

From: Don Hutchinson [dgg.hutch@sympatico.ca]
Sent: June 12, 2006 7:01 AM
To: 'Bavington, Kitty'; 'Taylor, Andy'; 'Wiles, Bill'; 'Miller, David'; 'Baird, Jim'; 'Birrell, Sheila'; 'Sharon Fortis'; 'Costa Kollias'; 'Don Hutchinson (work)'; 'Donna Hinde'; 'Harry Eaglesham'; 'Jeanette Anbinder'; 'Nick McDonald'; 'Paul Fink'; 'Ranveer Persaud'; 'Rob Watters'
Subject: Extended Driveways Working Group

Hi Folks.

Attached, please find a draft of a proposal that might assist us in focusing our efforts on Thursday evening. I am trying to give lots of time so that the items presented may be digested in advance.

Blessings.

Don

Don Hutchinson

15/06/2006

DRAFT

MARKHAM EXTENDED DRIVEWAY WORKING GROUP

REPORT & RECOMMENDATIONS

As we have been asked to present a report to the Town Council for its meeting scheduled June 27, 2006, I thought I would draft the following to potentially assist in focusing our discussion. Thoughts/rationale/etc. are in italics with the draft itself in regular font. I attended 4 of the 6 Community meetings. I found the meetings, engaging in conversation outside the meetings, correspondence received, and working group discussions to date essential to development of this proposal.

Purpose

Markham Council established the Extended Driveway Working Group (the ‘Group’):

- ‘to facilitate further community consultation on the front yard parking issue.’
This we have done by our own discussion, attendance at community meetings and informal consultation in our neighbourhoods, wards and with others.
- to ‘provide additional information and advice to Council.’
This report is intended to fulfill the second stated purpose for the Group.

Issues

The justifiable issues required to be addressed by revision to the existing parking by-laws are:

- Enforcement – Current by-laws are numerous and varied in standards that are not easily understood or enforced. As a result of the lack of clarity, enforcement has taken place primarily in only the most flagrant violations of the standards.
- Aesthetics – Enforcement is driven largely by the process of complaints from the public. Complaints are driven primarily by neighbourhood aesthetics.
- Loss of snow storage space – Another driver of the complaints process is the action of people with extended driveways who encroach on the snow storage space of neighbours and also inhibit the ability for street clearing equipment to properly store snow in some circumstances.
- Storm water run-off – Storm water management in some parts of Markham is outdated and further inhibited by a lack of easily porous water absorption generally associated with ‘soft’ landscaping. Storm water management in newer parts of the Town has been partially based on water absorption by ‘soft’ landscaping.

Draft Strategy resulting in Opposition to Proposed By-Law 2006-96

The draft strategy encountered some significant difficulties largely attributable to:

- A lack of adequate communication to the public concerning:
 - the rationale for the proposed by-law,
 - the potential impact of the proposed by-law, and
 - public consultation opportunities.
- Initial statistics based on a staff conducted survey that indicated nearly 20% of Markham driveways would not conform to the proposed by-law.

Recommendations

The Following recommendations are intended to facilitate early implementation of a strategy to assist in dealing with the problem of existing and future extended driveways. There are less frequently occurring driveway situations which may not be adequately addressed in these recommendations or the by-law itself (e.g. some circular driveways, corner lots with two separate driveways or multiple driveway entrances, oversized curb cuts – and thus extended driveways – made with Town approval, etc.). Also, some recommendations extend beyond the provisions of by-law 2006-96 but were relevant to our discussions and so deserving of comment.

In proposing these recommendations staff is asked to conduct additional surveys as required with a goal toward minimizing the number of driveways that would be in conflict with the proposed by-law if it were to be in force today without exception.

1. Section 6.2.4.2 of by-law 2006-96 be amended to provide for a maximum driveway width of : i) the garage door width plus 2 metres (six feet and six inches) OR ii) 6.1 metres (20 feet) provided a minimum of 40% landscaping is provided ... with 75% of that landscaping being soft landscaping.

For the working group: By adding the extra .5 metre (1 foot and 6 inches) the width of an average single car garage driveway becomes 4.5 metres (17 feet and 6 inches) instead of 4 metres (16 feet). This should adequately allow for the parking of two midsize cars side by side with room to open doors and exit without stepping onto the grass/snow. Note: the single car garage Table indicates driveway widths of 4.44 metres (14 feet and 6 inches) to 5.66 metres (18 feet and 6 inches) with a 2 metre extension.

Measurement of the landscaping provision should be either linear in line with the garage or on a square footage basis measured to the front of the garage OR the front of the residential component of the house structure, whichever is more beneficial to the homeowner.

The rationale for the 40% landscaping with at least 75% being soft landscaping is representative of the investment many have made in completing walkways from the front drive to the main entrance or around the sides of their home. This proposal accommodates driveways that flair out after passing the sidewalk/water box line and then extend into a walkway.

Staff survey required to identify projected percentage of compliance.

For the working group: Perhaps we can discuss suggestions as to how a driveway might be permitted to be wider than 6.1 metres based on width of lot but still using a landscaping/soft landscaping formula (e.g. wider lots might accommodate wider driveways). Note: Using the 2 metre formula, the double car garage Table notes driveway width of 6.27 metres (20 feet and 6 inches) to 9.62 metres (31 feet and 6 inches) – 9.62 metres is for two single doors.

2. To address snow storage and water absorption issues, a minimum amount of soft landscaping should be required. Rather than a measurement from the lot line, the current 1 metre requirement, the following is proposed. A minimum of 1.5 or 2 metres of soft landscaping must be preserved running the length of the driveway above the sidewalk/water box.

Current requirements are 1 metre setback from the lot line, however there are a number of existing driveways that would meet the proposed standard, except for the 1 metre setback on one side of their lot. This is a problem based primarily on lot sizes and structural placement, therefore the solution of a combined 1.5 or 2 metres of soft landscaping is proposed.

The 1.5 or 2 metre measurement, much like the measurement of driveway width based on the width of the garage door(s), may limit driveway width on some narrower lots and allow for situations where driveways have been completed to the lot line or near the lot line on one side. At the same time, the most flagrant violators will be required to restore snow storage and water absorption areas in a manner similar to the requirements for the Town owned boulevard.

Staff survey required to identify feasibility based on lot sizes, etc.

3. There will be driveways that do not meet these standards or fit into the category of prior legal non-conforming use. There was much discussion about a general amnesty or 'grandfathering' of driveways existing as of the date of the by-law coming into force. The proposal of a general amnesty will not resolve the issue of the most flagrant violations and would, in fact, allow one of the primary reasons for revising the driveway by-law to be eliminated. Accordingly, a modified form of amnesty is proposed.

People who can demonstrate a need for additional parking, in a manner similar to the requirements for an overnight on-street parking permit, may be granted the

required number of parking permits to park on the extended portion of their driveway that is not in compliance with the by-law. These permits would be processed through the existing machinery for overnight on-street parking and available for a nominal fee (e.g. \$20 per year) with renewal based on need. Guest permits would be available in the same manner that guest overnight on-street parking permits are granted, except that they would be available 365 days a year.

Additionally, people who have a technically 'illegal' driveway who feel they can justify their need and do not wish to use the permit parking system may make application to the committee of adjustment for a site variation. Those who are successful with an application made prior to December 31, 2007 would be eligible for a one-time extended driveway rebate of 50% to 90% of the application fee. The amount of the rebate would have to be determined by Council prior to implementation of the program.

For the working group: Many people requested grandfathering in the public meetings but many also wanted something done about the offending driveways on their street. Also, I spoke with Bill Wiles to ascertain how difficult it would be to enforce a general amnesty. Bill's concern was that it would be almost impossible to enforce as there is no way of establishing which driveways are being granted amnesty. E.g. Someone on Street A may have an illegal driveway that is grandfathered while someone else may not construct their illegal driveway on Street A for two more years – How do enforcement staff assess the second driveway when a complaint is made four years down the road? Grandfathering of entire existing parts of the Town makes them fair game for driveway extension at any time. The solution proposed is one that will hopefully allow people with legitimate needs and pre-existing driveways to be identified.

4. There should be no expansion of the overnight on-street parking program into neighbourhoods that have not been designed with that intention or possibility in mind. In many neighbourhoods overnight on-street parking may result in:
 - walking unsafe distances to get to one's residence after parking
 - corner lots with extended stretches of curb may be inundated with extra vehicles
 - emergency vehicles may encounter difficulties getting to locations
 - snow removal problems may negatively impact large numbers of residents
 - the cost of posting signage for new on-street parking requirements will be born by all ratepayers
5. Enforcement of the by-law should take place on a lenient and generous basis, prosecuting only where required.

