

**METRO VANCOUVER REGIONAL DISTRICT**  
**BYLAW NO. 1303, 2020**  
**A Bylaw to Regulate the Discharge of Air Contaminants from Residential Indoor**  
**Wood Burning Appliances**

WHEREAS:

- A. The *Environmental Management Act* authorizes the Metro Vancouver Regional District to provide the service of air pollution control and air quality management and, for that purpose, the Board of Directors of the Metro Vancouver Regional District may, by bylaw, prohibit, regulate and otherwise control and prevent the discharge of air contaminants;
- B. The *Environmental Management Act* authorizes the Board of Directors of the Metro Vancouver Regional District to establish different prohibitions, regulations, rates or levels of fees, conditions, requirements and exemptions for different persons, operations, activities, industries, trades, businesses, air contaminants or works, and for different classes of persons, operations, activities, industries, trade, businesses, air contaminants or works;
- C. The Metro Vancouver Regional District has enacted the “Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008”, which contemplates that the Board of Directors of the Metro Vancouver Regional District may establish emission regulations; and
- D. The Board of Directors of the Metro Vancouver Regional District has determined it is desirable to regulate the discharge of air contaminants from residential indoor wood burning appliances;

NOW THEREFORE the Board of Directors of the Metro Vancouver Regional District enacts as follows:

**General**

- 1. The official citation of this bylaw is “Metro Vancouver Regional District Residential Indoor Wood Burning Emission Regulation Bylaw No. 1303, 2020” (this “Emission Regulation”).
- 2. This Emission Regulation is an emission regulation for the purposes of section 26 of the “Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008” (the “Bylaw”) and is deemed to be an integral part of the Bylaw.
- 3. Terms defined in the Bylaw, or incorporated by reference into the Bylaw, have the same meaning in this Emission Regulation.
- 4. Any person who complies with the Bylaw and this Emission Regulation is exempt from the application of section 6 of the Bylaw and from section 6 (3) of the *Environmental Management Act* in relation to the discharge of air contaminants from a residential wood burning appliance, provided that such person also complies with any further restrictions or conditions imposed by the Bylaw, the *Environmental Management Act*, or a regulation, permit, order or approved waste management plan under the *Environmental Management Act*.
- 5. References in this Emission Regulation to an enactment include the enactment as it may be amended or replaced from time to time.

## Definitions

6. In this Emission Regulation:

**“accessory building or structure”** means a subordinate detached building or structure located on a lot where the use of such building or structure is incidental and ancillary to the principal permitted use of the land, and other buildings or structures located on the same lot;

**“best burning practices”** means the burning practices set out in Schedule B;

**"Canadian standard"** means the emissions standard described as "CSA B415.1-10 Performance testing of solid-fuel-burning heating appliances", published by the Canadian Standards Association, as amended from time to time;

**“certified”**, in relation to a residential indoor wood burning appliance, means that the appliance bears a certification mark certifying conformity with the Canadian standard or the US standard;

**“clean”**, in relation to wood and wood products, means material that is unpainted, unvarnished, unstained, untreated, and free of contaminants including salts, glue or coatings;

**“declaration of compliance with best burning practices”** means a declaration in a prescribed form provided by a person to the district director confirming that a residence’s residential indoor wood burning appliance will be operated only in compliance with the best burning practices set out in Schedule B of this Emission Regulation;

**“emergency”** means a present event or circumstance

- (a) which may be caused by accident, fire, explosion, technical failure, labour strike or the forces of nature, and which has caused an outage of electricity, natural gas, propane, heating oil or other energy sources for heating in the residence for a period of more than 3 hours, or
- (b) as determined by the district director;

**“fireplace insert”** means appliances that are designed to be installed within the firebox of an existing masonry or metal fireplace;

**“low-income household”** means a residence that has a residential wood burning appliance and whose residents qualify for the income criteria set forth in sub-paragraphs (a) or (b) of the definition for a “low-income household” as that term is defined in the *Demand-Side Measures Regulation*, B.C. Reg. 326/2008 made pursuant to the *Utilities Commissions Act*;

**"manufactured firelog"** means a commercially available manufactured log comprising wax and material of plant origin and which is constructed to be used as an alternative solid fuel to wood or wood products;

**"masonry heater"** means a free-standing appliance that is a site-built or site-assembled appliance consisting of a firebox, a large masonry mass, and a maze of heat exchange channels and

