

Condo Smarts

Headline: Outdoor gas appliances

Topic: Balconies & Decks; Barbeques

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Written by: Tony Gioventu

Dear Tony: Our strata is debating the safety of outdoor gas appliances and considering a bylaw to completely ban their use. Since 2001 we have had 2 separate incidents involving gas barbeques. One an exploded glass balcony wall and another where there was over \$20,000 in damages caused by a fire on the balcony of a unit with wicker furniture. We have a group of vigilant owners who claim it is their right to have a barbeque and a gas patio heater and the strata cannot prevent their use. We contacted our local fire marshall who advises it is up to us to set bylaws that regulate this activity. How do other strata corporations in the province manage this issue?

Corinne P.

Dear Corinne: Ever have this experience: your gas barbeque was left on overnight and the dials are now so hot you cannot touch them or they are starting to melt? This happens all too frequently and often owners just wait for the appliance to run out of gas as opposed to calling 911 for assistance or risking their own injury. These appliances are not intended to run for endless periods at high temperatures in restricted areas. With over 30,000 strata corporations across the province, in every type of climate zone and construction design, it is impossible to provide any example that could be a standard. Each strata has to take a close look at the design and construction materials in their buildings, the locations where outdoor gas or fired appliances may be used and the potential where life safety issues or property damage may arise. A backyard gas fireplace may be acceptable in a townhouse complex where the fire pits are a safe distance from buildings, structures and trees and ensure a safe escape route in the event of an emergency. The same conditions are unlikely to apply to a townhouse back yard that is 10'x10' and covered with a wood deck and building overhangs. Overhead heaters may be safely operated if there is

sufficient clearance above the heater, but a 6' heater in a 7' balcony area in a wood frame building is simply a matter of time before someone forgets the heater is on and torches the building. Your example of gas barbeques on high rise balconies pops up constantly. It is not only the potential damage to balcony walls or windows facing onto the balcony areas, but the constant smoke and grease produced by the barbeques is one of the most frequent complaints of nuisance that our office receives every summer.

Your bylaws could prohibit all types of gas and solid fuel appliances used for cooking and heating. They could also specifically limit location, hours of use and even maximum size (BTU). This is ultimately the voting choice of your owners. To live in a strata we are sharing each other's space and each other's liability. In a strata your home is not your castle. If the strata adopts new bylaws prohibiting barbeques, they will apply to everyone. A bit of sobering perspective. Is a \$20.00 steak cooked for 5 minutes outdoors really worth a million dollar insurance claim and the possible risk of safety to your fellow residents and their property?