6. Driveway width below the sidewalk/water box should permit a width greater than the curb cut to allow for design features associated with extended driveway landscaping but not to the maximum widths permitted for the driveway itself.

The curb cut by-law may require modification to accommodate the changes to the driveway by-law and existing Town facilitated curb cuts that may be in violation of the existing curb cut by-law.

7. The Town has committed to undertaking an extensive communication program in regard to the driveway by-law between the passing of a new by-law and the end of the current calendar year. This communication program will precede more rigorous enforcement of the by-law. The communication program should not be confined to the driveway by-law and should be continued beyond the end of the current year. Following are some suggestions for improving communication in regard to the driveway by-law, other by-laws and other matters of general interest to residents by the Town of Markham to residents:

- Notification in tax bill envelope of Markham page in Economist & Sun and www.markham.ca
- Publication of driveway by-law summary in Economist & Sun and on www.markham.ca
- Development of a householder handbook advising of primary Markham by-laws affecting private residential property (Note: extensive focus group testing to be done, including consultation with local ratepayers' associations and community service groups to ensure communication is clear – measurement should be indicated in metric and imperial scales)
 - Driveways
 - Fences
 - Landscaping
 - Exterior shed construction
 - Renovation permits
 - Etc.
- Notification of by-law summary to local ratepayers' associations for inclusion in their communication vehicles

8. If implementation of the above recommendations, in addition to modifications to proposed by-law 2006-96, is not feasible by January 1, 2007 the Council is encouraged to establish a driveway by-law effective as soon as possible for any new development or driveway construction in the Town of Markham. The other changes are to be implemented as soon as reasonably feasible following the necessary studies by Town staff.

**Paul Fink's
Comments on Don's Draft
June 12, 2006**

Purpose – The new bi-law should set a standard for compliance by almost all Town residences. However, in a municipality that has developed over as long a period as Markham, no single bi-law can possibly accommodate every situation and extenuating circumstance. Consequently, inherent in the establishment of the bi-law, we need to have an appeal procedure to allow for exceptions for the period of time that an exception is required. The Committee of Adjustments provides this mechanism for this special relief where appropriate.

Issues:

1. Set the community norm for acceptable aesthetics;
2. Be reasonable, if not totally fair, to all residents - present (with extended driveways as well as those that have refrained from extending their driveway) and future residents in both developed areas as well as to be developed areas;
3. Be understandable by the general population (I find the 40% provisions in the proposed amendment to the proposed bi-law to be very confusing); and
4. Be enforceable (I think the 40% provision in the proposed amendment to the proposed bi-law will be difficult to enforce and be antagonistic between the Town's enforcement personnel and the non-complying residents).

Recommendations:

Size of allowable expansions:

- a. Proceed with the proposed bi-law limiting driveway expansions to 1.5 meters (omit the 40% provision) with the following exception.
- b. The minimum allowable driveway width, regardless of lot size or percent of lot coverage, would be a width that will accommodate 2 cars parked side by side (this should solve the problem for single car garage households).

Set back requirements - Proceed with the set back provisions per the proposed bi-law.

Degree of Amnesty - Grossly excessive driveway expansions must be reduced to a maximum of 90% coverage within two years of enactment of the bi-law. They will then be allowed to fall within the grandfathering provision below.

The less extreme existing expansions should be grandfathered until the sooner of (a) 10 years, or (b) sale of the property. Therefore, upon sale of the property, or within 10 years at the latest, all driveways in Markham will comply with the bi-law. This will ensure that someone who has illegally expanded their driveway does not have a competitive financial advantage when selling their home at the same time that a neighbor (who has complied with the driveway provisions) is also selling their home.

Parking on grandfathered expansions- I generally concur with Don. In those extenuating circumstances where a household needs to park more cars in front of their house then can

be accommodated by the above provisions, then they can submit an application to the Committee of Adjustments for an exception – any such exception would be a time limited permit. The permit may be extended by another application upon expiry if extenuating circumstances still merit an exception.

However, I do not agree that households should have to pay for the permit to park on their expanded driveway. Keep in mind that the home owner has to incur (or has already incurred) the cost of putting in the extension. I fear charging for the permit may be antagonistic.

Committee of Adjustments Rebate: I am opposed to the rebate proposal. I agree with the need for Committee of Adjustment type of exceptions (as stated in the beginning of the paper) but feel that the applicant should bear the cost ... not the general population of Markham.

Over night on street parking: Continue to prohibit over night on street parking!

Enforcement: The grandfathering provisions and Committee of Adjustment provisions should make the new bi-law enforceable along the lines of the proposed new bi-law.

Drive width below the sidewalk/water box: I agree with Harry, the curb cut regulations need to be consistent with the driveway bylaw (which includes the grandfathering provisions)

Other points:

Parallel parking:

Cars in the driveway can only be parked facing straight at the house (no parallel to the street parking on the household private driveways). However, where there is a sidewalk, this bisects the otherwise allowable parking area, those households can park on the boulevard parallel to the street (this will allow for one additional car to be parked without interfering with the sidewalk or the road.

Town curb cuts:

Where the Town's contractor has installed a curb cut to conform to an otherwise illegal driveway, the new curb cut will define the dimension of a legal nonconforming expansion.

From: Hjeagle@aol.com

Sent: June 12, 2006 3:25 PM

To: dgg.hutch@sympatico.ca; kbavington@markham.ca; ataylor@markham.ca; bwiles@markham.ca; dmiller@markham.ca; jbaird@markham.ca; sbirrell@markham.ca; sharonfortis@hotmail.com; CnKll@aol.com; don@deersbrook.org; dhinde@planpart.ca; jeanettea@look.ca; nick@meridianplan.ca; paul.fink@cbre.com; ranveerpersaud@hotmail.com; nrwatters@sympatico.ca

Subject: Re: Extended Driveways Working Group

Hello Don and Others:

My comments at this point:

GENERAL

You are to be commended for the initiative. I thought of doing the same since it is easier to edit/critique as a group than to create. My only other general comment is one of form. The report is quite comprehensive (which is good) but I am concerned that we need a simple and clear message. So I would consider a summary of recommendations in simple point form up front followed by your details of each point. This also makes it easier for us as a group to get a consensus and not get bogged down debating choice of words.

ISSUES SECTION

I wouldn't include this myself. Not sure where your list comes from. Not that I don't agree with your list but I think there were/are other issues as well. I think all of us, staff, and council know the issues. The Town talks of a 4-Part strategy (Refining Bylaw, Communication, Parking, Enforcement) and I think we should focus on recommendations on these points plus "grandfathering".

RECOMMENDATIONS

1. I concur with the thrust of this point: that owners should be able to have 2 cars parked side by side. I also agree that larger driveways for large lots should be permitted.
2. I do not see the need for tougher setbacks (which I think you are proposing, but I am not sure) and suspect that your suggestion will open up a whole new list of non-compliant driveways.
3. I don't oppose your suggestions (liberal parking permits and committee of adjustments) but not sure they solve the problem. Just passes the buck. Because on what basis will these groups now permit/disallow. In the public meetings the facilitator asked for feedback on three options: no amnesty, full amnesty or partial amnesty. I personally lean to the third option but partial meaning almost full amnesty. In other words only the worst offenders being pursued. We could list worst offender situations. for example: 20% or less landscaping, 45degree or greater parking, serious boulevard violations. I also think there is no need to rush the Amnesty portion of the Bylaw given the intent to have no enforcement in 2006. Staff could work-up some reasonable options based on the feedback they have now received and we could comment on them when available. Council could proceed with the "go forward" Bylaw and recognize that an Amnesty program would be added in September.
4. I concur with #4.
5. I concur with #5 for existing driveways. However I believe the Town should include driveways in the permit process so that any new construction or modifications should be clear. Then enforcement can be more vigilant. We never heard what the penalty is.
6. The curb cut regulations need to be consistent with the driveway Bylaw. This could be a large can of worms otherwise.

15/06/2006

7. Personally I think the Town does a reasonable job of communication and I think the residents do a very poor job of listening. Having said that, I don't oppose your suggestions.

