Regional District*, and ISED; and
- 6) Notice of an upcoming information session, if applicable.

Request for Statement of Concurrence

Upon completion of the notification requirements and conclusion of the 30-day consultation period, the *Proponent* shall submit the following to RDCO Development Services Staff:

- 1) An Affidavit of Notification confirming that RDCO's public notification requirements have been fulfilled, and that the *proponent* has contacted Westbank First Nation and/or Okanagan Indian Band to confirm their independent requirements for consultation.
- 2) A copy of all public consultation materials distributed by the *proponent*.
- 3) Copies of all correspondence received in response to the public notification.

Based on a review of the application and public correspondence received, RDCO Development Services will prepare a staff report and recommendation for Regional Board consideration. The Regional Board may direct staff to:

- 1) Issue a *Letter of Concurrence*, expressing support for the *antenna system* where the proposal conforms with the guidelines as set out within this policy, and with community interests.
- 2) Issue a *Letter of Non-concurrence* where the proposal does not sufficiently align with *Regional District* policies and community interests.

A *Letter of Concurrence* is valid for 3 years from the date of issuance.

*** END OF POLICY ***

REVISION HISTORY				
Version	Date	Revision description/ Summary of Changes	Responsible Department	Approved by
V1.0				Regional Board

Antenna Systems Siting Consultation Policy

Regional District of Central Okanagan
Electoral Area Services Committee Meeting

June 5, 2025

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Purpose

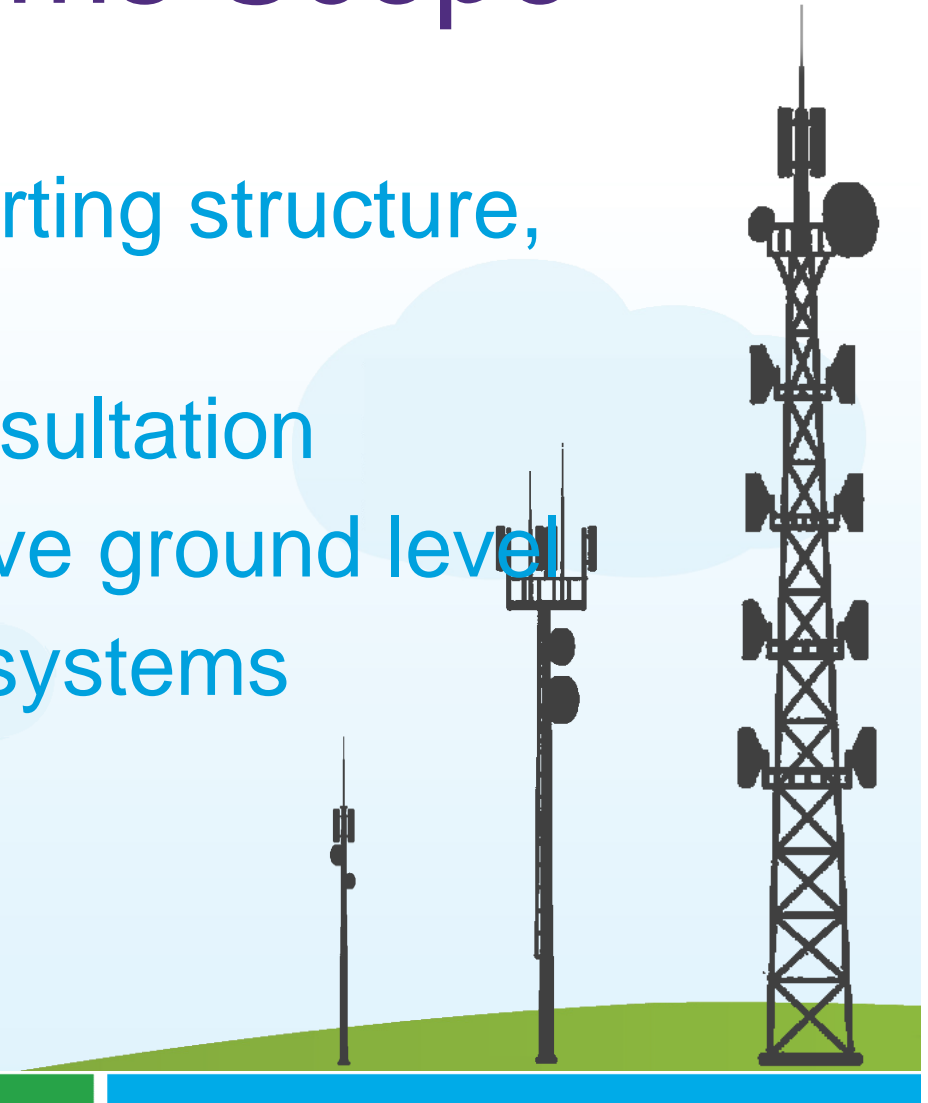
To review a proposed Antenna Systems Siting Consultation Policy and consider forwarding it to the Regional Board for approval.

Objectives

- To establish an increased notification distance for antenna systems that encompasses more parcels for meaningful public input.
- To establish standards that will allow the RDCO and its residents to effectively participate in and influence the placement of antenna systems proposed within the Electoral Areas.

Overview – Antenna Systems Scope

- Composed of an antenna and supporting structure, normally a tower
- Excluded from local government consultation
 - New antenna systems < 15m above ground level
 - Modifications to existing antenna systems
 - Non-tower structures
 - Temporary antenna systems



Overview – Antenna Systems in Canada

Innovation, Science and Economic Development Canada (ISED), regulates tower siting.

RDCO cannot not prohibit antenna systems.
Permitted in all zones.

Proponents must advise local authorities, and notify residents...

- Following local policies if established, or
- Using **ISED's default consultation** process if no local policy exists

The company must consider community input and request a letter of concurrence from the local authority.



Scope of Authority

ISED Canada

**Responsible for the
orderly development of
telecommunications infrastructure**

Ensures Antenna Systems meet:

- Health Canada requirements
- Radio frequency immunity criteria
- Aeronautical safety responsibilities
- Environmental considerations
- Construction standards

RDCO

**Issue Letter of Concurrence or
Non-concurrence**

Letter will address the land use compatibility of each antenna system proposal, RDCO design and location preferences, adherence to the proposed policy, and comments from residents.

The RDCO is not the approving authority for antenna systems.

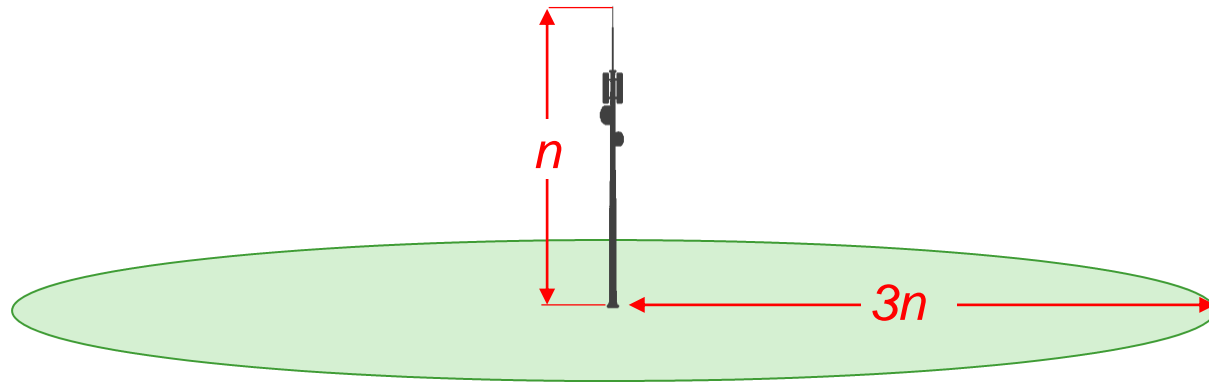
ISED default and proposed RDCO policy comparison

Considerations	ISED Default	RDCO Proposed Policy
Notification Distance	3x tower height	150m buffer (500m buffer in Joe Rich)
Design Preferences	N/A	Screening, colour, surface materials
Location Preferences	N/A	Development Permit Areas, views capes, natural vistas

Policy – Notification Requirements

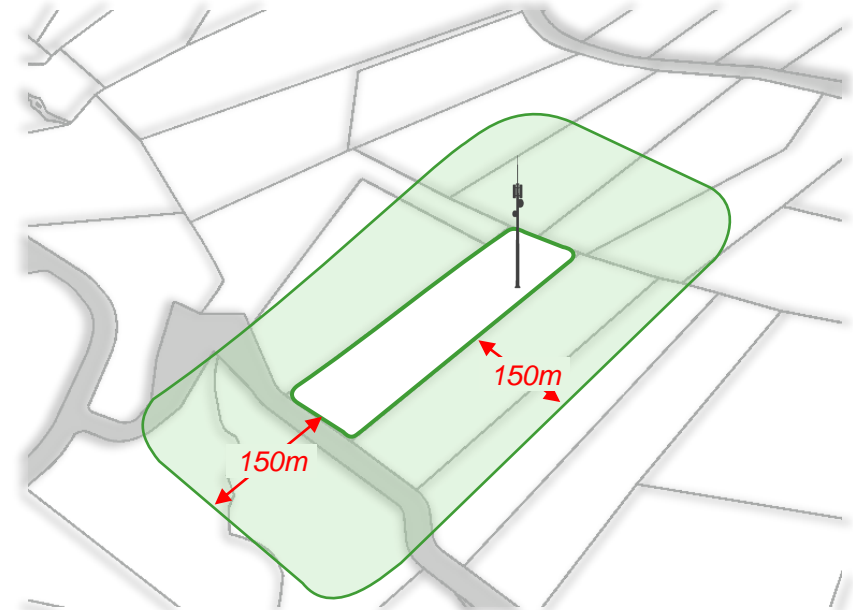
ISED Default

3x tower height from
base of tower



RDCO Proposed Policy

150m from tower location
property boundary



Example: Notification Requirements

ISED Default

40m tower

(Properties within
120m of base would
be notified)

1 property
notified

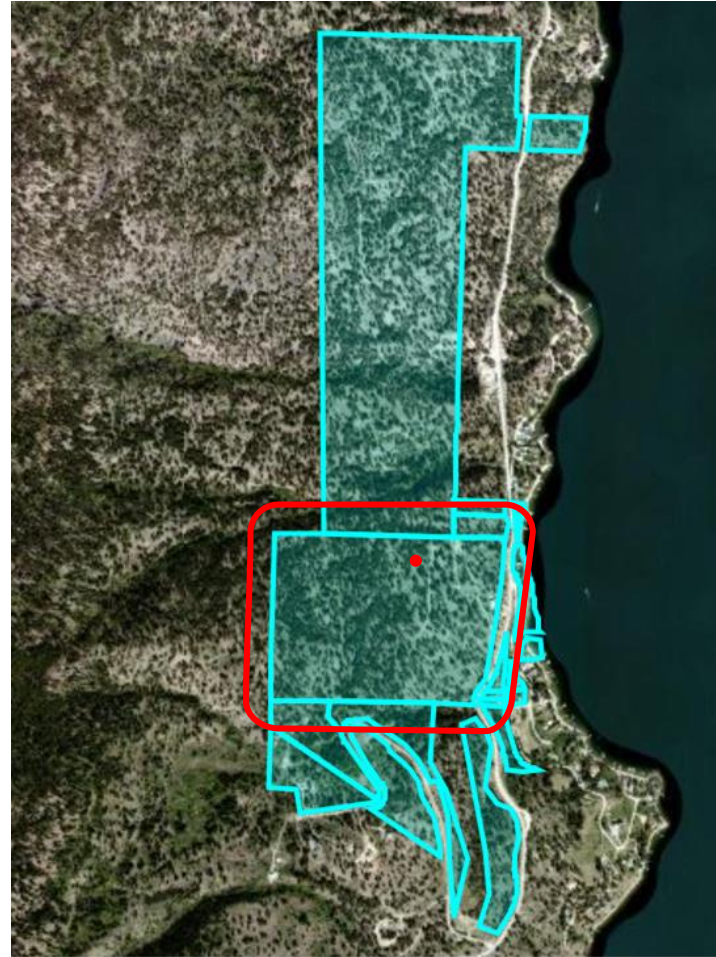


RDCO Proposed

40m tower

(Properties within 150m
of property boundary
would be notified)

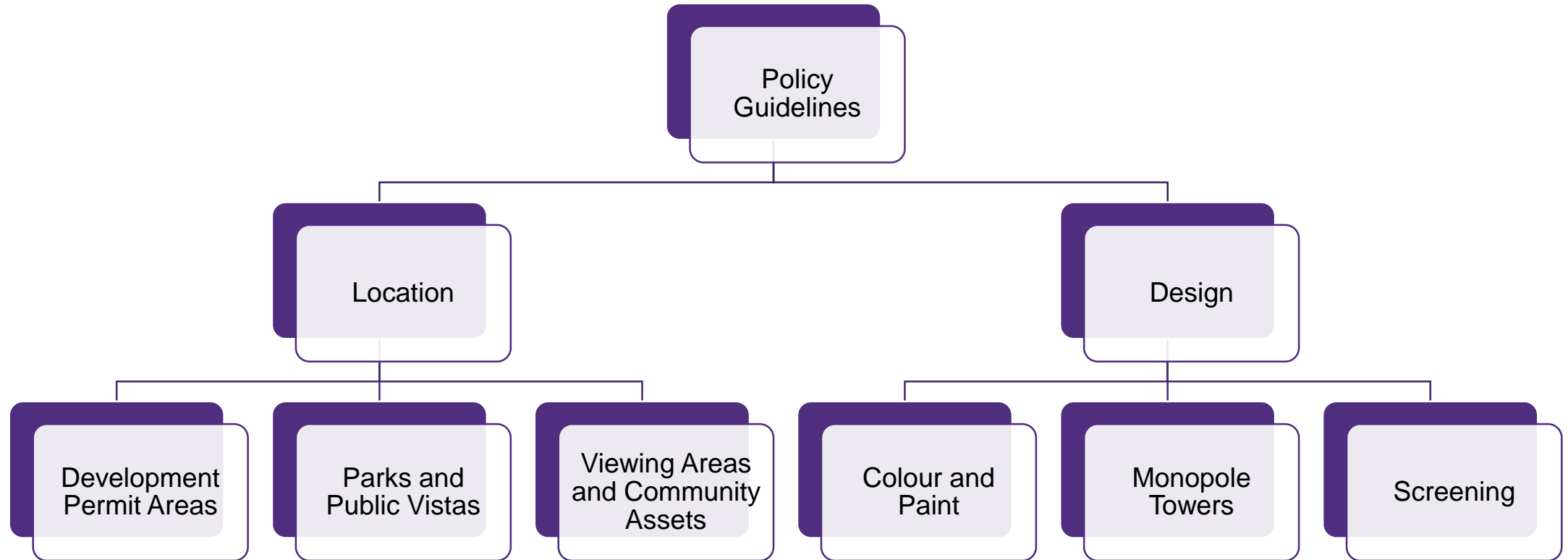
16 properties
notified



Public Reply Comments

- Proponents must consider comments from residents within the prescribed notification distance
- Proponent must provide 21 days to comment
- However, ISED will not consider comments related to:
 - Issues with the telecommunication provider unrelated to the antenna installation
 - Potential effects on property values or taxes
 - Health Canada requirements

Policy – Design and Location Preferences



Process overview

- Pre-application discussion with staff
- Proponent submits proposal, pays fee (\$1,300)
- Proponent conducts public consultation and appropriate First Nations referrals
- Proponent submits results to RDCO
- RDCO Board considers whether to issue letter of concurrence



Benefits of the Policy

- Outlines the process for proponents to follow and consultation expectations
- Improved public consultation requirements and First Nations consultation
- Provides siting and design guidelines that consider local context
- Assists in providing telecommunication services to Electoral Areas by facilitating telecommunication opportunities
- Minimizes the amount of antenna systems by encouraging co-location

Referral comments

Westbank First Nation

- Approved policy with the condition that applications are referred to WFN

Planning Advisory Committee

- Supported by the PAC on September 12th 2024.

RDCO Parks

- Noted the importance of the notification buffer

Recommendation

- **THAT** the Electoral Area Services Committee recommends that the Regional Board approve BP24-2025, Antenna Systems Siting Consultation Policy, as outlined in the Report from the Director of Development & Engineering dated June 5, 2025.



Standing Committee Report Electoral Area Services Committee

To: Electoral Area Services Committee
From: Travis Kendel, Associate Director—Development and Engineering Services
Date: June 5, 2025

Subject: Transfer Station Improvements – Financial Implications

Objective: To seek endorsement from the EASC regarding Transfer Station improvements before preparing to incorporate these costs into the Financial Plan for Board consideration.

Discussion:

The RDCO Waste Collection Service operates two transfer stations in rural North Westside (Trader's Cove and North Westside Transfer Station) and provides curbside waste, yard waste, and recycling collection in Ellison, Joe Rich, Brent Road, and Trepanier. The service has a unified fee structure, with all users paying \$167 per household per year.

The RDCO Electoral Area West transfer stations are managed by Environmental 360 Solutions (E360S), which also handles regional curbside collection. E360S conducts regular safety inspections as the Prime Contractor, ensuring compliance with BC's health and safety regulations and RDCO Service Contract. Safety projects identified or confirmed with the onsite contractor, but beyond regular maintenance, are prioritized by RDCO staff to address validated safety concerns efficiently.

Long-term upgrades to these facilities, beyond immediate safety requirements, are planned according to priority, resource availability, and community needs. These upgrades aim to prepare for future growth or improve service levels, and are integrated into workplans through a process of community engagement to ensure alignment of expectations with demand. Operational and capital priorities identified in the 2019 Transfer Station review were paused in 2023 due to a number of factors, the most significant being staff capacity following the 2021 and 2023 wildfires to prioritize recovery and therefore shifted many planned capital projects including Transfer Station Improvements.

The Electoral Area Services Committee (EASC) received delegations from the Wilson's Landing and Communities Society on December 12, 2024, and the North Westside Community Association on January 30, 2025. Both delegations presented site-specific safety concerns and suggested service improvements for the two transfer stations to the EASC. While most of the concerns were already in progress, a few items such as the damaged yard waste chute, had not been previously captured.

Captured safety concerns reinforced by community reporting, are listed in Table 1 below.

TABLE 1 – Transfer station safety concerns

Concern	Facility	Resolved?
Replace attendant shelter	TC	Yes – Contractual requirement
Yard waste bin access	TC	Yes – Chute replaced
Recycling container placement	TC,NWS	Yes – Adjusted TC to minimize foot traffic; replaced wood under containers at NWS
Potholes, mud	NWS	In progress – Exploring opportunities & quotes
Replace bins	NWS	In progress – New bins on the way

TC = Trader's Cove, NWS = North Westside

Service improvements requested by delegations for non-safety-related aspects of existing transfer stations have been analyzed, with costs estimated for execution. Corresponding service fee adjustments have been approximated, incorporating provided costing where available and estimating where it was not provided. The improvements requested by the community which are not currently captured in the 5-year RDCO Budget, are:

TABLE 2 – Requested service improvements

Requested Service Improvement	Facility
Onsite utilities (e.g. electricity, internet)	NWS
Wash facilities	NWS
Additional opening hours and contracted staff	TC, NWS
Expanded site	TC, NWS
Paving	NWS
Security	TC, NWS
RFID access control	TC

TC = Trader's Cove, NWS = North Westside

Additional annual operating costs for the requested improvements would be approximately \$140,000 per year to fund estimated utility expenses, wages, contracted services, and maintenance. Additional capital expenses are approximately \$650,000 to fund items such as shelter improvements, utility connections, and road improvements.

Rates have not been adjusted since 2016 for the RDCO Waste Management Services within Electoral Area East and Electoral Area West, and are planned for Board review in 2026 to take effect in 2027 which would include inflationary adjustments. Should a rate review occur prior to 2027 implementation, inflationary adjustments are estimated at a \$46 increase which is about a 2.5% increase per year since 2016.

Historically, the RDCO has operated a single service across Electoral Area East and West, providing service at a single cost unified regardless of service type (curbside or transfer station). As follows, Option 1 is an alternative path adopting unified calculation, Option 2 is an alternative path defining a specific funding model, and Option 3 adheres to the status quo of calculating the service .

