

## REPORT

**REPORT TO:** Chair and Members of the Planning, Public Works and Transportation Committee

**REPORT FROM:** Jeff Jelsma, Manager of Development Engineering

**DATE:** April 16, 2018

**REPORT NO.:** TPW-2018-0012

**RE:** Amendment and Repeal of By-law No. 2015-0016 Widening or Altering of Driveways

### RECOMMENDATION:

THAT Report No. TPW-2018-0012, dated April 16, 2018, regarding the Amendment and Repeal of By-law No. 2015-0016 Widening or Altering of Driveways, be received;

AND FURTHER THAT By-law 2015-0016 to regulate the construction, installation, widening or altering of driveways, be repealed and replaced with the by-law attached as an Appendix of this report.

### BACKGROUND:

By-law 2015-0016 was enacted to regulate the construction, installation, widening or altering of driveways and curb cuts located on Town-owned road allowances or other property under the jurisdiction of the Town. The Development Engineering Division of the Transportation & Public Works Department administers this by-law and is responsible for evaluating and issuing the associated permit.

A permit under this by-law is required for new driveways which are not part of a draft plan of subdivision, providing multiple new driveways, widening an existing driveway or relocating an existing driveway on the same property. The majority of permits considered under this by-law are from homeowners requesting to widen their existing driveway for better access or increase the number of parking spaces (subject to the Compressive Zoning By-law).

Similarly to the review for Site Plan and Draft Plan of Subdivisions applications, staff utilizes the Transportation Association of Canada Guidelines (TAC-ACT) to evaluate the technical merit of the proposed driveway or driveway modifications.

## COMMENTS:

Staff received a minor variance application for a second residential driveway with a proposed separation of less than 15m. No technical concerns were noted and staff was prepared to support the request, however, By-law 2015-0016, contained criteria which prevented the issuance of the required permit.

Section 12(g) of the By-law indicated that:

“The minimum distance at the curb line between driveways on the same property frontage shall be:

- i) a minimum of 15 metres for urban residential lots.
- ii) a minimum of 30 metres for rural residential and farm lots.
- iii) at the discretion of the Commissioner of Planning & Infrastructure Services for commercial/industrial/institutional lots.”

As noted above, By-law 2015-0016 provides the Commissioner of Transportation & Public Works discretion for considering the separation between driveways for commercial/industrial/institutional properties only. All other uses need to follow the specific criteria as indicated in the By-law. Furthermore, By-law 2015-0016 does not allow for the refusal of a permit for situations where minimum separation as stated above may not operate or function safely.

The minor variance application made staff aware that the current By-law had no mechanism to vary the requirements as described. It would be appropriate to provide the Commissioner of Transportation & Public Works the discretion to allow for a reduced or increased separation where the technical evaluation supports either a decrease or increase in separation.

Staff recommends amending section 12(g) as follows:

The minimum distance at the Curb Line between Driveways on the same property frontage shall be:

- i) a minimum of 15 metres for urban residential lots.
- ii) a minimum of 30 metres for rural residential and farm lots.
- iii) a minimum requirement in accordance with the Transportation Association of Canada (TAC-ATC) for commercial/industrial/institutional lots
- iv) any deviation or discrepancy with the standards set out in Sections i), ii) and iii) herein, shall be at the sole discretion of the Commissioner of Transportation & Public Works and the decision shall be final.

Staff also recommends amending Section 3 of the By-law to include the following under a new section 3(d):

At the sole discretion of the Commissioner of Transportation and Public Works, the applicant may be required to submit a design drawing of the proposed Driveway and related works prepared by a qualified professional. The design drawing shall, at a minimum, include sight line evaluation based on Transportation Associated of Canada Guidelines (TAC-ATC), proposed and existing grading details and culvert capacity analysis all to the satisfaction of the Commissioner of Transportation & Public Works.

In addition, general housekeeping of the By-law has also been incorporated

#### **RELATIONSHIP TO STRATEGIC PLAN:**

This report supports the Town's Strategic Goal:  
H. Provide Sustainable Infrastructure & Services.

Through the Strategic Objective:

H1. To provide infrastructure and services that meets the needs of our community in an efficient, effective and environmentally sustainable manner.

#### **FINANCIAL IMPACT:**

There is no financial impact associated with this report.

#### **CONSULTATION:**

The updated By-law has been reviewed by the Town's Legal Coordinator.

#### **PUBLIC ENGAGEMENT:**

There was no public engagement for this report as it is considered operational matter.

#### **SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report is not applicable to the Strategy's implementation.

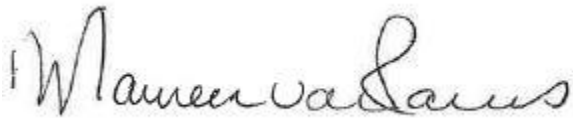
**COMMUNICATIONS:**

There is no communication impact associated with this report.

**CONCLUSION:**

Staff is recommending that By-law 2015-0016, which regulates the construction, installation, widening or altering of driveways, be repealed and replaced with the By-law attached as an Appendix to this report. The amended by-law will provide staff the ability to review and consider multiple entrance applications based on technical merit rather than solely on a prescribed set of criteria.

Reviewed and Approved by,

A handwritten signature in black ink, reading "Maureen Van Ravens". The signature is written in a cursive, flowing style.

Maureen Van Ravens, Acting Commissioner of Transportation and Public Works

A handwritten signature in black ink, reading "Brent Marshall". The signature is written in a cursive, flowing style.

Brent Marshall, CAO