


POLICY

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|  | Policy: | Driveway Alteration or Installation | | |
| | Department: | Infrastructure Services | | |
| | Division: | Engineering | By-Law No.: | N/A |
| | Administered By: | Manager of Engineering | Approval Date: | Dec. 15, 2025 |
| | Replaces: | Driveway Alteration or Installation – December 14, 2020 | | |
| | Attachment(s): | Right-of-Way Application Form By-Law 2018-061, Right of Way By-Law | | |

1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to the safe access and egress through the Town's Right of Way to private properties. This policy outlines the requirements and standards for driveways.

2. PURPOSE

2.1. This policy ensures property owners construct driveways as specified by the Town.

3. SCOPE

- 3.1. This policy applies to all new and modified residential, commercial, industrial, agricultural and institutional driveways; with or without curb cuts and culverts located on municipal roads within the Town of Amherstburg.
- 3.2. This policy shall represent the standards and specifications for driveways.
- 3.3. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO or designate.

4. DEFINITIONS

- 4.1. **Abandoned Driveway** refers to a driveway that no longer serves to connect a private property to the travelled roadway by virtue of the fact that the driveway surface has been removed and/or the private property has been altered such that a vehicle cannot fully enter onto the private lands and/or alternate means of access has been approved.
- 4.2. **Alteration** refers to the actions of removal, replacement, widening, narrowing, resurfacing, or abandoning.
- 4.3. **Circular Driveway** refers to a driveway having two points of access to a street which are connected by a driveway on the same lot, forming a continuous loop.
- 4.4. **Driveway** refers to an access within the municipal right-of-way facilitating or supporting vehicular travel (continuous, intermittent, or temporary) between the travelled roadway and a private property.

4.5. **Front Lot Line** refers to the horizontal distance between the side lot lines of a lot, measured perpendicularly to the line joining the midpoints of the front and rear lot lines at a set distance back from the front lot line (e.g., 7.5 metres). In the case of corner lots, the shortest street-abutting line is deemed the front:

4.5.1. In the case of an interior lot, the street line of the lot;

4.5.2. In the case of a corner lot, either street line of the lot, whereas the other street line shall be deemed an exterior side lot line; or,

4.5.3. In the case of a through lot, either street line of the lot, whereas the other street line shall be deemed a rear lot line.

4.6. **Hammerhead** refers to a driveway that terminates in a T-shaped or L-shaped turnaround area, designed to allow vehicles to turn around on site and exit the property in a forward motion.

4.7. **Installation** refers to the act of constructing, erecting, placing, or laying down any structure, material, or improvement on, under, or over municipal or private property, including all work necessary to make it operational.

4.8. **Rear Lot Line** refers to a lot having four (4) or more lot lines, the lot line farthest from and opposite to the front lot line; except that, where a lot has only three (3) lot lines, there shall be deemed to be no rear lot line.

4.9. **Side Lot Line** refers to a lot line other than a front lot line and a rear lot line.

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

5. **INTERPRETATIONS**

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Town policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.