Option 1 – Full Implementation, Unified Model

This option would see service rates increase for all Electoral East and West users from \$167/HH to an estimated \$261/hh (+56%), to support requested improvements (Table 2) within the North Westside and Trader's Cove transfer stations.

Option 2 – Assign Rates by Type

This option would see service rates associated with service improvements (Table 2) increase for only North Westside and Trader's Cove transfer station users from \$167/HH to an estimated \$330/HH (+98%),

Under Option 2, curbside collection inflationary factors alone will drive the rate from \$167/HH to an estimated \$213/HH (+27%) to account for inflation occurring between 2016 and 2025.

Estimated rate adjustments to support inflationary costs and service improvements for Option 2 are included in the table below.

User Group	2016 - 2025 Rate	Inflation	Service Imp.	New Rate	% Diff
Transfer Station Service	\$167 / yr / HH	\$46 / yr / HH	\$117 / yr / HH	\$330 / yr / HH	+98%
Curbside Collection Service	\$167 / yr / HH	\$46 / yr / HH	nil	\$213 / yr / HH	+27%

Option 3 – Status Quo

Under this option, rates for all users would be adjusted according to inflation, increasing from \$167/HH to an estimated \$213/HH (+27%) during a future rate review planned to take effect in 2027. This would maintain a unified rate, and the proposed improvements would only occur if grants or other discretionary funds were successfully obtained.

Important Consideration - Citizen Survey Results

On January 30, 2025 the RDCO Committee of the Whole received the RDCO 2024 Citizen Survey Results. The results indicated that:

- All residents outside of the Electoral Areas prefer tax increases over service cuts.
- More residents in Electoral Areas prefer the RDCO cut services instead of increasing taxes.
- Residents in Electoral Area West are the least likely to opt for an increase in taxes (34%)
- In Both Electoral Area West and East, only 13% and 14% of residents respectively supported increasing taxes to improve services.

The 2024 Citizen Survey Results demonstrate a divergence from the service enhancement requests made by community associations. Before the RDCO allocates resources to these proposed improvements, it is essential for staff to seek endorsement from the EASC regarding the acceptability of the associated impacts and costs.

Next Steps:

Pending on advisement from the EASC and subsequent Board direction, the following actions would be considered:

- Seek endorsement from the EASC for the estimated user costs for the requested improvements at the Trader's Cove and North Westside transfer station.
- Amend bylaws where necessary, to modify utility rates and present to the Regional Board for approval.
- Complete preliminary or planning work in 2025.
- Incorporate associated changes into the 2026-2030 Financial Plan.

Recommendation(s):

Option 1:

THAT the Electoral Area Services Committee endorses and recommends that the Regional Board endorse Option 1, which includes an increase in user fees for all Electoral Area West and Electoral Area East service users, and requests staff to undertake next steps, as outlined in the report from the Associate Director of Engineering Services regarding the Transfer Station Improvements – Financial Implications, dated June 5, 2025.

Or

Option 2:

THAT the Electoral Area Services Committee endorses and recommends that the Regional Board endorse Option 2 and the necessary increase in user fees for all Electoral Area Transfer Station users, and requests staff to undertake next steps as outlined within the report from the Associate Director of Engineering Services regarding the Transfer Station Improvements – Financial Implications, dated June 5, 2025.

Or

Option 3:

THAT the Electoral Area Services Committee endorses and recommends that the Regional Board endorse Option 3 and requests staff to not proceed with the delegation requested service improvements unless grants or other funds are obtained, as outlined within the report from the Associate Director of Engineering Services regarding the Transfer Station Improvements – Financial Implications, dated June 5, 2025.

Respectfully submitted by: Travis Kendel, Associate Director of Engineering Services

Report Approved by: Danielle Noble-Brandt, Director of Development and Engineering Services

Approved for Agenda: Sally Ginter, Chief Administrative Officer

Attachment(s): 1. Transfer Station Improvements June 5 Presentation.pptx
 2. Trader's Cove Review – WLCS Dec 2024.pdf
 3. North Westside TS Presentation to EASC Jan 2025.pdf

Transfer Station Improvements

Electoral Area Services Committee Meeting

June 5, 2025

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com

Background

095 – Waste Collection Service

- North Westside Transfer Station
- Trader's Cove Transfer Station
- Curbside Collection (Brent Road, Joe Rich, Ellison)
- Annual rate of \$167 / HH / year

Curbside & Transfer Station Operations

- Prime Contractor = E360S
 - Responsible to ensure health and safety of all persons at the Transfer Stations
 - Safety activities must be coordinated through Prime Contractor

Community Input

RDCO undertook a review in 2019

- Outcome of that review incorporated into work plans

Recent Delegations

- Wilson's Landing and Communities Society (December 2024)
- North Westside Community Association (January 2025)

Delegation content:

- Identified safety concerns
- Requested service improvements

Safety Concerns

▪ Trader's Cove

- Attendant Shelter → Complete (via Contractor)
- Yard Waste Bin Access → Complete (via Contractor)
- Recycling location → Complete (via Contractor)

▪ North Westside

- Recycling Location → Partially Complete (via Contractor)
- Potholes, Mud, Dust → Underway (via Contractor)
- Aging Bins → Underway (via Contractor)

Service Improvements

- Onsite Utilities (Electricity, Internet)
- Wash Facilities
- Additional opening hours and contracted staff
- Expanded site
- Paving
- Security
- RFID access control

New Annual Operating Expenses: \$140,000

New Capital Expenses: \$650,000

Funding Options

Option 1 – Unified Model

- All Electoral Area service users pay for Transfer Station Improvements
- Forecasted increase:
 - All Users: additional \$94 per year (+56%)

Option 2 – Assign Rates by Type

- Forecasted increase
 - Transfer Stations: additional \$164 per year (+98%)
 - Curbside Collection: additional \$46 per year (+27%)

Citizen Survey Results

Electoral Area residents prefer service cuts over tax increases.

Overall, more residents in Electoral Areas say the RDCO should cut services, instead of increasing taxes.

Overall, those in Electoral Area West are the least likely to opt for an increase in taxes (34%)

In Both Electoral Area West and East, only 13% and 14% of residents respectively supported increasing taxes to improve services.

Conflict

Delegation Requests	Citizen Survey
Requesting service improvement	Preference to cut services over tax increases
Acknowledged additional costs to undertake improvements	14% of citizens in EA's support increasing taxes to improve services
Request results in a clear cost increase	Results indicate preference for no increase
Option 1 or Option 2	Status Quo (Option 3)

Recommendation(s)

Option 1:

THAT the Electoral Area Services Committee endorses and recommends that the Regional Board endorse Option 1, which includes an increase in user fees for all Electoral Area West and Electoral Area East service users, and requests staff to undertake next steps, as outlined in the report from the Associate Director of Engineering Services regarding the Transfer Station Improvements – Financial Implications, dated June 5, 2025.

Option 2:

THAT the Electoral Area Services Committee endorses and recommends that the Regional Board endorse Option 2 and the necessary increase in user fees for all Electoral Area Transfer Station users, and requests staff to undertake next steps as outlined within the report from the Associate Director of Engineering Services regarding the Transfer Station Improvements – Financial Implications, dated June 5, 2025.

Option 3:

THAT the Electoral Area Services Committee endorses and recommends that the Regional Board endorse Option 3 and requests staff to not proceed with the delegation requested service improvements unless grants or other funds are obtained, as outlined within the report from the Associate Director of Engineering Services regarding the Transfer Station Improvements – Financial Implications, dated June 5, 2025.

TRADERS COVE TRANSFER STATION REVIEW

December 2024

Presented by Wilson's Landing and Communities Society



Birdseye View --- 2018

- Same layout of recycling bins before Fire.



Yard Waste Drop off Bin

Note burnt tree on Far
right of picture,

Note High barrier fence

Note Partial access to Bin



Yard Waste and Garbage Bins

Note: E360 replace attendance shelter with a tool shed after wild fire (under purple pool)

Note difference in height for throwing in garbage vs having to throw yard waste over fence



South End – Recycling Bins

Note: picture was taken immediately after recycle was picked up normally cube bins are located on both sides of drive thru

Trader Cove Transfer Station Needs Some TLC

Short Term Recommendations

1. Replace permanent shelter for attendance and bring electrical service and internet service to shelter for heat and cooling.
2. Add security cameras to site.
3. Replace recycle bin shelter/covers while ensuring it does not impede double lane traffic
4. Signage and marked double lane vehicle access for faster unloading.
5. Yard Waste Bin
 - Install pulley on Yard Waste Chute for easier lifting
 - Build deck for full access to yard waste bin
6. Ensure site only used by Traders Cove RDCO utility registered users
7. Start summer hours earlier to accommodate FireSmart clean ups. Have budget available in 2025 to stay open only one full day on designated FireSmart clean up day -- May 3rd. 2025
8. Clarify Level of Service and Role of Attendant.- RDCO already has this item underway.

Trader Cove Transfer Station Needs Some TLC

Long Term Recommendations

1. Look at longer term needs for space planning.
 - More space for additional recycle bags as volume in area grows.
 - Better layout of recycle bins to eliminate foot traffic crossing traffic lanes ie recycle bins all on one side
 - Full double lane vehicle access in unloading area. (Costco parking lot width)
 - Room to add food waste facilities
2. Better access to yard waste bin including lower railings and better chute.
3. RFID badge in checking for users to ensure site is only used by paid RDCO Utility users.
4. Until most rebuilding process is complete, difficult for area to absorb more major tax increases due to hopefully temporary loss of tax base.

Repair Damage from Fire

Issue: Most damage from wildfire remains unfixed 15 months after fire.

- Attendant's shelter has not been replaced yet by E360 (as of Dec 2). E360 provides this under contract and had committed to RDCO to provide in November 2024. Attendant typically parks vehicle at the unloading areas where the bins are to provide protection from cold, rain and heat. This means a running vehicle. This is part of the lane congestion & environmental issue.
- The burnt recycle bin shelters, required by recycle BC not replaced yet. Note that old design was too wide large extending into laneway adding to lane congestion.
- Some of the pavement under bins was burnt.

Benefits of addressing Issues

- Basic good working conditions for site attendant
- Compliance with Recycle BC agreement
- Reduced environmental emissions
- Shelter which can host internet connections for security cameras and access control

Bring Electricity / Internet to Site for Attendant Shelter and Security monitoring.

Provide a reasonable shelter with heating and cooling for attendant. Bring electricity and internet to shelter and add cameras to monitor for unauthorised dumping and potentially park gate. Cost \$10k to \$20 k CWF funds?

Shelter & Monitoring Issue:

- Old attendant shelter did not have heat or cooling. To provide protection from cold /heat and rain/snow and winds, attendant parks vehicle up at the unloading areas.
- Sometimes garage is dumped at the gate. This should be monitored and fined to prevent future occurrence. As this transfer station is very visible and accessible from road, it is easy to dump waste at night. Cost to clean up plus is poor image for people visiting Traders Cove Park .
- The cameras from the transfer station could also include the park gate to assist with after hours security.

Benefits

- Basic good working conditions for site attendant
- Shelter which can host internet/ electrical connections for security cameras and lighting. Both would discourage dumping.
- Less cleanup cost due to unauthorized dumping

Revise Placement of Recycle bins

Issue: Placement of recycle bins on both sides of traffic causing people to walk across traffic lanes

- This is a safety issue identified in 2019 report.
But no action taken. Long term need to configure so all recycle bins are on one side.
- Prior to fire most used bins were all on the side with the garbage bin (east side). The less frequently used (glass and Styrofoam) and full bins on west side. Reduced cross lane traffic.
- Now the most common recycle bins are on both sides of traffic.
- There is not enough room with current configuration to have all bins on one side

Benefits of Addressing Issue

Faster unloading of recycle

Safer as less people crossing traffic lanes

Minimizes safety issue of users crossing in front of cars

Restore Unloading Area to Two Full Lanes

Some say this is double lane facilities, but due to recycle bags placement and how people park when unloading, it's effectively one lane and at times only one unloading spot. Increase unloading area to two full lanes of "Costco parking" size by painting lines/zones for unloading areas to ensure effective use of unloading area. Install signage to pull to one side and use the other lane to pulling out to leave.

Issue: Single lane congested unloading lane due to:

- New or inexperience or infrequent summer users to the site park in middle of site to unload, not understanding how park when unloading.
- People bring unsorted recycle. Takes extra time to sort and unload at site. They also may criss-cross traffic lanes many times before finishing
- People talk to neighbours and attendant, slowing down others waiting to use transfer station
- Large loads of yard waste unloading while parking next to the first Bin. Blocks all other traffic from moving up ramp to unload. Yard Waste is first large bin.
- Unauthorized users unfamiliar to site
- Prior to fire, over sized recycle bin sheds reduced traffic to one lane

Benefits

- Less frustration by all users. Quicker unloading. Safer movement of vehicles and people in unloading area
- Hostile situations reduced between users of the transfer station
- Emissions reduction – less idling of vehicles waiting to unload. Users unload quicker.
-

Restore Unloading Area to Two Full Lanes con't

This an example of how people park when unloading.... One vehicle at time. See attendant has their car parked unloading area and umbrella for shade. See Line up in Fall . People are unloaded while waiting as they cannot get to unloading area due to car blocking. Note that many in this area have trucks which tend to need a bit of a wider lane for safe movement of vehicles and people.



12

Need Full Access to Yard Waste Bin and Lower Railing.

The current organic bin can only be used effectively for 2/3 of its capacity. *A large amount of the access is block by tree (destroyed by fire) and how loading access is configured..*

Yard Waste Access Issue:

- The platform for accessing the bin allows only for 2/3 bin access. Build metal/wooden deck extension .
- The “wood lip/chute” on bin which is intended to prevent yard waste from falling between bin and wall, is poor ergonomically design and cannot be easily lifted. Needs a pulley system in short term. Long term needs new design.
- Fence guard is 45 inches, much higher than an individual can ergonomically lift and empty yard waste container (ie garbage cans) into bin. 45 inches is even higher than required height of stair railings in a house. Should be lowered with overhead guards like Glenmore Land fill.

Benefits to Address Issue

- Full bin allows for less dumping trips = less dollars cost to RDCO and users
- More effective use of Bin by users and few times it being fully loaded with users being unable to unload their yard waste.
- Less times users are turned away because yard waste bin is full (or at least the dumping end)
- Less containers/bags accidently dropped into the bin, requiring Attendant climbing in to retrieve or fines at Dump.
- Attendant does not have to climb in to try and redistribute yard waste

Verify Transfer Station Users pay RDCO Utility Bill

The attendant does not confirm you are a registered user of transfer station, ie pay a utility bill. So non residents, North Westside users and other city residents use facilities. Need some way for attendant to know who is registered user. Improvement would be to install RFID (Radio Frequency Identification) reader at gate to control entry and issue RFID cards to all paid users. This is likely only a \$20,000 to \$30,000 investment - Potential for CWF funds?

Issue: Non RDCO resident use of facilities:

- Non RDCO residents use this facilities to dump large volumes of garbage and especially organics as this transfer station from West Kelowna and Kelowna
 - Why?
 - No charge \$\$\$ due to no verification of residence
 - Closer than West Kelowna or Kelowna disposal areas
- People living on westside that don't pay a utility bill for transfer station still use station, ie some stratas, lots with only summer trailers / tents .
- Shelter with electricity and internet connection would be an enabler for this improvement.

Benefits

- Less cost to transfer station users as less volume from non-registered use.

Spring Hours do not Accommodate Residents FireSmarting their Properties

Issue: Extended weekend summer hours don't start till May long weekend

The additional weekend hours start too late in spring.

- Designed for the summer resident to drop off garbage and not the year-round user needs for access to yard waste in spring
- FireSmart clean up is April & early May before fire season starts. And is gets too hot to do cleanup.
- Full day Saturday hours have been dropped making it harder for people to make multiply loads in one day
- Yard waste is supposed to be limited to one pick up truck a week. which is not sufficient in spring.
- In spring yard waste bin frequently "full" on Sundays because of no weekend bin pick ups

Benefits of addressing Issues

- Starting extended weekend hours in Mid April, allowing residents to spread out their FireSmart clean up and completed earlier
- Less reliance on a one special weekend clean up
- Prevent people being turned away on Sundays and especially May long weekend when bin fills early.

Rural Residents need Food Waste Disposal

Issue: Rural residents cannot compost at home due to wildlife. But current facility has no room to accommodate future food waste disposal.

- Discussion topic at AGM for 4 yrs. Residents want it!.
- Our area not included in public input survey
- Residents volunteered to be first/early adopters, but RDCO is leaving us to end of roll out. They don't know how they would do this at transfer station due to wildlife concerns.
- No plot space identified/available for this usage.

Benefits of addressing Issues

Reduce garbage sent to landfill

Reduce potential wildlife issues

Understanding Role of Attendant

Issue: Multiple attendants in past few yrs. Level of service varies but generally decreased

- Current regular attendant injured in the workplace so could not physically assist users. Witnessed situations people struggling to balance yard waste bin while dumping. Attendant couldn't help but user told they are not getting it into the yard waste bin.
- Many substitute attendants stay in car especially in bad weather.
 - We knock car on window for assistance. ie Had to ask them to sweep up broken glass.
 - People have questions about what goes into what recycle. Attendant needs to be out so easy to ask.
- Level of customer service needs to improve. And be consistent
- Attendant does not enforce no leaving items out hoping others may want them ie free marketplace/swap meet!
- Attendant does not enforce only registered users use transfer station

Benefits of addressing Issues

- Less contamination in recycle as people will put stuff in right bins,
- Less mess at transfer station -- especially in yard waste areas and free marketplace drops
- Clear understanding of roles and customer service levels makes for less conflict. RDCO staff has provided role expectations to WLCS and discussed with E360. Some improvements noted in recent weeks.