- (a) is constructed primarily of masonry,

- (b) has a mass of at least 800 kg, excluding the chimney and foundation, and
- (c) is designed
  - (i) to absorb the heat from a rapidly burned charge of solid fuel by routing hot exhaust gases through internal heat exchange channels that include at least one 180° change in flow direction, and
  - (ii) to heat spaces by radiating the absorbed heat;

**"off-grid residence"** means a residence that is not served by any public utility that could heat the home;

**"operator"** means a person who is responsible for, in possession of, or has control over the operation of a residential indoor wood burning appliance;

**"owner"** means a person who is the legal or beneficial owner of a residence in which a residential indoor wood burning appliance is installed;

**"pellet stove"** means a stove designed and used exclusively for the combustion of wood pellets that is used to heat the space in which it is located;

**"person"** includes an individual, firm, company, association, society, partnership, sole proprietorship, corporation, government body, land owner, owner, operator, resident and any director, officer, employee or agent of a person;

**"prescribed"** means prescribed by the district director;

**"registered"** means registered for use within Metro Vancouver Regional District in accordance with all of the requirements of Part 3 of this Emission Regulation;

**"registration"** means registration in accordance with all of the requirements of Part 3 of this Emission Regulation;

**"registration information"** means the information required for registration pursuant to Part 3 of this Emission Regulation, and in the form required;

**"residence"** means a private residential dwelling or unit;

**"residential indoor wood burning appliance"** means a fireplace or woodstove that burns or is capable of burning solid fuel to produce heat for heating indoor spaces or for aesthetic enjoyment for the occupants of a residence or an accessory building or structure, and from which combustion products are discharged to the air, and specifically includes a pellet stove, a masonry heater, a wood burning furnace and a fireplace insert;

**"seasoned"**, in relation to wood or wood products, means containing not more than 20% moisture by weight;

**“sole source of heat”**, in relation to a residential indoor wood burning appliance, means the appliance is the only technology that has the primary purpose of heating the indoor space within a residence;

**"solid fuel"** means

- (a) clean, seasoned wood or wood products,
- (b) manufactured firelogs, and
- (c) wood pellets;

**“unregistered”**, in relation to an appliance, means not registered pursuant to Part 3 of this Emission Regulation;

**"Urban Containment Boundary"** means that boundary established and described in “Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010”, as amended from time to time;

**"US standard"** means the emissions standard contained in the "Code of Federal Regulations, Title 40, Part 60, Subpart AAA – Standards of Performance for New Residential Wood Heaters", published by the United States Environmental Protection Agency:

**“wood”** means natural wood from a tree or shrub, including conventional firewood such as cordwood;

**"wood burning furnace"** means an appliance, designed to be located outside ordinary living areas, in which air is heated and from which the heated air is distributed through ducts for heating spaces other than the space in which the furnace is located;

**"wood pellets"** means processed fuel consisting of uniform, discrete pellets of compressed, clean wood material manufactured for use in a pellet stove;

**“wood products”** means wood waste including but not limited to woodchips, shavings, sawdust, sander dust and wood left over from cutting lumber to length.

### **Part 1 - Application and Scope of this Emission Regulation**

7. Subject to section 8, no person may discharge, or cause, permit or allow the discharge of any air contaminant into the environment from a residential indoor wood burning appliance within the Metro Vancouver Regional District except in accordance with this Emission Regulation.
8. Nothing in this Emission Regulation prohibits the discharge of an air contaminant from a residential indoor wood burning appliance during an emergency.

### **Part 2 – Best Burning Practices Requirement**

9. Effective immediately, every person who discharges, or causes, permits or allows the discharge of an air contaminant into the environment from a residential indoor wood burning appliance must comply with best burning practices.