6. **GENERAL CONDITIONS**

6.1. **Installation or Alteration of Driveways**

6.1.1. Permits for any installation or alteration of driveways within the municipal right-of-way are mandatory.

6.1.2. All permits shall comply with all applicable by-laws, policies and regulations.

6.2. **Terms and Conditions**

6.2.1. A permit for the installation or alteration of a driveway will be subject to the following terms and conditions:

- 6.2.2. All work must be completed within two (2) years of permit issuance or the permit will lapse and be revoked.
- 6.2.3. Terms and conditions on installation and alteration work:
 - 6.2.3.1. All work is to be built to the standards of the Town, all applicable legislation, regulations, and permit conditions;
 - 6.2.3.2. The applicant must not commence any work until the permit is issued;
 - 6.2.3.3. The applicant must request and receive locates for all underground utilities prior to commencing work;
 - 6.2.3.4. The applicant must provide advance notice in accordance with the requirements outlined in Schedule A of By-law 2018-061 (Amendment to the By-law to Regulate Activity on Town Highways, Road Allowances and Right of Ways); and,
 - 6.2.3.5. A traffic control plan in accordance with Book 7 Temporary Conditions of the Ontario Traffic Manual, where required, must be submitted 24 hours prior to the work commencing;
- 6.2.4. All driveways within the municipal right-of-way shall connect to a driveway within a private lot to provide access/egress to private property. The portion of the driveway on the municipal right-of-way shall not be used to perform any other function, including parking of vehicles or storage of materials and equipment.
- 6.2.5. All driveways must conform to the Zoning By-law requirements, save and except driveways which provide public utility access to roadside equipment.
- 6.2.6. A driveway permit may not be issued where the installed or altered driveway does not provide suitable sightline clearance at the entry point into the road allowance.
- 6.2.7. Every driveway located within the municipal right-of-way is provided for the sole purpose of servicing the private lands and shall be maintained in good service condition.
- 6.2.8. All risk, responsibility and expense associated with any driveway located on any municipal right-of-way is the responsibility of the serviced property owner.
- 6.2.9. No driveway shall meet the travelled portion of the road allowance at an angle of less than sixty degrees (60°).
- 6.2.10. Abandoned driveways shall be removed from within the municipal right-of-way and the right-of-way reinstated by the property owner to the satisfaction of the Director of Infrastructure Services (or designate). The cost of such removal and reinstatement work shall be at the sole expense of the property owner.
- 6.2.11. Driveways within the municipal right-of-way shall have a positive slope between 1% minimum and 8% maximum.

- 6.2.12. Negative driveway slopes are not permitted within the urban municipal right-of-ways and are discouraged on private property due to storm water and drainage issues.
- 6.2.13. The Director of Infrastructure Services (or designate) may direct the removal or alteration of any driveway (including any abandoned driveway location) within the municipal right-of-way which has not been:
- 6.2.13.1. Permitted;
 - 6.2.13.2. Installed or altered in accordance with the permit issued; or,
 - 6.2.13.3. Maintained in a good service condition.
- 6.2.14. In the event the permit holder refuses or fails to complete the driveway works as approved, remove a non-permitted driveway or to properly remediate an abandoned driveway location as directed by the Director of Infrastructure Services (or designate), the Director (or designate) is hereby authorized to remove the driveway and/or perform the remediation works as deemed necessary. A minimum of thirty (30) days' written notice shall be provided to the property owner prior to the Town undertaking such removal or remediation. All costs incurred by the Town in performing such work shall be added to the tax roll of the property owner and collected in the same manner as taxes.
- 6.2.15. The Town reserves the right to alter or close (temporarily) any driveway with advance notice except in the case of unplanned emergency work where appropriate notice cannot be reasonably given. This right also extends to authorized service providers (utilities) operating within the municipal right-of-way. Any work which requires the disruption of an existing driveway by the Town or an authorized service provider shall be reinstated to its pre-disturbed condition or better; however, recognizing that there may be variations in colour between new and aged material and that such variations will be deemed acceptable. The limit of reinstatement shall be between the edge of the road and the municipal right-of-way or where the municipal sidewalks are present, between the edge of the road and the municipal sidewalk.

6.3. Maximum Number of Driveways

- 6.3.1. For residential lots, a maximum of one driveway per lot is permitted. The driveway may cross a front lot line or side lot line, but not both lot lines.
- 6.3.2. Notwithstanding 6.3.1, there shall only be one driveway permitted in any residential zone, other than the R1A Zone where two driveways may be permitted based on a minimum of 30.0 metres of frontage on the street line.
- 6.3.3. Notwithstanding 6.3.1, where a residential circular driveway is proposed R1A Zone and meets the criteria set out in the section 6.7 on circular driveways below, a second driveway on the same front lot line will be allowed.
- 6.3.4. The maximum number of driveways permitted shall be:

- 6.3.4.1. One driveway for lots with less than 99.0 metres of frontage;
 - 6.3.4.2. Two driveways for lots with 100.0 to 199.0 metres of frontage; and,
 - 6.3.4.3. One additional driveway for each 100.0 metres of frontage beyond 199.0 metres
- 6.3.5. For commercial, industrial, apartment/multi-residential buildings, and institutional properties, the number of driveways and physical properties shall be reviewed through the site plan application process and approved on a case-by-case basis.

