

Section 1 – Definitions

	Notes
<p>Access means an improved surface and, where required, a Culvert within a Highway which is used to permit the passage of persons or vehicles from a Sidewalk or Roadway to abutting Private Property.</p> <p>Boulevard means and includes all portions of the Highway save and except the Shoulder, Roadway, Sidewalks and any In-Boulevard Active Transportation Facility.</p> <p>City means the municipal corporation of the City of Ottawa or the geographic area as the context requires.</p> <p>Corrective Work Order means an order issued pursuant to this by-law to do work to correct a contravention.</p> <p>Culvert means a sub-surface pipe with a circular, elliptical or rectangular cross-section of corrugated steel, or any other such material approved by the General Manager, which acts as a conduit for storm water within a Highway.</p> <p>Frontage means the length of the Highway Line.</p> <p>General Manager means the General Manager of the City’s Planning, Development and Building Services Department, or authorized representative.</p> <p>Grade (%) means the vertical rise or fall of the access relative to the horizontal length.</p> <p>Headwall means a vertical wall at the end of a culvert used to prevent earth from spilling into the ditch.</p> <p>Highway includes a common and public highway and includes any lane, bridge, trestle, viaduct, or other structure, forming part of the highway, and except as otherwise provided, includes a portion of the highway and the area between the lateral property lines thereof.</p> <p>Highway Line means the line forming a common boundary between Private Property and a Highway.</p> <p>In-Boulevard Active Transportation Facility means a facility that is designed for active transportation, such as a Sidewalk, a bicycle lane, or a multi-use pathway, and that is part of the Highway but is separated vertically or horizontally from the Roadway.</p> <p>Municipal Tree means any tree designated as such within the Tree Protection By-law (By-law No. 2020-340).</p> <p>O.P.S.S. means Ontario Provincial Standard Specifications.</p> <p>Owner means the owner in fee simple of Private Property or the person who has care and control of the Private Property.</p> <p>Parking Lot means an outdoor surface or structure with four or more Parking Spaces.</p> <p>Parking Space means a rectangular space legally provided as per the Zoning By-law for the purpose of parking one motor vehicle.</p>	<p><i>New to the Access By-law</i></p> <p>Access</p> <p>In-Boulevard Active Transportation Facility</p> <p>Municipal Tree</p> <p>Parking Lot</p> <p>Site Plan Control Approval</p>

	Notes
<p>Permit means an access permit issued under this by-law except where the context indicates otherwise and 'permit-holder' has a similar meaning.</p> <p>Private Property means all land other than City land.</p> <p>Property Line means the common boundary line between adjacent private properties.</p> <p>Roadway means that part of a highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the Shoulder, and, where a Highway includes two or more separated roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.</p> <p>Shoulder means that part of a Highway immediately adjacent to the Roadway and having a surface, which has been improved for the use of vehicles with asphalt, concrete or gravel.</p> <p>Sidewalk means that part of a Highway set aside by the City for the use of pedestrians.</p> <p>Site Plan Control Approval means an application under the City of Ottawa Site Plan Control By-law (By-law 2014-256), as amended, or a successor by-law thereto.</p> <p>Standards means the City of Ottawa Standard Tender Documents for Unit Price Contracts, as amended.</p> <p>Stop Work Order means an order issued pursuant to this by-law to stop the construction or alteration of an Access, or associated work.</p> <p>Temporary Access means an Access for which there is a defined timeline for when it is to be removed.</p> <p>Zoning By-law means the City of Ottawa Zoning By-law (By-law 2026-50), and any successor by-law thereto.</p>	

Section 2 – Interpretation

Provisions	Notes
<p>(1) Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this by-law.</p> <p>(2) This by-law includes the Schedule annexed hereto and the Schedule is hereby declared to form part of this by-law.</p> <p>(3) It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.</p> <p>(4) In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.</p>	

