

THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS

BY-LAW NO. 90-01

A BY-LAW TO REGULATE OUTDOOR SOLID FUEL COMBUSTION APPLIANCES

WHEREAS the Municipal Act, R.S.O. 1990, Chapter M45, as amended, Section 210.140 authorizes Councils to pass by-laws for prohibiting and abating public nuisances;

NOW THEREFORE the Council of the Corporation of the Township of Leeds and the Thousand Islands enacts as follows:

1. Definitions:
 - a) "Outdoor solid fuel combustion appliance" shall mean a solid fuel burning appliance, which is used for the space heating of buildings, the heating of water or other such purpose; and which is located in a separate building or on the exterior of the building, which it serves.
 - b) "Waste" shall mean any material defined as waste in Section 25 of the Ontario Environmental Protection Act, R.S.O. 1990, Chapter E19,, as amended.
2. This by-law applies to all lands within the geographic limits of the Township of Leeds and the Thousand Islands.
3. Outdoor solid fuel combustion appliances shall be permitted on a lot which has a minimum lot area of 1.2 hectares (3 acres) and the unit shall be located/installed as follows:
 - (i) a minimum of 46 metres (150 feet) from all property lines;
 - (ii) such that the perimeter ground area around the unit to a distance of 3 metres (10 feet) minimum from the unit shall be of a non-combustible surface (i.e. gravel, sand, concrete pad);
 - (iii) the unit's chimney cap shall be fitted/equipped with a rain cap/spark arrester;
 - (iv) in accordance with a site location/installation as approved by the Chief Building Official or designate.
4. Notwithstanding the provisions of Clause 3, outdoor solid fuel combustion appliances are not permitted on any lot within a registered plan of subdivision or within a Village, Hamlet, Shoreline Residential, Island Residential or General Residential area as identified in the Township's Official Plans.
5. Where such installations are otherwise permitted in this By-law, there shall not be more than one (1) permitted per property in the Township, except:
 - a) More than one (1) outdoor solid fuel combustion appliance is permitted on a lot where it serves a permitted accessory dwelling or an agricultural building on lands, which are used primarily for agricultural purposes.
6. The installation of outdoor fuel combustion appliances shall be in compliance with the Ontario Building Code, the Ontario Fire Code, the manufacturer's installation instructions and all other applicable law.
7. No outdoor solid fuel combustion appliances shall be used for the incineration of waste or treated material.
8. Any person or persons who install, use or maintain an outdoor solid fuel combustion appliance in contravention of the provisions of this by-law, are upon conviction guilty of an offence and subject to a penalty pursuant to the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

9. Council may consider exceptions to this by-law after circulation of the proposed exception to Township staff (including the Chief Fire Official) and to abutting landowners within 120 metres of the subject site. Circulated land owners would have a reasonable opportunity to present comments to Council. There shall be an administrative fee of \$200.00 charged to the applicant for this process.
10. The installation of such unit shall require a permit to be issued by the Chief Building Official to ensure compliance with this By-law. The fees shall be as set out in the Township's Building By-law.
11. This By-law shall come into force and effect on the day of passing.

Read a First, Second and Third time and finally passed this 17th day of December 2001



REEVE



CLERK

