

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9136

TO REGULATE THE MEANS OF ACCESS TO AND FROM A HIGHWAY

The Municipal Council of The Corporation of the District of Saanich in open meeting enacts as follows:

1. This bylaw may be cited for all purposes as the “**DRIVEWAY ACCESS BYLAW, 2011, NO. 9136**”.
2. **DEFINITIONS:**
 - a) “**BOULEVARD FRONTAGE**” means the portion of a highway lying between the front property line and the roadway.
 - b) “**DIRECTOR OF ENGINEERING**” means the Director of Engineering of The Corporation of the District of Saanich, or their designate.
 - c) “**DRIVEWAY ACCESS**” means that part of a highway between the curb or lateral lines of the roadway and the adjoining property line which is improved to allow vehicular access to the property.
 - d) “**DRIVEWAY ACCESS PERMIT**” means a Driveway Access Permit issued pursuant to this bylaw.
 - e) “**DRIVEWAY ACCESS STANDARDS**” means standard drawings DES33, C7SS, C15SS and C16SS attached to this bylaw and marked Schedule “B”.
 - f) “**HIGHWAY**” means a street, road, lane, bridge, viaduct and any other way open to public use, but does not include a private right-of-way on private property.
 - g) “**MUNICIPALITY**” means The Corporation of the District of Saanich.
 - h) “**OWNER OF THE PARCEL**” means the person or persons registered in the books of the Land Title Office as the owner of the parcel.
 - i) “**PARCEL OF LAND**” means any lot, block, or other area in which real property is held or into which real property is subdivided but does not include a highway.

- j) **“ROADWAY”** means the portion of a highway that is designed and improved for the public use of vehicular traffic.

3. Driveway Access Permit

Subject to section 6 hereof, no person shall construct or cause to be constructed a driveway access unless he/she is the holder of a valid and subsisting Driveway Access Permit, issued by the Director of Engineering.

4. Administration and Procedure

- a) Driveway Access Permits will be issued by the Director of Engineering.
- b) Applications for Driveway Access Permits shall be made to the Development Division and must be accompanied by a drawing of a suitable scale showing the intended access along with any physical features which may affect construction.
- c) Where an application has been made and,
 - i) the proposed driveway access complies with the provisions of this bylaw, and
 - ii) the applicant has submitted the required deposit,the Director of Engineering may issue a Driveway Access Permit.
- d) The issuance of a Driveway Access Permit is conditional upon deposit of the amount set out in Schedule “A” attached hereto.

5. Conditions

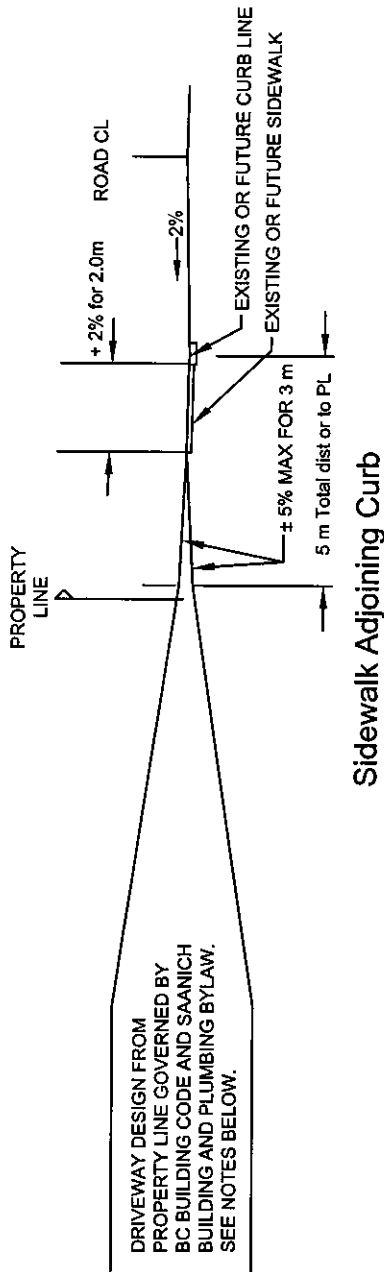
Every Driveway Access Permit is subject to the following conditions:

- a) Construction will be in accordance with the Driveway Access Standards, together with the specifications contained in Schedule “C” attached hereto, as well as any particular conditions which may be set due to site conditions.
- b) Construction shall be completed within 12 months of issuance of the permit.
- c) If the owner of the parcel fails to complete the work within the said period, or fails to construct the driveway access in accordance with the Driveway Access Standards or particular conditions, the work may be completed or reconstructed by the Municipality using the amount of deposit to cover the cost of work. Any cost incurred by the Municipality in excess of the amount of the deposit shall be paid by the owner of the parcel.

