



Blasting Bylaw Updates

Committee of the Whole

March 18, 2024

Presentation Outline

- Council Direction
- Policy Alignment
- Consultation & Response
- Proposed Bylaw Changes
- Staff Recommendations



Council Direction

June 26, 2023

Council directed staff to

- prepare changes to the blasting and hoe-ramming regulations
- include one public meeting, and
- gathering of input from the building industry



Consultation

Previous
Correspondence
to Council

Public Open
House
Oct 11 2023
4pm-7pm

Interviews
2 Blasters

Surveys
4 Contractors

Consultation Summary

- Open House (30 attended)
- Interviews blasting contractors (2)
- Interviews developers / contractors (4)

(see also attachment 4)

Resident Concerns

- Noise of blasting, drilling, grinding, rock scraping, compressors
- Excessive noise from rock breaking / rock hammering
- Dust
- Impact on trees and natural landscape features
- Disturbance of urban wildlife
- Disturbance of peace and enjoyment for nearby residents
- Risks for heritage structures
- Extended time frame of blasting activities

Industry Concerns

- Independent review not warranted as insurers, WorkSafeBC already vet the process
- Concerns about additional survey work
- Concerns with fees per volume and enforceability
- Hours restrictions would extent overall timelines
- Complexity of added notification and site markers
- Limits on rock volume restrict home owner options
- Rock hammering necessary tool, with advantages over blasting
- Need sufficient time for blasting process

Response by Themes

1. Policy alignment
2. Noise
3. Property
4. Safety
5. Communication



Policy Alignment



1. Dissuade extensive blasting and rock breaking, minimize cutting, filling.
2. Protect natural areas, site features and protected species
 - a) Require arborist report
 - b) Require wildlife survey

Noise



1. Regulate rock breaking & blasting
2. Limit permit days & permits per property
3. Prohibit onsite rock crushing
4. Limit rock hammering / hoe ramming
5. Regulate blasting / rock hammering timing

Property

1. Owner's Letter of Undertaking
2. Owner engagement of independent P.Eng.
3. Evidence of blaster certification
4. Letters of assurance
5. Professional liability insurance



Safety – Senior Levels of Government



1. Natural Resources Canada Explosives Act
2. WorkSafeBC OHS Reg Part 21 requires
 - a) Control Blasting Plan
 - b) Pre-blast inspections
 - c) Notifications (Division 14)
 - i. 300 m school, hospital, or medical clinic
 - ii. 150 m other occupied structure

Safety – Local Government



1. Qualified P.Eng. retained by Owner to confirm and advise District
2. Blaster to confirm all in proximity have a CO detector, or provide one

Communication



1. Clarity on rules, with definitions
2. Onsite project information
3. Publicly accessible blasting and rock breaking information on dedicated website landing page
4. Widen area for District-initiated blasting notification letters

Proposed Regulation Changes



- Building and Plumbing Bylaw No. 4247
- Anti-Noise Bylaw No. 4247
- Planning, Building and Development Fees and Charges Bylaw No. 4845
- Municipal Ticket Information Bylaw No. 4846

Building and Plumbing Bylaw

1. Definitions
2. Rock breaking included
3. Pre- and post-topographic survey
4. Independent P.Eng.
5. QEP report in nesting season
6. Arborist report



Building and Plumbing Bylaw cont.

7. Onsite information
8. Limit to rock removal in RS and RD
9. Permit expiration 10-15 working days
10. One permit per year per property
11. Security deposit



Anti-Noise Bylaw



1. 8 am – 4 pm Monday to Friday
(versus currently 7 am – 7 pm for regular construction)
2. Limit rock hammering to afternoons only
3. Prohibit blasting and rock breaking on weekends, holidays and Dec 24–Jan 2

Planning, Building, and Development Fees and Charges Bylaw

1. Flat fee of \$ 1,250 for blasting, \$750 for rock breaking
2. \$2,500 damage deposit
3. \$250 for one permit extension
4. \$100/m³ rock removal over 600m³
5. \$250 for staff and admin cost for District notification to 150 metres

Municipal Ticket Information Bylaw



1. To reflect bylaw changes and new blasting bylaw regulation

Options

That the Committee of the Whole recommend to Council:

1. THAT staff bring forward bylaw amendment for updating blasting regulations and related changes (recommended)
2. That staff be directed to gather additional public input on the proposed changed through Oak Bay Connect.