



HIGHWAY ACCESS BYLAW

BYLAW NO. 91-038

This consolidation is a copy
of a bylaw consolidated
under the authority of
section 139 of the
Community Charter.
(Consolidated on January
22, 2026 up to Bylaw No.
26-005)

This bylaw is printed under
and by authority of the
Corporate Administrator of
the Corporation of the City of
Victoria.

NO. 91-038

HIGHWAY ACCESS BYLAW

A BYLAW OF THE CITY OF VICTORIA

(Consolidated to include Bylaws No. 93-116, 13-081, 15-028 and 26-005)

to regulate access to highways.

Pursuant to Sections 579(1)(c),(d), and (e), 579(3) and 964 of the Municipal Act, the Municipal Council of the Corporation of the City of Victoria enacts as follows:

1 This bylaw may be cited as the "HIGHWAY ACCESS BYLAW."

2 In this bylaw,

26-005

"arterial street"

means a highway classified as an arterial street pursuant to the Streets and Traffic Bylaw;

26-005

"collector street"

means a highway classified as a collector street pursuant to the Streets and Traffic Bylaw;

"commercial crossing"

means a driveway crossing which provides vehicular access to the parking and loading areas of any lot zoned and used for commercial purposes;

"corner lot"

means any lot which abuts at least two highways which intersect each other;

26-005

"Director"

means the person employed by the City as the Director of Engineering and Public Works or a successor position in function, or their authorized designate;

"driveway"

means that portion of a lot that provides access to parking or loading spaces within the lot and is considered to be the extension of the lot's driveway crossing;

"driveway crossing"

means the improved section of a curb, sidewalk or boulevard constructed to provide vehicular access to one or more lots from any highway;

"high density development"

means any residential, hotel, or office development which consists of four or more storeys;

26-005

"highway"

has the meaning ascribed in the *Community Charter*;

"industrial crossing"

means a driveway crossing which provides vehicular access to the parking and loading area of any lot which is zoned and used for industrial purposes;

26-005

"local street"

means a highway classified as a local street pursuant to the Streets and Traffic Bylaw;

26-005

"street boundary"

means that boundary of a lot abutting on a highway or statutory right of way for highway purposes;

"street classification"

means the highway classification as outlined in Schedule A of the Streets and Traffic Bylaw;

"street line"

means the outside edge of that area designed or intended for use by the general public for the passage of vehicles;

"total highway frontage"

means the sum of all those boundaries of a lot abutting on a highway.

3 With the exception of agents, servants or employees of the City acting in the course of their employment, no person shall construct, remove, widen or repair a driveway crossing without first having applied to and received the approval of the Director.

26-005

4 All applications under this bylaw shall be in the form prescribed by the Director.

26-005

5 All applicants shall ensure that the driveway crossing is constructed in accordance with the dimensions prescribed in Schedule "A" to this bylaw.

6 All applicants shall comply with the provisions of this bylaw.

7 If approval for a driveway crossing has been granted and the applicant has not completed construction of the driveway crossing within one year from the date approval was given, the Director may revoke, in writing, the driveway crossing approval.