8. I concur with number 8.

Those are my comments at this point in time. I am open and flexible, hope all others are also and look forward to hearing others views.

regards
Harry Eaglesham

-----Original Message-----

From: Paul Fink [mailto:fink@rogers.com]

Sent: Wednesday, June 14, 2006 7:26 PM

To: Jeanette Anbinder; Jim Baird; Sheila Birrell; Harry Eaglesham; Paul Fink; Sharon Fortis; Donna Hinde; Don Hutchinson; Costa Kollias; Ranveer Persaud; Rob Watters

Subject: Harry's comments on Paul's comments on Don's draft

I am forwarding these comments to everyone so we all have a chance to review Harry's comments.
Paul

Hjeagle@aol.com wrote:

Hi Paul:

In the interest of advancing our consensus process and our making the most use of Thursday's time, I wanted to comment on your comments:

1. I fully agree that an appeal process is highly desirable. But I am not sure that the Committee of Adjustments is capable, legally able (the definition of minor adjustment may be a sticking point) or driveway sensitized. In the event that they are the appropriate appeal court, then I concur that there should be no rebate.
2. Allowable expansions: I concur that the 40% does present a complicating element, at the public sessions most did not get it, when I tried to explain at group tables I stumbled. However once you do get it, it allows more flexibility (ie wider driveways) than your proposal. As long as enforcement and communication (with examples) is clear, then we are better with the 40% than without it.
3. Amnesty/Grandfathering: I have no major issue with the intent of your proposal. I would prefer 80% instead of 90% as definition of extreme and I would like to include parallel parking as extreme. However, your goal of all compliant at some future point, I think is futile, since we will always have some "legally non-conforming" (was legal at the time of construction). Since the prior Bylaws were ambiguous and unenforced, and uncommunicated, many residents will claim "legally nonconforming" status. I believe Sharon (and most of Bronte) is in this category. For this reason, I think we need Amnesty/grandfathering to be perpetual.

I have suggested to Donna that we need a fourth category (Other) for her synthesis. In the "**Other**" category my input would be:

- future driveway construction/ rebuild should require a permit
- curb regulations must be made consistent with the driveway bylaw
- some appeal process (unsure if the Committee of Adjustment is the appropriate one)
- no major expansion of on street overnight parking program

regards

Harry Eaglesham

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regards

Harry Eaglesham

From: Birrell, Sheila
Sent: May 29, 2006 9:10 AM
To: 'jay steles'
Cc: Bavington, Kitty
Subject: RE: Here's my chance to sound off and I pray make a difference on intrusive Bylaw on driveways in the City of Markham

Thank you for your communication. I will ensure that the Members of the Working Group receive a copy.

-----Original Message-----

From: jay steles [mailto:jsteles@rogers.com]
Sent: Saturday, May 27, 2006 3:39 PM
To: jfantauzzi@yrng.com; sbirrell@markham.ca; city@thestar.ca
Subject: Here's my chance to sound off and I pray make a difference on intrusive Bylaw on driveways in the City of Markham

Dear Joe Fantauzzi, Staff Writer Markham powered by
Dear Sheila Birrell, Town Clerk, The Corporation of the Town of MARKHAM Dear Reporters,
City News, The Toronto Star

As a Markham citizen, I am disappointed at the City Mayor and Councilors for considering such a bylaw.

I would really appreciate it if you can make the views of myself, my neighbors and friends in the City of Markham and outside known by giving it exposure in any way you can. I believe that most families in Markham are not aware of how disruptive, intrusive and hypocritical this bylaw would end up being.

The primary purpose of this bylaw is to restrict the width of the driveway in your residence to more or less the width of your garage doors plus 5 feet.

Why would any one want to restrict the width of the driveway?
Purportedly for esthetic reasons. That sounds good every one of us would like our City to be beautiful.

Who would want to take the trouble of increasing the width of their driveway???

Is it someone who wants to cause problems for their neighbors? Is it someone who has a strange desire to make his or her family home ugly and the neighborhood less beautiful in order to spite the City Mayor and Councilors????

Could it be that it is a hard working family that has a one-car garage and both spouses are working and each need a car. Could it be that they are trying their best to keep the beauty of their environment and increase the practicality of parking their two cars in the confines of their property especially in winter??

Could it be a family with a two car garage and their late teens or early twenties children are studying to better themselves and need a car as they make ends meet at their parents house and therefore have a need to park their cars in the confines of their parents' property??? Well may be I am being unfair but it sounds to me that the Mayor and the City Councilors would say: "Heck with them let them move out of our City or get a bigger house with a bigger lot because when we drive by that street, even though we never drive by that street we may be offended by hard working families that exceed their quota of cars in our Elitist, Anti-Working families City of Markham"

When I attended the Working group meeting in Markham Civic Centre on May 25th I was appalled by the attitudes of the members of that group. They were all well meaning, courteous and civic minded. However I sensed a defeatist attitude in the members that in my opinion do not seem to support the Bylaw. I sensed that no one had any idea that they should be considering the effect this Bylaw would have on the

residents of Markham.

There was a nice lady that seemed to be convinced that since one resident in Thornhill paved his whole front yard and painted it green (what it refers to I don't know) there must be a bylaw to restrict residents in the future from paving and painting their front yards. I find this absurd. First of all, even if the paved front yard was restricted in width it could still be painted ugly green. Second of all an expanded driveway could be done tastefully and interspersed with trees or other landscaping. Thirdly, who is more qualified to be a judge of what is beautiful other than the people that live on the street. Perhaps all that is required is for a resident to increase the width to accommodate his family is to get signed acceptance by his immediate neighbors and 50% of the remaining residents on his street. THEY live on the street not the members of the working committee, not the Mayor, not the Councilors who never drive by.

There was a gentleman who I gathered is an administrator for the City that seems to smile widely whenever the subject of residents paying for license to park on their own street came up. Perhaps this is all a ruse to collect fees. I will not allow myself to think so. The thought did cross my mind that may be the City is planning to sell licensing rights to a European Consortium as was done with the 407 so they can raise fees at will. Forgive me I am being unfair.

There were some good guys in the Working group but they were politely clamped up. When one presented the legal fact that a current bylaw existed that makes no restriction on width and therefore present extensions are legal, another gentleman pontificated that even though it is not stipulated in writing this section only applies to commercial zoning. Commercial lots can have as ugly and unrestricted a front as they wish. I suppose implicit in that is the attitude that we should only hit families that don't hit back. Commercial enterprises might object loudly.

Another nice lady from the good guys team clarified that if the bylaw will not give the power to change existing driveways (That means the fully paved painted ugly green front yard will not be altered) then the bylaw should refer to only new developments. The response from the bad guys was that this may be true but we will ticket them if they park on these currently extended driveways that we cannot alter. Now HOW VINDICTIVE can you get??????? You have a family that lived in Markham for years and have tastefully made full use of their property to accommodate themselves and their children and the response is : "We do not want them to dig up their driveways but they are not allowed to use it to park their cars. This will make our City more beautiful". Oh, the hypocrisy.

A nice lady from the good guys commented that people wrote to her saying that it is MORE esthetic to park cars in the driveways than on the street, the response was dismissive. It is also safer not to have too many cars parked on the street, as kids playing are harder to see when they come running from in between parked cars. It is also more convenient to have the streets clear for snow removal in the winter. The Mayor and Councilors would say : "Who cares? The streets that we never drive by will be esthetic even if our bylaw is intrusive, egregious, elitist and anti family". I apologize if I am being unfair.

A nice lady, not from the good guys, summarized all objections by saying that we have to have a new order for driveways in Markham, it is ridiculous to have bylaws that cover different neighborhoods differently and width restrictions is the way to have Order in Markham.

Unfortunately I was only an observer. I could not speak or comment in that meeting. All I can say now is that I was brought up to be proud of Canada for being a Mosaic of different cultures, of different people. The last time I looked Markham was still in Canada and different tastes and different needs have to be accommodated. I truly hope that no one in Markham wishes to create a pristine Markham Order that does not take into consideration the needs comfort and wishes of the working families that live here.

Someone mentioned that 20% of all driveways currently in use are non-conforming. Well the reason is that people need their driveways not

because they want to make their house less attractive. I cannot see how it is acceptable to punish them for the sake of a New Order of Markham. I find this bylaw to be Elitist. If you have a wide lot then you can have a wider driveway. But if you have a compact lot then you are a second-class citizen.

