

COMMITTEE OF THE WHOLE NOVEMBER 15, 2004

DEPUTATION – MS. LAURA DUZ WITH RESPECT TO BY-LAW #1-88, SECTION 3.14 REGARDING THE RESTRICTION OF CENTRAL AIR CONDITIONERS IN FRONT YARDS

Recommendation

The Commissioner of Planning recommends:

THAT this report BE RECEIVED for information.

Purpose

To provide information concerning a deputation made by Ms. Laura Duz on December 8, 2003, requesting that the City initiate a By-law 1-88 amendment to Section 3.14, to permit central air conditioning units in any part of a front yard.

Background - Analysis and Options

The Committee of the Whole on December 8, 2003 directed:

- “1. The deputation of Ms. Laura Duz, 89 Sonoma Boulevard, Woodbridge, L4H 1N8, written submission dated November 26, 2003, and petition from area residents, be received and referred to staff;
2. That the confidential memorandum of the Senior Manager, By-law Enforcement, dated December 1, 2003, be received; and
3. That the written submission of Mr. Napoleon Rivas, 87 Sonoma Boulevard, Woodbridge, L4H 1N8, dated September 1, 2003, be received.”

City of Vaughan By-law 1-88, Section 3.14 paragraph (h) states that:

“Notwithstanding the yard requirements of this By-law, and save as otherwise provided, the following shall be permitted in any required side yard or rear yard of residential lots:

- central air conditioning units and heat pumps, provided that any such unit is set back a minimum of 1.2m from the interior side lot line, a minimum of 3.0m from the exterior side lot line, and may encroach 1.5m into the required rear yard.”

By-law 1-88 prohibits central air conditioning units from being permitted in the front yard for aesthetic reasons. While certain situations may merit the location of these units in the front yard, provided they are adequately screened, a general amendment to the by-law to permit central air conditioning units as-of-right would take away the control of any screening treatment away from the City. Homeowners who wish to locate their air conditioners in the front yard should proceed by way of a variance application to the zoning by-law. This procedure will ensure that each case is reviewed independently to ensure the best possible location is chosen, and to further ensure adequate screening is provided.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

Staff is of the opinion that a City initiated amendment to By-law 1-88 is not warranted, and that the existing zoning requirements should continue to prohibit central air conditioning units in the front yard as-of-right. It is recommended that any request dealing with this issue be dealt with on a site-specific basis by way of a minor variance application to the Committee of Adjustment.

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

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