Section 3 – City infrastructure projects

Provisions	Notes
<p>(1) Where the City undertakes any construction or reconstruction work on a Highway that affects an Access which conforms to this by-law, the City shall undertake any reconstruction of the Access made necessary by the construction or reconstruction of the Highway at no cost to the Owner; and</p> <p>(2) Where the City undertakes any construction or reconstruction on a Highway that affects an Access which does not conform to this by-law, the City shall replace the non-conforming Access with a new conforming Access.</p> <p>(3) Despite subsections (1) and (2), an Access may be replaced in a location and with a design the General Manager considers appropriate, acting reasonably and provided no operational or safety concerns result.</p>	<p>Section 3 – carried over from Section 8 of the Private Approach By-law. Modified to provide flexibility in determining the final design and location of a reconstructed access even if the original access was conforming. There may be instances, due to the nature of the adjacent work, where replacing the original design or location of the access would no longer be appropriate.</p>

Sections 4 and 5 – Access standards

Provisions	Notes
<p>Section 4</p> <p>The General Manager may establish requirements setting out the design, size and location, as well as any other aspects of an Access.</p>	<p>Sections 4 – New</p> <p>Many of the technical design requirements of the Private Approach By-law are proposed to move into a design requirements document that will accompany the Access By-law as described in the staff report.</p>
<p>Section 5</p> <p>(1) In addition to the requirements of this by-law, all Accesses shall be constructed:</p> <p>(a) in accordance with any requirements established by the General Manager under Section 4;</p> <p>(b) to the current Standards and applicable O.P.S.S.; and</p> <p>(c) to connect into existing grades of existing infrastructure, including but not limited to curbs, Sidewalks, and other In-Boulevard Active Transportation Facilities.</p>	<p>Section 5 – New</p> <p>This section elaborates on the existing requirement to build private approaches to City standards.</p>

Sections 6 to 13 – General regulations

Provisions	Notes
<p>Section 6</p> <p>(1) The Owner shall maintain every Access serving their property, including any curbs, Culvert pipe, Headwalls, and steps, so as not to cause injury to persons or damage to property.</p> <p>(2) Where the Access includes a Culvert, the Owner shall ensure clear open passage of water through the Culvert so as to not impede the flow of water.</p>	<p>Section 6 – carried over from Section 15 of the Private Approach By-law and provided additional clarity regarding maintenance obligations.</p>
<p>Section 7</p> <p>(1) In no case shall the width of an Access, or the cumulative width of all Accesses on the same Frontage, exceed 50 per cent of the Frontage on which the Access is located.</p> <p>(2) Notwithstanding subsection (1), an Access that was established as of September 30, 2007, and is serving a Parking Space which conforms with Section 604 (3) of the Zoning By-law is permitted to remain.</p>	<p>Subsection 7(1) – carried over from Section 11(1) of the Private Approach By-law and clarified to apply to all types of access, including pedestrian accesses and extensions of vehicular accesses.</p> <p>Subsection 7(2) – <i>New</i> Section 604(3) of Zoning By-law 2026-50 relates to front yard parking spaces. If a hazardous condition is identified, Section 13 may be applied.</p>
<p>Section 8</p> <p>The sloped or ramp portion of an Access shall not extend into the Roadway.</p>	<p>Section 8 – carried over from Section 22 of the Private Approach By-law.</p>
<p>Section 9</p> <p>Except where otherwise permitted, no person shall construct on an Access any curbing, Headwalls, decorative stonework or landscaping, the height of which extends above the level of the Shoulder or the Access.</p>	<p>Section 9 – carried over from Section 19 of the Private Approach By-law.</p>
<p>Section 10</p> <p>Where the General Manager determines that an existing Access is no longer being used to afford vehicular or pedestrian access from the Highway to land abutting thereon, the General Manager may order the removal of such Access.</p>	<p>Section 10 – carried over from Section 12 of the Private Approach By-law. This authority is outlined in a separate provision in the Access By-law as new permit exemptions are introduced which will limit the original intent if carried forward unchanged.</p>
<p>Section 11</p> <p>Every person who closes or removes an Access shall reinstate the Highway to current Standards and applicable O.P.S.S..</p>	<p>Section 11 – carried over from Section 14 of the Private Approach By-law.</p>