I find this bylaw to be inherently unfair. If your garage doors face the side instead of the street then you can make it as wide and as ugly as you wish even if it is harder to get in and out of side garages. This will reward inefficiencies.

In the end the Mayor and Councilors should be looking after its residents to make sure the City of Markham remains a great place for a family to live in. Our City should not be compromised for the sake of Expediency or Bureaucracy.

-----Original Message-----

From: Linda Lerner [mailto:lernerl@rogers.com]

Sent: June 2, 2006 12:26 PM

To: mayor

Cc: erinshapero

Subject: Fw: driveways

Mr. Cousins:

I am writing as a very concerned citizen about the driveway restrictions bylaw that is being discussed. My first question is where did all this concern suddenly come from. The package I received today mentioned that there were some complaints. How many complaints and regarding what exactly were the complaints. One comment was that the aesthetics were a problem. What exactly do they mean. Most driveway expansions have been very tastefully done and look a lot better than some of the overgrown yards (green space) that exist around the neighbourhood. If the issue has arisen because of a few yards that are paved and are used to store unusable vehicles or other unsightly items then they should be dealt with accordingly and not just have a blanket statement that no one can use expanded space to park cars that are being used and are not unsightly. Why punish the entire community because a few people don't like the looks of extra pavement or because a few people do abuse the space and use it as storage for what some consider junk. You want more green space on our private properties. Then you will have to spend more money enforcing people to keep it to your standards. Why not create more town owned green space if there is such a concern about lack of green space in Markham. Another reason offered is that the expanded driveways are affecting drainage and snow storage. If this is truly a problem in some areas, then that needs to be dealt with on an individual basis but many expanded driveways have been present for several years and for the most part this has not come up as a problem so why suddenly is it a problem now. Also, if we are allowed to keep the pavement already put in place but just not park on it then you are in fact confirming that these are not interfering with the drainage or the snow storage so why not park on them. Since I moved to Ontario over 20 years ago, we have been unable to park on the street overnight and living on a dead end street I could not ever understand this by-law but nonetheless, if we accidentally left the car on the street overnight where no other cars other than the few homeowners would drive, we always received a ticket. The town obviously had a reason for not allowing the street parking but now, all of a sudden if we PAY, we can possibly get a permit to park in the same manner that was such a problem up until now. Either street parking is a problem or it is not and if it is not, I don't understand why we should have to pay for the privilege and why was it not allowed in the past. It appears that a lot of time and money is being spent on this issue which really is not something I feel should even be considered by the town. Surely there are more important issues for the town to worry about than how I use my private property while trying to abide by other town laws like not parking on the street or running my car more than necessary while jockeying cars off and on my driveway. If there are individual cases where there is a problem, then they should be dealt with on an individual basis and not inconvenience the entire population of the town because of a few issues or complaints.

To sum up: How many and where are your complaints coming from?

Bear in mind that some yards are far more unsightly in the manner in which their lawn and gardens are kept up than the tastefully done driveway extensions.

06/06/2006

The town is trying to cut down on the use of chemicals to kill weeds and so on and by putting in more green you will end up with either more unsightly weeds or more use of these chemicals

I am sure there are a lot more important issues than how we use our private property that our hard earned tax dollars could be spent on and your time could be used for.

Finally, that which is a problem for a few should be dealt with to help those few and not impact on the entire population of the town for the problem or complaints of a few.

I look forward to a reply soon.

Linda Lerner

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.1.394 / Virus Database: 268.8.1/354 - Release Date: 01/06/2006

-----Original Message-----

From: DONNA WIGMORE [mailto:omniwellness@rogers.com]

Sent: June 2, 2006 1:20 PM

To: 'Webster, John'; 'McKelvey, George'; 'Jack Heath'; 'Elizabeth Plashkes'

Subject: Driveway by-law

June 2, 2006.

RE: Driveway expansion prevention by-law.

I am unable to go to the meeting. This is a letter confirming my support of counsel to stand firm on the prevention of homeowners to expand their driveways. I have seen some Heritage Business owners on Main Street doing this and find that this flies in the face of the objectives of the Markham Heritage Conservation program. As a heritage homeowner I must ensure that my house and property must not be altered particularly from the streetscape. Why then should those not in the Heritage District be allowed to dramatically change the front of their houses? Is this not a property standards issue?

I suspect that most of these businesses, particularly on Main St. that have done it have not consulted neighbors on either side prior to paving their front lawn. In addition, when it rains the runoff poses a risk for the neighbors to have flooded basements and yards. All you have to do is look at the parking lot behind me. Not only is there a pond due to the slant of the parking lot, the run off drowns the neighbor's property even to three houses down. The neighbor to the north of the eyesore at the corner of Beech Street and Main moved for that reason and for the loss of his enjoyment of sunshine by that monstrosity. Apparently, as I have been told the slanted parking lot behind me was put in with out a permit by Dr. Scott when there should have been a swale put in to deal with the run-off.

It is my belief that this "paving paradise, put up a parking lot" would increase the noise level due to the attenuation given by the front lawns that would absorb the sound waves. The pavement/gravel reduces green space, creates less oxygen, and introduces toxic substances into the soil. The houses with paved front yards devalue the house and surrounding neighbor's property. It is not the problem of the town if these people choose to buy several cars knowing full well that they do not have the space to park them.

If they have enough money to buy these cars then they have enough money to pay for a permit to park on the street. What is the difference if those who choose to buy a parking permit or have extremely small front yards with no choice be charged by the Town and the others not? I would think that those who then pave their front yards should have to pay the additional cost as well in order to be fair. It is my view that allowing driveways to be expanded would lead to a greater chance of the owners to restore or fix cars making an unsightly mess. I have seen this on Raymerville Street. This is in the same league as leaving an RV or camping trailer in the front driveway vs. putting it away in storage.

It is my belief that the real reason behind wanting to expand these driveways is because these people have illegal apartments and must accommodate their tennets. I have seen this close to me.

Lastly, the road allowance covering part of most of the front lawn is owned by the town. To me it is the Town that has the choice to allow this or not.

Regards,
Donna Wigmore

09/06/2006

-----Original Message-----

From: Roddy Liang [mailto:csrliang@hotmail.com]
Sent: June 3, 2006 3:10 AM
To: achiu@markham.ca; dcousens@markham.ca
Subject: Expanded driveway parking is necessary
Importance: High

Alex and Don,

As a long time resident of Markham, I am dismayed by your support of a new by-law banning the parking on expanded driveways. This by-law is absolutely absurd. What reasoning do you have for supporting such a bylaw? For residents with single garages and multiple cars, the expanded driveway is a safe, protective, and environmentally friendly solution.

If the town of Markham forces residents to park their cars on the streets, it will create a safety issue with a large blind spot for driver's backing out of their driveway. This in turn can lead to more accidents as well as a traffic problem. Along with the traffic problem comes the potential damage to residents' cars that would be parked on the street leaving cars more prone to damage from passing cars, cars backing out of driveways, kids' on bikes, etc. Will the Town of Markham cover damages to residents' cars parked on the street? I think not.

If we can not park on our expanded driveways, we can surely park on the non-expanded portion of the driveway. If this is the case, this is definitely not an environmentally friendly solution. In the case of a single car garage, moving idle cars like chess pieces for a short distance just to get one car out not only creates more wear and tear for our cars, especially in cold weather, but also creates harmful unnecessary emissions.

By supporting this by-law, you and the town of Markham are essentially telling us residents that you do not care about our safety, our property, and the health of our environment.

I along with many other upset friends and relatives living in the town of Markham will surely see you both at the council meeting on June 8 to further discuss this situation.

Long time resident and supporter,
Roddy Liang

-----Original Message-----

From: DONNA WIGMORE [mailto:omniwellness@rogers.com]

Sent: June 7, 2006 2:49 PM

To: 'McKelvey, George'; 'Webster, John'; 'Hutcheson, Regan'; 'Jack Heath'

Cc: 'Elizabeth Plashkes'; 'Dianne More'

Subject: Parking on Front Lawn of a Heritage Home on Main St, plus backyards on Main Street.

Importance: High

Hi,

I have just driven by the business at 248 Main Street which is a heritage home. There are 5 cars including 2 red trucks and one car in the driveway just slightly behind the house in the driveway. There is a backyard.

If I am correct, this parking lot was expanded after the owners sold to this new firm. I told you previously that the lawyer and her musician husband had to sell because of the water from Dr. Scott's driveway that drains onto that property. Also, there loss of ability to enjoy sunlight.