6.4. Driveway Width

The calculation of driveway width shall apply at the lot line and additionally where the driveway meets the travelled portion of the road.

- 6.4.1. The minimum width of a driveway shall be 3.0 metres.
- 6.4.2. The maximum width of a driveway within the municipal right-of-way shall be:
 - 6.4.2.1. For lots with frontages less than 18.0 metres, maximum of 50% of the lot frontage.
 - 6.4.2.2. For lots with frontages larger than 18.0 metres, the maximum driveway width shall be 9.0 metres.
 - 6.4.2.3. Commercial, industrial, apartment/multi-residential, and institutional; as per Ontario Provincial Standard Drawing (OPSD) 350.010.
 - 6.4.2.4. For agricultural uses, driveways to parking areas shall be provided from an approved street by means of one or more unobstructed driveways not less than 3.0 metres in width and not more than 10.0 metres in width.
- 6.4.3. Notwithstanding 6.4.2, driveway widths for cul-de-sac lots with reduced frontage will be reviewed by the Director of Infrastructure Services (or designate).
- 6.4.4. Notwithstanding 6.4.1, one walkway access material may be connected to the side of a driveway. The maximum width of the walkway access at the point of attachment shall be 1.5 metres, however the combined width of the driveway and the sidewalk shall not exceed 50% of the lot frontage. The walkway shall terminate at the municipal sidewalk (private side) or property line if there is no sidewalk. No additional curb cut will be allowed for a walkway.
- 6.4.5. Driveway banding curbs are allowed on either side of a driveway. All driveway banding curbs shall:
 - 6.4.5.1. Be set flush with the top of the sidewalk elevation within 300.0 mm, either side of the sidewalk.

- 6.4.5.2. On an urbanized roadway, be set flush with the top of roadway curb elevation where the driveway curb connects to the municipal curb along the edge of roadway.
- 6.4.5.3. On a rural roadway, terminate at the start of the shoulder area or a minimum of 1.0 metre back from the edge of pavement (where shoulders are less than 1.0 metre in width) and be tapered over a distance of 300.0 millimetres prior to the termination point so as to avoid blunt terminations.
- 6.4.5.4. All banded curbs shall be installed entirely within the approved driveway width, aligned with the property lines, and any portion extending beyond the approved width is prohibited.

6.5. Driveway Setbacks

- 6.5.1. The minimum distance between a point of intersection of street lines, (such point of intersection being determined in the manner set out the Town's Zoning By-law definitions for sight triangle), and a driveway providing access to a lot from an improved street, measured along the street line intersected by such driveway, shall be 8.0 metres.

6.6. Hammerhead Driveways

- 6.6.1. A driveway with a hammerhead turnaround shall be permitted on lots or parcels having frontage greater than 18.0 metres provided that where it is located in the front yard, the driveway area remains less than 50% of the lot frontage.

6.7. Circular Driveways

- 6.7.1. A circular driveway shall be permitted on lots or parcels having frontage greater than 30 metres.
- 6.7.2. The maximum cumulative width of the driveway entrances, measured at the point of crossing the property line (front or side lot line, but not both) shall be 9.0 metres.
- 6.7.3. The minimum separation distance between two driveway entrances on the same lot that cross the same lot line, measured at the property line, shall be a minimum of 7.0 metres.

6.8. Culverts

- 6.8.1. In ditched right-of-ways, driveway culverts are required, other than at highpoints. All culverts shall be new; High Density Polyethylene 320 KPA (Boss 2000) pipe; diameter and length to be specified on the permit.
- 6.8.2. Culverts shall be backfilled with a minimum of 100.0 millimetres of Granular "A" or 100.0 millimetres of 19.0 millimetre Clearstone up to the spring line of the pipe, followed by compacted back to grade with 150.0 millimetres of Granular "A."