Provisions	Notes
<p>Section 12</p> <p>The construction, maintenance, repair, replacement or removal of an Access shall be carried out at the Owner's expense.</p> <p>Section 13</p> <p>(1) Despite any other provisions of this by-law, no person shall construct or use an Access that, in the opinion of the General Manager, will create hazardous conditions due to inadequate sight distance, horizontal or vertical alignments or other considerations.</p> <p>(2) Where the General Manager identifies an Access that in their opinion does or will create a hazardous condition as identified in subsection (1), the General Manager may require the Owner whose property is served by the Access to redesign or relocate the Access at the Owner's expense.</p> <p>(3) Despite any other provisions of this by-law, the General Manager may alter the direction of the grade and horizontal distances on which the direction of the grade applies, provided such alterations do not create any drainage issues or hazardous conditions.</p>	<p>Section 12 – carried over from Sections 3 and 23 of the Private Approach By-law.</p> <p>Section 13 – carried over from Section 24 of the Private Approach By-law and further clarity provided as to property owner bearing the cost of any required alteration.</p>

Sections 14 and 15 – General Regulations: Vehicular Access

Provisions	Notes
<p>Section 14</p> <p>(1) No vehicular Access shall be constructed with a width:</p> <ul style="list-style-type: none"> (a) that is less than 2.4 metres; and (b) that is greater than 9.0 metres, exclusive of the length of a Culvert pipe; or (c) that is greater than the width determined by the General Manager as necessary to accommodate reasonable access to the Private Property. <p>Section 15</p> <p>The centreline of a vehicular Access shall intersect the centreline of the Roadway as nearly as practicable at a right angle, but in no case shall the acute angle between the centreline of the Access and the centreline of the Roadway be less than 70 degrees.</p>	<p>Section 14 – carried over from Section 11 of the Private Approach By-law. While the min. driveway width in the Zoning By-law is 2.6 m, it allows for a narrower width if the parking space it serves is less than 2.6 m; therefore, the min. allowed access width is 2.4 m. In such a case, the owner may need an extension (Section 16) or pedestrian access (Section 18) to fulfill requirements of the Property Standards By-law. Clause (c) provides for instances where a larger access width is appropriate, such as to accommodate farm equipment.</p> <p>Section 15 – carried over from Section 17 of the Private Approach By-law.</p>

Section 16 – Access for one to three parking spaces

Provisions	Notes
<p>(1) An Access used to permit the passage of vehicles to one to three Parking Spaces shall comply with the following provisions:</p> <ul style="list-style-type: none"> (a) The width identified in Section 14 shall be measured at the Highway Line, and at the curb line or Roadway edge. (b) The distance between the nearest limits of two such Accesses to the same property shall be a minimum of 9 metres measured at the Highway line, and at the curb line or Roadway edge. <p>(2) Despite subsection 20 (1), an existing Access used to permit the passage of vehicles to one to three Parking Spaces is permitted to include one extension up to 1.8 metres in width without a Permit provided:</p> <ul style="list-style-type: none"> (a) such extension is not constructed of asphalt; (b) no part of the extension is located within: <ul style="list-style-type: none"> (i) the critical root zone of a Municipal Tree; (ii) 1.0 metre of above ground or grade level infrastructure or installations owned by the City or by a person authorized to have infrastructure or installations within the Highway; (iii) 1.5 metres of a fire hydrant; and (iv) 0.3 metres of a Property Line; (c) the Access does not cross a ditch; (d) there is no modification to the curb, Sidewalk, or any other In-Boulevard Transportation Facility; (e) the extension terminates at the In-Boulevard Active Transportation Facility, curb or Roadway edge, whichever comes first; and, (f) the Access, including the extension complies with all other applicable sections of this by-law. 	<p>Subsection (1) – carried over from Section 26 of the Private Approach By-law.</p> <p>Subsection (2) – <i>New</i> These provisions have been proposed to provide the ability to install an extension next to a vehicular access. In relation to the private property and the new Zoning By-law, this is a walkway installed next to a driveway. In the right of way this is considered an extension of the vehicular access instead of a standalone pedestrian access. These provisions outline what is allowable without the need for a permit, which is further described in the staff report.</p>