I have no idea if a parking expansion was done with a permit. I think you should have someone; perhaps, by-laws take a picture of this for your upcoming meetings. To me it would be a slam dunk. This action is permission for other homes on Main Street to do this.

I think the by-law department should be more vigilant of Main Street. One backyard north of Springdale apparently has completely covered their back yard with grave. Not sure if this is the one who made a large barn and was operating a cabinet business. The neighbors complained about all the trucks that came into the driveway as a result.

Maybe it is time to see if any permits were given to these homes that have gone ahead and done this. In addition, those that have chosen to create a parking lot. Under the OPA 108 and By-law 1229 114-95 zoned office/residential. It is my recollection that under this legislation that there is to be a 10ft landscaped buffer created at the rear of the property abutting residential uses. The Greek Church does not appear to have much of a buffer.

In closing, my issues for review are:

- the unsightly parking on Main Street, particularly 248
- the questionable business practices according to what is zoned
- whether permits have been obtained as well as backyards
- Legislated Landscape Strip Requirements

It would be very helpful if someone took a picture right now.

Regards,

Donna Wigmore

08/06/2006

Hello!

I recieved the packages in the mail re the front yard parking bylaw.

I wasn't able to attend the public meetings for Thornhill, but figured I would send you my input in response to some of the questions asked in the package.

Thankx!

Barbi Lazarus

P.S. I would like to say that I support a bylaw restricting the new construction of expanded driveways b/c I am concerned about impervious surfaces. But I don't support banning parking on existing driveways.

Town of Markham

Community Information Session
May 30, 2006

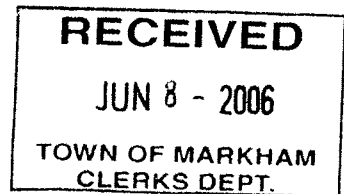


Table Group Activity #2

In developing a new parking by-law aesthetic factors to consider include::

1. Should front yard parking be generally restricted to in front of the garage?

yes, except in the cases of homes without garages i.e. historic thornhill, where driveways must be adjacent to the house

2. Should parking parallel to the road be permitted?

3. How much of the front yard should be retained as landscaped open space? Should the standard be different depending on lot frontage?

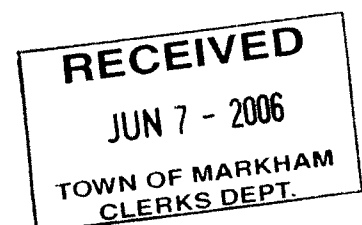
40% sounds good, could perhaps be 30% in homes with single car garages on very small lots

4. Should every homeowner have a driveway that provides for the parking of two cars side-by-side? If not, what should the breaking point or cut-off be?

5. Should the landscaped component of the front yard be soft – or a combination of soft and hard?

SOFT! the main reason i would support this bylaw is because of the need for more permeable surface

6. What should the setback be for driveways from side lot lines on single detached lots?



Town of Markham

**Community Information Session
May 30, 2006**

Table Group Activity #4

For existing driveways that do not conform to existing standards, there are two end results:

1. the new standards are more permissive than the old standards and the existing driveway conforms to the new standards - no issue
2. the new standards are more permissive than the old standards, but the existing driveway still does not conform to the new standards

The challenge is what to do with driveways that do not conform to the existing standards and which will not conform to the new standards. What are your comments with respect to these options:

1. Ignore their existence completely
2. Ignore their existence completely, unless a complaint is lodged or a building permit is required for an addition
3. 'Grandfather' all driveways that pre-exist the new standards
4. 'Grandfather' only those driveways that are not in compliance with the new standards by a certain percentage (or other form of measurement)
5. Vigorously enforce the new standards in cases where the driveway did not conform at all with existing standards

* There is no point in wasting already impermeable surfaces, either the existing driveways should be used, or homeowners should be encouraged (not required) to return non-conforming driveways to soft landscaping (perhaps the town could help cover some of the costs of this as an incentive)

Town of Markham

Community Information Session
May 30, 2006

Table Group Activity #5

How should new standards be communicated to residents before they are enacted and afterwards.

Options include:

1. Posting information on the Town's website. ✓
2. Posting information on marquees in front of public libraries and community centres. ✓
3. Providing a summary booklet to all homeowners. ✓
4. Providing briefing notes to ratepayers' groups.
5. Holding day-long front yard parking zoning clinics for homeowners to come and talk with staff about specific conditions.
6. Providing new home builders with information on the proposed new standards. ✓
7. Providing applicants of a building permit for new infill houses with information on the new standards. ✓

-----Original Message-----

From: Joe Frohlinger [mailto:joefrohl@rogers.com]

Sent: June 8, 2006 7:52 PM

To: eshapero@markham.ca

Cc: bodonnell@markham.ca; jheath@markham.ca; fscarpitti@markham.ca; achiu@markham.ca; kushman@markham.ca; dhorchike@markham.ca; iwebster@markham.ca; gmckelvey@markham.ca; ivirgilo@markham.ca; sdaurio@markham.ca; jjones@markham.ca

Subject: Extended Driveway Proposal

Dear Erin,

I attended the Extended Driveway meeting at the Civic Centre last night and want to thank you for speaking so eloquently and passionately against this proposal. I live in your ward on Alexis Road and was more than heartened to see that you understand the pulse of this community and had the courage to stand up and speak your mind. One has to wonder where were all the trustees who support and are driving this agenda. Overwhelmingly the people in attendance were vehemently against this proposal and everyone had to wonder why is there such an urgency to upset neighbourhoods that have lived in peace and tranquility some for more than 30 years.

It was pointed out time and again that in no way does this proposal address any of its proposed stated objectives such as esthetics, drainage etc. but serve only to provide ways in which the Town can intrude on property rights and democratic principles.

Consultation with service providers, like fire, ambulance, garbage pick up snow removal etc. are woefully lacking. Safety considerations seems to have been totally overlooked as well. Many of Markham's side streets have no side walks. Are mothers pushing carriages and children riding bikes etc are now expected to move in and out among the extra cars that will be forced on the streets? An examination of the areas' demographics also seems to have been neglected. It will be a real esthetic sight when a poor child is run over by a car due to diminished visibility and the ambulance has to weave around the extra cars on the street, while perfectly save parking spaces sit vacant in driveways. This proposal is fraught with problems as you and regional councillor Jim Jones pointed out. I believe it's time that all trustees take a closer look at this issue before rushing into a poorly thought out and in some cases dangerous proposal.

Joseph Frohlinger

09/06/2006

-----Original Message-----

From: eileen liasi [mailto:eileenliasi@hotmail.com]
Sent: Friday, June 09, 2006 5:41 PM
To: sbirrell@markham.ca
Cc: Paul.Fink@cbre.com
Subject: From Support To Loss Of Respect And Loss of Trust

Process Timelines.

Having followed this process closely and thought about it long and hard for three weeks in November 2005 and for six weeks in April and May 2006, we realise that we have had to become familiar with and respond to a very small piece of bylaw and two reports in LESS THAN NINE WEEKS. On the other hand Staff and Council have been working on this for more than two years. Most people found out about the recommended new bylaw much later in the process than we did and have not had the time to absorb and process the information, nevermind the time to respond adequately. And that's too bad because there were five months between November 22, 2005 and April 18, 2006 which could have been utilized for this process without running into the last minute rush we are now in.

Amnesty - The Solution to a Complex Issue Given the Pressure of Too Little Time?

There is much talk about amnesty. We believe this is due to the fact that most people have found out about the driveway issue too late in the process. With so many different driveway situations, with people in contravention of different parts of the bylaw, with the pressure of time constraints - the working group report to DSC, due June 19 and third reading fast approaching, the problem seems so complex that amnesty seems the only possible solution.

Loss of Support

We don't believe that total amnesty is the solution. We need some controls

to curtail the activities of, and protect ourselves against, the worst offenders. We started this process supporting the Town's initiative against excessively extended and unsightly driveways. But then the Town lost our support when it became clear that they wanted modest extensions reversed as well, extensions that were neither excessive nor unsightly, raising the total affected driveways to almost one in every five driveways in Markham or 17,000 if you can believe what was in the paper. Not only was the Town losing support at this point but it was losing respect and trust as well, as residents came to realise how absurd the restrictions sounded.