### **Part 3 – Declaration, Registration and Other Requirements**

- 10.** Effective September 15, 2022, every person who discharges, or causes, permits or allows the discharge of any air contaminant into the environment from a residential indoor wood burning appliance must provide to the district director a declaration of compliance with best burning practices.
- 11.** Effective September 15, 2022, every person who discharges, or causes, permits or allows the discharge of any air contaminant into the environment from a residential indoor wood burning appliance that is eligible for registration under Part 4 and is being operated within a residence that is located within the Urban Containment Boundary, must register such appliance for use by providing the following registration information in the prescribed form to the district director:
  - (a) owner and operator name(s) and contact information, and appliance address;
  - (b) appliance model; and
  - (c) information evidencing that the appliance meets the emissions standards set out in Schedule A or that the appliance is otherwise eligible for registration in accordance with Part 4.
- 12.** Effective September 15, 2025, every person who owns or operates a residential indoor wood burning appliance that is eligible for registration in accordance with Part 4 and is being operated within a residence that is located within the Urban Containment Boundary, must, at intervals of not more than three years following the date of the first registration of such appliance in accordance with section 11, or upon the replacement of such appliance, whichever occurs earlier, provide in the prescribed form to the district director:
  - (a) confirmation that the registration information is accurate and current; and
  - (b) a new declaration of compliance with best burning practices.
- 13.** Every owner or operator must, immediately upon the request of the district director or an officer, provide proof of identity, proof of purchase of manufactured firelog where applicable, and any other information the district director or an officer deems necessary to ensure compliance with this Emission Regulation.
- 14.** Every owner or operator who, on or after September 15, 2025 is the subject of an investigation into the discharge, or causing, permitting or allowing the discharge of an air contaminant from an unregistered residential indoor wood burning appliance being operated within a residence located within the Urban Containment Boundary, and who wishes to prove that the appliance is being operated from within a low-income household in accordance with section 19(a)(ii), must provide to the district director the following evidence that such appliance is being operated in a low-income household:
  - (a) an owner or operator signed statement in the prescribed form and satisfactory to the district director, declaring the total number of people residing in the household and the basis upon which the residence qualifies as a low-income household; and
  - (b) for so long as the residential wood burning appliance continues to be used in the household, a fresh declaration as described in section 14(a), to be provided at intervals of no more than every three years.

#### **Part 4 – Eligibility for Registration**

- 15.** Residential indoor wood burning appliances that are eligible for registration include:
- (a) appliances that meet the emissions standards prescribed in Schedule A;
  - (b) appliances that do not meet the emissions standards prescribed in Schedule A but the appliance is the sole source of heat; and
  - (c) appliances within a residence operated exclusively with manufactured firelogs and that produce no visible emissions.
- 16.** Every person registering a residential indoor wood burning appliance must provide to the district director in the prescribed form satisfactory evidence of the appliance’s eligibility for registration. Such evidence includes but is not limited to:
- (a) for appliances that meet emissions standards in Schedule A, the name of the manufacturer and model of the appliance;
  - (b) for appliances that do not meet the emissions standards in Schedule A, but the appliance is the sole source of heat, a signed statement in the prescribed form stating that the household does not have any other technology that has the primary purpose of heating the indoor space within a residence including but not limited to baseboard heaters, a furnace, a natural gas or propane stove, or a heat pump; or
  - (c) for appliances that do not meet the emissions standards in Schedule A but the appliance is fueled exclusively with manufactured firelogs, a signed statement in the prescribed form stating that all operators use only manufactured firelogs in the appliance.

#### **Part 5 – Seasonal and Unauthorized Discharge Prohibitions**

- 17.** Effective May 15, 2021 and subject to section 18, during the period between May 15 and September 15 inclusive of every calendar year, no person may discharge or cause, permit or allow the discharge of any air contaminant into the environment from a residential indoor wood burning appliance.
- 18.** The prohibition in section 17 does not apply to the discharge of an air contaminant from a residential indoor wood burning appliance:
- (a) operated within an off-grid residence located outside of the Urban Containment Boundary; or
  - (b) from an appliance that is the sole source of heat.

**19.** Effective September 15, 2025 and subject to section 17, no person may discharge, or cause, permit or allow the discharge of any air contaminant into the environment from a residential wood burning appliance, unless:

(a) The appliance is being operated within a residence that is located within the Urban Containment Boundary and:

- (i) the appliance is eligible for registration under Part 4 and has been registered in compliance with Part 3; or
- (ii) the appliance is not eligible for registration under Part 4 and it is being operated within a low-income household;

or

(b) The appliance is being operated within a residence that is located outside of the Urban Containment Boundary and the owner or operator of the appliance has provided to the district director a declaration of compliance with best burning practices.

**20.** Notwithstanding section 19(a), section 19(a) does not apply to any person who discharges, or causes, permits or allows the discharge of an air contaminant into the environment from a residential wood burning appliance being operated within a residence located within the Village of Lions Bay, until September 15, 2032, upon which date section 19(a) will be effective in respect of all such discharges by such a person.

#### **Part 6 - Offences**

**21.** A person who contravenes sections 10, 11, 12, 27 and 28 of this Emission Regulation commits an offence punishable by a fine not exceeding \$5,000.

**22.** A person who contravenes sections 7, 9, 17 and 19 of this Emission Regulation commits an offence punishable by a fine not exceeding \$10,000.

**23.** Where there is an offence that continues for more than one day, separate fines each not exceeding the maximum fine for that offence may be imposed for each day or part thereof in respect of which the offence occurs or continues.