Section 17 – Access for parking lots

Provisions	Notes
<p>(1) Notwithstanding Section 14 an Access used to permit the passage of vehicles to a Parking Lot shall comply with the following provisions:</p> <ul style="list-style-type: none"> (a) No Access intended for two-way vehicular traffic shall: <ul style="list-style-type: none"> (i) exceed 9 metres in width measured at the Highway Line; and (ii) exceed 19 metres in width measured at the curb line or Roadway edge. 	<p>Section 17 – carried over from Section 25 clauses (c), (d) and (e) of the Private Approach By-law. New maximum widths are proposed for the curb or roadway edge to account for the potential need for a curb radius. The new measurement accounts for 5 metres on each side of the access which is</p>

Provisions	Notes
<p>(b) No Access intended for one-way vehicular traffic shall:</p> <ul style="list-style-type: none"> (i) exceed 7.5 metres in width measured at the Highway Line; and (ii) exceed 17.5 metres in width measured at the curb line or Roadway edge. <p>(c) Despite the provisions of subclauses (a)(i) and (b)(i) hereof, Accesses in excess of the established maximum width at the Highway Line may be permitted for off-street bus loading areas and transport loading areas.</p>	<p>based on the recommended residential-local to residential-local radius in the Traffic Calming Design Guide. This curb radius would accommodate a fire truck.</p>

Section 18 – Residential pedestrian access

Provisions	Notes
<p>(1) Despite subsection 20 (1), an Access for pedestrian use serving a residential unit and which is separate and distinct from an Access for the passage of vehicles is permitted without a Permit provided:</p> <ul style="list-style-type: none"> (a) the walkway adjoining the Access is not contrary to any City by-law; (b) the Access does not exceed 1.8 metres in width; (c) no part of the Access is located within: <ul style="list-style-type: none"> (i) the critical root zone of a Municipal Tree; (ii) 1.0 metre of above ground or grade level infrastructure owned by the City or by a person authorized to have infrastructure within the Highway; (iii) 0.6 metres of a fire hydrant; and (iv) 1.8 metres of a vehicular access; (d) there is no other pedestrian Access serving that residential unit on the same Frontage; (e) the Access does not cross a ditch; (f) there is no modification to the curb, Sidewalk, or any other In-Boulevard Active Transportation Facility; and (g) the Access terminates at the In-Boulevard Active Transportation Facility, curb or Roadway edge, whichever comes first. <p>(2) Further to subsection (1), where the Frontage is 12 metres or less and there is an existing vehicular Access on the Frontage, the addition of a pedestrian Access is not permitted.</p>	<p>Section 18 – New Provisions are being proposed to allow private properties associated with a residential use to install a walkway that continues into the right of way, ending at either an active transportation facility or roadway. These provisions outline what is allowable without the need for a permit, which is further described in the staff report.</p> <p>Clause (b) - The 1.8m width that establishes the maximum dimension is based on the City's Accessibility Design Standard for an accessible path of travel and accounts for standards related to an access aisle adjacent to a parking space.</p> <p>Subsection (2) – On more narrow lots, when there is a driveway present, the addition of a separate walkway is not permitted to ensure there is contiguous land in the right of way to plant a tree. If there is available frontage, an extension of the vehicular access may be allowed.</p>