- 8 Any person who applies for and obtains a building permit and who requires a driveway crossing shall comply with the provisions of this bylaw.
- 26-005 9 The Director may approve a driveway crossing width which exceeds the maximum widths prescribed in Schedule "A" provided:
- (a) the vehicles requiring access to the lot require a greater maximum width; and
 - (b) the additional width is not for the purpose of avoiding another vehicle parked on the lot.
- 26-005 10 The Director may approve a driveway crossing width which is less than the minimum widths prescribed in Schedule "A" if the width would cover 25% or more of the street boundary of the lot or if the location of the existing buildings on the lot makes compliance impossible.
- 26-005 11 (1) The driveway crossings for all corner lots to a single development, regardless of the number or location of air space parcels shall be
- (a) located at least 8.0 m from the point of intersection of those street boundaries of the lot which are adjacent to the intersection; and
 - (b) sited on the highway having the more minor street classification.
- 26-005 (2) Notwithstanding section 11(1)(b), the Director may, at their discretion, approve siting a driveway crossing for a corner lot on a higher classified highway if compliance with section 11(1)(b) would, in their opinion:
- (a) be impractical due to a lot configuration precluding compliance with section 11;
 - (b) result in an unsafe crossing;
 - 26-005 (c) interfere with protected or significant trees as defined by the Tree Protection Bylaw, or existing infrastructure which cannot be reasonably removed or relocated; or
 - 26-005 (d) result in traffic patterns that are inconsistent with a transportation plan approved by Council, including but not limited to the Official Community Plan.
- 26-005 12 No person shall construct a driveway crossing within a bus zone, as designated under the Streets and Traffic Bylaw, without the prior written consent of both the British Columbia Transit Authority and the Director.
- 26-005 13 Subject to section 14, the minimum distance between driveway crossings serving a lot zoned for commercial or industrial uses shall be 12.0 m where these driveway crossings provide access to an arterial street or a collector street.
- 26-005 14 The minimum distance in section 13 does not apply between driveway crossings where one driveway is solely providing access to a dedicated off-street loading space with the

following minimum dimensions: 9.0 m in length by 3.4 m in width by 3.8 m in height.

- 26-005 15 Notwithstanding section 21(1), where there is more than one driveway crossing providing access to a lot or to a single development situated on more than one lot, the minimum distance between the driveway crossings shall be 12.0 m unless the driveway crossings accommodate one way traffic, in which case the minimum distance shall be 10.0 m.
- 26-005 16
- (1) The surface of a driveway crossing, including the driveway crossing flares, shall have a minimum clearance of 1.2 m measured horizontally from any above ground public, private or municipal utility equipment, any above ground public, private or municipal utility box, and any lamp standard or tree.
 - (2) All applicants shall be permitted to construct a driveway crossing over public, private or municipal underground utility boxes provided the casting of the utility box is of sufficient thickness to support the traffic which will be using the driveway crossing and provided the applicable public or private utility company has given written approval to do so.
 - (3) The applicant shall be fully responsible for any relocation or removal of the items listed in subsection (1), including costs, if any.
 - (4) The Director may relax the minimum clearance required in subsection (1) if the applicable authority has consented in writing to do so.
- 17 Where vehicular access to a lot will be through an adjoining property, approval to construct a driveway crossing shall not be given until an easement through the adjoining property has been registered in the Land Title Office.
- 18 An easement required pursuant to the preceding section shall be in a form approved by the City Solicitor and shall contain a covenant in favour of The Corporation of the City of Victoria restricting the use of the easement area to ingress and egress.
- 19 Where vehicular access to a lot will be through an adjoining property and by way of a driveway crossing which is already in existence, the owner of the lot requiring an easement shall ensure that the driveway crossing conforms to the requirements of this bylaw and that the easement is in a form approved by the City Solicitor and contains a covenant in favour of the Corporation of the City of Victoria restricting the use of the easement area to ingress and egress.
- 20 A lot that contains, as its only primary use, a single family dwelling, as defined in the Zoning Regulation Bylaw, must not have more than one driveway crossing.
- 21
- (1) Subject to section 20, one driveway crossing is permitted for every 20 m, or portion of every 20 m, of highway frontage, to a maximum of two driveway crossings, for
 - (a) a lot; or
 - (b) a single development that is on more than one lot and that contains fewer than 100 parking spaces.

(2) The Director may permit an additional driveway crossing which provides a drive through drop-off and pick-up area to a high density development on a lot that fronts on more than one highway.

22 A lot or a single development which is situated on more than one lot which has 100 or more parking spaces may have one driveway crossing for each 30.0 m of total highway frontage or portion thereof, to a maximum of three driveway crossings.

23 The Director may permit an additional driveway crossing to a lot or to a single development located on more than one lot in order to provide emergency access or to provide access to a separate off-street loading area.