Loss of Respect and Trust

For example, you could keep the upper driveway extension but you would have to tear out the lower driveway extension and put it back to grass, even if the Town had removed the curb that holds the sod and soil in place. You could keep the upper driveway extension but you couldn't park on it. You could have 1.5m extra driveway width but that wouldn't be wide enough to fit even the smallest sub-compact car on it. You single garage people can't have more driveway width than the extra 1.5m, even if you have 50 to 60% soft landscaping left after your modest extensions, because we need to preserve soft landscaping but wider lots can widen their driveways as long as they have just 40% soft landscaping, and newer developments can have double driveways which leave virtually no soft landscaping at all. One could only conclude that preserving soft landscaping didn't really matter as much as we were told it did and that the Town didn't feel it had to be either consistent or fair.

Subsequently we were all allowed double driveways up to 6.1m wide, provided there was 40% soft landscaping. However if the driveway extension was within the setback to the side lot line we would have to spend thousands of dollars to completely re-do our driveways to get the extra 1.5m or up to 6.1m because the whole driveway would have to be moved over 4 to 5 feet away from the lot line, even though this would cause the curb cuts to be off-set 4 to 5 feet from the driveway. Worse still, that extra 1.5m or up to 6.1m that we are now allowed, only applies to the upper driveway, that part on private property. It does not apply to the lower driveway, that part on town property. (The second report, April 18 2006, last para p.6 under ii) Enforcement says " The bylaws that regulate curb-cuts, driveway widths and parking within the municipally owned boulevard are not subject to the proposed amendment and WILL CONTINUE TO BE ENFORCED.") So many of us will end up with a driveway, half of which is a double driveway and the other half of which is a single driveway.

Now all this might make perfect sense to planners but to most ordinary folk it seems as if the driveway world has gone mad. Is it any wonder that the Town has lost the respect and trust of many of it's citizens?

Achieving A Reasonable Balance

We believe the Town lost sight of it's original intention to curb excessively extended and unsightly driveways by going way beyond what was originally intended. We believe the Town eventually established a reasonable balance between parking needs and green space/rainwater absorption and snow storage/meltwater absorption area, in the 6.1m driveway width limit with the 40% soft landscaping provision.

Our Requests

We ask the Town to amend the bylaws that regulate curb cuts, driveway widths and parking within the municipally owned boulevards so that lower driveways match upper driveways and that both match curb cuts. We believe that to be common sense.

We believe that for everyone's protection the driveway setback from the side lot line should be retained but with the following restrictions on enforcement - that enforcement should be " by complaint only ", " by the

affected, adjacent neighbour only", " for a site-specific problem only" and " only after all efforts to solve the problem by other means have been tried". We believe that this approach to the setback issue will be fair for those who have had extensions within the setback for decades without any problems and would also eliminate the possibility of nuisance complaints. It would also discourage modest extensions to the side lot line from turning into much larger extensions up to the 6.1 m. maximum in the opposite direction, thus achieving the Town's goal of legalizing the maximum number of driveways with the least amount of driveway width.

905-731-4306 eileenliasi@hotmail.com Eileen Liasi

harryhowarth@aol.com Joyce Howarth 905-886-1914

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----- Original Message -----

Subject:Re: Your article on the Driveway Bylaw

Date:Sat, 10 Jun 2006 13:19:42 -0400

From:jay steles <jsteles@rogers.com>

To:ronjohnson@postcitymagazines.com

To Mr. Ron Johnson, Editor Post City Magazines

Dear Sir,

I am writing to express my opinion and that of many other citizens of Markham regarding the so-called "Driveway Bylaw". I object to the column written by your writer David Fleischer as I found it to be lacking in presenting balance on the issue and contained inaccuracies.

I will try therefore try to present another point of view which I believe represents the real reasons why this bylaw is being opposed and not the "miscommunication and some Misunderstandings" as your writer suggests.

(1) Your writer states: "Many thought that once the bylaw was passed, residents would not be allowed to

15/06/2006

park
on the already expanded part of their driveways. Instead they would be forced to purchase parking permits and park on the street". This is not a misunderstanding. This is exactly what the bylaw proposes to do and your writer should have made it clear that is the primary purpose of the bylaw. In addition the bylaw enforcement part requires that Markham residents will be ticketed for parking on their extended driveways until they comply.

(2) Your writer quotes Ward 1 councillor Stan Daurio as saying "what the town is doing is making the vast majority of driveways - which are now in violation of the bylaws - legal". In attending a couple of meetings, in talking with members of the Working Committee (all of whom were courteous, and genuinely looking to present positive suggestions to the Councillors) and in looking at some of the handouts, the present bylaw is quoted as follows:

The current parking By-law, By-law 28-97, as amended, adopted in February 1997) states:

"The parking of motor vehicles on a lot outside of a private garage is only permitted on a driveway, in any residential zone..."

The term "driveway" means:

"... a defined area providing access for motor vehicles from a public or private street or a lane to facilities

such as a parking area, parking lot, loading space, private garage, building or structure."

Currently a driveway is an area providing access to a garage or a parking area. This is the law today.

This is

what the Town of Markham says is the law today. There is no measurement to be taken and the current bylaw

is not restrictive.

Why are they trying to put in a restricted driveway bylaw and why are they not enforcing the current bylaw?

The information package provided by the Town of Markham and which can be found on their web site states:

"A significant increase in the number of non-conforming driveways and parking pads in residential areas has made it difficult to enforce current By-law provisions. There have also been difficulties in enforcement arising from the terms and definitions of the current By-Law, resulting in enforcement of only the most flagrant violations."

Well the feeling is that the current bylaw is too vague to enforce and the Town needs a clear bylaw that will stand up in Court. This new bylaw will make some extended driveways legal and make others illegal or

non-compliant with the new Bylaw. What councilor Daurio is quoted as saying is a spin to justify the new Bylaw.

Maybe there are abuses that some residents object to but this proposed bylaw is not thought out carefully,

makes no attempt to handle different areas differently and is simplistic and incomplete. It restricts imagination

and uniqueness in design and landscaping thus reducing the siteliness that it purports to be trying to enhance.

(3) Your writer quotes Daurio as saying " only half of the driveways in Markham meet the current

bylaw. The new bylaw will legalize driveways as wide as 20 feet - so long as 40 per cent of the frontage is still a lawn". councillor Daurio is again spinning "half the driveways" I hope he was not quoted correctly by your writer. A person with a 60, 80 100 or 150ft lot has a maximum driveway width of 20 feet or he has to put in a circular driveway or garages facing the side and not the front. It is incomprehensible that the Town cannot go to Landscape Consultants and find a method of esthetically allowing families that obviously have a need for extra parking spaces to incorporate landscape, trees, shrubberies, bushes etc.. to accomplish a positive neighbourhood character instead of saying you cannot do this and that. I recommend that they should all watch the cartoon about the little engine that could could COULD for inspiration.

(4) Councillor Daurio is quoted as saying " When We're done, most people will be totally unaffected" The information package provided by the City estimated 17,000 households as being directly affected. Councillor Daurio should read the handouts.

(5) It has always been and hopefully it still is my belief that the Mayor, Deputy Mayor and the Councillors are basically caring people that are truly looking for the good of all the people of Markham and for them to try and push such a bylaw that is approached from a strict measurement point of view as opposed to an esthetic solution point of view is folly and unjust. From the City of Markham's web site, the following is excerpted:

"And that the strategy to regulate private property parking in front and exterior yards outlined in an August 30, 2005 staff report, presented at the November 22, 2005 Public Meeting and further refined and described in the April 18, 2006 staff report, comprised of zoning, communications, on street parking and enforcement components, be endorsed;

CARRIED

(See following recorded vote) (8:4)

YEAS: Mayor D. Cousens, Regional Councillor B. O'Donnell, Councillor S. Daurio, Councillor J. Virgilio, Councillor G. McKelvey, Councillor J. Webster, Councillor D. Horchik, Councillor A. Chiu. (8)

NAYS: Regional Councillor J. Heath, Regional Councillor J. Jones, Councillor E. Shapero, Councillor K. Usman. (4)

ABSENT: Deputy Mayor F. Scarpitti. (1)"

>From the above we can see that the individual votes for this intrusive bylaw were as follows:

Mayor Don Cousens	905-475-4872 dcousens@markham.ca	Voted in favour of the intrusive bylaw
Deputy Mayor Frank Scarpitti	905-475-4899 fscarpitti@markham.ca	Absent
Regional Councillor Jack Heath	905-415-7506 jheath@markham.ca	Voted against the intrusive bylaw
Regional Councillor Jim Jones	904-479-7757 jjones@markham.ca	Voted against the intrusive bylaw
Regional Councillor Bill O'Donnell	905-479-7746 bodonnell@markham.ca	Voted in favour of the intrusive bylaw
Ward 1 Councillor Stan Daurio	905-479-7747 sdaurio@markham.ca	Voted in favour of the intrusive bylaw
Ward 2 Councillor Erin Shapero	905-479-7756 eshapero@markham.ca	Voted against the intrusive bylaw
Ward 3 Councillor Joseph Virgilio	905-479-7749 jvirgilio@markham.ca	Voted in favour of the intrusive bylaw
Ward 4 Councillor George McKelvey	905-479-7751 gmckelvey@markham.ca	Voted in favour of the intrusive bylaw
Ward 5 Councillor John Webster	905-479-7750 jwebster@markham.ca	Voted in favour of the intrusive bylaw
Ward 6 Councillor Dan Horchik	905-479-7758 dhorchik@markham.ca	Voted in favour of the intrusive bylaw
Ward 7 Councillor Khalid Usman	905-479-7748 kusman@markham.ca	Voted against the intrusive bylaw
Ward 8 Councillor Alex Chiu	905-479-7752 achiu@markham.ca	Voted in favour of the intrusive bylaw

I hope that you will make sure that another point of view on these driveways is presented to your readers as well as providing with the email addresses of Councillors so your readers can communicate with them directly. This will be especially useful as this year's municipal elections are very quickly approaching.

I have found that feedback letters from Markham residents that are posted but buried on the City of Markham website in the following link pages 6 to 18 are especially worthwhile for your newspaper to publish. They are already part of the public record why not give your readers something interesting to read that relates directly to them.

<http://www.markham.ca/markham/ccbs/indexfile/Agendas/2006/Development%20Services-Economic%20Development/April%2018/front%20correspondence.PDF>

Thank you and I look forward to have your paper present the opinions of the residents of the Town of Markham

Saul Saleh

-----Original Message-----

From: Peter K. MacLeod [mailto:macleod_peter@rogers.com]

Sent: June 12, 2006 12:42 PM

To: Stan Daurio; Khalid Usman; Joseph Virgilio; John Webster; Jack Heath; George McKelvey; Frank Scarpitti; Erin Shapero; Donald Cousens; Dan Horchik; Bill O'Donnell; Alex Chiu; Jim Jones

Subject: For your edification regarding the bloody mess of extended driveway sins created by Mayor and Council over the years. Now the shit has hit the fan!

A shot glass of History 101 on Extended Driveways in Markham

Normally my venue is small mundane issues in Markham such as sign litter. But when I started delving into the extended driveway issue then it suddenly hit me. Anyone on either side of me could turn their property into a parking lot for any type of vehicle, rusted to running. Now I am involved with this issue, and the more meetings I attend, the more I am convinced the new extended driveway bylaw is long overdue.

But let's go back to June, 1972, when we were the first residence in German Mills to be occupied. Approximately a year after we moved in, number 78 Aberfeldy banged-out a metre or more of curb to allow an expanded driveway. In conversation with the then Councillor, Gary Kaye, on another matter, he mentioned to me cutting a curb was illegal. But Gary Kaye, who lives a few doors up from #78, did nothing. Exactly what current Mayor and Council have continued doing, nothing! Currently, this driveway contains a car that hasn't moved in years, in fact leaked oil down the driveway at one point. There is also parked a van that I never see move out. Over the years the portion of banged-out curb has been replaced with proper curbing, but the driveway is at least a metre or more wider than the standard driveway on the street. So has 66 Aberfeldy; expanded the curb entrance to allow a widened driveway beyond the garage width.

Let's jump to a couple of examples that occurred in the past few years, again in Ward 2. Why was 171 Huntington and 2 Peterborough Ave. allowed to cut curb facilitating triple car width parking? Did these residences have permission from Markham? Widening driveways is one matter, but cutting curbs is an entirely different matter. (see Curb Cut Standard By-law 158-93, signed by Frank Scarpitti) Where was Councillor Shapero when all this was done? Where was bylaw enforcement? This is cutting curbs, not just expanding the driveway. And where was Councillor Shapero when all those houses on Bronte Rd. were turned into parking lots, way beyond the allotted driveway width of the current bylaw? Did these Bronte Road residences have Markham's permission to create these extended parking lots?

There is one more situation I will touch on. 62 Donnamora Cr., an example of many houses in the German Mills area that has widened a single car driveway to accommodate 2 or more cars side by side. I could be corrected on this, but is this not the family home of Councillor Shapero? Where she launched her green campaign to rid Markham and the world of all environmental ills. That issue aside, this residence was built with a single car garage, allowing a single width driveway to the street, and no sidewalk interference. This easily parks 3 cars, provided the garage is used. But this driveway has been widened allowing 2 cars to park side by side. As I said, I am open to correction on what I see and deduce about 62 Donnamora. However, if indeed this has been and still is the residence of Councillor Shapero and/or her parents, then anything Councillor Shapero has to say about the proposed new extended driveway bylaw is certainly tainted by the current status of 62 Donnamora. Tainted to the elevation that she should consider abstaining from any vote on the matter at any Council meeting.

Let's leave History 101 on Extended Driveways just now for a:

Shot of History 102-On street parking in Markham

After 10 years or so living on Aberfeldy, in the early to mid 80's, I couldn't understand why there were so many parked cars on the streets. In winter, on Aberfeldy, the snow had to melt to see what was there. Riding my bike in the early hours, I counted over 200 cars parked on German Mills streets. I became concerned so I approached the German Mills Rate Payers, asking them to initiate some parking control for the area. I was told bluntly, German Mills Rate Payers Association had absolutely no interest in parking bylaws. That answer was a no-brainer, it was their cars on the streets. (From that day on, I always do my own looking after Markham, for me by me, and if others benefit, all the better.) I approached Mayor and Council of the time, and again was rebuffed. Council had no interest, in fact one Councillor told me if I didn't like the parking situation in Markham, take a hike out of Markham. I should mention, at that time any parking tickets that were issued, were issued by York Regional Police, who had to know the diverse parking regulations of each borough of the Region. So few, if any tickets were ever issued.

So I approached Regional Council, and asked Region to adopt the 3 hour maximum, 24 hours a day, parking bylaw, the basic standard in any municipality in Canada. Region Council to a person adopted my request, as far as I know, without question. I assume this is still the standard parking bylaw on Regional roads. But I didn't realize that it was then up to each individual municipality to approve this for their purview.

When the issue of this Regional bylaw was put to Markham, Council, led by Frank Scarpitti and I can't remember the other Councillor, adopted the no-parking, 2:30 to 6:30 am, leaving the rest of the day open to any abuse. Unless of course special restrictions were put on specific areas. So now, a street like the north side of Aberfeldy, can be used 6:30 am to 2:30 am next day as a car-pooling destination. Just look at 72 Aberfeldy, 5 days a week.

Oh yes, that Councillor that told me to take a hike out of Markham. Can't remember his name, but he lived in the S/E quadrant of Highway 7 and Markham Road. I happened by his place shortly after Markham approved it's first parking bylaw (at my initiation) and he had to widen his driveway big time to accommodate his huge trailer or mobile home. Much to the displeasure of his neighbour who had the afternoon sun blocked out. Then Markham started hiring parking control officers-that drive around in vans with little yellow lights on top.

If you are one of the few that have read this far, this dissertation is a precursor to what I will be submitting Council on the proposed new extended driveway bylaw. Until then keep the kettle on the boil, I have a gut feeling there is going to be a blood bath.

Peter K. MacLeod

Thornhill

-----Original Message-----

From: James Broughton [mailto:james.broughton@sympatico.ca]

Sent: Monday, June 12, 2006 9:03 AM

To: dcousens@markham.ca

Cc: fscarpitti@markham.ca; sbirrell@markham.ca; vburke@markham.ca

Subject: Development Services Meeting, June 6, 2006

Dear Mr. Cousins:

I live at Annswell Court, an independent-living building for seniors, at 25 Thornhill Summit Drive in Thornhill.