Section 19 – Temporary access

Provisions	Notes
<p>(1) When a temporary Access requires the hooding or removal of parking meters, the Permit holder shall be responsible for the costs of the hooding charges for meters not in use and all municipal costs including lost parking meter revenues associated with the temporary Access.</p> <p>(2) When a temporary Access requires the erection, removal or relocation of any traffic control device including, but not limited to, traffic signals and traffic signs, the Permit holder shall be responsible for the cost of all work involved to the City's satisfaction.</p> <p>(3) A temporary Access must be removed, and the Highway reinstated with the same type of material to the satisfaction of the General Manager by the Permit expiry date.</p>	<p>Section 19 – carried over from Section 30 of the Private Approach By-law. Subsection 30 (1) is carried over into the Access Permit section.</p>

Section 20 to 26 – Access Permit

Provisions	Notes
<p>Section 20</p> <p>(1) No person shall construct, reconstruct, relocate, alter, close or remove, or authorize the construction, reconstruction, relocation, alteration, closure or removal of, an Access without first obtaining a Permit from the General Manager in accordance with the provisions of this by-law.</p> <p>(2) Further to subsection (1), the City reserves the right to issue a single Permit or multiple Permits depending on the nature of the works.</p> <p>(3) Notwithstanding subsection (1), a Permit is not required for:</p> <ul style="list-style-type: none"> (a) the resurfacing of an Access, provided there are no alterations to the location or dimensions of the Access or the site grading; (b) installation of a vehicular Access extension that conforms with Section 16 (3); and (c) installation of a pedestrian Access that conforms with Section 18. <p>(4) Despite subsection (1) and at the discretion of the General Manager, a Permit is not required for an Access approved through</p>	<p>Subsection 20 (1) – carried over from Section 3 of the Private Approach By-law. Updated to include reconstruction, which includes the reconstruction of an access with a culvert as described in the staff report. Reference to requirements contained within the Road Activity By-law have been removed throughout.</p> <p>Subsection 20 (2) – modified from Section 10 of the Private Approach By-law to not be tied to new construction as that would be in contradiction of subsection (4)</p> <p>Subsection 20 (3) – <i>New</i></p> <p>Subsection 20 (4) – carried over from Section 3 of the Private Approach By-law and</p>

Provisions	Notes
<p>the City's Site Plan Control Approval process, a plan of subdivision application or a building permit application.</p> <p>(5) Where no pipe storm sewer system is available, the General Manager may require the Owner add a Culvert as part of the Access.</p> <p>(6) Where the General Manager requires the Owner to include a Culvert as part of the Access:</p> <p>(a) The applicant shall pay a fee to size the culvert as indicated in Schedule "A" in addition to the access permit application fee.</p> <p>(b) The General Manager may waive the fee if the application is submitted with drawings prepared, stamped, signed and dated by a professional engineer, certified engineering technologist or landscape architect qualified in the Province of Ontario.</p>	<p>updated to introduce a permit exemption for accesses approved through the review of grading plans provided as part of a building permit application – typically for an infill development or extension of an existing building.</p> <p>Subsections 20 (5) and (6) – carried over from Section 3 of the Private Approach By-law and updated to include a provision that allows waiving the fee for culvert sizing when drawings stamped by a qualified professional are submitted.</p>
<p>Section 21</p> <p>An application for a Permit under this by-law shall be made by the Owner or representative of the Owner.</p>	<p>Section 21 – carried over from Section 4 of the Private Approach By-law</p>
<p>Section 22</p> <p>(1) When applying for a Permit, the applicant shall:</p> <p>(a) complete the prescribed application form;</p> <p>(b) furnish to the City such information as the General Manager may require;</p> <p>(c) submit a plan showing:</p> <p>(i) the location and dimensions of the Access for which the application is being made;</p> <p>(ii) the location and dimensions of any existing Access on the same Frontage;</p> <p>(iii) any adjoining property of the Owner such as the driveway and location of Parking Spaces;</p> <p>(iv) the location of any Municipal Tree within the adjacent Highway; and</p> <p>(v) if required by the General Manager, the applicant shall include an up-to-date legal survey plan of the Private Property;</p> <p>(d) state the size, material, type of construction, and grade of each existing and proposed Access and Culvert;</p>	<p>Section 22 – carried over from Section 6 of the Private Approach By-law and updated to provide further clarity on application requirements.</p>