24 The Director shall not issue permission for the construction of a driveway crossing until the owner of the lot has provided a paved driveway from the street line into the lot for a minimum distance of 6.0 m.

25 The grade of all driveway crossings from the street line to the street boundary shall not exceed 10%.

26 The grade of that portion of a driveway measured from the street boundary for a distance of 6.0 m into the lot shall not exceed

- (a) 3% for any lot which is zoned or used for commercial or industrial purposes;
- (b) 6% for any lot which is zoned or used for residential purposes on any street other than a local street;
- (c) 8% for any lot which is zoned or used for residential purposes on any local street.

26-005 27 The Director may relax the grades in sections 25 and 26 as follows:

- (a) up to a maximum of 15%, due to naturally existing steep grade limitations which are specific to the lot; or
- (b) up to a maximum of 8%, if the driveway services a parking structure with a height limitation of 3.0 m or less.

26-005 28 No person shall erect, construct, plant or maintain, within the area shaded in grey in Schedule "B", any structure, landscaping, fencing or any other thing which exceeds 1.0 m in height, as measured from that point at the centre of the driveway where the driveway intersects the street boundary, such that it creates a safety hazard on the adjacent highway.

26-005 29 (1) A person who contravenes this bylaw is liable to a maximum fine of \$50,000 and, in the case of a continuing offence, each day on which the contravention continues constitutes a separate offence that is subject to that maximum fine.

(2) A person who contravenes this bylaw commits an offence and is subject to the penalties imposed by this bylaw, the Ticket Bylaw, the Bylaw Notice Adjudication Bylaw and the *Offence Act*.

- 30 Section 72 of Bylaw 87-130, the STREETS AND TRAFFIC BYLAW, is repealed.
- 31 Section 12(i) of Schedule "C" of Bylaw 80-159, the ZONING REGULATION BYLAW, is repealed.

Passed and received third reading by the Municipal Council the 25th day of July 1991.
Reconsidered and adopted by the Municipal Council the 8th day of August 1991.

"MARK JOHNSTON"
CITY CLERK

"MARTIN SEGGER"
ACTING MAYOR

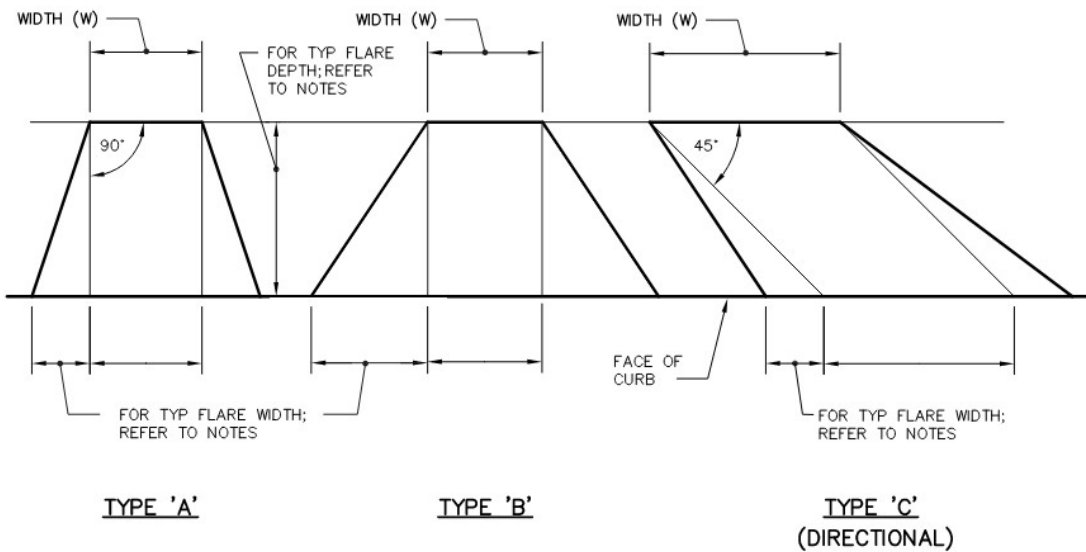
SCHEDULE "A" (HIGHWAY ACCESS BYLAW 91-38)



