



Regional Board Report

Request for Decision

To: Regional Board
From: Director of Protective Services
Date: February 20, 2025
Subject: Bylaw No. 1066 – Fire Prevention and Regulations

Voting Entitlement: *All Directors - Unweighted Corporate Vote - Simple Majority (LGA s.208)*

Purpose: To seek board direction regarding potential amendments to Consolidated Bylaw No. 1066.

Executive Summary:

As per the RDCO Board of Directors January 16, 2025 resolution stating “THAT the Regional Board directs staff to review Bylaw No. 1066 – Fire Prevention and Regulations Consolidated to recommend if the Regional Board should consider amending the minimum ventilation index threshold to align with the provincial standard; AND THAT language related to hectare size requirements for open burning be reviewed”, staff have reviewed Consolidated Bylaw No. 1066, Fire Prevention and Regulations, Consolidated Bylaw No. 0773 - Smoke Control, and a previous board report titled Air Quality Comm - Venting Index and burning times dated September 5, 2006. The review aimed to determine if the minimum ventilation index threshold for open burning could be amended to be in line with the provincial standard of fifty-five (55). Additionally, hectare size requirements for open burning were also reviewed.

It is recommended that the Regional Board consider amending Bylaw No. 1066 to lower the minimum ventilation index threshold from sixty-five (65) to fifty-five (55) in alignment with the Province of BC - Environmental Management Act – Open Burning Smoke Control Regulation – 152-2019. This decrease facilitates increased fire mitigation efforts

Additionally, it is recommended that there be no change to hectare size requirements for open burning. The current requirements are in alignment with City of Kelowna, City of West Kelowna, District of Lake Country, and the District of Peachland. Maintaining a one-hectare minimum lot size for open burning ensures that smoke disperses effectively and reduces fire spread risks by keeping the burn pile at a safe distance from neighboring properties.

The proposed amendment to Bylaw No. 1066 will enable increased fire mitigation efforts and better protect the residents of the RDCO from wildfire risks. The recommendation to lower the ventilation index threshold to fifty-five (55) is based on thorough consideration of fire prevention needs and alignment with provincial standards.

Recommendation:

THAT the Regional Board directs staff to amend Fire Prevention and Regulation Bylaw No. 1066 to change the minimum venting index to the provincial standard;

AND THAT the amending bylaw be brought forward for reading consideration.

Respectfully submitted and approved by: Mike Walroth, Director of Protective Services

Approved for Agenda: Sally Ginter, Chief Administrative Officer

Strategic Plan Alignment:

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| <input checked="" type="checkbox"/> Emergency preparedness | <input type="checkbox"/> Truth and reconciliation |
| <input type="checkbox"/> Health and wellness | <input type="checkbox"/> Environment and climate – Regional priority only |
| <input type="checkbox"/> Regional transportation | <input type="checkbox"/> Growth and development – Electoral Area priority only |
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Background:

Bylaw No. 1066, adopted on August 9, 2004, and consolidated to include amendments up to August 23, 2011, provides regulations for fire prevention and protection from fire hazards. The current bylaw stipulates that open burning is only permitted when the ventilation index is sixty-five (65) or greater. The rest of the Province of BC uses a minimum venting index of fifty-five (55). From Bylaw No. 1066 Section 7)i):

“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 sixty five (65) or greater when the fire is started.”

The Regional Board approved a venting index change from fifty-five (55) to sixty-five (65) at a board meeting in 2006 based on the following pulled from the board report titled “Air Quality Comm – Venting Index and burning times”, dated September 5, 2006 (also attached for reference):

“The Venting Index (VI) is one of the best regulatory tools used to protect Central Okanagan residents from the impacts of smoke due to open burning. The Venting Index is an estimate of how well smoke released into the atmosphere will be carried away from the surface during the afternoon. Open burning is only allowed in the Central Okanagan when the Venting Index is in the “Good” range. The current ventilation index guidelines are:

*POOR Venting: Ventilation index of 0-33
 FAIR Venting: Ventilation index of 34-54
 GOOD Venting: Ventilation Index of 55-100*

The Regional Air Quality Committee recommends raising the Venting Index from 55 to 65 in order to improve air quality and compensate for a design flaw in the way the Venting Index was developed.

The Venting Index was designed for fires on level ground and not for fires in cold valleys such as the Okanagan Valley. This design flaw has meant that smoke released during marginal venting periods (VI of 55 to 64) has not been able to vent out of the valley effectively. To

alleviate this problem the Regional Air Quality Committee recommends that the Venting Index be raised to 65 before open burning is allowed within the Regional District of the Central Okanagan.

It is to be noted that the number of burning days lost due to this regulatory change will be negligible, since the open burning season has been extended in the fall and spring where the majority of the Venting Index days are in the 65 or greater range.”

Since 2006 there has been an increase in the number of wildfires and an increased need for mitigation efforts to reduce the effects of these wildfires on populated areas. The Regional District’s FireSmart program focuses on educating our residents and encouraging mitigation efforts. Where possible, chipping and/or disposal of mitigated fuels is encouraged. Burning needs to be an option for residents to reduce their fuels without creating undue financial hardship.

The Regional District is currently actively working with our Provincial and Regional partners to perform mitigation work on lands owned by all levels of government. Much of this work requires burning and decreasing the minimum venting index to 55 would enable more mitigation.

More burn days increase the opportunities to burn mitigation materials that have already been piled. If the reduction in the venting index has taken place over the past 3 year, the increased number of burn days is as follows:

- 2022 – 12 more burn days
- 2023 – 22 more burn days
- 2024 – 12 more burn days

Improved Fire Mitigation: Lowering the ventilation index threshold to 55 will enable more frequent controlled open burning, reducing combustible materials and mitigating wildfire risks.

Alignment with Provincial Standards: Aligning the ventilation index with the provincial standard ensures consistency in fire prevention regulations and facilitates better coordination with provincial fire management efforts.

The RDCO Fire Chiefs are in favor of this bylaw amendment.

Considerations:

Organizational/External:

- Enhanced ability to complete fuel mitigation work for Regional District projects
- Enhanced ability to complete fuel mitigation work for Regional District residents
- Potential for increased smoke from open burning

Legal/Statutory Authority:

- Regional District Bylaw No. 1066

Alternate Recommendation:

THAT the Regional Board receive the report Bylaw No. 1066 – Fire Prevention and Regulations from the Director of Protective Services, dated February 20, 2025, for information.

Considerations not applicable:

- Financial
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Attachment(s):

1. BL1066-Consolidated-Fire Prevention and Regulations-2011-08-23
 2. BL0773-Consolidated-Smoke Control-2011-08-23
 3. 2006-09-05- Air Quality Comm - Venting Index and burning times
 4. 2025-02-20 Bylaw 1066 Fire Prevention and Regulations
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