Provisions	Notes
<ul style="list-style-type: none"> (e) provide the location of any controlled access designation which has been applied to the Frontage; (f) state the location of any 0.3 metre reserves which may exist between the Private Property for which the application is being made and the adjacent Highway; and, (g) pay a non-refundable permit application fee as outlined in Schedule "A". 	
<p>Section 23</p> <p>(1) No Permit shall be issued for an Access where, in the opinion of the General Manager:</p> <ul style="list-style-type: none"> (a) the existence or location of the Access would result in the contravention of a City by-law; (b) without limiting the generality of clause (1)(a), would result in the use of Private Property in contravention of the Zoning by-law; (c) the construction, removal, relocation or modification of the Access necessitates work in the critical root zone, or the removal, of a Municipal Tree except where approval has been provided pursuant to By-law No. 2020-340 being the Tree Protection By-law, as amended; or (d) there are reasons not to issue the Permit taking into account such considerations as the General Manager considers appropriate, acting reasonably. 	<p>Section 23 – carried over from Section 5 of the Private Approach By-law and updated to provide further clarity. Language that tied issuance of a permit to the presence of a parking space was removed as this was found to be limiting and did not account for all permit scenarios. The new language ties permit issuance to land use conforming to the zoning.</p>
<p>Section 24</p> <ul style="list-style-type: none"> (1) If the General Manager is satisfied that an application for an Access complies with the provisions of this by-law, approval will be granted in writing in the form of a Permit by the General Manager. (2) The General Manager may approve a Permit request with such terms and conditions as the General Manager deems necessary to ensure compliance with this by-law. (3) When imposing conditions on the granting of a Permit, the General Manager shall consider any factors deemed relevant in the circumstances, including but not limited to the effect of the proposed Access on the movement and safety of vehicles and pedestrians, possible future uses of the adjacent Highway. (4) The permit holder shall comply with and ensure that anyone doing work on their behalf complies with all provisions of this and any other applicable by-law, as well as the terms and conditions of the Permit. (5) The General Manager may alter or revoke the terms and conditions of a Permit after it has been issued or impose new terms and conditions in a Permit. (6) The General Manager may suspend or revoke a Permit where there are reasonable grounds to believe: 	<p>Section 24 – carried over from Section 7 of the Private Approach By-law as well as Sections 27, 28 and 30 which reference permit issuance or conditions.</p>

Provisions	Notes
<p>(a) the work poses a danger to the health and safety of any person;</p> <p>(b) the work poses a danger to City or private property;</p> <p>(c) the Permit was issued in error;</p> <p>(d) the Permit was issued on false, misleading, mistaken or incorrect information; or</p> <p>(e) the permit holder, or anyone working on behalf of the permit holder, has failed to comply with a condition of the Permit, or with this or any other applicable by-law.</p> <p>Section 25</p> <p>(1) A Permit shall become void if the work authorized in the Permit is not completed within twelve (12) months of the date of issue of the Permit or within such other longer or shorter period of time as may be specified by the General Manager.</p> <p>Section 26</p> <p>(1) The Owner shall, along all Frontages of the property for which an Access has been approved, remove any Access, Culvert, or ancillary installation that, in the opinion of the General Manager, becomes redundant and shall also remove any Access which contravenes this by-law by reason of the construction, relocation or alteration of any or all Accesses as proposed.</p> <p>(2) The removal as prescribed in subsection (1) shall be carried out by the Owner at the same time as the construction of the Access as set out in the application for which the Access was approved.</p>	<p>Section 25 – carried over from Section 9 of the Private Approach By-law</p> <p>Section 26 – carried over from Sections 12 and 13 of the Private Approach By-law</p>