Last Tuesday, June 6th, I attended a public meeting of the Development Services Committee, Town of Markham, called to discuss, among other items, the Yonge Street Study proposal to build up to five-storey buildings on Yonge Street in the Thornhill Historic District between John Street and the Don River. Thornhill Summit Drive, located in the middle of this District, is a short street leading to our seniors' building (two storeys in the front and three at the back, due to the slope ending at the edge of the Toronto Ladies' Golf Club) and a large condominium building at 7811 Yonge Street.

Residents of the area, including many from Eliza Street, spoke out against the height of the proposed Yonge Street buildings, stating that in that location, three storeys only would be much more suitable.

I would like to draw to your attention the behaviour of two of your councillors when they rebutted the position of the residents. Councillor Daurio responded with what I would describe as a rant against the residents who had come to give their views. After all, we are the ones who have to live with the decision made by the Council. No respect for these members of the public was evident in his response. We were even scolded for speaking against the work of town staff who had produced the plan. Surely that is what they are paid to do, and if changes have to be made, so be it!

Councillor Virgilio was equally scathing. As residents, we should not be subjected to having our views ridiculed and treated with disdain. Increased traffic difficulties were dismissed as being of no importance. Elderly people have difficulty now crossing Yonge Street to go to the doctors' offices on Centre Street due to a traffic light that is not long enough and the discourtesy of drivers making turns on to Yonge.

I object strenuously to all of us being treated with such "short shrift". Council members should be listening to the public, not deriding their views. A goodly bit of respect for the public would make for better relations between residents and Town Council. I hope that as mayor you will let these Councillors know that their behaviour was not acceptable.

Yours truly, Barbara (Rae) Yeates.

15/06/2006

-----Original Message-----

From: eileen liasi [mailto:eileenliasi@hotmail.com]

Sent: Tuesday, June 13, 2006 7:57 PM

To: sbirrell@markham.ca

Cc: Paul.Fink@cbre.com

Subject: Unsightly Driveways or Unsightly Commercial Vehicles?

Sheila,

Would you please distribute this e-mail to all Members of Council as well as to the Working Group/Front Yard Parking. Thank you.

Unsightly Driveways Or Unsightly Vehicles?

We do not believe that all extended driveways are unsightly, attract commercial and derelict vehicles and detract from the appearance of a neighbourhood. Some are unsightly, the great majority are not and some are extremely attractive; some attract commercial and derelict vehicles, the great majority do not. We suspect the concerns about unsightliness and neighbourhood appearance have more to do with the commercial and derelict vehicles parked on those driveways and adjoining lawns and the commercial activities they are involved in, than with the actual driveway extensions themselves. Some of these vehicles do not belong in residential areas. Our present bylaws dealing with commercial vehicles in residential areas need updating because, as they stand, they are unable to deal with the extreme actions of people who have no idea what is appropriate activity in a residential area and what isn't appropriate. It really has less to do with driveway width than the commercial activities people engage in, in residential areas and the number, size, type, age and condition of the trucks they use.

Deal With Commercialization of Residential Areas

On our street (Aberfeldy south) in south Thornhill, we had derelict cars on lawns as well as extended driveways. The problem was people engaged in SELLING CAR PARTS. Another situation, again on the lawn as well as on the extended driveway was a thriving SECOND-HAND CAR DEALERSHIP. We also had two commercial vehicles, one of which was a diesel engine FURNITURE REMOVAL van, taller than the garage itself, and a ROOFING BUSINESS truck with two ladders on top, plus the family saloon, parked on a lot with a SINGLE DRIVEWAY and of course parking spilled over with one truck parked on the lawn. People are buying homes, dividing them into units and renting them out. Again this is commercial activity in a residential area and all these activities require more parking and cause many other disturbances, including more traffic, more speeding, more noise and more pollution.

Gone are the days when a light commercial van belonging to an electrician, plumber or appliance repairman left the street with all the other cars in the morning and returned with all the other cars in the late afternoon. Today, homes, garages, backyards and driveways are home base, all day long, for the comings and goings of commercial vehicles and commercial activities such as loading, unloading and storage, employees and their cars and all the noise and disruption that used to take place only in industrial units in industrial parks. Activities continue after 7pm and in some cases 'til 2 or 3 in the morning, weekends, including Sundays and on Statutory Holidays.

This is not what residential areas are for and not what other residents should have to put up with. Deal with the commercialisation of our residential areas, whether it's on single driveways or extended driveways and deal with the people causing the problems. Don't punish 19% because 5% are causing the problems. Even if people with extended driveways are forced to reduce them, unsightly commercial trucks would still be parked on those driveways because those vehicles are their means of earning a living. If any vehicle has to go, it will be the family sedan not the commercial truck.

Our Solutions

We suggest that immediately after the parking bylaw is dealt with, the Town:

1. Update the bylaws dealing with the parking of commercial vehicles in residential areas. For example, there are no restrictions on the number of commercial vehicles per home, there are no width and height restrictions, no restrictions against diesel engines, no restrictions on signs, age, condition or unsightliness. The only restriction we know of is a weight restriction. If a bylaw was enacted which said that, in residential areas, when parked, all commercial vehicles must be parked out of sight in a garage (if there is one) at all times rather than on the driveway or street, then most of the problems, except for diesel engines, would be taken care of because they are out of sight. Any over-sized commercial vehicle that cannot fit into the garage must be parked at a different location outside a residential area. This would allow for most commercial vehicles to continue to park in residential areas, without too many restrictions, while getting rid of the unsightliness factor, oversized vehicles and, hopefully, trucks with diesel engines.

2. Remind operators of commercial vehicles, via information in the property tax envelopes, of the types and number of commercial vehicles that they can and cannot park in residential areas; that they can park but not conduct activities such as those that take place in industrial areas. They can be informed regarding restrictions on the days and hours of operation, noise restrictions, and any other bylaw that would apply in a residential area. From our experience on Aberfeldy south we would ask that you prohibit the picking up of partners/employees and the parking of their cars in residential areas, as it is just too disruptive. All this would be a huge improvement over the free-for-all that we have at present.

3. Remind residents once a year via one of the inserts in the envelope along with the property tax bill that they are not allowed to keep derelict vehicles on their driveways and lawns and that if they want to operate any commercial enterprise from a residence or make any changes to their driveways they have to check with the Town first.

We would also like to see a 2 hour limit for on-street parking during the day, whether or not the Town decides to bring in overnight on-street parking.

Unless the Town updates it's bylaws dealing with the parking and operation of commercial vehicles in residential areas in a timely fashion, some residential driveways will continue to be unsightly and complaints will continue to arrive at Town offices, no matter what Council decides to do with the Front Yard Parking issue.

Peter K. MacLeod

70 Aberfeldy Crescent

Thornhill, Ontario

L3T 4C4

June 16, 2006

**Written submission/deputation/communication to Special Development Services
Committee Meeting, June 19, 2006.**

Re: Proposed extended driveway By-law on private property and exterior yards.

As a Markham residential taxpayer, currently, I am completely unprotected from any resident on either side of me, creating a parking lot of any proportion, or anywhere in my residential area, or Markham as a whole. Without re-hashing the litany of abuse that has occurred over the past years with illegal driveway expansion in Markham, ***I demand the proposed extended driveway by-law be passed with full consideration to:***

The proposed legal parking area be adopted. The proposed parking area allows a very generous and precise parking area; the total width of the garage door plus 1.5 meters or; up to 6.1 metres, provided a minimum 40% "soft" landscaping the driveway crosses (and a few other details). This does allow wider driveways than the current by-law.

Absolutely **NO** grandfathering. Grandfathering only condones the myriad of illegal driveways already created and defeat the purpose of the proposed new by-law. No grandfathering would also alleviate a tide of future requests, "they have done it, why can't I?".

Every residence in Markham be provided with the stipulations contained in the new by-law—so every residence knows the exact rules what can be done and can't be done with parking on private and town property, and require a permit for any requested variances as done with buildings.

Every new and existing residence sale, upon change of ownership, be furnished with the rules of the proposed new by-law (as currently done in Toronto).

Markham Mayor, Councillors, and by-law enforcement hit the streets and clean up the current debacle of illegal driveways, and stop in the future what you have allowed to accrue in illegal residential driveway/parking over the years. If this requires hiring contract by-law enforcement, so be it. This includes measuring curb cuts so they conform to what is allowed when the residence was originally built.

The proposed extended driveway by-law is a good one—giving me future protection from the morass of illegal residential parking on town and private property that now exists. The new by-law addresses fairly the indiscretions of driveway/parking allowed to build up over the years. ***Anything less Mayor and Council will not be good enough.***