**24.** A person who provides false information in a registration application, other submission of information, or to an officer or the district director in response to a request for information related to provisions in this Emission Regulation commits an offence and is liable on conviction to a fine not exceeding \$10,000.

**25.** Nothing in this Emission Regulation limits the district director or the Metro Vancouver Regional District from utilizing any other remedy that would otherwise be available.

**26.** If a corporation commits an offence under this Emission Regulation, an employee, officer, director or agent of the corporation who authorized, permitted or acquiesced in the offence commits an offence whether or not the corporation is convicted.

**Part 7 - Record Keeping**

- 27. Every owner or operator of a residential indoor wood burning appliance must, for a period of not less than two years, keep receipts, invoices, work orders, reports, photographs or other documents or materials evidencing to the satisfaction of the district director the owner or operator's compliance with Schedule B's required inspection and maintenance requirements.
- 28. Every owner or operator of a residential indoor wood burning appliance that is operated exclusively with manufactured firelogs as fuel must, for as long as the fuel is available for use, keep receipts, invoices or other documents or materials evidencing to the satisfaction of the district director the purchase of manufactured firelog fuel.

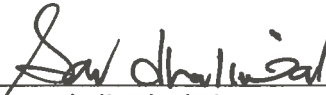
**Part 8 - Schedules**

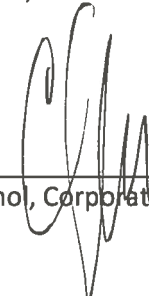
- 29. Schedules A and B attached hereto form part of this Emission Regulation.

**Part 9 - Commencement**

- 30. This Emission Regulation will come into effect on May 15, 2020.

Read a first time this 27 day of MARCH, 2020  
Read a second time this 27 day of MARCH, 2020  
Read a third time this 27 day of MARCH, 2020  
Passed and finally adopted this 27 day of MARCH, 2020

  
Sav Dhaliwal, Chair

  
Chris Plagno, Corporate Officer



### Schedule A: Eligibility for Registration - Emissions Standards

In Schedule A, “**particulate matter**” means a mixture of solid particles and liquid droplets suspended in the air.

For the purposes of determining eligibility for registration of a residential indoor wood burning appliance under Part 4 of this Emission Regulation, the following emissions standards are prescribed:

<b>Residential indoor wood burning appliance</b>	<b>Standard for eligibility:</b>
Certified residential indoor wood burning appliance bearing a certification mark	Conformity with the Canadian standard or the US standard.
Previously certified residential indoor wood burning appliance bearing a certification mark	Conformity with a predecessor emissions standard of the Canadian standard or the US standard, that was in effect at the time the appliance was installed in the residence at the registered appliance address.
All other residential indoor wood burning appliances	<p>The owner or operator provides satisfactory evidence to the district director to prove the appliance meets or betters:</p> <ul style="list-style-type: none"> <li>• the current Canadian standard; or</li> <li>• the current US standard.</li> </ul> <p>OR</p> <p>The owner or operator provides satisfactory evidence to the district director that the appliance:</p> <ul style="list-style-type: none"> <li>• has a particulate matter emission rate that does not exceed 4.5 grams per hour; or</li> <li>• is a masonry heater.</li> </ul>

## Schedule B: Best Burning Practices

Compliance with best burning practices means to:

- A. operate a residential indoor wood burning appliance and any attached emission control equipment in accordance with the manufacturer's recommended operating procedures;
- B. operate a residential indoor wood burning appliance in a manner that produces no visible emissions except during the starting of a new fire for a period not to exceed twenty minutes in any four hour period; and
- C. to apply the following practices to minimize smoke:
  - Only burn clean, seasoned wood or wood products, manufactured firelogs, or wood pellets and, for the purpose of starting a fire only, non-glossy, uncoated, uncoloured paper.
  - Do not burn garbage, including plastics, rubber, treated wood and painted wood.
  - Burn small, hot fires.
  - Prevent smouldering fires.
  - If your appliance is designed for extended burns to provide an overnight heat source, load the fuel to prevent the fire from smouldering:
    1. Rake the coals towards the air inlet and place large pieces of wood compactly in the firebox behind the coals so the heat and flame do not penetrate the new load.
    2. Open the air inlets fully for 15 to 30 minutes until the outer pieces of wood are charred.
    3. Once a thick layer of charcoal has formed on the outer pieces, reduce the air supply in stages to the desired level.
  - Inspect and maintain the appliance in accordance with the recommendations of a qualified person.