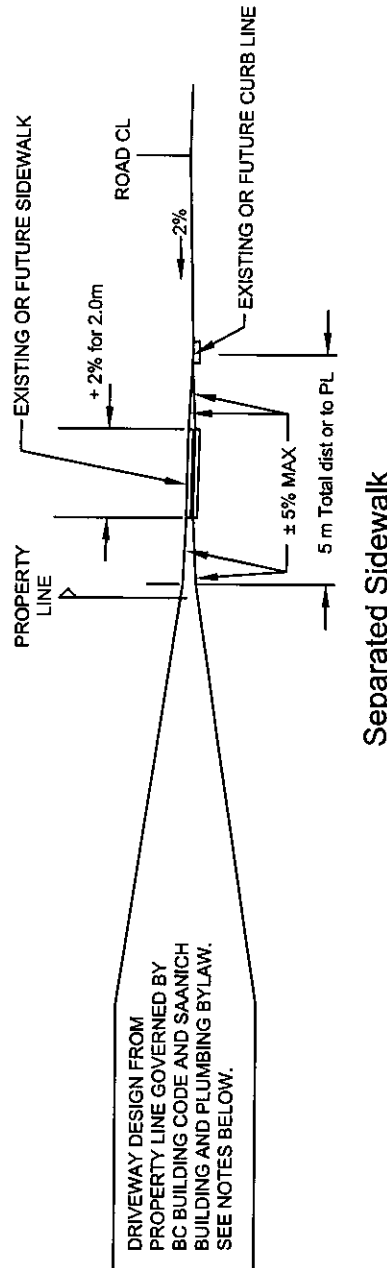
- d) No permit holder shall erect, construct, build, place or maintain on any boulevard, any retaining walls or structures without first obtaining written permission from the Director of Engineering.
 - e) In general, a parcel of land may only have one driveway access. Approval of an additional access may be granted by the Director of Engineering upon consideration of factors such as the number of fronting streets, the length of the parcel frontage, or topographical constraints.
6. a) Notwithstanding section 3 of this bylaw, an owner of a parcel of land may apply to have the Municipality construct a driveway access to and from a highway to the parcel in compliance with the standards contained in this bylaw. The estimated cost thereof shall be paid by the owner and the Municipality shall construct the driveway access.
- b) The cost of any work performed by the Municipality under sections 5 (c) or 6 (a) hereof shall be deemed to be a Special Fee for work done and the provisions of Section 258 of the *Community Charter* shall apply.
7. Bylaw No. 5351, being the "Driveway Access Bylaw, 1984", is hereby repealed except insofar as it repeals any other bylaw.

SCHEDULE "A"

<u>Type of Driveway Construction</u>	<u>Required Deposit</u>
1. Access to a Curbed Roadway	
(a) No sidewalk	
(i) Mountable curb	\$500
(ii) Non-mountable curb - single width drive	\$600
(iii) Non-mountable curb - double width drive	\$900
(b) With Sidewalk	
(i) Single width drive	\$700
(ii) Double width or commercial drive	\$1,200
2. Access to a Roadway without Curb	
(a) No culvert required	\$500
(b) Culvert required	\$1,200



