

2013-31

# OAK BAY FIRE DEPARTMENT

OFFICE OF THE FIRE CHIEF

## MEMO

DATE: December 5, 2012

TO: Mayor and Council

FROM: Fire Chief G. Adam

RE: Outdoor Burning Request

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At the November 13, 2012 Council meeting, Fire Department staff was requested to submit a report, to Council, on regulations of other coastal communities regarding beach fires. This issue arose around the discussion about allowing the fire for the Sea of Lights event. At that time, the view was expressed that perhaps there could be a process where permits could be issued for more than just community type events (i.e. private events).

The Fire Department, in the past, issued permits for a variety of different fires. These included: beach fires, backyard bonfires and ceremonial fires. Over the years many issues arose from these fires, for example, with beach fires individuals would cover the fire with sand, which put the fire out, but the coals remained hot and there were occurrences where children suffered burn injuries to their feet after walking on the covered coals. Backyard bonfires were inspected and approved, but then grew in size after the Inspector left, causing neighbours to call the Department and complain. Open air burning in Oak Bay went from burning everyday, to burning only on 3 days a week to finally burning on Saturday mornings only before Council banned the practice all together, I believe in the 1980's.

I have been in contact with the other regional Departments and offer the following:

**Victoria** – Fire Chief may issue a permit for open fire for the purpose of training, observance or celebration of an ethnic or cultural event or other special event. Beach fires must have the Parks Directors written consent and the fire must be placed within a lawfully authorized fire pit.

**Saanich** – Is split into two distinct areas (within Urban Containment Boundary and Rural). Within urban containment boundary no open burning is permitted. In the rural area – from October 16 to April 30 inclusive open air burning is permitted on Fridays from sunrise to sunset and on Saturdays sunrise to 12 noon.

Beach fires are not permitted any time but they have allowed ceremonial fires on occasion plus Halloween fires etc... A special permit and on site inspection is required.

**Esquimalt** – Fire Chief may issue a permit for an open air fire provided the applicants do not burn treated wood, garbage, rubber, plastics, construction waste etc.

The Fire Chief may also issue a permit for the purpose of disease and pest control, fire suppression training, ethnic / cultural observances and special events. A special permit is issued for the Halloween bonfire.

Beach fires are not permitted.

**Central Saanich** - Open air burning is permitted from sunrise to sunset on Thursdays and Fridays and till noon on Saturday from November 1<sup>st</sup> to April 30<sup>th</sup> each year.

Beach fires are not permitted, but a person may apply for a ceremonial cooking fire.

**North Saanich** – Open air burning is permitted from November until May with a permit and a fee – this includes beach fires for people who own waterfront homes. Permits are also issued for the odd special occasion such as the girl guides wishing to have a cooking fire. First Nations may have a fire for ceremonial purposes anytime.

North Saanich does not allow fires at any time in their most densely populated areas of Dean Park; they do however allow commercial chimineas year round everywhere unless the fire conditions are extreme.

**Sidney** – Fire Chief may allow ceremonial fires (with permit) although this has only been done a “handful of times” and most were for Scouts and Guides for small fires outside the clubhouse.

**Colwood** – No open air fires are permitted unless for firefighter training or a civic event and managed by the FD (Halloween). Backyard comfort fires are allowed for use of chiminea and or outdoor fireplaces as long as the fire is contained in a manufactured device and only up to 10pm at night (no open campfires are permitted). No incinerators are allowed.

Beach fires are not permitted.

Exceptions to the bylaw have been granted by Council in the past on a specific case by case basis once a report from the fire department has been received for a bylaw variance for invasive species removal (broom and seed burning) or First Nations rededication ceremonies.

**Langford** – Allows burning on the first consecutive Friday and Saturday of the month from October thru May (depending on the fire rating). Permits are not required. Campfires are permitted any time (fire rating dependant) with a verbal permit being issued over the phone.

They are moving to open burning only being allowed on lots larger than a certain size (yet to be determined) with an on line permit being required (filled out and printed). The goal is to start restricting open air fires until only campfires are permitted.

Beach fires are not permitted.

**Willis Point** – Allows all types of fires and only requires a permit from April 15<sup>th</sup> to September 30<sup>th</sup>. They will ban burning during the summer based on the fire rating.

**Sooke** - Is divided into two sections: outside the sewer area, which you can burn any day from sunrise to sunset – Oct 1<sup>st</sup> to May 31<sup>st</sup>, and inside the sewer area. On properties that are larger than 2500 sq.m – same rules as above, for properties that are smaller, you can burn on those days provided the Environment Canada venting index is rated as fair or above.

Respectfully,



G. Adam, Fire Chief

To: Mayor and Council  
From: Municipal Clerk  
Date: January 24, 2013  
Re: Bylaws for Council Meeting of January 28, 2013

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**For First and Second Reading and Setting of a Public Hearing Date**

*Bylaw No. 4576, 1265 Roslyn Road Heritage Designation Bylaw, 2013*

At the request of the property owner, and as recommended by the Oak Bay Heritage Commission in September 2012, Bylaw No. 4576 would designate the principal building and specified interior features of the dwelling at 1265 Roslyn Road as protected pursuant to the heritage conservation provisions of the *Local Government Act*.

If a designation by a heritage bylaw causes, at the time of designation, a reduction in the market value of a designated property, the Municipality must, upon application by the owner, compensate the owner of that property for the reduction in the market value of the designated property. However, in the case at hand the designation has been initiated by the owner of the property.

**Public Hearing**

A public hearing is required prior to adoption of Bylaw No. 4576. The hearing could be arranged for March 11, 2013, by way of the following resolution:

***“That a public hearing on Bylaw No. 4576 be held at the Oak Bay Municipal Hall, on March 11, 2013, at 7:30 p.m., and that notice be given in accordance with the Local Government Act.”***

**For First, Second and Third Reading**

*Bylaw No. 4582, Heritage Commission Establishment Bylaw Amendment Bylaw, 2013*

As directed by Council on January 14, 2013, Bylaw No. 4582 shall increase the limit on the number of years a member can serve to eight years (four, two-year terms). The exception is where the first year of service is for less than a year (i.e. filling the remainder of a term), then the limit is extended to no more than nine years.



Lorraine Hilton  
Municipal Clerk

Attach.