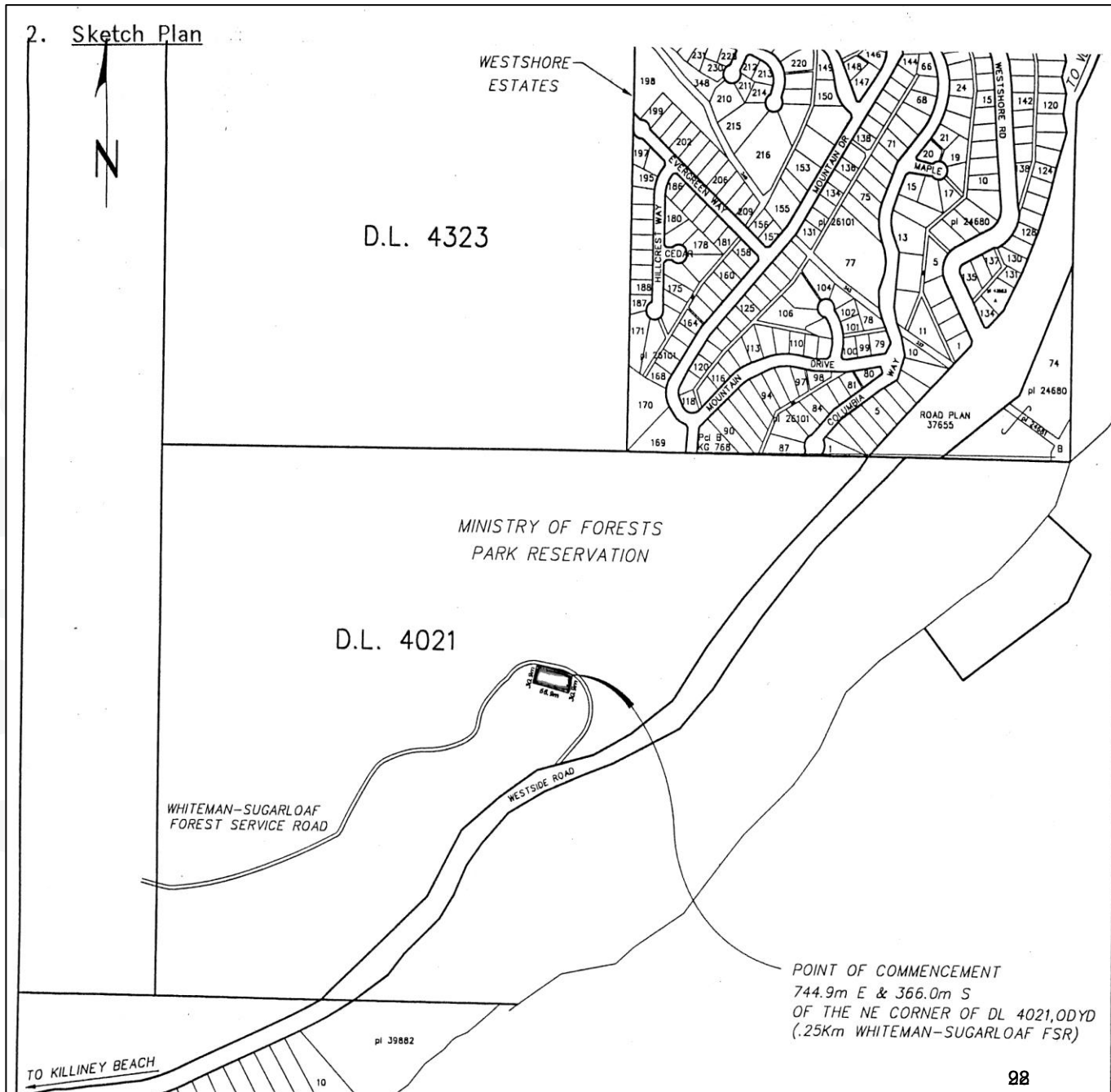
NORTH WESTSIDE WASTE TRANSFER STATION PRESENTATION

January 2025

North Westside Communities Association



2. Sketch Plan

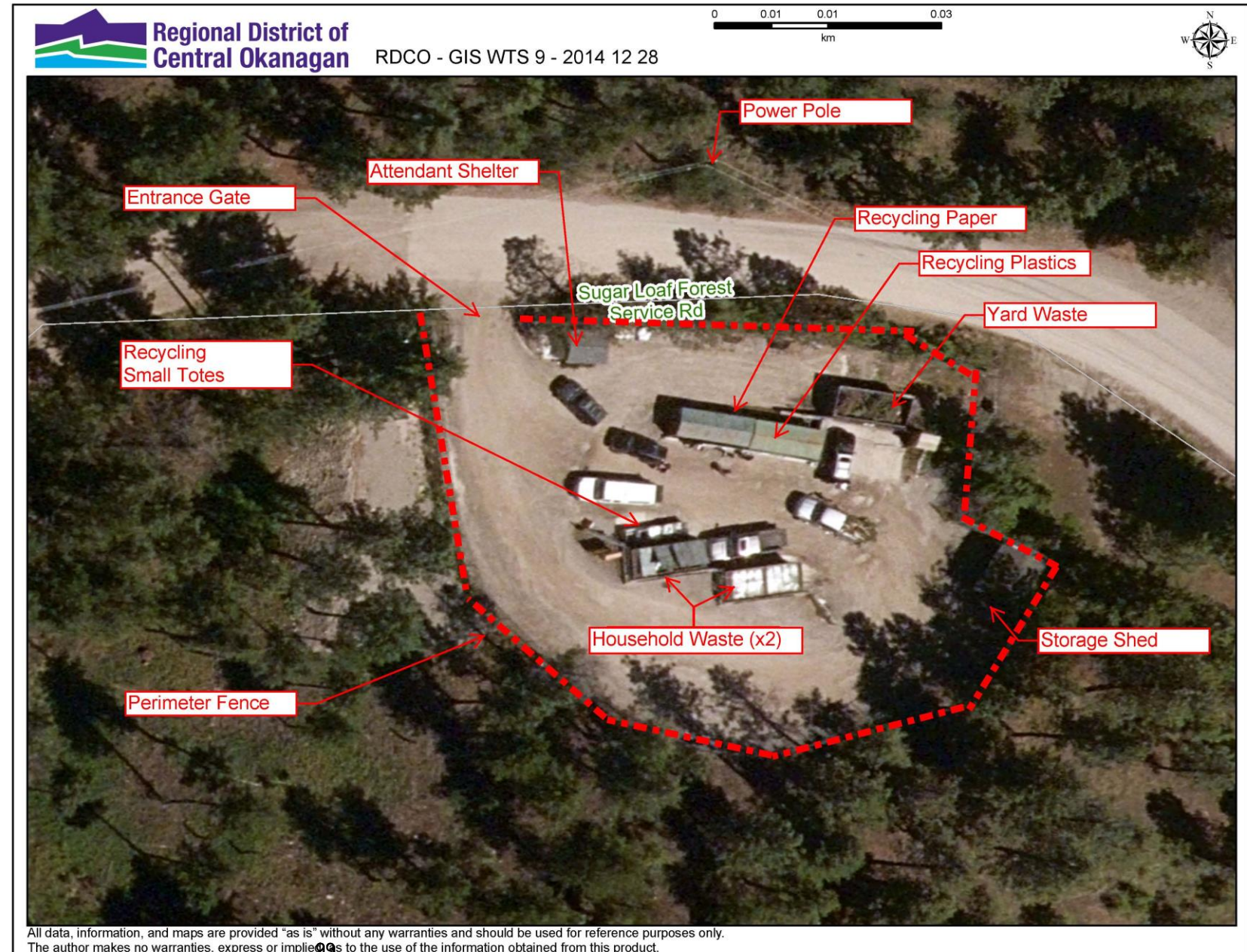


VICINITY PLAN AND HISTORY

- Located on Sugar Loaf Forestry Road
- Site acquired through a License Agreement with the Ministry of Environment, Lands and Parks (0.2 Hectare 30mx60m) (File3408504)
- Constructed 1995, the North Westside Ratepayers Association obtained grants of \$62,000 for the original Waste Transfer Station. All the work at the transfer site was originally done by a volunteer committee and funded by a \$40 per year user fee.
- Site is currently administered by the RDCO and operated by E360.

FACILITY SERVICES

- Roll-off container style transfer station
- Staffed with a part-time attendant
- Open year round with seasonal Summer and Winter operating hours
- Transfer Station has progressively expanded to receive recycling, yard waste, and large item drop off in addition to household waste.



HOUSEHOLD WASTE ZONE



YARD WASTE ZONE



RECYCLING ZONE



FACILITY CHALLENGES

Undersized Facility

- Population growth in combination with expanded recycling services and added yard waste services has stretched the facility's capacity, leaving it unable to accommodate current user demands. Under staffed during peak Summer season.

Traffic and Safety Hazards

- Recycling bins and totes are positioned on both sides of the traffic lanes, requiring users to cross the lanes. This setup leads to traffic congestion and heightens pedestrian safety risks.

Inefficient Bin Configuration

- Yard waste drop-off bin is located near both household waste and recycling bins which creates traffic issues, especially with small trailers turning in corner areas.
- Overlapping of time-intensive yard waste drop-off zone and recycling sorting zones lead to traffic jams.

Insufficient Yard Waste Capacity

- A single yard waste bin provides inadequate capacity for users and often fills quickly during seasonal surge periods.

Insufficient Cardboard Recycling Capacity

- Cardboard recycling fills quickly and bins are inconveniently located in line with plastics recycling, impacting hauling efficiency.

Aging Infrastructure

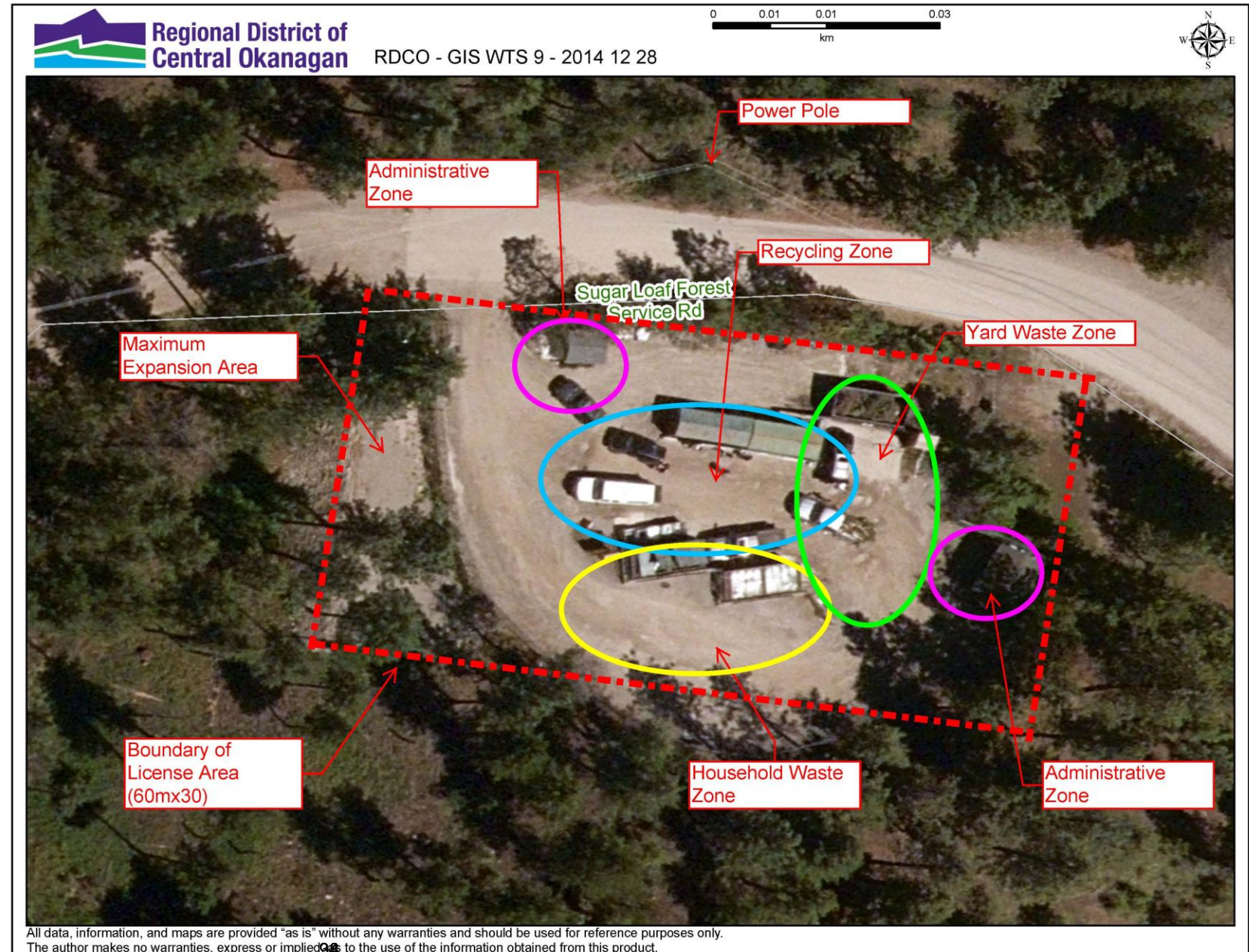
- Recycling and waste bins are nearing the end of their service life. Approximately 30 years old.
- Gravel road surfaces are failing, reducing usability, causing potholes, muddy roads, and automobile damage.

Inadequate Attendant Shelter and Site Security

- Attendant shelter and security measures are insufficient for effective site management.

SITE VIEW OF FACILITY CHALLENGES

- Constrained Footprint, Limited License Area for Expansion.
- Traffic and Safety Hazards.
- Inefficient Bin Configuration
 - Small Trailers in Corners
 - Overlapping Zones
- Insufficient Yard Waste Capacity
- Insufficient Cardboard Recycling Capacity
- Inadequate Attendant Shelter, Seasonal Staffing, and Site Security



SHORT TERM ACTION ITEMS

Staffing Levels

- Hire a second facility attendant for the seasonal months of June, July, and August. (Estimate \$12k)

Benefits of addressing Issues

Improve public safety, reduce conflict with seasonal vacation users, maintain facility cleanliness.

Facility Improvements

- Install 4 sheets of 3/4" plywood – marine grade – under recycling totes to provide a hard surface (Estimate \$800)
- Install and compact 3" of 3/4" minus crush gravel in the recycling zone of the facility. (Estimate \$3k)

Benefits of addressing Issues

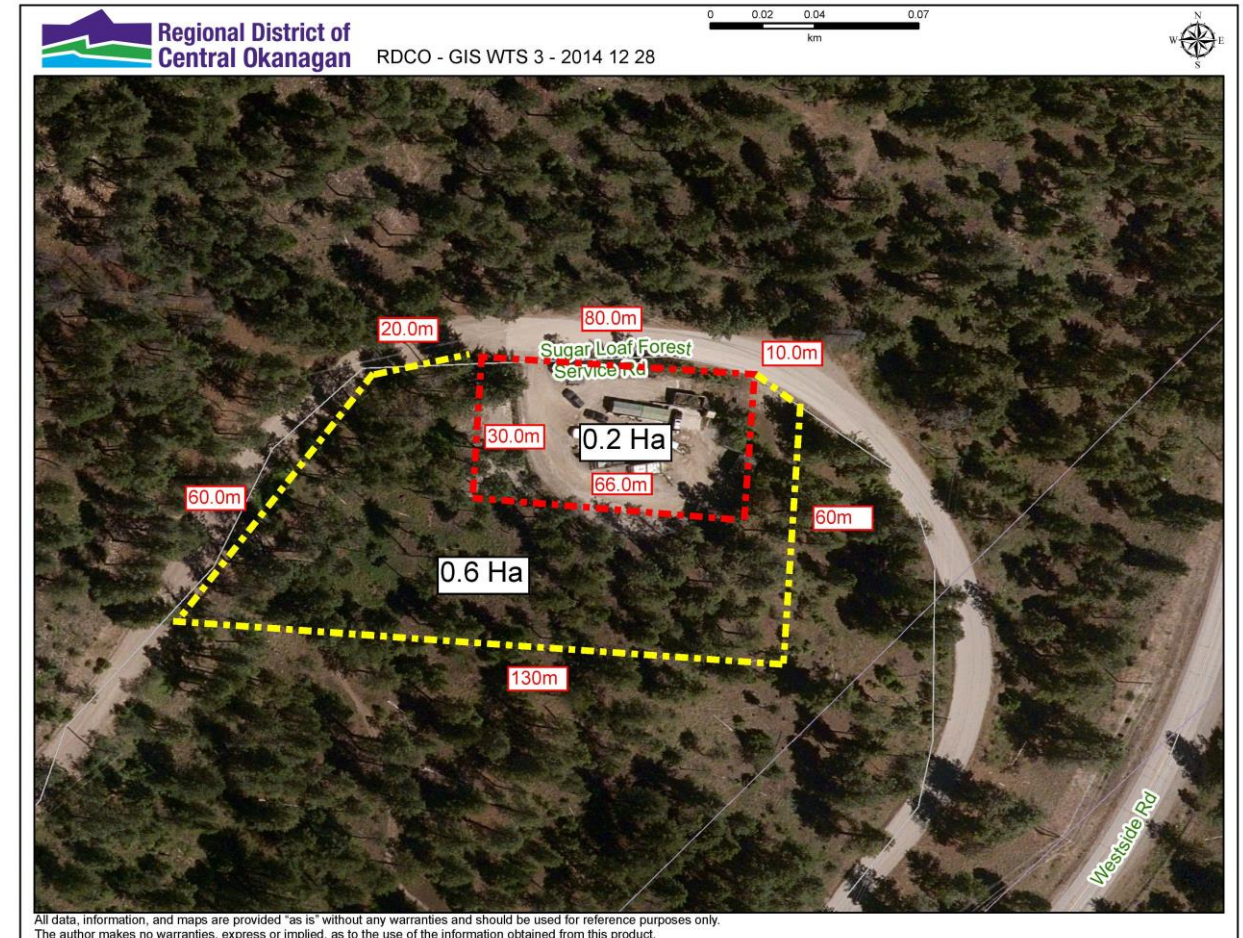
Provide hard surface under glass recycling area, reduce bin spillage, improve road surface, eliminate potholes, reduce mud, lessen damage to user vehicles.

LONG TERM CONSIDERATIONS (1)

Expand Facility Capacity

Plan and construct additional space to meet current and future user needs:

- Acquire a larger Provincial License Area, expand from existing 0.2Ha to 0.6Ha.
- Quantify Facility Uses:
 - Number of hauls per week
 - Tipping weight of each truck
 - Haul distance
 - Identify current number of users and projected number of future users
- Seek professional expertise. Contact two or more suppliers of compaction equipment and bins. Have them prepare an equipment proposal and site layout design. This is a service that is typical provided free of charge.
 - **Benefits of addressing Issues**
 - Improve safety, ease traffic congestion, improve user experience, and ensure the efficient allocation of improvement funds



LONG TERM CONSIDERATIONS (2)

Improve Traffic Flow and Facility Safety

- Reconfigure bin placement to keep all bins on one side of traffic lanes.
- Design dedicated traffic lanes for safe pedestrian and vehicle movement. Traffic should ideally maintain 3 lanes of traffic (2 for dumping and 1 through fare).
- Ensure adequate manoeuvring room for small trailers, keeping yard waste bins away from corners.

Benefits of addressing Issues

Improve safety, ease traffic congestion, and improve user experience.

Optimize Bin Configuration

- Separate yard waste drop-off zone from recycling zone to reduce traffic congestion.
- Streamline sorting areas to minimize delays and improve efficiency.

Benefits of addressing Issues

Improve safety, ease traffic congestion, improve user experience, reduce operating costs.

Increase Yard Waste Capacity

- Add a second yard waste bin and relocate the bins away from garbage and recycling zones.
- Offset bin placement to facilitate operations and hauling.

Benefits of addressing Issues

Improve safety, ease traffic congestion, increase capacity, improve user experience, and ease site operations.

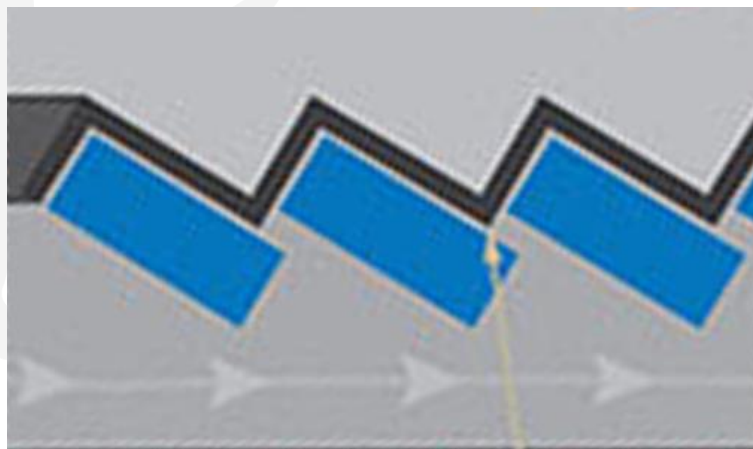
LONG TERM CONSIDERATIONS (3)

Increase Cardboard Recycling Capacity

- Consider compaction of paper and cardboard materials.
- Alternatively, increase the number of cardboard recycling bins and offset bin placement for easy access and to facilitate operations and hauling.

Benefits of addressing Issues

- Compaction will maximize hauling efficiency and reduce haul costs.



LONG TERM CONSIDERATIONS (4)

Upgrade Infrastructure

- Replace aging bins with durable, modern designs.
- Solid surface roadways and bin pad areas for improved durability and usability.
- Consider bin pad elevation finished in concrete, while upper vehicle level may be pavement.