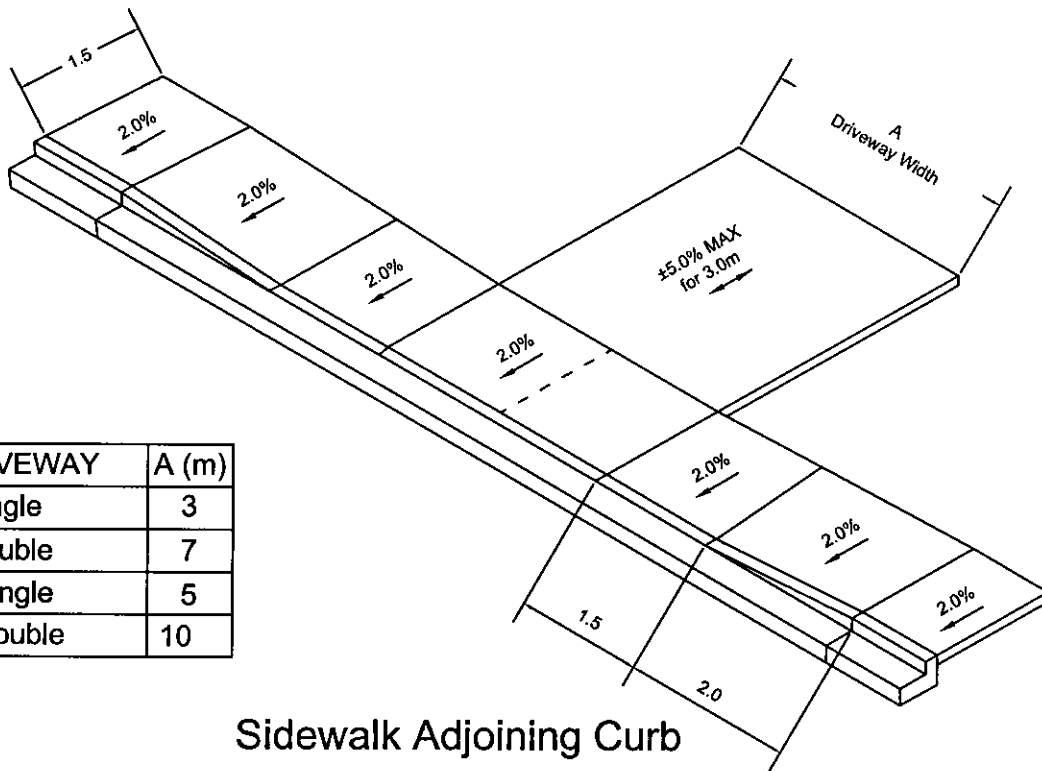
Sidewalk Adjoining Curb



Separated Sidewalk

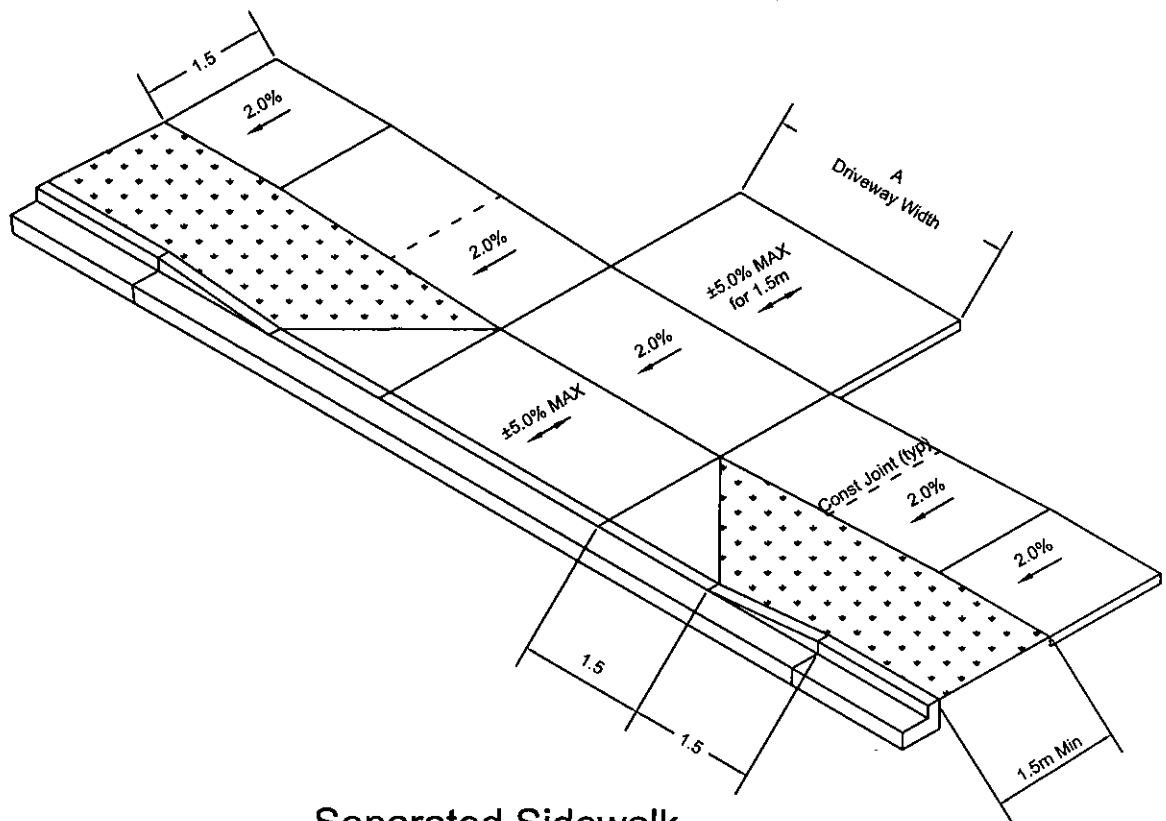
NOTES:

