SUBJECT: Petition from Residents of Arcade Crescent respecting a Second Driveway for 95 Arcade Crescent (PED08098) (Ward 8) – Referred from Council on November 14, 2007

RECOMMENDATION:

(a) That no action be taken regarding the petition by residents of Arcade Crescent to revoke the approval for a second driveway access to 95 Arcade Crescent.

(b) That the second driveway for 95 Arcade Crescent item, referred from Council on November 14, 2007, be identified as completed and removed from the Economic Development and Planning Committee’s Outstanding Business List.

EXECUTIVE SUMMARY:

The purpose of this report is to provide information relating to the application and approval of a second driveway access to the residential property at 95 Arcade Crescent and an analysis regarding the comments attached to the petition by the residents of Arcade Crescent who are opposed to the approved second driveway.
BACKGROUND:

On May 11, 2007, the Hamilton Municipal Parking System received an application and payment of $66.00 from the owner of 95 Arcade Crescent requesting the approval of a second driveway to the noted property. Staff reviewed the application and subsequently approved the driveway access on May 15, 2007, on the basis that all standard conditions and requirements were met. A cost estimate to construct the driveway approach was provided by the Public Works Department, Operations and Maintenance Section, on May 16, 2007 in the amount of $342.97. At this point, the charges for constructing the driveway approach have not been paid and it has not been installed.

As part of the investigation into an application for a residential driveway access, staff considers several matters, such as:

1. Will the driveway result in the vehicle being parked entirely on the homeowner's property?
2. Will the driveway result in any damage to existing trees on the City road allowance? This determination is made by staff within the Forestry Section of the Public Works Department.
3. Will the parked vehicle be located within three (3) feet of a fire hydrant?
4. Will the driveway result in a reduction of “green space” on the homeowner's property that falls below 50% of the front lawn being landscaped as per the City of Hamilton Zoning By-law?

In the case of 95 Arcade Crescent, staff were of the opinion that all these conditions were met, no other issues were identified and the driveway access approval was issued to the homeowner.

Subsequently, the Hamilton Municipal Parking System received a copy of the petition directly through the mail as well as from Councillor Whitehead’s office. The signatures contained therein represent seven (7) residential properties on Arcade Crescent, expressing concerns relating to increased costs to Public Works for snow removal, increased storm water runoff, tree damage caused by construction and traffic and safety issues.

ANALYSIS/RATIONALE:

There are many property owners within the City of Hamilton that do not have driveways or who do alterations to their property that require new or revised driveway access. In 2007 staff investigated approximately eighty-eight (88) applications. The factors reviewed are intended to address environmental concerns (trees, landscaping), safety (fire hydrants) and to ensure that the City road allowance is not being used for the parking space, which would require a further review to determine if a Residential Boulevard Parking Agreement (Front Yard Parking) is necessary. Prior to a driveway
access being approved, staff undertakes a review of the application to ensure that the noted issues are not in conflict with current procedures. Once staff has confirmed that all the conditions are met, the driveway access is approved.

Regarding the specific concerns in the petition;

1. Tree damage – Forestry staff, as part of the standard approval process, investigated the trees in the vicinity of the proposed driveway and concluded that there will be no impact on any City trees.

2. Snow removal costs – Operations and Maintenance staff advise that there will be no impact on their operations.

3. Storm water runoff – Public Works staff have no concerns regarding runoff.

4. Traffic and Safety Issues – Traffic Engineering and Operations staff advise that no parking will be lost as a result of constructing this driveway due to the fact that parking is currently prohibited in the entire bulb area. They also state there have not been any collisions on this section of Arcade in the past fifteen (15) years, and traffic volumes are very low, so traffic safety will not be impacted. They have stated that they have no concerns whatsoever with the addition of this driveway.

**ALTERNATIVES FOR CONSIDERATION:**

Rescinding approval given to the owner of 95 Arcade Crescent for a second driveway access would require refunding the application fee. The owner of 95 Arcade Crescent would have to continue parking additional vehicles on the street.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**POLICIES AFFECTING PROPOSAL:**

The application for a second driveway access to 95 Arcade Crescent met all of the City’s long-standing conditions/requirements applying to all access applications throughout the City.

**RELEVANT CONSULTATION:**

Consultation took place with staff from the Traffic Engineering and Operations, Road Operations and Maintenance and Forestry Sections of Public Works.
CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. □ Yes ☑ No

Environmental Well-Being is enhanced. □ Yes ☑ No

Economic Well-Being is enhanced. □ Yes ☑ No

Does the option you are recommending create value across all three bottom lines? □ Yes ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? □ Yes ☑ No

TA:kag