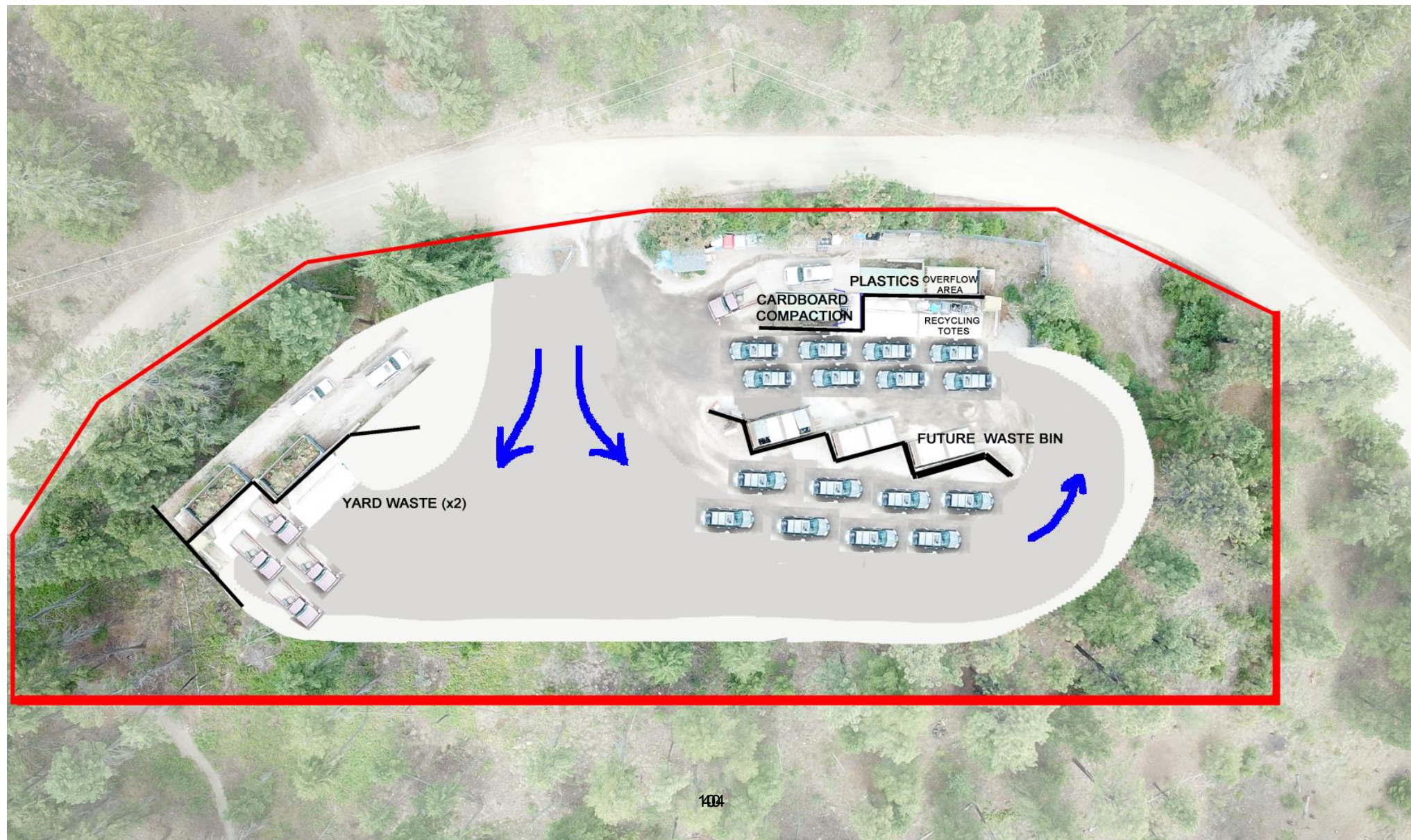
Enhance Attendant Shelter and Security

- Build a larger, weather-resistant shelter for attendants.
- Include wash facilities, heating, A/C, and WiFi.
- Install site security cameras.

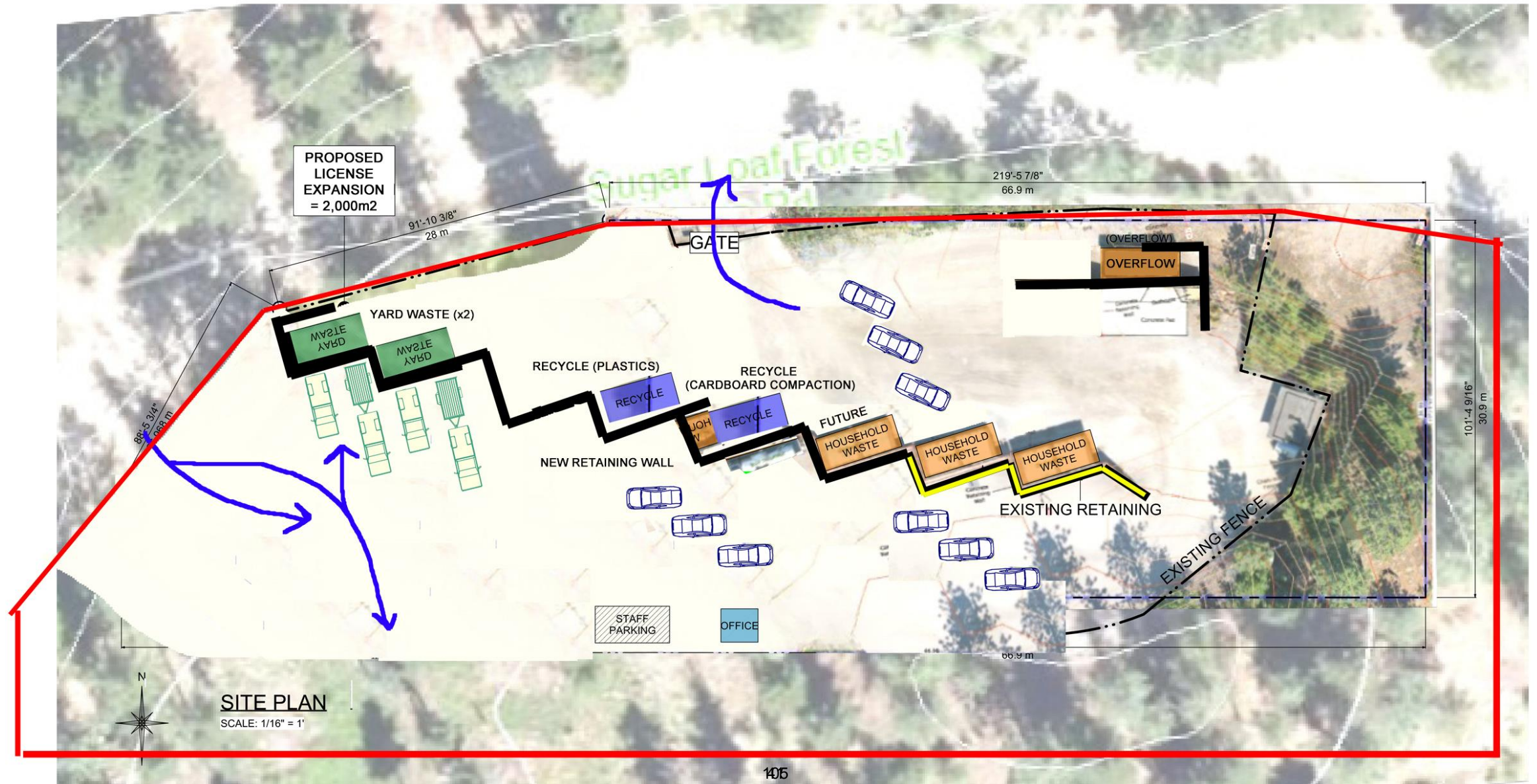
Other Considerations

- Extend electricity to facilitate security equipment and compaction equipment.
- Assess feasibility of alternate tipping locations such as Armstrong or Vernon to shorten haul routes.
- Consider and plan for the phased installation of improvements, commencing with the acquisition of a larger license area, and progressing with the installation of new yard waste zone, attendant shelter, compaction equipment, additional retaining walls, and future household waste bin.

EXAMPLE SITE CONFIGURATION #1



EXAMPLE SITE CONFIGURATION #2



CONCLUSION

The North Westside Waste Transfer Station is undersized to meet the current and future needs of the community, and improvements to the facility are necessary to address traffic flow, safety, capacity, and infrastructure challenges.

It is requested that the Electoral Area Services Committee consider a resolution to support the following recommendations:

1. That the RDCO Board support, in principal, the implementation of improvements at the North Westside Waste Transfer Station as described;
2. That the RDCO increase current year service funding to hire a second facility attendant for the months of June, July and August; and that the RDCO conduct certain short term facility maintenance;
3. That the RDCO immediately engage with the Province to acquire an expanded license area for the North Westside Waste Transfer Station, increasing the license area from 0.2 hectares to 0.6 hectares;
4. That the RDCO identify and quantify facility usage, including the number of truck hauls per week, tipping weight of each truck, haul distance, haul time, current number of users, and projected future users; and report the findings to the Electoral Area Services Committee at the earliest possible meeting for information;
5. That the RDCO, in consultation with industry professionals, develop a detailed improvements plan, inclusive of compaction, and report back to the Electoral Area Services Committee for consideration.

Standing Committee Report Electoral Area Services Committee

To: Electoral Area Services Committee
From: Director of Protective Services
Date: June 5, 2025
Subject: Open Burning

Objective: To review legislation, policy and other constraints limiting open burning.

Discussion:

This report is to inform the Electoral Area Services Committee of the legislation, policy and other constraints limiting open burning. The following regulations and bylaw regulate open burning within the Regional District Electoral Areas:

- Province of British Columbia – Environmental Management Act – Open Burning Smoke Control Regulation
- RDCO Bylaw No. 1066 – Fire Prevention and Regulations
- RDCO Bylaw No. 773 – Smoke Control Regulatory Bylaw

Part 2 – Section 13 and Part 3 – Section 23 of the Province of BC – Environmental Management Act – Open Burning Smoke Control Regulation defines burn pile setbacks from neighbouring residences or businesses. The minimum regulatory setback for burn piles for Community Wildfire Risk Reduction, is fifty (50) metres from neighbouring residences. The minimum lot size of one (1) hectare under Regional District Bylaw No. 1066 promotes compliance with the provincial regulation, and generally aligns with the RDCO's local government partners and other regional districts.

As smaller parcels tend to have closer proximity to neighbours, reducing the minimum lot size for open burning may lead to an increase in smoke complaints from neighbouring properties, citing discomfort and health concerns. Maintaining the one-hectare minimum parcel size helps to mitigate these issues as open burning is distanced from neighbouring properties. Additionally, fires that are closer to property boundaries pose a higher risk to spread to adjacent properties. The one (1) hectare minimum parcel size by design, reduces the risk of fire spread via a healthy buffer zone.

Balancing the need for open burning to mitigate fire risk with the health of residents, is of paramount importance. While open burning can be effective to reduce flammable vegetation as an effort towards wildfire mitigation, due consideration must be given to the risks associated with open burning. Smoke from these burns can adversely affect air quality, leading to respiratory issues and other health complications for local communities. The community has been vocal in raising concerns with air quality, even when planned prescribed burns are conducted by professionals. The current regulations and bylaws safeguard the well-being of our residents by honouring their air quality concerns and ensuring open burning practices do not inadvertently result in uncontrolled fires. Residents are encouraged to use chipping and bins as alternatives to open burning for disposing of combustible materials.

Recommendation(s):

THAT the Electoral Area Services Committee receives the Open Burning report from the Director of Protective Services dated June 5, 2025 for information.

Respectfully submitted by: Mike Walroth, Director of Protective Services

Approved for Agenda: Sally Ginter, Chief Administrative Officer

Attachment(s):

1. Fire-Prevention-and-Regulations-Consolidated-Bylaw-No.-1066
2. Smoke-Control-Consolidated-Bylaw-No.-773
3. Environmental Management Act - Open Burning Smoke Control Regulation
4. Burning in a High Smoke Sensitivity Zone - Open Burning Smoke Control Regulation Factsheet

This Bylaw is a 'consolidated' version and includes amendments as noted below. It is placed on the internet for convenience only. It is not the official or legal version and should not be used in place of certified copies which can be obtained through the Corporate Services Department. Plans, pictures, other graphics or text in the legal version may be missing or altered in this electronic version.

CONSOLIDATED FOR CONVENIENCE TO INCLUDE

BYLAW NOS. 1157-2006, 1184-2006, 1240-2008, 1295-2011 and 1564-2025

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1066

A Bylaw to provide for Prevention of Fires and to Provide for Regulation of Persons at or Near Fires.

WHEREAS the Regional District of Central Okanagan has adopted the Regional District of Central Okanagan Fire Prevention Services Establishment Bylaw No. 1065, 2004.

AND WHEREAS the Regional District of Central Okanagan may establish regulations necessary for the Regional District of Central Okanagan to help protect the public from the effects of fire.

AND WHEREAS the *Wildfire Act* will continue to apply for those parts of the Regional District of Central Okanagan outside the boundaries of the Regional District of Central Okanagan service area fire departments.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting assembled, enacts as follows:

1) **Purpose**

The purpose of this bylaw is to enact the regulations necessary for the Regional District of Central Okanagan to utilize the B.C. Fire Code and additional local policies to help to protect the public from the effects of fire.

2) **Definitions**

"Air curtain burning" means burning in a trench or in a manufactured above grade enclosed burner using a mechanical air system to force air into the fire to accelerate burning while producing minimal visible smoke.

"Compostible materials" means small waste products from plants, trees or other vegetation that biodegrade easily, including grass clippings, leaves, tree needles, garden waste and weeds.

"Defensible Space" means the area within 10 meters of a building in which ground cover is kept to a minimum. The *defensible space* also includes the area 30 meters from a

building in which branches of coniferous trees are recommended to be removed to a minimum of 2.5 meters from the ground and coniferous trees thinned so that their crowns/branches are separated by at least 3 meters.

“Driveway” means the vehicle access located on and serving private property and includes the connection to the public roadway.

“Fire Chief” means the person appointed as *Fire Chief* by the local government and any persons he appoints to do work on his behalf.

“Forestland” means land in which the coniferous trees have a spacing of less than 3 meters between the crowns/branches, the branches extend to closer than 2.5 meters of the ground or where low bush type ground cover is general over the area.

“Incident” means a fire or a situation where a fire or explosion is imminent and includes assistance response to specific circumstances.

Bylaw 1157

“Opening burning” means burning piled *permitted burning materials* at ground level with natural airflow.

Bylaw 1157

“Permitted burning materials” means untreated wood prunings, branches, tree trunks, stumps or other vegetation that have been allowed to dry for at least two years or to equivalent dryness and that do not constitute:

1. *prohibited burning materials*,
2. *compostible materials* or
3. the wood, trees, stumps, shrubbery and wood debris that results from land being cleared or partially cleared of vegetation to help prepare the land for a different use.

Bylaw 1157

“Prohibited burning materials” means waste material including demolition, renovation or construction waste material and those materials listed in the “Open Burning Smoke Control Regulation” enacted pursuant to the “Waste Management Act” as amended from time to time, including the following: tires, plastics, drywall, demolition waste, domestic waste, paint, special waste, tar paper, treated lumber, railway ties, manure, rubber, asphalt, asphalt products, fuel and lubricant containers, biomedical waste.

Bylaw 1157

“Service area fire department” means Wilson’s Landing Fire Protection Local Service Area, Ellison Fire Protection Local Service Area, North Westside Road Fire Protection Local Service Area, June Springs Fire Protection Service Area, Brent Road Fire Protection Service Area, Lakeshore Road Fire Protection Service Area, Joe Rich Fire Protection Local Service Area and Westside Fire Protection Service Area.

Bylaw 1157

3)

Regulations

The standards of the B.C. Fire Code applies.

Bylaw 1157

4)

Prevention

In addition to the requirements of the B.C. Fire Code, the B.C. Building Code and the Fire Services Act:

- a) The owner or occupant of any lands, premises, yards or buildings situated within the Regional District of Central Okanagan shall at all times keep the same in a safe condition so as to guard against starting and spread of a fire.
- b) The owner or occupant of a building located within 30 meters of *forestland* shall be encouraged to provide and maintain a *defensible space* to increase the probability of protecting the building or structures survivability from approaching wildfire as well as to reduce the potential for a structure fire spreading to the *forestland*.
- c) The owner or occupant of real property shall keep their buildings and yards clear of anything that may unduly increase the probability or danger of fire.
- d) The owner or occupant of real property shall keep and maintain in good working order any equipment or facility which has been installed pursuant to the B.C. Building Code or required to be maintained by the B.C. Fire Code or other provincial regulation.
- e) No person or persons shall allow accumulations of empty boxes, barrels, rubbish, trash, waste paper excelsior, or any light combustible materials, in any alley or on any sidewalk or premises; except that such materials may be stored in a room or receptacle of fire resistive construction fitted with fire doors, or in metal containers equipped with tight fitting lids.
- f) The owner or agent of any vacant building shall at all times keep such building free of debris and flammable material, and shall keep all openings in such buildings securely fastened and closed so as to prevent the entry of unauthorized persons.
- g) Where required by the British Columbia Fire Code as amended from time to time, the owner or occupant of any lands, premises, yards, or buildings shall at all times keep the same in a safe condition by:
 - i) maintaining the fire alarm system in an approved manner in accordance with Section 6.3 of the British Columbia Fire Code;
 - ii) maintaining emergency lighting and exit lighting in accordance with Sections 2.7.3 and 6.7 of the British Columbia Fire Code;
 - iii) maintaining fire department vehicle access in accordance with Section 2.5 of the British Columbia Fire Code;
 - iv) maintaining commercial cooking equipment in an approved manner in accordance with Section 2.6.1.9 and 6.8 of the British Columbia Fire Code;
 - v) supplying and maintaining portable fire extinguishers in an approved manner in accordance with Section 6.2 of the British Columbia Fire Code;
 - vi) maintaining a means of egress in accordance with Sections 2.7.1.6, 2.7.1.7 and 2.7.2 of the British Columbia Fire Code;
 - vii) providing and maintaining an approved fire safety plan in accordance with Section 2.8 of the British Columbia Fire Code;
 - viii) maintaining an automatic sprinkler and/or standpipe and hose system in an approved manner in accordance with Section 6.4 and 6.5 of the British Columbia Fire Code;
 - ix) maintaining fire hydrants in an approved manner as Section 6.6.4 of the British Columbia Fire Code;

- x) adhering to the posted occupant loads as per Section 2.7.1.3 of the British Columbia Fire Code;
- xi) maintaining special fire suppression systems in an approved manner as per Section 6.8 of the British Columbia Fire Code.

Bylaw 1157

5)

Fire Hydrants

In addition to the requirements of the B.C. Fire Code:

- a) No person shall make any attachment or connection to any hydrant or standpipe except as approved by the *Fire Chief* or the local water supplier.
- b) Private hydrants shall conform to the requirements for hydrants as specified in the subdivision bylaws for the area in which the hydrant is to be installed.
- c) The owner of a parcel on which a hydrant is installed shall maintain a clear and unobstructed area having a radius of one meter around each fire hydrant or standpipe.
- d) Each hydrant shall be in clear view of the adjacent access roadway or its location shall be made clearly obvious by other means.
- e) The color of a private hydrant shall be as specified by the *Fire Chief* in accordance with the N.F.P.A. standards that reference hydrant colors.

Bylaw 1157

6)

Smoke Alarms

In addition to the requirements of the B.C. Building Code and Fire Code:

- a) The owner of every building shall ensure that one or more smoke alarms are installed and maintained in every dwelling unit or suite and, except for institutional occupancies required to have a fire alarm system, in each sleeping room not within a dwelling.
- b) Smoke alarms shall be tested by the owner or occupant according to the manufacturer's specifications to ensure that they are functioning correctly. If the smoke alarm is not functioning correctly, the owner or occupant shall immediately repair the smoke alarm.
- c) Smoke alarms required by this bylaw shall conform to CAN/ULC-S531, Standard for Smoke Alarms and shall be installed and maintained in conformance with CAN/ULC-S553 Standard for the Installation of Smoke Alarms.
- d) Smoke alarms required for motels, hotels, boarding houses, rooming houses and dormitories shall be installed in accordance with the B.C. Building Code.

Bylaw 1157

7)

Burning

Bylaw 1157

- a) All burning authorized by this bylaw is subject also to the requirements of the Regional District of Central Okanagan Smoke Control Regulatory Bylaw No. 773.