- 6.8.3. Driveway side slopes should be graded to a maximum of 1.5:1 from the entrance platform to the ends of the culvert invert at the bottom of the ditch with gabion stone. Headwalls may also be approved at the Town's discretion.
- 6.8.4. Driveways installed over Municipal Drains shall be installed in accordance and through the procedures of the Drainage Act, 1990.

6.9. Curb Depressions, Curb Cuts and Sidewalks

- 6.9.1. The municipal sidewalk and roadway curb shall be continuous through all driveways, except in instances where the driveway operates as part of a signalized intersection.
- 6.9.2. Curb depressions/cuts are to be the same width as the driveway, as indicated in this policy.
- 6.9.3. For installations/alterations of residential driveways, curb cutting may be permitted where an approved curb cutting contractor is used.
- 6.9.4. All sidewalks installed or altered with the municipal right-of-way must comply with the standards set out in the Accessibility for Ontarians with Disabilities Act, 2005.

6.10. Driveway Surface, Materials and Construction

- 6.10.1. All driveway aprons constructed within the Town's urban right-of-ways shall be surfaced with a hard, homogenous surface material such as asphalt, concrete, interlocking bricks, etc.
- 6.10.2. Compacted granular base for a residential driveway within the right-of-way shall be 150.0 millimetres (6") min. of Granular "A."
- 6.10.3. Concrete shall be 125.0 millimetres (5") thick with no wire mesh located within the Town's right-of-way.
- 6.10.4. Compacted hot-mix asphalt for a residential driveway shall be 75.0 millimetres (3") min. Other materials may be used as approved.
- 6.10.5. Only asphalt surfaces, crushed stone or gravel shall extend to the road edge where curbs are not present. Concrete brick and other hard surfaces shall terminate at a point as not to interfere with winter operations.
- 6.10.6. Fencing, gates, curb, pillars, headwalls, etc. shall not be constructed or installed in the right-of-way unless approved by the Town.

6.11. Insurance and Security

- 6.11.1. Where a permit for a driveway is issued, securities are required for the protection of municipal property, including but not limited to the road surface, curb, sidewalk, etc. The required securities, as determined by the Town, shall be held by the Town until all works have been completed and inspected by the Town.

- 6.11.2. Where a contractor is employed to construct or modify a driveway, a copy of the contractor's insurance certificate is required with the Town of Amherstburg identified as additionally insured and as the certificate holder.
- 6.11.3. Before receiving a driveway permit, the applicant shall agree in writing to indemnify fully and save harmless the Town of Amherstburg, its officers, agents, and employees from and against any and all actions, claims, demands, damage, loss or expense whatsoever arising from or incidental to the issuing of such permission, for the installation/alteration of any part of the municipal right-of-way in any respect whatsoever necessary to provide the permitted driveway.

7. RESPONSIBILITIES

- 7.1. **Council** has the authority and responsibility to:
 - 7.1.1. Adopt the Driveway Alteration or Installation Policy.
- 7.2. The **CAO** has the authority and responsibility to:
 - 7.2.1. Ensure compliance with the Driveway Alteration or Installation Policy.
- 7.3. The **Director of Infrastructure Services** has the authority and responsibility to:
 - 7.3.1. Ensure compliance with the Driveway Alteration or Installation Policy.
 - 7.3.2. Order driveways to be remediated or removed.
 - 7.3.3. Approve the driveway width for cul-de-sac lots.
 - 7.3.4. Review and authorize, where the Director deems necessary, requests for exceeding the maximum allowable residential drive-way width.
- 7.4. The **Manager of Engineering** has the authority and responsibility to:
 - 7.4.1. Implement the Driveway Alteration or Installation Policy.
- 7.5. **Staff** have the authority and responsibility to:
 - 7.5.1. Abide by the Driveway Alteration or Installation Policy.

8. LEGISLATIVE REFERENCES

- 8.1. Ontario Traffic Manual Book 7 – Temporary Conditions
- 8.2. Drainage Act, 1990
- 8.3. Accessibility for Ontarians with Disabilities Act, 2005