1. DRIVEWAY GRADES ON PRIVATE PROPERTY SHOULD NOT EXCEED 15%.
2. DRIVEWAYS OVER 45 M LONG HAVE SPECIAL REQUIREMENTS UNDER THE BUILDING AND PLUMBING BYLAW.
3. REFER TO ZONING BYLAW TO DETERMINE NUMBER OF OFF-STREET PARKING SPOTS REQUIRED, MINIMUM DIMENSIONS, AND SURFACING MATERIALS.
4. WHERE CHANGE IN GRADES EXCEEDS 5%, SHOULD USE 1 m VERTICAL CURVE TO AVOID "BOTTOMING OUT".

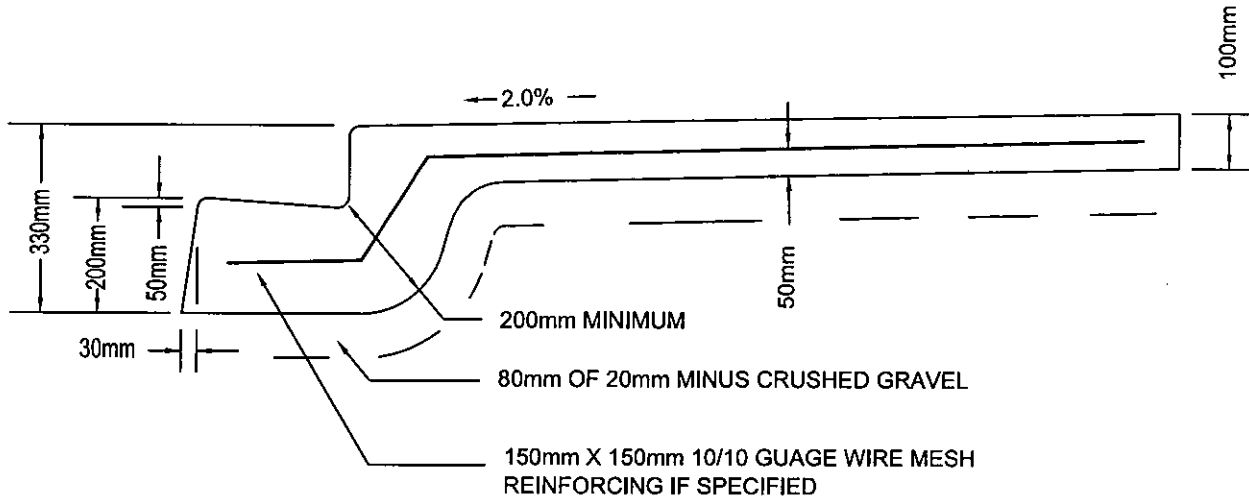


TYPE OF DRIVEWAY	A (m)
Residential Single	3
Residential Double	7
Commercial Single	5
Commercial Double	10

