

From: Lynne Lurie [REDACTED]
Sent: Sun 25/04/2010 5:15 PM
To: Scarpitti, Frank; Kitteringham, Kimberley
Cc: Shapero, Erin
Subject: Letter to Mayor and Council re: Driveway width By-law #28-97

Mayor Scarpitti and Council,

Re: Driveway width By-law #28-97

We had a visit from a by-law officer in October 2009 telling us we could not park on the part of our driveway that extends further than 2 metres from our garage door. This was followed up by a letter threatening to fine us up to \$25 000 if we did park in that area and giving us a week to comply.

It was our original understanding that when this by-law was passed in 2006, the driveways that already existed would be exempt. Our driveway has been there for over 25 years and in fact is one of the reasons we bought our house 10 years ago. When I spoke to a supervisor in the by-law enforcement office, he said the purpose of the law was to prevent too much paving of green space, in order to protect the environment. This is a very praiseworthy idea but it makes no sense to apply it to pre-existing situations - the environment is not helped by not parking on the driveway or harmed by the driveway being parked on as the driveway already exists.

Ironically, the disputed area is a small side part of the driveway, it only extends 4 metres and if we cannot use it we would have to widen our driveway width ways so that the full length complied with the 2 metre measurement - thus complying with the by-law but in fact taking away several metres of lawn and shrubs, destroying the very green space apparently being 'saved' by our not being able to use our property as we have for all these years.

I did meet with the Town Clerk and staff from the by-law office and the regional development office. Through that meeting I was supplied with the minutes of the meetings held to discuss the by-law. It is clear from these minutes that the residents group that was established to be the voice of Markham consistently asked for the pre-existing driveways to be exempt from the by-law. They were ignored and the by-law was hurriedly pushed through.

What I am asking is that the by-law be amended so that pre-existing driveways be exempt from the new by-law as no benefit is derived from our not being able to use our driveways as intended. There are no logical or practical arguments that I have heard from the staff to maintain the by-law as it exists (except to tell me I should not have had so many children) and I believe the majority of Markham residents would agree the pre-existing driveway exemption is necessary.

I would like to be put on the General Committee agenda to address the Committee of Council on this issue as soon as possible

Yours sincerely

Lynne Lurie
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