



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2007-66

A BY-LAW TO AMEND BY-LAW NUMBERS 1979-50 and 1981-96, AS AMENDED, BEING RESTRICTED AREA (ZONING) BY-LAWS.

(Technical Amendment - Residential Air Conditioning Units)

WHEREAS it is deemed advisable to amend By-law Numbers 1979-50 and 1981-96 as amended;

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows;

THAT By-law Number 1979-50 and 1981-96, as amended, be and the same are hereby further amended by:

1. Adding to Section 3.1(A) to By-laws 1979-50 and 1981-96 as amended, as follows:

Accessory Structures, Residential

the words "air conditioner unit"

2. Adding Section 3.2(B) to By-laws 1979-50 and 1981-96, as amended, as follows:

"Air Conditioner Unit, Residential

means any mechanical equipment which is required for residential domestic use and which must be installed outdoors, which include heat pumps and central air conditioner units and heat exchange units and could include emergency generators and other such equipment"

3. Deleting Section 7.17 of By-law 1979-50 and Section 7.10 of By-law 1981-96 "Air Conditioning Units and Heat Pumps" and substituting therefore the following to provide new requirements for air conditioning units and heat pumps in all residential zones as follows:

"Notwithstanding any other provisions of this by-law, in all residential zones:

- (i) For single-detached, semi-detached and link home dwellings, central air conditioning units and/or heat pumps shall be permitted in all yards subject to the following:

Side Yard:	0.6 metres (minimum)
Rear Yard:	0.6 metres (minimum)
Front Yard or Exterior Side Yard:	Maximum encroachment of 1.5 metres into required yard but no closer than 3.0 metres to the street line and is screened from the street by fencing or landscaping or an enclosure

- (ii) Notwithstanding the provisions of subsection (i) above, a minimum lateral separation of 4.6 metres to a window and/or door of a habitable room of a dwelling on an adjoining lot shall be provided.


- (iii) Window or through-wall air conditioner units shall be permitted to encroach a maximum of 0.5 metres into all required yards subject to a minimum setback of 0.6 metres from all lot lines.

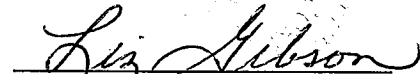
- (iv) For townhouses or other multiple dwelling types, excluding apartment buildings, central air conditioning units and/or heat pumps shall be permitted as follows:

Side Yard:	0.3 metres (minimum)
Exterior Side Yard or Rear Yard:	1.8 metres (minimum)
Front Yard:	Maximum encroachment of 1.5 metres into required yard but no closer than 3.0 metres to the street line and is screened from the street by fencing or landscaping or an enclosure

- (v) Notwithstanding the provisions of subsections (i & iv) above, central air conditioners and/or heat pump units for apartment buildings shall be roof mounted."

ENACTED THIS 11TH DAY OF JUNE, 2007.


Tony Van Bynen, Mayor


Liz Gibson, Deputy Clerk