TABLE – STANDARD WIDTHS FOR DRIVEWAY CROSSINGS

LAND USE	STREET CLASSIFICATION	NO. OF PARKING STALLS	DRIVEWAY VEHICLE CAPACITY	DRIVEWAY TYPE	CROSSING WIDTH (W)	
					MIN.	MAX.
COMMERCIAL OR INDUSTRIAL	ALL	N/A	ONE	B	5.0m	7.0m
		N/A	TWO	B	7.0m	11.0m
RESIDENTIAL *	ARTERIAL	4 OR LESS	ONE	A	3.5m	4.5m
		GREATER THAN 4	TWO	A	6.0m	7.0m
	COLLECTOR; LOCAL	10 OR LESS	ONE	A	3.5m	4.5m
		GREATER THAN 10	TWO	A	5.5m	6.0m
ALL	ALL	N/A	ONE	C	6.0m	9.0m

* IF THE LAND USE IS A COMBINATION OF COMMERCIAL OR INDUSTRIAL WITH RESIDENTIAL THEN THE PERMITTED DRIVEWAY CROSSING WIDTH (W) SHALL BE ACCORDING TO THE COMMERCIAL OR INDUSTRIAL REQUIREMENTS UNLESS THE DRIVEWAY SERVICES A PARKING STRUCTURE WITH A HEIGHT LIMITATION LESS THAN 3.0M



NOTES:

1. FOR CONSTRUCTION DESIGN CRITERIA, FLARE DEPTHS, AND FLARE WIDTHS, SEE WORKS AND SERVICES BYLAW.

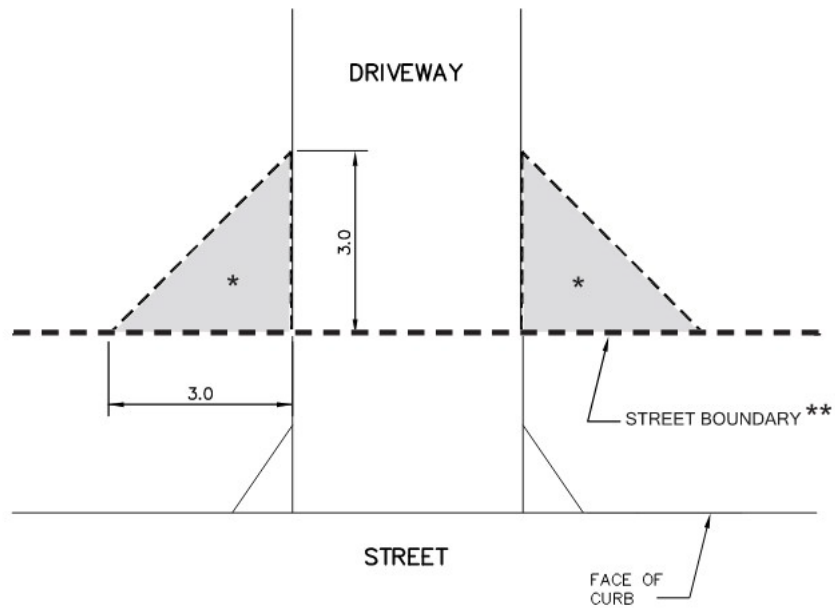
NOT TO SCALE

TYPICAL DRIVEWAY CROSSINGS

Revision Date
2025-08-18

Drawing Number
TA-64

**SCHEDULE "B"
(HIGHWAY ACCESS BYLAW 91-38)**



NOTES:

- * 1.0m height limit zone as per section 16.
- ** See definition in section 2.

NOT TO SCALE

**TYPICAL DRIVEWAY
SIGHT LINE CLEARANCE**

**Revision Date
2025-08-19**

**Drawing Number
TA-70**