
CITY OF KELOWNA
MEMORANDUM

Date: July 22, 2009
File No.: 0550-01
To: Council
From: City Manager
Subject: **Blasting Regulations within the Regional District**


The attached correspondence from the Regional District of Central Okanagan requests that the City of Kelowna provide comment with respect to a proposed bylaw regulating blasting activity within the Regional District of Central Okanagan.

Staff recommend Council consider the following resolution for this item:

THAT Council direct staff to review the correspondence from the Regional District of Central Okanagan dated July 14, 2009;

AND THAT staff identify the pros and cons of implementing a bylaw to regulate blasting activity;

AND THAT staff identify other municipalities that have implemented a similar bylaw and report back to Council.



R.L. (Ron) Mattiussi, MCIP
City Manager

/slh

cc: General Manager, Community Services
City Clerk



July 14, 2009
File No: 0110-02

Ron Mattiussi
Manager, City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Elsie Lemke
Chief Administrative Officer
District of Peachland
5806 Beach Avenue
Peachland, BC V0H 1X7

Randy Rose
Chief Administrative Officer
District of Lake Country
10150 Bottom Wood Lake Road
Lake Country, BC V4V 2M1

Jason Johnson
Chief Administrative Officer
Westside District Municipality
#4 – 2466 Main Street
Westbank, BC V4T 1Z1

Dear Administrators:

Re: Blasting Regulations within the Regional District

In follow-up the Regional Board's June Governance and Services Committee meeting, the Committee requested that information on blasting regulations within the Regional District be forwarded to member municipalities for their information.

Enclosed, please find the Committee report as well as an excerpt from the Governance and Services Committee meeting minutes.

Should you have any questions please do not hesitate to contact the office.

Yours truly,

Mary Jane Drouin
Corporate Services Coordinator

Encl.

Office of the Administrator

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Excerpt from the June 11, 2009 Governance and Services Committee meeting minutes

7. Development & Environmental Services

7.1 Update Blasting Regulations with the Regional District

Staff report dated May 26, 2009 provided an update on blasting regulations within the regional district. In May of 2007 the Province approved a regulation conferring additional powers which would allow the Regional District of Central Okanagan to adopt a bylaw regulating blasting activity, recognizing the unique circumstances of this Regional District's mandate of governing an urban area (Westside). As governance was in transition on the Westside at that time, and that all of the complaints originated within the boundaries of the Westside OCP, consideration of a potential bylaw was deferred pending conclusion of the Westside governance model.

Regional District staff have received no complaints related to blasting activities since incorporation of the Westside.

#GS50/09 SHEPHERD/FINDLATER

THAT the Governance and Services Committee defer consideration of a bylaw regulating blasting activity within the Regional District of Central Okanagan;

AND FURTHER THAT the comments be forwarded to the municipalities for their information and consideration.

CARRIED



Agenda No:	8.1
Mtg Date:	June 11/09

Development & Environmental Services

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DEVELOPMENT & ENVIRONMENTAL SERVICES DEPARTMENT REPORT

For the Governance & Services Committee June 11, 2009

TO: Chair & Members of the Governance & Services Committee
FROM: Dan Plamondon, Manager of Development and Environmental Services
DATE: May 26, 2009
SUBJECT: Defer Consideration of a Bylaw to Regulate and Impose Requirements for Blasting Activities

RECOMMENDATION:

THAT the Governance & Services Committee defer consideration of a bylaw regulating blasting activity within the Regional District of Central Okanagan

BACKGROUND:

In August of 2005, the Planning and Environment Committee was advised by staff that blasting activities within the Westside OCP area required additional regulation beyond that offered by Workers Compensation Board, the agency responsible for certifying and regulating blasters within BC. Staff recommended that the Regional District required similar authority as municipalities under the Community Charter to regulate blasting activity in what had become a developed urban area, Westside.

The Regional Board, with recommendation from the Planning and Environment Committee, requested that the Lieutenant Governor in Council grant to the Regional District the power to regulate and impose requirements for blasting. The request was based on the belief that the Westside was a developed urban area under the jurisdiction of the Regional District which did not have the authority of municipalities to regulate blasting activities.

In May of 2007 Cabinet approved a regulation conferring additional powers which would allow the RDCO to adopt a bylaw regulating blasting activity, recognizing the unique circumstances of this Regional District's mandate of governing an urban area with a population in excess of 30,000.

At about this time Westside governance was in transition with the possibility of boundary expansion with the City of Kelowna or outright incorporation. Staff advised the Board that 100% of blasting complaints originated within the boundaries of the Westside OCP and that if a bylaw were adopted by the Regional District, additional staff would be required for enforcement and monitoring, staff that would then be required to be transitioned to the Westside.

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Further, recognizing that no blasting complaints or issues originated within the electoral areas of the Regional District, consideration of the bylaw was deferred pending conclusion of Westside governance.

DEVELOPMENT & ENVIRONMENTAL SERVICES STAFF COMMENTS:

Regional District staff has received no complaints related to blasting activities since incorporation of the Westside, now the District of West Kelowna. Additional staff resources would be required if a bylaw were adopted including establishing blasting permit requirements, licensing of blasters, provisions for violation of the bylaw, establishment of a service area boundary and monitoring blasting activity.

Staff recommends that a bylaw to regulate blasting activity in the Regional District not be considered at this time.

Respectfully submitted,



Dan Plamondon, Manager Development & Environmental Services