- b) Bylaw 1157 This bylaw does not regulate *open burning* or campfires outside of the boundaries of the Regional District of Central Okanagan Service Area Fire Departments and is not designated or intended to replace the jurisdiction of the Wildfire Act outside of the boundaries of the Regional District of Central Okanagan Service Area Fire Departments.
- c) Bylaw 1157 Within the boundaries of the Regional District of Central Okanagan Service Area Fire Departments no person shall start or burn a fire of any kind in the outdoors, other than a campfire, without first having obtained a permit to do so from the *Fire Chief*.
- d) Bylaw 1157 The *Fire Chief* may issue a permit for *open burning* on lots having an area greater than one hectare except the *Fire Chief* may issue a permit for *open burning* on lots less than one hectare where safety of the public from the hazard of combustible vegetative material will be better served by *open burning* on those parcels.
- e) Bylaw 1157 The person to whom a permit for *open burning* has been issued shall be responsible for the management of the fire.
- f) Bylaw 1157 The person to whom a permit for *open burning* has been issued shall maintain a minimum separation of thirty meters between the location of the open burn fire and any building or forested area.
- g) Bylaw 1157 The person to whom a permit for *open burning* has been issued shall ensure that all material to be burned originates from the parcel of land on which it is to be burned.
- h) Bylaw 1157 The person to whom a permit for *open burning* has been issued shall ensure that only *permitted burning materials* are burned.
- i) Bylaw 1157 The person to whom a permit for *open burning* has been issued shall ensure that all burning is conducted and concluded between 7:00 a.m. and sunset of the same day except as authorized in Section 7) j).
- j) Bylaw 1157 The person to whom a permit for *open burning* has been issued may continue a fire beyond one day to a maximum of three days for large dried material such as stumps and wood in excess of eight inches in diameter, however, no further *permitted burning materials* shall be added to the fire after 5:00 p.m. of each day of the fire. The fire shall be maintained at all times as a substantially smokeless fire.
- k) Bylaw 1157 The person to whom a permit for *open burning* has been issued shall ensure that the *permitted burning materials* are not from land being prepared for a different non-farming use. (e.g. farmland to residential, forest land to residential, forest land to open area or rural lands to subdivisions, etc.)
- l) Bylaw 1184 & Bylaw 1564 Regardless of the issuance of a permit, the person to whom a permit for *open burning* has been issued shall not burn unless the venting index as provided daily by Environment Canada is **fifty-five (55)** or greater when the fire is started.

- m) Bylaw 1157 & Bylaw 1295 Regardless of the issuance of permit, the person to whom a permit for *open burning* has been issued shall not burn when the PM 2.5 concentration is 15 µg/m³ (15 micrograms [millionths of a gram] of fine particulate matter per cubic meter of air (24h rolling average) or greater, based on information provided by the Ministry of Environment.
- n) Bylaw 1157 The person to whom a permit for *open burning* has been issued shall have a competent person at all times in charge of the fire.
- o) Bylaw 1157 The person to whom a permit for *open burning* has been issued shall control the fire so that it does not:
i. spread beyond the extent of a pile being burned,
ii. damage adjacent property or
iii. cause a nuisance.
- p) Bylaw 1157 The person to whom a permit for *open burning* has been issued shall ensure that *prohibited burning materials* are not burned in the fire.
- q) Bylaw 1157 No person shall burn in or allow a fire to continue to burn in a domestic outdoor or backyard incinerator or any structure functioning as a domestic incinerator or burning barrel or similar device.
- r) Bylaw 1157 The use of a campfire shall be in accordance with the Regional District of Central Okanagan Smoke Control Regulatory Bylaw No. 773. This authorization for the use of campfires may be suspended by the *Fire Chief* at any time that conditions indicate that it is too hazardous to allow campfires to be burned.
- s) Bylaw 1157 The *Fire Chief* may issue a permit for *air curtain burning* for the purposes of disposing of the fuels created from fuel modification and hazard reduction in wildfire interface areas and for disposal of land clearing waste subject to the conditions that:
i. the burn produces no visible smoke once fully operative.
ii. the conditions of 7) o) apply to the air curtain burn.
iii. only wood waste is burned.
- t) Bylaw 1157 The *Fire Chief* may suspend, cancel, restrict or change the conditions of any burning permits as necessary due to development of hazardous conditions, adverse weather or other such circumstances as arise from time to time.
- u) Bylaw 1157 & Bylaw 1240 The *Fire Chief* may issue permits for burning with the time periods from October 1st in one year to April 30th of the following year.
- v) Bylaw 1157 Notwithstanding Section 7) u) the *Fire Chief* may issue a special burning permit to handle a specific hazard at any time during the year subject to any conditions the *Fire Chief* considers necessary to achieve a safe burn or may extend or decrease the general allowable *open burning* period where local climate and weather situations warrant such a change.
- w) Bylaw 1157 In addition to any other remedy or offence imposed by this, a person who starts a fire without a valid permit or fails to manage a fire for which a permit has been issued shall be responsible for the costs of providing the personnel and

equipment used to extinguish the fire or to suppress any escape or threatened escape of the fire.”

Bylaw 1157

8) Inspections

Bylaw 1157

a) An annual fire prevention inspection of occupancies and buildings as required by the Fire Services Act, shall be carried out by or on behalf of the Regional District of Central Okanagan except such annual inspection may be averaged out over any three year period taking into account the issues noted in Section 8) b).

Bylaw 1157

b) The system of fire prevention inspections may be revised as necessary throughout the year to take into account the following issues:

- i. Available resources.
- ii. Outstanding scheduled inspections.
- iii. Community growth.
- iv. Economic viability.
- v. Fire investigations.
- vi. Illness and/or injury.
- vii. Education leave.
- viii. Training requirements.
- ix. Scheduled vacation.
- x. Required expertise.
- xi. Other duties.
- xii. Unforeseen emergencies.

Bylaw 1157

c) A fire prevention inspection made by or on behalf of the Regional District of Central Okanagan shall in no way relieve the owner of the building or premises from full responsibility for the safety of the building or premises.”

Bylaw 1157

9) Authority of Fire Chief

- a) The *Fire Chief* and persons he designates to work on his behalf are authorized to exercise the powers and enforce the provisions of this bylaw, the Fire Services Act and the regulations made hereunder including the B.C. Fire Code.
- b) The *Fire Chief* and persons he designates to work on his behalf are authorized to perform the duties of a Local Assistant to the Fire Commissioner.
- c) The *Fire Chief* and persons he designates to work on his behalf are authorized to commandeer privately owned equipment that is considered necessary to deal with an *incident*.
- d) The *Fire Chief* and persons he designates to work on his behalf are authorized to at any reasonable time enter any premises for any purpose under this bylaw.
- e) The *Fire Chief and* persons he designates to work on his behalf are authorized to cause a building or structure to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.

- f) The *Fire Chief* and persons he designates to work on his behalf at an *incident*, may establish boundaries or limits and prevent persons from entering the area within the prescribed boundaries or limits.
- g) The *Fire Chief* and persons he designates to work on his behalf are, at an *incident*, authorized to enter, pass through or over buildings or real property adjacent to the *incident* to gain access to an *incident* or to protect any person or property.
- h) The *Fire Chief* may with the agreement of the property owner authorize burning buildings, structures or other materials for the purpose of training personnel or for the purpose of eliminating hazards.

10) **Severability**

If a court of competent jurisdiction holds any portion of this bylaw invalid, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the severed portion.

Bylaw 1157

11) **Prohibitions**

- a) No person shall fail to conform to the requirements of the B.C. Fire Code.
- b) No person shall enter the boundaries or limits of an area established under Section 9) f) unless that person has been authorized to enter by the *Fire Chief* or persons he designates to work on his behalf.
- c) No person shall impede, obstruct or hinder the *Fire Chief* or persons he designates to work on his behalf.
- d) No person shall drive a vehicle over any fire department equipment without permission of the *Fire Chief* or persons he designates to work on his behalf.
- e) No person shall cause an alarm to be transmitted to the Fire Department by telephone, fire alarm system, in person or by other means, knowing that an emergency or *incident* does not exist.
- f) No person shall refuse to allow the *Fire Chief* or persons he designates to work on his behalf to:
 - i) enter premises, at any reasonable time, for the purpose under this bylaw.
 - ii) enter at any time, premises or property where an *incident* has occurred or is occurring, or to allow the entry of any fire fighter, apparatus or equipment deemed necessary to deal with the *incident*.
 - iii) enter or pass through or over buildings or property adjacent to an *incident* or allow apparatus and equipment to enter or pass through or over buildings or property where deemed necessary to gain access to the *incident* or to protect any person or property.

Bylaw 1157

Bylaw 1157

12) **Penalty**

- a) Any person who violates any bylaw provision may, on summary conviction, be liable to the maximum penalty under the Offense Act, plus the cost of

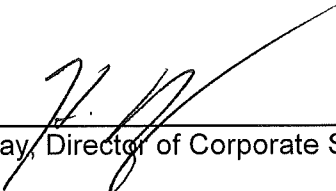
prosecution, for each offense. The penalties imposed under this section are a supplement and not a substitute for any other remedy to an infraction of this bylaw.

- b) Ticketable offences under this bylaw and the fines therefore shall be those set out in the Municipal Ticket Information Bylaw.

This bylaw may be cited as the "Regional District of Central Okanagan Fire Prevention and Regulations Bylaw No. 1066, 2004", as amended.

I, Harold Reay, Director of Corporate Services for the Regional District of Central Okanagan, do hereby certify that the following 6 pages comprises a true and correct copy of Bylaw No. 773, which was adopted by the Regional Board on the 4th day of May, 1998 and has been consolidated to include amending Bylaw Nos. 781-1998, 969-2002, 1059-2004, 1130-2005, 1218-2007, 1296, 2011.

Dated at Kelowna, B.C. this
23rd day of August 2011



H. Reay, Director of Corporate Services

REGIONAL DISTRICT OF CENTRAL OKANAGAN

SMOKE CONTROL REGULATORY BYLAW NO. 773

CONSOLIDATED

(Includes Bylaw Nos.:781, 969, 1059, 1130, 1218 and 1296)

Being a bylaw to require the owners or occupiers of real property, or their agents, to eliminate or reduce the fouling or contaminating of the atmosphere through the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia; to prescribe measures and precautions to be taken for the purpose; and to establish limits not to be exceeded for those emissions.

WHEREAS the Regional District of Central Okanagan may by bylaw establish and operate the extended service of control of pollution, nuisances, unwholesome or noxious materials, odours and disturbances;

AND WHEREAS in relation to such matters the Regional District of Central Okanagan may require the owners or occupiers of real property, or their agents, to eliminate or reduce the fouling or contaminating of the atmosphere through the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia; and may prescribe measures and precautions to be taken for the purpose; and may establish limits not to be exceeded for those emissions;

AND WHEREAS the Regional District recognizes that smoke at times affects the comfort, convenience and health of its citizens;

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in open meeting assembled enacts as follows:

1. **DEFINITIONS**

In this Bylaw:

"Campfire" means a fire not exceeding one meter in diameter and one meter in height used for the purpose of cooking and/or to provide heat and light associated with camping and recreation.

"Compostable materials" means waste products from plants, trees or other vegetation that are naturally biodegradable including grass clippings, leaves, tree needles, garden waste and weeds.

"Inspector" means a duly appointed bylaw enforcement officer, peace officer or designated member of a fire department.

"Nuisance" means the emission into the atmosphere of *smoke* by any means which disturbs the comfort or convenience of persons in the vicinity.

"Open burning" means the combustion or burning of any substance or material in the open air by any means but shall not include:

- a. the operation of a permanent outdoor barbeque or outdoor portable barbeque intended for and used solely for the preparation of food.
- b. fires used by fire department authorities for the purposes of education, training and other fire department purposes;
- c. fires used or recommended by authorities having jurisdiction to manage ecosystems for purposes of silvicultural management, forest fuel management, fire hazard reduction, wildlife enhancement, domestic range improvement and the use of fire as a means of fire control.
- d. *campfires*

"Permitted burning materials" means untreated wood, prunings, branches, tree trunks, stumps or other vegetation that have been allowed to dry for at least 2 years and that do not constitute:

- a. *compostible materials* or
- b. the wood, trees, stumps, shubbery and woody debris that results from land being cleared or partially cleared of vegetation to help prepare the land for a different use.

"Permitted wood burning appliance fuels" means seasoned untreated wood or manufactured products such as wood pellets and or fuel logs retailed for use as fuel in a solid fuel burning appliance.

"Prohibited burning materials" means waste material including demolition, renovation or construction waste material and those materials listed in the *Open Burning Smoke Control Regulation* enacted pursuant to the *Waste Management Act* as amended from time to time including the following:

tires	treated lumber
plastics	railway ties
drywall	manure
demolition waste	rubber
domestic waste	asphalt
paint	asphalt products
special waste	fuel and lubricant containers
tar paper	biomedical waste

"Regional Board" means the Board of the Regional District of Central Okanagan.

"Regional District" means the Regional District of Central Okanagan as described in its Letters Patent including the City of Kelowna, the District of Lake Country and all Electoral Areas, but excluding the Corporation of the District of Peachland and lands located within a First Nation Reserve or lands vested in or under the jurisdiction of the Crown. All references to the Regional District shall include its officers, employees, agents, elected representatives, *inspectors* or persons acting on its behalf.

"Service Area Fire Departments" means Wilson's Landing Fire Protection Local Service Area, Ellison Fire Protection Local Service Area, North Westside Road Fire Protection Local Service Area, June Springs Fire Protection Service Area, Brent Road Fire Protection Service Area, Lakeshore Road Fire Protection Service Area, Joe Rich Fire Protection Local Service Area and Westside Fire Protection Service Area.

"Smoke" means the gases, particulate matter and all other products of combustion emitted into the atmosphere when a substance or material is burned including, without limitation, *smoke*, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia.

"Wood burning appliance" means a solid fuel burning device including, without limitation, a stove, and fireplace insert.

2. SMOKE CONTROL REGULATIONS AND PROHIBITIONS

- 2.0 The application of this bylaw shall be limited to the City of Kelowna, the District of Lake Country and the areas included within the boundaries of the Regional District of Central Okanagan *Service Area Fire Departments*."
- 2.1 No person shall cause or permit *smoke* from open burning except in accordance with this Bylaw.
- 2.2 No person shall cause or permit *smoke* from open burning on land of which the person is not the owner or occupier unless authorized to do so by the owner or occupier and in accordance with this Bylaw.
- 2.3 No person shall cause or permit *smoke* from open burning except on land having an area of one hectare or more and in accordance with this Bylaw.
- 2.4 No person shall cause or permit *smoke* from open burning of :
- a. *prohibited burning materials*,
 - b. *compostable materials* or
 - c. the wood, trees, stumps, shrubbery and woody debris that results from land being cleared or partially cleared of vegetation to help to prepare the land for a different use (e.g. farmland to residential, forestland to residential, forestland to open areas or rural lands to subdivisions etc.).
- 2.5 No person shall cause or permit *smoke* from burning by use of an incinerator, burning barrel or similar device.
- 2.6 No person shall cause or permit *smoke* from open burning except in accordance with the following regulations:

- a. Only permitted burning materials shall be burned.
- b. All permitted burning materials to be burned shall originate from the land on which it is to be burned.
- c. All burning shall be conducted and concluded between 7:00 a.m. and sunset of the same day except for burning permitted under section 2.6 d.
- d. Fires for large permitted burning materials such as stumps and other materials over 8 inches (200 mm) in diameter that have been dried in accordance with this bylaw may be maintained for a maximum of 72 hours if the fire is substantially smokeless, however no further permitted burning materials shall be added to a fire after 5:00 p.m. of each day of the fire.
- e. A minimum separation of 30 meters shall be maintained between the location of a fire and all property lines, buildings, and structures.
- f. All fires shall be continuously controlled and supervised by a competent person properly equipped with sufficient fire extinguishing equipment and material.
- g. All fires shall be maintained so as to not constitute a nuisance.
- h. All fires are subject to local fire restrictions in their respective fire districts and are subject to cancellation at any time by any authority having jurisdiction.
- i. Fires are prohibited when the PM 2.5 concentration is $15 \mu\text{g}/\text{m}^3$ (15 micrograms [millionths of a gram] of fine particulate matter per cubic meter of air (24h rolling average) or greater, based on information provided by the Ministry of Environment.

3. CAMPFIRES

3.1 No persons shall cause or permit *smoke* from a *campfire* except in accordance with the following regulations:

- a. Only permitted burning materials, including seasoned untreated lumber, shall be used in *campfires* and firewood must be dry and seasoned.
- b. *Campfires* shall be continuously controlled and supervised by a competent person equipped with extinguishing equipment and material.
- c. *Campfires* shall be maintained so as not to cause a nuisance.
- d. *Campfires* are subject to local fire restrictions in their respective fire districts and are subject to cancellation at any time by any authority having jurisdiction.

4. WOOD BURNING APPLIANCES

4.1 Only permitted *wood burning appliance* fuels shall be used in a *wood burning appliance* or fireplace.

4.2 Only untreated seasoned wood with a moisture content of 20% or less shall be burned in a *wood burning appliance* or fireplace.

4.3 No person shall install, or allow to be installed, either indoors or outdoors, a solid-fuel burning appliance, furnace or boiler which is used for the space heating of a building, the heating of water or other such purpose unless it meets the emissions standards of CAN/CSA-B415.1 standard "Performance Testing of Solid-Fuel-Burning Heating Appliances" published by the Canadian Standards Association as amended from time to time or the emissions standards of the "New Source Performance Standards, Title 40,

Part 60, Sub-part AAA of the Code of Federal Regulations (USA) (7-1-92 Edition), published by the United States Environmental Protection Agency" as amended from time to time.

- 4.4 The Regional Board is hereby authorized to establish a removal program for uncertified *wood burning appliances* that may incorporate incentives for energy conservation and air quality improvement including, but not limited to, household insulation, insulating products, uncertified wood stove replacement and substitution of heating methods and devices including certified wood stoves.
- 4.5 *Wood burning appliance* fires shall be maintained so as not to cause a nuisance for more than two minutes in succession except during a fifteen-minute period following re-firing of the appliance. This fifteen minute exemption will only be permitted once during a two hour period.

5. INSPECTIONS AND ORDERS

- 5.1 An *inspector* may order the extinguishment of any fire that is in violation of this Bylaw.
- 5.2 An *inspector* may enter and inspect any land and/or premises on which burning is being conducted, for the purpose of determining compliance with this Bylaw.
- 5.3 No person shall interfere with or obstruct an *inspector* in carrying out his duties pursuant to this Bylaw.
- 5.4 All persons shall comply with all orders of an *inspector* concerning compliance with the provisions of this Bylaw.
- 5.5 Where a person does not comply with an *inspector's* order to extinguish a fire or abate a *smoke* nuisance which is in violation of this Bylaw, the *inspector* may cause the fire to be extinguished.

6. LIABILITY

- 6.1 This Bylaw shall not create a duty of the *Regional District*, its officers, employees, *inspectors* or person acting on its behalf pursuant to this Bylaw concerning enforcement or failure to enforce any matter contained in this Bylaw.
- 6.2 No act, error, omission or other neglect of the *Regional District* in relation to any matter contained in the Bylaw shall give rise to a cause or action or liability to any person.

7. COST RECOVERY

- 7.1 A person responsible for *open burning* or a *campfire* shall ensure that no *nuisance* is caused and shall be responsible for all costs and expenses resulting from extinguishment of the fire as authorized by Section 5.5.
- 7.2 Where the person responsible for *open burning* or a *campfire* is the owner of the land or the agent, all costs referred to in this section may be recovered in the same manner as taxes in accordance with the Municipal Act.

8. SEVERANCE

If any section, subsection, paragraph, subparagraph or phrase of this Bylaw is for any reason declared invalid by a Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

9. OFFENCES AND PENALTIES

9.1 Any person who contravenes the provisions of this Bylaw commits an offence and is liable to prosecution pursuant to the provisions of the *Offence Act*.

9.2 Each contravention of this Bylaw constitutes a separate offence.

10. DATE OF COMMENCEMENT

This Bylaw is in force from the day following the date of its adoption.

11. TITLE

This Bylaw may be cited as the "Regional District Smoke Control Regulatory Bylaw No. 773, 1998", as amended.



Environmental Management Act
**OPEN BURNING SMOKE
CONTROL REGULATION**
B.C. Reg. 152/2019

Deposited July 8, 2019 and effective September 15, 2019
Last amended March 30, 2022 by B.C. Reg. 76/2022

Consolidated Regulations of British Columbia

This is an unofficial consolidation.

B.C. Reg. 152/2019 (O.C. 405/2019), deposited July 8, 2019 and effective September 15, 2019, is made under the *Environmental Management Act*, S.B.C. 2003, c. 53, ss. 21, 76, 138 and 139.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at www.bclaws.ca.