Section 27 – Indemnification and release

Provisions	Notes
<p>(1) Any person who constructs, maintains or otherwise uses an Access pursuant to the provisions of this by-law, shall, at all times, indemnify and save harmless the City of Ottawa from any and all claims, demands, causes of action, loss, costs or damages that the City of Ottawa may suffer, incur or be liable for resulting from the person's installation, maintenance or use of an Access, whether with or without negligence on the part of that person.</p> <p>(2) No person who constructs, maintains or otherwise uses an Access pursuant to this by-law, shall have any claim for loss, costs, or damages caused or sustained howsoever against the City, its employees, agents or any person acting on its behalf, by reason of damage or removal of the Access except where such damage or removal is as a result of negligence on the part of the City, its employees, agents or any person acting on its behalf.</p> <p>(3) In addition to the above, if required by the General Manager, the Owner of property served by an Access and, where an Access is constructed on a Property Line between two or more properties and which provides vehicular access to all such properties, the Owners</p>	<p>Section 27 – New These provisions are included to provide clarity regarding owner liability and are aligned with other by-laws that allow abutting private property owners to place installations in the municipal right of way.</p>

Provisions	Notes
<p>of those multiple properties, shall enter into a Maintenance and Liability Agreement in relation to that Access in a form satisfactory to the General Manager.</p> <p>(4) These provisions apply to an Access in existence as of [date of enactment] unless that Access is otherwise the subject of a Maintenance and Liability Agreement in effect with the City.</p>	

Sections 28 to 33 – Enforcement

Provisions	Notes
<p>Section 28 – Inspection</p> <p>(1) Where the General Manager carries out an inspection to ascertain whether the provisions of this by-law are complied with and to enforce and carry out into effect the provisions of this by-law, the General Manager may:</p> <ul style="list-style-type: none"> (a) require the production for inspection of documents or items that may be relevant to the inspection; (b) inspect and remove documents or items relevant to the inspection for the purposes of making copies or extracts; (c) require information from any person concerning a matter related to the inspection; and (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests or photographs necessary for the purposes of the inspection. <p>(2) A receipt shall be provided for any document or item removed under subsection (1) hereof and the document or item shall be promptly returned after the copies or extracts are made.</p> <p>(3) Copies of or extracts from documents and items removed under subsection (1) hereof and certified as being true copies of or extracts from the originals by the Person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.</p> <p>Section 29 – Order to discontinue activity (Stop Work Order)</p> <p>(1) If the General Manager is satisfied that a contravention of this by-law, or a Permit issued under this by-law has occurred, the City may make an order requiring the person who contravened this by-law or a Permit issued under this by-law, or who caused or permitted the contravention, to discontinue the contravening activity.</p> <p>(2) The order shall set out reasonable particulars of the contravention adequate to identify the contravention and the location at which the contravention occurred and the date by which there must be compliance with the order.</p> <p>(3) An order under this section may be verbal and shall be confirmed in writing in accordance with Section 31.</p>	<p>Sections 28 to 33 – carried over from Sections 31 to 37 of the Private Approach By-law.</p>

