

A BY-LAW TO AMEND BY-LAW 97-38 OF THE CORPORATION OF THE CITY OF PEMBROKE, BEING A BY-LAW TO REGULATE THE USE OF LANDS, AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE CITY OF PEMBROKE

WHEREAS Section 34 of The Planning Act, R.S.O. 1990, provides that by-laws may be passed by municipal councils for restricting the use of lands and the erection or use of buildings, except as provided for in such by-laws;

AND WHEREAS the Council of the Corporation of the City of Pembroke did, on the fourth day of November, 1997, pass By-law 97-38 to provide for the use of lands and the character, location and use of buildings and the said by-law has, from time to time, been amended;

AND WHEREAS it is deemed expedient to further amend the said by-law;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF PEMBROKE ENACTS AS FOLLOWS:

- 1) That Section 2 of the Zoning By-law be amended to include the following definition of an outdoor furnace:

Section 2 (116A)

"Any outdoor appliance used for the purpose of burning solid fuel for the heating of buildings, water or other such purpose."

- 2) That Section 3 of the Zoning By-law be amended to include the following section on outdoor furnaces:

Section 3.20 (A)

i) An outdoor furnace may be permitted only in "Restricted Industrial - M1", "Business Park - M2" and "Open Space - OS" zones.

ii) Outdoor furnaces require a minimum setback of one hundred (100 m) from any lot line.

iii) When an outdoor furnace is located more than one hundred metres (100 m) but less than two hundred metres (200 m) from any lot line, the smoke stack of the outdoor furnace shall be higher than the highest building it serves.

- 3) This by-law shall be circulated in the manner provided for by the regulations enacted pursuant to Section 34 (18) of The Planning Act, R.S.O. 1990. In the event that no objection is filed within twenty (20) days of the date of giving written notice, this by-law shall come into force and take effect. In the event that any objection to the approval of this by-law shall be submitted to The Ontario Municipal Board for approval it shall come into force and take effect only upon the approval of the Board, as evidenced by the issuance of its formal order in that respect.

READ A FIRST AND SECOND TIME THIS 6TH DAY OF JULY, 2004.

Chief Administrative Officer

Mayor

READ A THIRD TIME AND PASSED THIS 6TH DAY OF JULY, 2004.

Chief Administrative Officer

Mayor