Prepared by:
Office of Legislative Counsel
Ministry of Attorney General
Victoria, B.C.

Environmental Management Act

OPEN BURNING SMOKE CONTROL REGULATION

B.C. Reg. 152/2019

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Environmental Management Act

OPEN BURNING SMOKE CONTROL REGULATION

B.C. Reg. 152/2019

PART 1 – INTERPRETATION AND APPLICATION

Definitions

1 In this regulation:

“**accelerant material**” means a substance used to aid ignition or accelerate combustion of a fire;

“**Act**” means the *Environmental Management Act*;

“**air curtain incinerator**” means a device that is designed to aid combustion and reduce emissions by directing a flow of air across the

(a) open chamber in the device, or

(b) trench

in which the combustion occurs, in such a manner as to re-circulate air and smoke in the open chamber or trench;

“**auxiliary forced air equipment**” means equipment, other than an air curtain incinerator, that applies forced air;

“**band council**” means

(a) a “council of the band” as defined in the *Indian Act* (Canada), or

(b) the governing body of a legal entity that, under an Act of Canada, is established as the successor to a band as defined in the *Indian Act* (Canada), not including a treaty first nation;

“**burnt surface area**” means the area that is underneath or surrounding the remains of a fire and covered by charred or smoldering vegetative debris;

“**campfire**” means an open fire that burns wood in one pile not exceeding 0.6 m in height and 0.75 m in width;

“**category 3 open fire**” means an open fire that burns

(a) material concurrently in 3 or more piles each not exceeding 2 m in height and 3 m in width,

(b) material in one or more piles each exceeding 2 m in height or 3 m in width, or

(c) one or more windrows;

“**community care facility**” has the same meaning as in the *Community Care and Assisted Living Act*;

“**custom ventilation forecast**” means a forecast of the atmosphere’s ability in a geographic area to disperse smoke in accordance with section 16;

“**custom ventilation forecaster**” means a person who

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- (a) is a meteorologist employed by Environment Canada and classified as a Meteorologist 3 or above,
- (b) is a Weather Forecaster, a Fire Weather Forecaster, an Air Quality Meteorologist or an Air Quality Science Specialist employed by or under contract with the government, or
- (c) has similar knowledge and experience as described in paragraph (a) or (b) and is approved in writing by a director to conduct custom ventilation forecasts for the purposes of this regulation;

“day” means a calendar day from midnight to midnight;

“diseased vegetative debris” means vegetative debris that is verified or confirmed under section 24 as being infested with a plant pathogen or insect;

“dry basis moisture content”, with respect to a given amount of vegetative debris, means the weight of moisture contained in the vegetative debris divided by the weight of the vegetative debris if the vegetative debris was dry, with both weights measured in the same weight units, multiplied by 100 and expressed as a percentage;

“dry land sort area” means an area of land in which commercially harvested timber is collected and sorted before the timber is transferred to another location, but does not include a timber processing area at a

- (a) roadside work area,
- (b) statutory right of way, within the meaning of the *Land Title Act*, or
- (c) facility that manufactures wood products other than whole logs for export or whole logs for further manufacturing by another facility;

“end”, with regards to when open burning ends, means,

- (a) if the open burning is being done using an air curtain incinerator, the point in time when the fire in the air curtain incinerator is emitting smoke from no more than 10% of the base of the air curtain incinerator, and
- (b) respecting all other open burning, the point in time when each pile of vegetative debris has ceased flaming and is emitting smoke from no more than 10% of its burnt surface area;

“high smoke sensitivity zone” means

- (a) land in the province that is outlined and shaded in pink, and labelled “High Smoke Sensitivity Zone” in the legend, on a map listed in Schedule 3 except all areas of that land that are designated under section 7 as being a medium smoke sensitivity zone or low smoke sensitivity zone, and
- (b) all areas of land that are designated under section 7 as being a high smoke sensitivity zone;

“highway” has the same meaning as in the *Transportation Act*;

“local government” has the same meaning as in the *Local Government Act*;

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“low smoke sensitivity zone” means land in the province that is not a high smoke sensitivity zone or a medium smoke sensitivity zone;

“medium smoke sensitivity zone” means

- (a) land in the province that is outlined and shaded in yellow, and labelled “Medium Smoke Sensitivity Zone” in the legend, on a map listed in Schedule 3 except all areas of that land that are designated under section 7 as being a high smoke sensitivity zone or low smoke sensitivity zone, and
- (b) all areas of land that are designated under section 7 as being a medium smoke sensitivity zone;

“ministry” means the ministry of the minister responsible for the Act;

“open burning” means the combustion of vegetative debris using an open fire, other than

- (a) for a domestic or an agricultural purpose, if all of the vegetative debris is branches or other pieces of vegetative debris, with or without leaves, each branch or piece of which is less than 3 cm in diameter, or
- (b) a campfire;

“open fire” means the combustion of material without using a stack or chimney to vent the emitted products of combustion to the atmosphere;

“parcel of land” means a lot, block or other area in which land is held or into which land is subdivided;

“pile” includes a windrow, except in the definitions of “campfire” and “category 3 open fire” and in sections 13 (2) (c), (d) and (e) and 27 (b), (e), (f) and (g);

“plan for community wildfire risk reduction” means a plan, or an addendum to a plan, developed or endorsed by the government, a local government, a band council, a treaty first nation or the Nisga’a Government that

- (a) describes the risks to a community related to a fire starting outside of the community and threatening the community,
- (b) identifies the measures necessary to mitigate the risks referred to in paragraph (a) of this definition,
- (c) outlines a plan of action to implement the measures referred to in paragraph (b) of this definition, and
- (d) identifies the geographic areas to which the plan applies;

“population centre” means a city, town, resort municipality, district municipality, mountain resort municipality, community, first nation village or recreational community as defined and listed in the most current edition of the BC Gazetteer;

“private land” means land in respect of which a person other than Her Majesty the Queen holds a fee simple or leasehold interest;

“roadside work area” has the same meaning as in section 35 (1) of the Forest Planning and Practices Regulation;

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“seasoned vegetative debris” means vegetative debris that

- (a) has been dried to the extent that the dry basis moisture content is 30% or less,
- (b) has been put in piles for a period of at least 4 months, or
- (c) has originated from standing dead timber;

“smoke” means the gases, particulate matter and other products of combustion emitted into the atmosphere from open burning;

“start”, with regards to when open burning starts, means,

- (a) if the open burning is being done using an air curtain incinerator, the point in time when the fire in the air curtain incinerator is first ignited, and
- (b) respecting all other open burning, the point in time when the first pile of vegetative debris is ignited;

“vegetative debris” means disturbed or undisturbed vegetative matter targeted for disposal;

“ventilation forecast” means the afternoon ventilation index forecast issued by Environment Canada for a geographic area;

“work camp” means land or premises on which an employer, in connection with a logging, sawmill, mining, oil or gas operation, a construction project, a cannery, or a similar thing, owns, operates or maintains, or has established, permanent or temporary structures for use, with or without charge, by at least 100 employees as living quarters.

Prescribed activity

- 2 The activity of open burning is prescribed for the purposes of section 6 (3) of the Act.

Open burning requiring a permit or approval under the Act

- 3 A person must obtain a permit or an approval under, respectively, section 14 or 15 of the Act in order to carry on any of the following open burning:
- (a) open burning at a dry land sort area in a high smoke sensitivity zone;
 - (b) open burning at a facility that manufactures wood products, other than whole logs for export or whole logs for further manufacturing by another facility.

Exemptions from this regulation

- 4 (1) If a person carries on open burning in accordance with a permit or approval as described in section 3 (a) or (b) of this regulation, the open burning is exempt from all the provisions of this regulation.
- (2) If a person carries on open burning under a plan for community wildfire risk reduction in a high smoke sensitivity zone or medium smoke sensitivity zone in accordance with an approval issued under section 15 of the Act, the open burning is exempt from sections 9, 10, 11, 13, 14 and 15 and Part 3 of this regulation.

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- (3) If a person carries on open burning of diseased vegetative debris in a high smoke sensitivity zone or medium smoke sensitivity zone in accordance with an approval issued under section 15 of the Act, the open burning is exempt from sections 9, 10, 11, 13, 14 and 15 and Part 3 of this regulation.
- (4) If a person carries on open burning using air curtain incinerators in a high smoke sensitivity zone in accordance with an approval issued under section 15 of the Act, the open burning is exempt from sections 9, 10, 11, 13, 14 and 15 and Part 3 of this regulation.
- (5) If, before the date this section comes into force, a person was issued a permit or an approval under, respectively, section 14 or 15 of the Act to carry on open burning and the open burning is carried on in accordance with the permit or approval, as applicable, the open burning is exempt from all the provisions of this regulation.

Application of regulation respecting open burning for domestic or agricultural purpose

- 5 This regulation applies to open burning for a domestic or an agricultural purpose as follows:
 - (a) if all of the vegetative debris open burned is branches or other pieces of vegetative debris, with or without leaves, each branch or piece of which is less than 10 cm in diameter but of which at least some of the individual branches or pieces are 3 cm or greater, only sections 9, 12 and 30 of this regulation apply to the open burning;
 - (b) if all of the vegetative debris open burned is branches or other pieces of vegetative debris, with or without leaves, of which at least some of the individual branches or pieces are 10 cm or greater in diameter, this regulation applies with respect to the open burning.

Open fires not authorized by regulation

- 6 Nothing in this regulation authorizes an open fire that is
 - (a) prohibited by a ban on igniting open fires imposed by
 - (i) a fire department, as defined in the *Fire Services Act*,
 - (ii) a local government, or
 - (iii) an improvement district, as defined in the *Local Government Act*, or
 - (b) contrary to the *Wildfire Act* or any other enactment.

Director may designate an area as being a different smoke sensitivity zone

- 7 (1) A director may designate an area of land in a
 - (a) low smoke sensitivity zone as being a medium smoke sensitivity zone or high smoke sensitivity zone,

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(b) medium smoke sensitivity zone as being a low smoke sensitivity zone or high smoke sensitivity zone, or

(c) high smoke sensitivity zone as being a low smoke sensitivity zone or medium smoke sensitivity zone,

for a specified period of time not exceeding 18 months if the director considers doing so is necessary or adequate to protect the public or the environment.

(2) The director may do any of the following with respect to a designation made under subsection (1):

(a) cancel the designation before the end of the specified period, if the director considers the designation is no longer necessary or adequate to protect the public or the environment;

(b) extend the designation for specified periods, each period not to exceed 18 months, if the director considers it necessary or adequate to protect the public or the environment;

(c) cancel the designation and make a different designation under subsection (1), if the director considers it necessary or adequate to protect the public or the environment.

(3) The director must give notice to the public of action taken under subsection (1) or (2)

(a) on a publicly accessible website maintained by or on behalf of the ministry for the purposes of this section, and

(b) in a newspaper published in British Columbia and circulating in the area designated under subsection (1) or, if no newspaper circulates in the area, in a newspaper that circulates near to the area and includes a newspaper that is free and that does not have subscribers.

PART 2 – GENERAL REQUIREMENTS FOR OPEN BURNING**Application of general requirements**

8 All the provisions of this Part apply with respect to open burning under this regulation unless a provision of this regulation expressly indicates that

(a) one or more provisions of this Part do not apply to the open burning, or

(b) only one or more provisions of this Part apply to the open burning.

Location of open burning

9 A person must not move vegetative debris that is targeted for open burning from the location on which the vegetative debris originates except within a 5 km radius of where the vegetative debris originates.

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Minimize vegetative debris to be open burned

- 10** A person who targets vegetative debris for open burning must, before the open burning is carried on by that person or another person, ensure that every reasonable alternative for reducing, reusing or recycling the vegetative debris is used in order to minimize the amount of the vegetative debris to be open burned.

Strategies and techniques to minimize smoke

- 11** A person who carries on open burning must ensure that all reasonable efforts are taken to minimize the amount of smoke emitted by the open burning including, but not limited to, using the following strategies or techniques:
- (a) minimizing any soil content that may be mixed in with the vegetative debris;
 - (b) in the case of open burning piles of the vegetative debris, constructing each pile in a way that maximizes the air flow through the vegetative debris in the pile;
 - (c) maximizing the amount of vegetative debris that is seasoned vegetative debris.

Prohibited materials

- 12** A person who carries on open burning must ensure that the materials listed in paragraphs (a) to (x) of the definition of “burning or incineration of prohibited material” in section 2 of Schedule 1 of the Waste Discharge Regulation are not included, nor used as accelerant material, in the open burning.

Setbacks for open burning

- 13** (1) A person who carries on open burning must ensure that the open burning is carried on at least
- (a) 500 m from all neighbouring buildings that
 - (i) are residences, or
 - (ii) contain businesses in which persons carry on the business during regular business hours, and
 - (b) 1 000 m from the nearest property line of all schools, hospitals and community care facilities.
- (2) Despite subsection (1), a person may carry on open burning at least
- (a) 100 m from all neighbouring buildings that
 - (i) are residences, or
 - (ii) contain businesses in which persons carry on the business during regular business hours, and
 - (b) 500 m from the nearest property line of all schools, hospitals and community care facilities,

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if the person ensures that the following conditions are met with respect to the open burning:

- (c) the vegetative debris is put in piles before it is open burned;
- (d) for each pile of the vegetative debris, the largest horizontal dimension is not greater than twice the height;
- (e) a written record of the dates the vegetative debris was put into piles is available to an officer on request;
- (f) the vegetative debris is not comprised of any stumps and the largest part of each separate portion of the vegetative debris has a diameter less than 50 cm;
- (g) the vegetative debris is seasoned vegetative debris;
- (h) no later than 24 hours in advance of starting the open burning, all reasonable efforts are made to give notification of the location of the open burning to the occupants of all residences, businesses, schools, hospitals and community care facilities within 500 m of the open burning, including by giving notification to the persons who manage the school, hospital or community care facility, as applicable;
- (i) if ventilation forecasts are available for the general area in which the open burning is located, the following is met:
 - (i) that
 - (A) a ventilation forecast for that area is obtained on the day, but before, the open burning starts, or
 - (B) a custom ventilation forecast for that area is obtained on the day before or on the day, but before, the open burning starts;
 - (ii) the forecast obtained under subparagraph (i) (A) or (B) is “good” for the day the open burning starts;
- (j) the open burning starts not earlier than one hour after sunrise;
- (k) the open burning ends by 4 p.m. or two hours before sunset, whichever is later, on the same day the open burning starts.

Conditions when open burning starts

- 14** Despite any other provision of this regulation, a person must not start open burning if the local air flow or atmospheric mixing is likely to cause the smoke emitted by the open burning to
- (a) negatively impact a nearby population centre or work camp, or
 - (b) be a navigation hazard at nearby airports or on nearby highways by significantly reducing visibility.

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Conditions after open burning starts

- 15** Despite any other provision of this regulation, a person who carries on open burning must, after the open burning starts, ensure that, if the local air flow or atmospheric mixing is causing or is likely to cause the smoke emitted by the open burning to
- (a) negatively impact a nearby population centre or work camp, or
 - (b) be a navigation hazard at nearby airports or on nearby highways by significantly reducing visibility,
- no more of the vegetative debris is ignited, added to ignited piles of the vegetative debris or put in an air curtain incinerator until the local air flow or atmospheric mixing is not causing and is not likely to cause the smoke emitted by the open burning to have an effect described in paragraph (a) or (b).

Custom ventilation forecasts

- 16** If a person obtains a custom ventilation forecast for the purpose of carrying on open burning, the person must ensure that the custom ventilation forecast is
- (a) obtained from a custom ventilation forecaster, and
 - (b) submitted by email to the ministry, using the email address made known by the ministry for the purposes of this section, before starting the open burning.

PART 3 – SPECIFIC REQUIREMENTS FOR OPEN BURNING**Application of specific requirements**

- 17**
- (1) If open burning is carried on under a plan for community wildfire risk reduction, the open burning must be carried on in accordance with Division 1, 2, 4 or 5.
 - (2) If the vegetative debris open burned is diseased vegetative debris, the open burning must be carried on in accordance with Division 1, 3, 4 or 5.
 - (3) If the vegetative debris open burned is generated at or transported to a dry land sort area, the open burning must be carried on in accordance with Division 4.
 - (4) If open burning is carried on using air curtain incinerators, the open burning must be carried on in accordance with Division 5.
 - (5) If subsections (1) to (4) do not apply to an open burning, the open burning must be carried on in accordance with Division 1.

Division 1 – High, Medium and Low Smoke Sensitivity Zones**Allowable periods of open burning in high smoke sensitivity zone**

- 18** A person with possession or control of a parcel of land that is
- (a) private land,

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- (b) smaller than 64 hectares, and
 - (c) within or partially within a high smoke sensitivity zone
- must ensure that open burning on the parcel of land is carried on no more than
- (d) 12 days or portions of days in each calendar year, and
 - (e) 6 days or portions of days in each calendar month.

**Open burning for less than one day in
high or medium smoke sensitivity zone**

- 19** A person may carry on open burning in either a high smoke sensitivity zone or a medium smoke sensitivity zone for a period that is less than one day if the person ensures that the following conditions are met with respect to the open burning:
- (a) in the case of a high smoke sensitivity zone, the vegetative debris is seasoned vegetative debris;
 - (b) if ventilation forecasts are available for the general area in which the open burning is located, the following is met:
 - (i) that
 - (A) a ventilation forecast for that area is obtained on the day, but before, the open burning starts, or
 - (B) a custom ventilation forecast for that area is obtained on the day before or on the day, but before, the open burning starts;
 - (ii) the forecast obtained under subparagraph (i) (A) or (B) is “good” for the day the open burning starts;
 - (c) the open burning starts not earlier than one hour after sunrise;
 - (d) the open burning ends by 4 p.m. or two hours before sunset, whichever is later, on the same day the open burning starts.

**Open burning for more than one day
in high smoke sensitivity zone**

- 20** A person may carry on open burning in a high smoke sensitivity zone for a consecutive period that is less than 2 days if the person ensures that the following conditions with respect to the open burning are met:
- (a) the vegetative debris is seasoned vegetative debris;
 - (b) if ventilation forecasts are available for the general area in which the open burning is located, the following is met:
 - (i) that
 - (A) a ventilation forecast for that area is obtained on the day, but before, the open burning starts, or
 - (B) a custom ventilation forecast for that area is obtained on the day before or on the day, but before, the open burning starts;
 - (ii) the forecast obtained under subparagraph (i) (A) or (B) is

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- (A) “good” for the day the open burning starts, and
- (B) “good” or “fair” for the second day of the open burning;
- (c) the open burning starts not earlier than one hour after sunrise;
- (d) unlit piles of the vegetative debris are ignited, and remaining unlit vegetative debris is added to the ignited piles of the vegetative debris, only during the period that starts one hour after sunrise and ends 4 hours before sunset on the day the open burning starts;
- (e) the open burning ends by 4 p.m. on the second day of the open burning.

**Open burning for more than one day
in medium smoke sensitivity zone**

- 21** A person may carry on open burning in a medium smoke sensitivity zone for a consecutive period that is less than 4 days if the person ensures that the following conditions are met with respect to the open burning:
- (a) if ventilation forecasts are available for the general area in which the open burning is located, the following is met:
 - (i) that
 - (A) a ventilation forecast for that area is obtained on the day, but before, the open burning starts, or
 - (B) a custom ventilation forecast for that area is obtained on the day before or on the day, but before, the open burning starts;
 - (ii) the forecast obtained under subparagraph (i) (A) or (B) is
 - (A) “good” for the day the open burning starts, and
 - (B) “good” or “fair” for the second day of the open burning;
 - (b) the open burning starts not earlier than one hour after sunrise;
 - (c) unlit piles of the vegetative debris are ignited only during the period that starts one hour after sunrise and ends 2 hours before sunset on the day the open burning starts;
 - (d) remaining unlit vegetative debris is added to the ignited piles of the vegetative debris only during the period that starts one hour after sunrise and ends 2 hours before sunset
 - (i) on the day the open burning starts, and
 - (ii) on the second day of the open burning;
 - (e) if a ventilation forecast was obtained under paragraph (a) (i) (A) or (B), before adding any remaining unlit vegetative debris to the ignited piles of the vegetative debris on the second day of the open burning,
 - (i) a ventilation forecast or a custom ventilation forecast for that area is obtained, and
 - (ii) the forecast obtained under subparagraph (i) is “good” or “fair” for the second day of the open burning;

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- (f) the open burning ends by 4 p.m. on the fourth day of the open burning.