Provisions	Notes
<p>(4) Any person who contravenes an order under this section is guilty of an offence.</p> <p>Section 30 – Corrective Work Order</p> <p>(1) If the General Manager is satisfied that a contravention of this by-law, or a Permit issued under this by-law has occurred, the City may make an order requiring the person who contravened this by-law or a Permit issued under this by-law, or who caused or permitted the contravention to do work to correct the contravention to the satisfaction of the General Manager.</p> <p>(2) The order shall set out reasonable particulars of the contravention adequate to identify the contravention and its location, the work to be done, and the date by which the work must be done.</p> <p>(3) An order under this section may be verbal and shall be confirmed in writing in accordance with Section 31.</p> <p>(4) Any person who contravenes an order under this section is guilty of an offence.</p> <p>Section 31 – Service of orders</p> <p>(1) Orders issued under Sections 29 and 30 may be served:</p> <ul style="list-style-type: none"> (a) personally on the person to whom it is directed; (b) to an email address of the Owner or provided on an Access Permit application form; (c) by registered mail to the last known address of the Owner or Permit holder or the person; or (d) posted on the property where the contravention occurred. <p>(2) Where an order under this by-law is served personally or by email by the City, it shall be deemed to have been served on the date of delivery to the person or persons named.</p> <p>(3) Where an order issued under this by-law is sent by registered mail, it shall be deemed to have been served on the next business day following the date of mailing.</p> <p>(4) Where an order issued under this by-law is served by posting it on the property, it shall be deemed to have been served on the person to whom the order is directed on the date it is posted.</p> <p>Section 32 – Obstruction</p> <p>No person shall hinder or obstruct or attempt to hinder or obstruct the General Manager in the discharge of duties under this by-law.</p> <p>Section 33 – Default and remedial action</p> <ul style="list-style-type: none"> 1) Where an order has been sent by the City pursuant to Section 31 and the requirements of the order have not been complied with, the General Manager may cause the work to be done and the total cost of the work shall be at the expense of the Owner or permit holder. 2) Notwithstanding subsection (1), the General Manager may cause the remedial work to be done in the event of an 	

Provisions	Notes
<p>emergency and the total cost of the work shall be at the expense of the Owner or permit holder in accordance with this section.</p> <p>3) The total cost of such work shall include an administration fee in the amount of 15% of the cost of the work.</p> <p>4) The cost of the work to be done pursuant to subsection (1) and all costs related to the administration, enforcement and the establishment, acquisition and replacement of capital assets related to this by-law, may be recovered from the Owner or permit holder by adding the costs to the tax roll and collecting them in the same manner as property taxes.</p> <p>5) The cost includes interest calculated at a rate of 16.08% (1.25% per month). Interest accrues daily from the due date on each invoice until the account is paid in full.</p> <p>6) For the purposes of subsection (4) the amount of the cost, including interest and applicable fees, constitutes a lien on the property upon the registration in the proper land registry office of a notice of lien, in respect of all costs that are payable at the time the notice is registered plus interest accrued and applicable fees, at the rate established under subsection (5) to the date the full payment is made.</p> <p>7) Upon receiving payment of all costs payable plus interest accrued and applicable fees, to the date of payment, the City shall register a discharge of the lien in the proper land registry office at the expense of the Owner or permit holder.</p>	

Sections 34 and 35 – Offence

Provisions	Notes
<p>Section 34</p> <p>Every person who contravenes any of the provisions of this by-law is guilty of an offence.</p> <p>Section 35</p> <p>Every person who is convicted of an offence is liable to a fine of not more than \$5,000.00 as provided for in the Provincial Offences Act, R.S.O. 1990, Chap. P.33, as amended.</p> <p>When a person has been convicted of an offence under this by law,</p> <p>(a) the Ontario Court of Justice of the City of Ottawa, or</p> <p>(b) any court of competent jurisdiction thereafter,</p> <p>may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.</p>	<p>Sections 34 and 35 – carried over from Section 37 of the Private Approach By-law.</p>

Sections 36 and 37 – Repeal

Provisions	Notes
<p>Section 36 – Former by-law repealed</p> <p>By-law No. 2003-447, entitled “A by-law of the City of Ottawa to regulate the use of private approaches”, as amended, is repealed.</p> <p>Section 37 – Transition</p> <p>The repeal of the by-law pursuant to Section 36 shall not affect any offence committed against the provisions of the said by-law or any penalty incurred in respect thereof or any investigative proceedings or prosecutions thereunder.</p>	

Section 38 – Short title

Provisions	Notes
<p>This by-law may be cited as the “Access By-law”.</p>	

Schedule "A"

Fees

1.	Access Permit fees	
	(a) Standard	\$208
	(b) Parking lot	\$361
	(c) Temporary access	\$208
	(d) Access removal	\$208
2.	Culvert approval fee	\$121