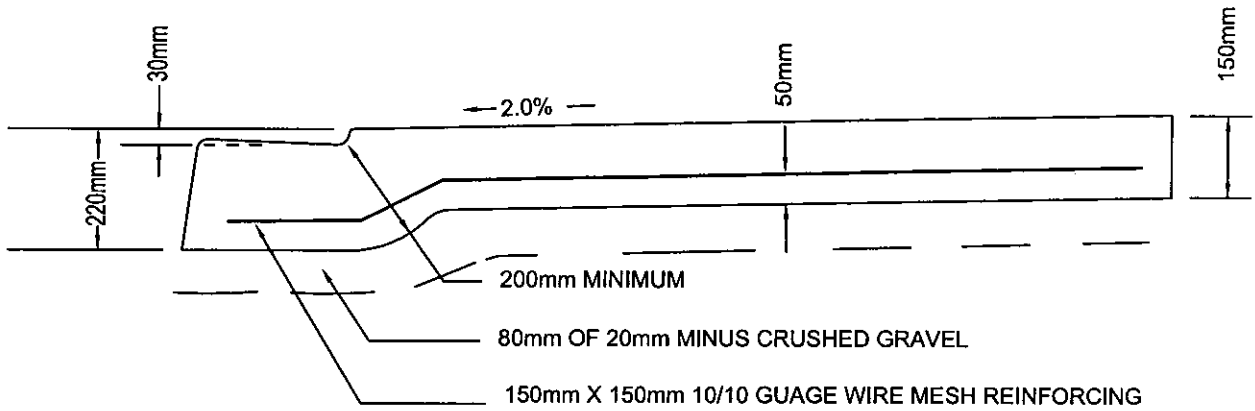
Sidewalk Adjoining Curb



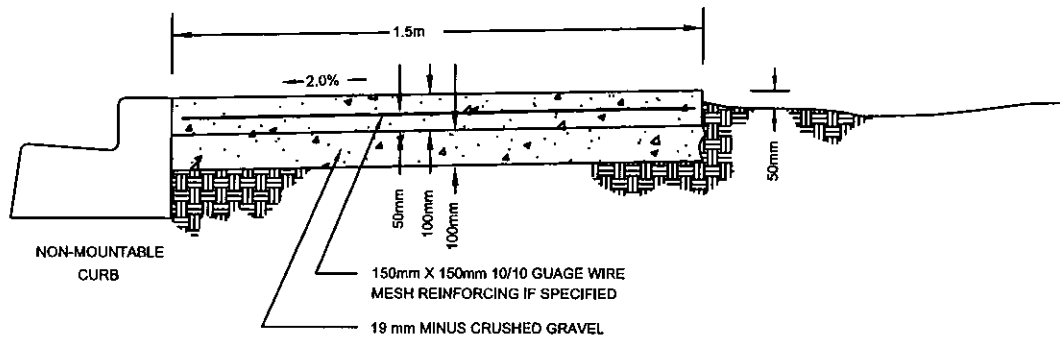
Separated Sidewalk



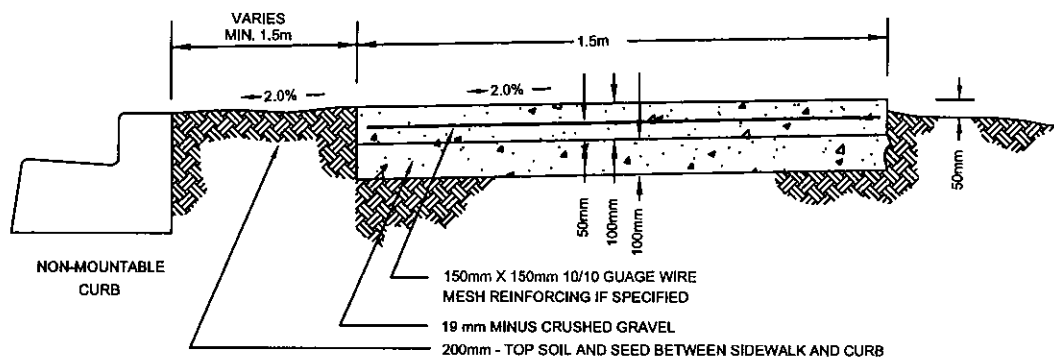
SIDEWALK SECTION



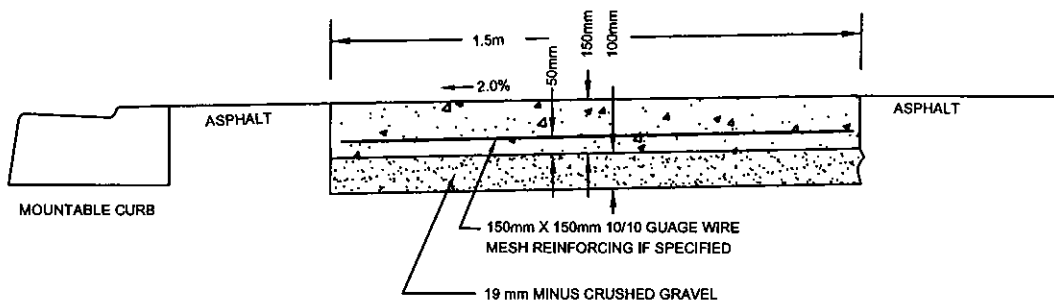
REINFORCED SIDEWALK DRIVEWAY CROSSING



SIDEWALK ABUTTING CURB



SEPARATED SIDEWALK



REINFORCED DRIVEWAY CROSSING

NOTES

1. REMOVE ALL SOD AND ORGANIC MATERIALS FROM PROPOSED SIDEWALK LOCATION. APPLY APPROVED WEED KILLER LIBERALLY PRIOR TO INSTALLATION OF GRAVEL IN EXCAVATION. BACKFILL ANY LOW AREAS WITH PITRUN SAND OR GRAVEL
2. WHERE PRACTICAL KEEP SIDEWALK APPROXIMATELY 50mm ABOVE NATURAL GROUNDS.

SCHEDULE "C"

1. A driveway access will not be permitted to a highway where no roadway has been constructed fronting the parcel.
2. A driveway access will not be permitted within 7.5 m of the point of intersection of two highways when they intersect at an angle of 135 degrees or less.
3. Where a parcel of land will be accessed by a driveway which is common to, or constructed through, another parcel of land, no permit for a driveway access will be issued until a private easement permitting the access, acceptable to the Municipality, is registered in the Land Title Office.
4. No driveway access shall be constructed except within the boulevard frontage of the parcel of land, unless it is impossible or impractical to comply.
5. A driveway access must be extended onto the parcel of land to allow off-street parking.
6. Every driveway access shall be surfaced with asphalt, concrete, mineral aggregate or other material approved by the Municipality.
7. The width of any driveway access is as shown on Standard Drawing C7SS for the particular use for which it is intended. Increases or decreases in this width require special approval.
8. The vertical design of the driveway access (within the road allowance) shall be as shown on Standard Drawing DES33.
9. The edges of driveways shall have a minimum clearance of 1.5 m from hydro and telephone poles or equipment enclosures and 0.5 m from other utility appurtenances.
10. No driveway access shall be permitted to block the natural flow of roadside drainage.
11. Where a driveway access will cross a roadside drainage ditch or watercourse, the minimum size culvert shall be 300 mm. The minimum length of the culvert shall be 6.0 m. Larger or longer culverts may be required and shall be determined prior to approval of the Driveway Access Permit.
12. Culverts shall be constructed with reinforced concrete pipe (ASTM C76, Class V) or corrugated metal pipe (CGSB 34GP-36) and shall have mortared rock or poured concrete head walls at the inlet and outlet to protect the pipe.
13. In no case shall a driveway culvert be constructed with more than one type of pipe.

Note: The horizontal and vertical design of a driveway on private property is governed by other regulations, in particular the BC Building Code and the *Saanich Building and Plumbing Bylaw*. The *Saanich Zoning Bylaw* specifies the number of off-street parking spots required and the surfacing requirements.