**Open burning for more than one day
in low smoke sensitivity zone**

- 22** A person may carry on open burning in a low smoke sensitivity zone for a consecutive period that is less than 6 days if the person ensures that the following conditions are met with respect to the open burning:
- (a) if ventilation forecasts are available for the general area in which the open burning is located, the following is met:
 - (i) that
 - (A) a ventilation forecast for that area is obtained on the day, but before, the open burning starts, or
 - (B) a custom ventilation forecast for that area is obtained on the day before or on the day, but before, the open burning starts;
 - (ii) the forecast obtained under subparagraph (i) (A) or (B) is
 - (A) “good” or “fair” for the day the open burning starts, and
 - (B) “good” or “fair” for the second day of the open burning;
 - (b) the open burning ends by 4 p.m. on the sixth day of the open burning.

Division 2 – Plans for Community Wildfire Risk Reduction**Open burning under plan for
community wildfire risk reduction**

- 23** (1) Sections 11 (c) and 13 do not apply to a person carrying on open burning under a plan for community wildfire risk reduction if the person carries on the open burning in accordance with subsection (2) of this section.
- (2) A person may carry on open burning under a plan for community wildfire risk reduction for a period that is less than one day if the person ensures that the following conditions are met with respect to the open burning:
- (a) at least 10 days but no more than 90 days before starting the open burning,
 - (i) the plan for community wildfire risk reduction is submitted to a director, and
 - (ii) a description of the location of the open burning is provided to a director;
 - (b) the open burning is an action identified in the plan for community wildfire risk reduction;
 - (c) no later than 24 hours in advance of starting the open burning, all reasonable efforts are made to give notification of the location of the open burning to the occupants of all residences, businesses, schools, hospitals and community care facilities within 150 m of the open burning, including by

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- giving notification to the persons who manage the school, hospital or community care facility, as applicable;
- (d) the open burning is at least
- (i) 50 m from all neighbouring buildings that
 - (A) are residences, or
 - (B) contain businesses in which persons carry on the business during regular business hours, and
 - (ii) 100 m from the nearest property line of all schools, hospitals and community care facilities;
- (e) the following is met with respect to the general area in which the open burning is located:
- (i) that
 - (A) a ventilation forecast for that area is obtained on the day, but before, the open burning starts, or
 - (B) a custom ventilation forecast for that area is obtained on the day before or on the day, but before, the open burning starts;
 - (ii) the forecast obtained under subparagraph (i) (A) or (B) is “good” or “fair” for the day the open burning starts;
- (f) the open burning starts not earlier than one hour after sunrise;
- (g) the open burning ends by 4 p.m. or two hours before sunset, whichever is later, on the same day the open burning starts.

Division 3 – Diseased Vegetative Debris**Verification or confirmation of diseased vegetative debris**

24 Before carrying on open burning under section 25, a person must

- (a) ensure that
 - (i) the vegetative debris is verified as being infested with a pathogen or insect listed in Schedule 1 by a person registered under the *Professional Governance Act* as:
 - (A) an agrologist,
 - (B) a professional biologist, or
 - (C) a professional forester or registered forest technologist, and
 - (ii) the verification referred to in subparagraph (i) is submitted to a director, or
- (b) ensure that a director has confirmed in writing that
 - (i) a pathogen or insect not listed in Schedule 1 has infested the vegetative debris, and

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- (ii) the open burning of the vegetative debris is necessary to stop the spread of the pathogen or insect.

[am. B.C. Reg. 11/2021, App. 3, s. 14.]

Open burning diseased vegetative debris

- 25**
- (1) Sections 11 (c) and 13 do not apply to a person carrying on open burning of diseased vegetative debris if the person carries on the open burning in accordance with section 24 and this section.
 - (2) A person may carry on open burning of diseased vegetative debris for a period that is less than one day if the person ensures that the following conditions are met with respect to the open burning:
 - (a) a director is notified in writing at least 24 hours before the earliest planned date for starting the open burning;
 - (b) at least 50% of the vegetative debris open burned is diseased vegetative debris;
 - (c) accelerant material is used if the diseased vegetative debris is not seasoned vegetative debris;
 - (d) no later than 24 hours in advance of starting the open burning, all reasonable efforts are made to give notification of the location of the open burning to the occupants of all residences, businesses, schools, hospitals and community care facilities within 150 m of the open burning, including by giving notification to the persons who manage the school, hospital or community care facility, as applicable;
 - (e) the open burning is at least
 - (i) 50 m from all neighbouring buildings that
 - (A) are residences, or
 - (B) contain businesses in which persons carry on the business during regular business hours, and
 - (ii) 100 m from the nearest property line of all schools, hospitals and community care facilities;
 - (f) if ventilation forecasts are available for the general area in which the open burning is located, the following is met:
 - (i) that
 - (A) a ventilation forecast for that area is obtained on the day, but before, the open burning starts, or
 - (B) a custom ventilation forecast for that area is obtained on the day before or on the day, but before, the open burning starts;
 - (ii) the forecast obtained under subparagraph (i) (A) or (B) is “good” or “fair” for the day the open burning starts;
 - (g) the open burning starts not earlier than one hour after sunrise;

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- (h) the open burning ends by 4 p.m. or two hours before sunset, whichever is later, on the same day the open burning starts.

Division 4 – Dry Land Sort Areas**Open burning at a dry land sort area**

- 26** (1) Sections 9, 11 (c) and 13 (2) do not apply to a person who carries on open burning of vegetative debris generated at or transported to a dry land sort area if the person carries on the open burning in accordance with this section.
- (2) A person may carry on open burning of vegetative debris generated at or transported to a dry land sort area, no part of which is in a high smoke sensitivity zone, for a consecutive period that is less than 4 days if the person ensures that the following conditions are met with respect to the open burning:
- (a) the open burning is carried on in the dry land sort area;
 - (b) the open burning is carried on using air curtain incinerators in accordance with section 28, if all of the dry land sort area is
 - (i) in a low smoke sensitivity zone or medium smoke sensitivity zone, and
 - (ii) less than 5 km from the nearest boundary of the nearest high smoke sensitivity zone;
 - (c) the open burning is carried on using auxiliary forced air equipment in accordance with section 27 or air curtain incinerators in accordance with section 28, if all or a part of the dry land sort area is
 - (i) in a low smoke sensitivity zone or medium smoke sensitivity zone, and
 - (ii) 5 km or more from the nearest boundary of the nearest high smoke sensitivity zone.

Auxiliary forced air equipment in dry land sort area

- 27** A person carrying on open burning using auxiliary forced air equipment as set out in section 26 (2) (c) must ensure that
- (a) the auxiliary forced air equipment blowers operate with a minimum required air flow of 200 cubic metres per minute at all times the blowers are operating,
 - (b) the auxiliary forced air equipment blowers operate continuously with respect to a pile of the vegetative debris until the open burning of the pile is creating its own air convection current,
 - (c) the following is met with respect to the general area in which the open burning is located:
 - (i) that

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- (A) a ventilation forecast for that area is obtained on the day, but before, the open burning starts, or
- (B) a custom ventilation forecast for that area is obtained on the day before or on the day, but before, the open burning starts;
- (ii) the forecast obtained under subparagraph (i) (A) or (B) is
 - (A) “good” for the day the open burning starts, and
 - (B) “good” or “fair” for the second day of the open burning if the open burning is for more than one day,
- (d) the open burning starts not earlier than one hour after sunrise,
- (e) unlit piles of the vegetative debris are ignited, and remaining unlit vegetative debris is added to the ignited piles of the vegetative debris, only during the period that starts one hour after sunrise and ends 3 hours before sunset,
- (f) if a ventilation forecast was obtained under paragraph (c) (i) (A) or (B), for each day the open burning is carried on after the day the open burning starts and before adding any remaining unlit vegetative debris to the ignited piles of the vegetative debris,
 - (i) a ventilation forecast or a custom ventilation forecast for the area of the open burning is obtained, and
 - (ii) the ventilation forecast obtained under subparagraph (i) is “good” or “fair” for the day it is obtained,
- (g) if the ventilation forecast obtained under paragraph (f) (i) is “poor” for the day it is obtained, no more unlit piles of the vegetative debris are ignited and no more of the remaining unlit vegetative debris is added to the ignited piles of the vegetative debris, and
- (h) the open burning ends by 4 p.m. on the fourth day of the open burning.

Division 5 – Air Curtain Incinerators**Open burning using air curtain incinerators**

- 28** (1) In this section, “**opacity**” means the degree to which smoke obscures the view of an object in the background, expressed numerically from 0% (transparent) to 100% (opaque), as determined in accordance with the United States Code of Federal Regulations, Title 40, Part 60, Chapter 1, Appendix A-4, Method 9, as amended from time to time.
- (2) Sections 11 (b) and (c) and 13 do not apply to a person carrying on open burning using air curtain incinerators if the person carries on the open burning in accordance with subsection (3) of this section.
- (3) A person may carry on open burning using air curtain incinerators if
- (a) the open burning is carried on
 - (i) between 100 m and 1 km from all neighbouring buildings that

OPEN BURNING SMOKE CONTROL REGULATIONPart 3 – Specific Requirements for Open Burning

- (A) are residences, or
 - (B) contain businesses in which persons carry on the business during regular business hours, and
 - (ii) between 500 m and 2 km from the nearest property line of all schools, hospitals and community care facilities,and the person complies with subsections (4) and (5), or
 - (b) the open burning is carried on at least
 - (i) 1 km from all neighbouring buildings that
 - (A) are residences, or
 - (B) contain businesses in which persons carry on the business during regular business hours, and
 - (ii) 2 km from the nearest property line of all schools, hospitals and community care facilities,and the person complies with subsection (4).
- (4) For the purposes of subsections (3) (a) and (b), the person carrying on the open burning must ensure the following conditions are met with respect to the open burning:
- (a) opacity does not exceed 40% during the 30-minute period following the start of the open burning and does not exceed 15% for more than 5 consecutive minutes during any other 30-minute period during the open burning;
 - (b) the vegetative debris is not stacked above the air outlet of the air curtain incinerators;
 - (c) the blowers of the air curtain incinerators operate continuously until the air curtain incinerators cease combustion of the vegetative debris or until all of the vegetative debris that is being open burned in them is reduced to ash;
 - (d) the air curtain incinerators are operated in accordance with the manufacturer's recommendations;
 - (e) a copy of the manufacturer's recommendations referred to in paragraph (d) is kept on the site of the open burning for the duration of the open burning.
- (5) For the purposes of subsection (3) (a), the person carrying on the open burning must ensure the following conditions are met with respect to the open burning:
- (a) the open burning starts not earlier than one hour after sunrise;
 - (b) the vegetative debris is added to the ignited air curtain incinerators only during the period that starts one hour after sunrise and ends at sunset;
 - (c) the following is met with respect to the general area in which the open burning is located:
 - (i) that, for each day the open burning is carried on,

OPEN BURNING SMOKE CONTROL REGULATIONPart 4 – Substituted Requirements

- (A) the ventilation forecast for that area is obtained on the day, but before, the open burning is carried on, or
- (B) a custom ventilation forecast for that area is obtained on the day before or on the day, but before, the open burning is carried on;
- (ii) the forecast obtained under subparagraph (i) (A) or (B) is “good” or “fair” for the day the open burning is carried on;
- (d) if the forecast obtained under paragraph (c) (i) (A) or (B) is “poor” for the day it is obtained, no more of the vegetative debris is ignited.

PART 4 – SUBSTITUTED REQUIREMENTS**Substituted requirements for open burning**

- 29** (1) A director may, on the director’s own initiative, substitute a different requirement for a requirement contained in this regulation if the director considers that, in the individual case,
- (a) the substitution is necessary to protect the public or the environment, or
 - (b) the intent of the regulation will be met by the substitution.
- (2) A director may make a substitution under subsection (1)
- (a) for a specified period of time, and
 - (b) subject to the conditions the director considers appropriate.
- (3) On making the decision to substitute a different requirement for a requirement contained in this regulation as set out in subsection (1), a director must
- (a) serve a signed copy of the director’s decision on the person to whom the substituted requirement applies by registered mail sent to the person’s last known address, and
 - (b) publish the decision in a newspaper published in British Columbia and circulating in the area affected by the decision and includes a newspaper that is free and that does not have subscribers.
- (4) A director may, on the director’s own initiative, cancel or amend a decision made under subsection (1) whenever, based on new information, the director considers that
- (a) the cancellation or amendment is necessary to protect the public or the environment, or
 - (b) the intent of the regulation will be met by the cancellation or amendment.

[am. B.C. Reg. 76/2022, s. 4.]

OPEN BURNING SMOKE CONTROL REGULATIONPart 5 – Air Protection Measures

PART 5 – AIR PROTECTION MEASURES**Director may prohibit open burning**

- 30** (1) A director may, by public notice or written instruction or both, and for a period of time specified by the director, prohibit open burning in an area
- (a) if the director considers that the amount of particulate matter in the air in the area has reached, or will reach within 24 hours, a level that is likely to result in the air quality in the area not meeting the ambient air quality objectives as set out in Schedule 2, or
 - (b) if the director considers that pollution is occurring, or likely to occur, from open burning.
- (2) A prohibition issued under subsection (1) may include one or more of the following requirements with respect to open burning in the area:
- (a) all open burning must be extinguished;
 - (b) none of the vegetative debris may be ignited or added to ignited piles of the vegetative debris.
- (3) A director may, by public notice or written instruction or both, repeal a prohibition issued under subsection (1), if
- (a) in the case of a prohibition issued under subsection (1) (a), the director considers that the amount of particulate matter in the air in the area no longer reaches, and will not reach within 24 hours, a level that is likely to result in the air quality in the area not meeting the ambient air quality objectives as set out in Schedule 2, or
 - (b) in the case of a prohibition issued under subsection (1) (b), the director considers that the pollution is no longer occurring, or no longer likely to occur, from open burning.
- (4) Despite Parts 2 to 4, a person must not act contrary to a prohibition issued under this section.

PART 6 – MISCELLANEOUS**Records and reporting requirements**

- 31** (1) A person who carries on open burning using one or more category 3 open fires or one or more air curtain incinerators must ensure that a record is made containing the following information with respect to the open burning:
- (a) the burn registration number, if the person has a burn registration number issued under the Wildfire Regulation;
 - (b) if the person does not have a burn registration number, the person's name, address and contact information and the geographic location of the area in which the open burning is taking place;

OPEN BURNING SMOKE CONTROL REGULATIONPart 6 – Miscellaneous

- (c) any decisions respecting substituted requirements made under section 29 that apply to the open burning;
 - (d) any ventilation forecasts or custom ventilation forecasts obtained in respect of the open burning;
 - (e) the date on which the open burning starts;
 - (f) the number of piles or air curtain incinerators ignited.
- (2) The person who carries on the open burning referred to in subsection (1) must
- (a) ensure that the record made under that subsection is kept on site and available for the duration of the open burning,
 - (b) ensure the record is retained for a period of one year beginning on the start date of the open burning, and
 - (c) submit the record to an officer on request.
- (3) The director may, by written notice, require a person or a class of persons described in subsection (1) to submit, in a form and manner specified by the director, by March 31 in the year following the year in which the open burning is carried on, a report that includes the following information:
- (a) the dates on which open burning is carried on;
 - (b) the location of the open burning;
 - (c) whether the open burning relates to a domestic or industrial purpose and, if it relates to an industrial purpose, the name of the industry;
 - (d) for each day the open burning was carried on,
 - (i) the number of piles ignited and the approximate size of each pile, or
 - (ii) the approximate volume of vegetative debris open burned;
 - (e) the burn registration number, if the person who carried on the open burning has a burn registration number issued under the Wildfire Regulation.

Offences and penalties

- 32** (1) A person who contravenes section 12, 17 or 30 (4) commits an offence and is liable on conviction to a fine of not more than \$200 000.
- (2) A person who contravenes section 9, 10, 11, 13, 14 or 15 commits an offence and is liable on conviction to a fine of not more than \$50 000.
- (3) A person who contravenes section 31 commits an offence and is liable on conviction to a fine of not more than \$5 000.

Accessibility of maps

- 33** The director must ensure that copies of the maps referred to in Schedule 3 are available
- (a) on a website that is maintained by or on behalf of the ministry of the minister and is publicly and freely accessible, and

OPEN BURNING SMOKE CONTROL REGULATION

Schedule 1

(b) during regular business hours and without charge at the following location:

Address:

Environmental Standards Branch, Environmental Protection Division

3rd Floor – 525 Superior Street

Victoria, British Columbia

V8V 0C5

Email:

envprotdiv@Victoria1.gov.bc.ca

SCHEDULE 1**PLANT PATHOGENS**

Item	Column 1 Common Name	Column 2 Species
1	Anthraxnose and perennial cankers	Cryptosporiopsis curvispora, Cryptosporiopsis alba, Cryptosporiopsis perennans, Neofabraea malicorticis, Neofabraea alba, Neofabraea perennans or Pezicula malicorticis
2	Botryosphaeria canker	Botryosphaeria
3	Dutch elm disease	Ophiostoma ulmi, Ophiostoma novo-ulmi or Ceratocystis
4	Eastern filbert blight	Anisogramma anomala
5	European canker	Nectria galligena
6	European larch canker	Lachnellula willkommii
7	Fire blight	Erwinia amylovora
8	Godronia (fusisporium) canker	Fusicoccum putrefaciens or Godronia cassandrae
9	Leucostoma (cytospora) canker	Leucostoma cincta, Leucostoma persoonii, Valsa cincta or Valsa leucostoma
10	Oak wilt	Ceratocystis fagacearum
11	Pear trellis rust	Gymnosporangium fuscum
12	Phomopsis canker	Phomopsis vaccinii or Diaporthe vaccinii
13	Plum pox virus or Sharka	Plum pox virus
14	Ramorum blight and canker or sudden oak death	Phytophthora ramorum
15	Thousand canker disease	Geosmithia morbida

OPEN BURNING SMOKE CONTROL REGULATION

Schedule 2

INSECTS

Item	Column 1 Common Name	Column 2 Species
1	Ambrosia beetle	Xyleborus dispar
2	Apple clearwing moth	Synanthedon myopaeformis
3	Asian long-horned beetle	Anoplophora glabripennis
4	Banded elm bark beetle	Scolytus schevyrewi
5	Black pine bark beetle	Hylastes ater
6	Brown spruce long-horned beetle	Tetropium fuscum
7	Citrus long-horned beetle	Anoplophora chinensis
8	Common pine shoot beetle	Tomicus piniperda
9	Dogwood borer	Synanthedon scitula
10	Douglas-fir beetle or larvae	Dendroctonus pseudotsugae
11	Emerald ash borer	Agilus planipennis
12	European spruce long-horned beetle	Tetropium castaneum
13	Japanese cedar long-horned beetle	Callidiellum rufipenne
14	Mountain pine beetle or larvae	Dendroctonus ponderosae
15	Native and European elm bark beetle	Hylurgopinus rufipes or Scolytus multistriatus
16	Peach tree borer	Synanthedon exitiosa
17	Shot hole borer	Scolytus rugulosus
18	Spruce beetle or larvae	Dendroctonus rufipennis
19	Walnut twig beetle	Pityophthorus juglandis

SCHEDULE 2**AMBIENT AIR QUALITY OBJECTIVES FOR
PARTICULATE MATTER**

Column 1 Size of Particulate Matter	Column 2 Air Quality Objective (based on annual 98th percentile value)
PM 2.5	25 µg/m ³
PM 10	50 µg/m ³

OPEN BURNING SMOKE CONTROL REGULATION

Schedule 3

SCHEDULE 3**SMOKE SENSITIVITY ZONES**

Item	Column 1 Provincial Smoke Sensitivity Map Name	Column 2 Map No.	Column 3 Map Date
1	Penticton	82E	July 3, 2019
2	Nelson	82F	July 3, 2019
3	Fernie	82G	July 3, 2019
4	Kananaskis Lakes	82J	July 3, 2019
5	Lardeau	82K	July 3, 2019
6	Vernon	82L	July 3, 2019
7	Seymour Arm	82M	July 3, 2019
8	Golden	82N/O	July 3, 2019
9	Canoe River	83D	July 3, 2019
10	Mount Robson	83E	July 3, 2019
11	Victoria	92B	July 3, 2019
12	Cape Flattery	92C	July 3, 2019
13	Nootka Sound	92E	July 3, 2019
14	Port Alberni	92F	July 3, 2019
15	Vancouver	92G	July 3, 2019
16	Hope	92H	July 3, 2019
17	Ashcroft	92I	July 3, 2019
18	Pemberton	92J	July 3, 2019
19	Bute Inlet	92K	July 3, 2019
20	Alert Bay	92L	July 3, 2019
21	Rivers Inlet	92M	July 3, 2019
22	Mount Waddington	92N	July 3, 2019
23	Taseko Lakes	92O	July 3, 2019
24	Bonaparte Lake	92P	July 3, 2019
25	Quesnel Lake	93A	July 3, 2019
26	Quesnel	93B	July 3, 2019
27	Anahim Lake	93C	July 3, 2019
28	Bella Coola	93D	July 3, 2019
29	Whitesail Lake	93E	July 3, 2019
30	Nechako River	93F	July 3, 2019
31	Prince George	93G	July 3, 2019
32	McBride	93H	July 3, 2019
33	Monkman Pass	93I	July 3, 2019

OPEN BURNING SMOKE CONTROL REGULATION

Schedule 3

Item	Column 1 Provincial Smoke Sensitivity Map Name	Column 2 Map No.	Column 3 Map Date
34	McLeod Lake	93J	July 3, 2019
35	Fort Fraser	93K	July 3, 2019
36	Smithers	93L	July 3, 2019
37	Hazelton	93M	July 3, 2019
38	Manson River	93N	July 3, 2019
39	Pine Pass	93O	July 3, 2019
40	Dawson Creek	93P	July 3, 2019
41	Charlie Lake	94A	July 3, 2019
42	Halfway River	94B	July 3, 2019
43	Mesilinka River	94C	July 3, 2019
44	Ware	94F	July 3, 2019
45	Trutch	94G	July 3, 2019
46	Beatton River	94H	July 3, 2019
47	Fort Nelson	94J	July 3, 2019
48	Tuchodi Lakes	94K	July 3, 2019
49	Rabbit River	94M	July 3, 2019
50	Toad River	94N	July 3, 2019
51	Cape Scott	102I	July 3, 2019
52	Laredo Sound	103A	July 3, 2019
53	Graham Island	103F	July 3, 2019
54	Hecate Strait	103G	July 3, 2019
55	Douglas Channel	103H	July 3, 2019
56	Terrace	103I	July 3, 2019
57	Prince Rupert	103J	July 3, 2019
58	Dixon Entrance	103K	July 3, 2019
59	Nass River	103P/O	July 3, 2019
60	Bowser Lake	104A	July 3, 2019
61	Iskut River	104B	July 3, 2019
62	Telegraph Creek	104G	July 3, 2019
63	Spatsizi River	104H	July 3, 2019
64	Cry Lake	104I	July 3, 2019
65	Dease Lake	104J	July 3, 2019
66	Skagway	104M	July 3, 2019
67	Atlin	104N	July 3, 2019
68	Jennings River	104O	July 3, 2019
69	McDame	104P	July 3, 2019

OPEN BURNING SMOKE CONTROL REGULATION

Schedule 3

Item	Column 1 Provincial Smoke Sensitivity Map Name	Column 2 Map No.	Column 3 Map Date
70	Tatshenshini River	114P	July 3, 2019

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Burning in a High Smoke Sensitivity Zone

August 2021

This Open Burning Smoke Control Regulation (OBSCR) factsheet is for burning of vegetative debris in a **High Smoke Sensitivity Zone**. If you are unsure of your Smoke Sensitivity Zone (SSZ), check your location using the directions and links provided on the Ministry's [OBSCR Smoke Sensitivity Zone Maps](#) webpage.

For more information on the different types of burning covered by the OBSCR, visit the [Open Burning Smoke Control website](#). Please also review the **Information for all burners** factsheet for information on Smoke Sensitivity Zones, prohibited materials and the ventilation index.

Step 1 Plan before you burn

- Burn as little vegetative debris as possible. This is a requirement of the regulation and alternative disposal methods such as chipping, mulching or taking to a green waste recycling facility must be investigated before burning.
- **Follow local burning bylaws, fire bans and restrictions.** Check with your local Fire Department and the [BC Wildfire Service](#) for more information.
- Determine if you need a **burn registration number** from the [BC Wildfire Service](#). If your burn meets the criteria for a Category 3 burn, you must keep a written record with information about the burn.
- You cannot burn on more than 6 days in a month, for a maximum of 12 days in a year, on a single property.

Step 2 Determine a location on your property to build piles

- You can only burn vegetative debris collected within 5 km of your burn site.
- You must meet setbacks. A setback is the measured distance between your burn pile and the nearest resident, business, school, hospital or community care facility.



Your piles must be set back at least
500 m from residences or businesses.



Your piles must be set back at least **1000 m from schools, hospitals and community care facilities.**

Step 3 Build your piles to minimize smoke

- Make sure that there are no prohibited materials in your burn pile. **You can not burn prohibited materials.** See the [Information for all burners factsheet](#) for a full list of prohibited materials.

Burning in a High Smoke Sensitivity Zone

OBSCR Factsheet

- Build piles to allow air flow and good combustion. Make the piles taller than they are wide with different sized pieces included. Smaller pieces burn faster, avoid burning stumps if possible.
- Minimize the amount of soil. Soil slows down the fire. Get your fire burning hot and with good airflow. Hot fires produce less smoke.
- Only include seasoned vegetative debris. Seasoned debris burns more efficiently and produces less smoke.
 - **Seasoned vegetative debris:**
 - has been dried so that moisture content is less than 30%;
 - been put in piles for at least four months; or
 - has originated from standing dead timber.

Step 4 On the day of your burn

- **Check the ventilation index.** Please find your location on our [interactive ventilation index and Smoke Sensitivity Zone map](#).
 - The map provides information about which SSZ you are in as well as the ventilation index for the burn day. The map also provides information on how long your burn can last, for example, one day or multi-day depending on your location and ventilation conditions. For additional information on the ventilation index go to the [Information for all burners factsheet](#).

One day burn

- The ventilation index for your location must be **“GOOD”** on the day of your burn.
- You must complete the burn in less than 1 day.
 - **Start time** is at least one hour after sunrise.
 - **End time** is 4 p.m. or two hours before sunset, whichever is later. This means that on days where the sun sets earlier than 6 p.m., you may burn up to 4 p.m. and on days that the sun sets after 6 p.m. you can burn up to 2 hours before the sun sets. For example, if the sun sets at 6:30 p.m. you can burn until 4:30 p.m. If the sun sets at 4:45 p.m. you can burn up to 4 pm.



If you want to burn for a second day

- The ventilation index for your location must be **“GOOD”** or **“FAIR”** for the **second** day. This can be determined when you click your location on the [interactive map](#), a pop up box appears and in it, “Tomorrow’s Index” is listed.

Ventilation Index

To find the current forecast for your location check on the [B.C. Ventilation Index Forecast](#) website, use the interactive map hyperlinks provided on the website, or call the toll free number.



Ventilation Index:
1-888-281-2992

More Information

For additional information see the Ministry's [Open Burning Smoke Control Regulation](#) webpage or send your inquiry to: OBSCR@gov.bc.ca

Burning in a High Smoke Sensitivity Zone

OBSCR Factsheet

- You must complete the burn in 2 days.
 - **Start time** is at least one hour after sunrise.
 - **End time** is 4 p.m. on the second day.
- **Adding vegetative debris** and **igniting new piles** can only occur on the first day and only until 4 hours before sunset. You can not add vegetative debris overnight.
 - On the second day, you can not ignite new piles and can not add vegetative debris to existing piles.

Step 5 Watch your smoke

Be aware of the smoke produced and where it is going.

- If the smoke from your burn could negatively impact people or cause a navigation hazard by reducing visibility at nearby highways or airports, do not start your burn.
- If your burn is in progress and is negatively impacting people or causing a navigation hazard by reducing visibility at nearby airports or highways, no more vegetative debris can be ignited or added to the burn until the conditions have improved.

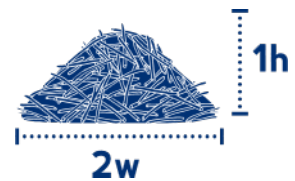
Special situations

Reduced setbacks

If you can't meet the setbacks, follow this additional set of restrictions to reduce your setback distance.

To use reduced setback distance you must:

- Build your piles at least half as tall as they are wide (taller is better).
- Only burn vegetative debris smaller than 50 cm in diameter.
Burning stumps is not allowed.
- Provide notice at least 24 hours in advance to occupants and managers of residences, businesses, schools, hospitals and community care facilities within 500 m of the burn piles.
 - Notification options include phones calls, signs at the site, fliers distributed to residents, and print sources such as newspaper, community boards or social media.
- Keep a written record of when the vegetative debris was piled.
- Obtain a ventilation index for your location. The index must be "**GOOD**" on the day of your burn.



More Information

For additional information see the Ministry's [Open Burning Smoke Control Regulation](#) webpage or send your inquiry to: OBSCR@gov.bc.ca

Burning in a High Smoke Sensitivity Zone

OBSCR Factsheet

- Complete your burn within **one day**.
 - **Start time** is at least one hour after sunrise.
 - **End time** is 4p.m. or two hours before sunset on the same day the burn, whichever is later.

If all of these conditions are met, you may burn using the following set backs:



Reduced setbacks are at least **100 m** from all neighbouring residences or businesses.



Reduced setbacks are at least **500 m** from schools, hospitals and community care facilities.

During periods of poor air quality, the Director may prohibit all burning. Please check [air quality advisories](#) before burning.

Persons preparing for or conducting an open burn should review and comply with the legal provisions set out in the [Open Burning Smoke Control Regulation](#). This Factsheet provides summary information only.

More Information

For additional information see the Ministry's [Open Burning Smoke Control Regulation](#) webpage or send your inquiry to: OBSCR@gov.bc.ca

Open Burning

Regional District of Central Okanagan Electoral Area Services Committee

June 5, 2025

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Objective



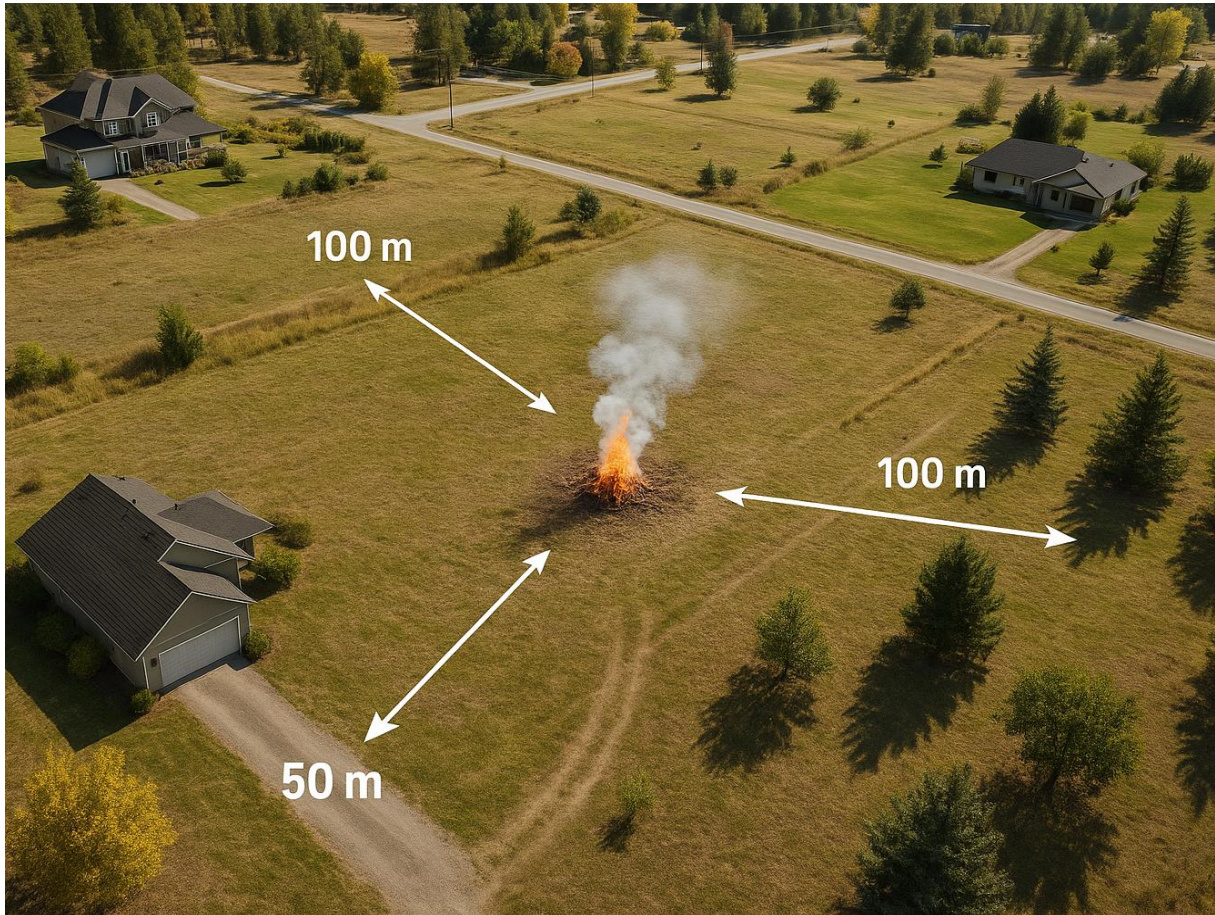
- To review legislation, policy and other constraints limiting open burning.

Open Burning and Smoke Control Legislation

Regulations within Regional District Electoral Areas:

- Province of British Columbia – Environmental Act – Open Burning Smoke Control Regulation
 - Minimum regulatory setback for burn piles: Fifty metres from neighboring residences
- RDCO Bylaw No. 1066 – Fire Prevention and Regulations
 - Open Burning Minimum lot size: One hectare
- RDCO Bylaw No. 773 – Smoke Control Regulatory Bylaw

Health Impacts and Fire Spread Risk



- One hectare minimum lot size facilitates the placement of burn piles away from neighboring properties
 - Allowing for better dispersion of smoke and less impact on air quality
 - Reducing the risk of fire spread to neighboring properties and/or structures

Health Impacts and Fire Spread Risk



Alternatives to Open Burning



Recommendation

THAT the Electoral Area Services Committee receives the Open Burning report from the Director of Protective Services dated June 5, 2025 for information.

Thank you





Standing Committee Report Electoral Area Services Committee

To: Electoral Area Services Committee
From: Chief Administrative Officer
Date: June 5, 2025

Subject: Letter to Minister of Transportation and Transit – Community Concerns with Road Conditions in Upper Fintry

Objective: To consider recommending the Regional Board send a letter to the Minister of Transportation and Transit (MOTT) citing concerns with road dust in Upper Fintry.

Discussion:

Recently, the Regional District of Central Okanagan (RDCO) has received numerous complaints from Upper Fintry residents regarding road dust and concerns that the dust is a health issue. The maintenance of area roads are the responsibility of A.I.M. Roads and the Ministry of Transportation and Transit (MOTT). RDCO staff have informed Upper Fintry residents that road activities in electoral areas fall under the jurisdiction of A.I.M. Roads and MOTT. Residents have been directed to contact both A.I.M. Roads and MOTT with their complaints and requests.

Next Steps:

Given road activities in electoral areas are outside the RDCO's jurisdiction, the Electoral Area Services Committee recommends the Regional Board write a letter to the Minister of Transportation and Transit highlighting the road dust concerns expressed by members of the Upper Fintry community.

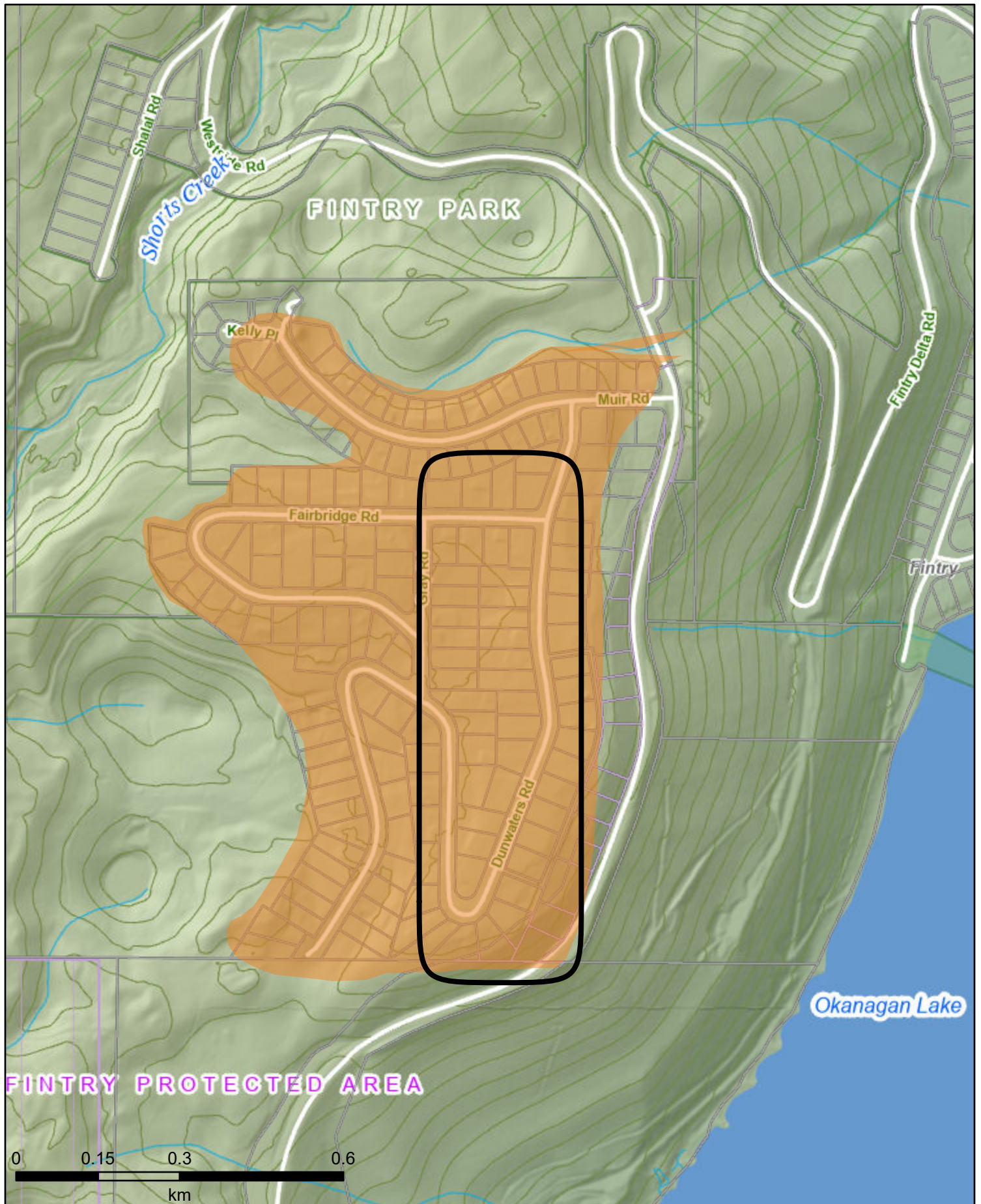
Recommendation(s):

THAT the Electoral Area Services Committee recommends the Regional Board write a letter to the Minister of Transportation and Transit citing road dust concerns in Upper Fintry.

Respectfully submitted by: Sandi Horning, Deputy Corporate Officer

Approved for Agenda: Sally Ginter, Chief Administrative Officer

Attachment(s): 1. Orange gravel roads and oval location of complaints map



Recommendation

THAT an Electoral Area Services Committee meeting be scheduled for 2:00 p.m. on Thursday, July 9, 2025, at the Regional District of Central Okanagan's Administration Building, Woodhaven Boardroom, 1450 KLO Road, Kelowna, BC.