

being a by-law to provide for the numbering of buildings and vacant lots in the City of Oshawa.

RECITALS

Section 210(112) of the *Municipal Act* provides that Councils of Municipalities may pass by-laws for regulating the numbering of buildings and lots along any highway, beach, park, reserve or any other property in the municipality that it is considered necessary to number by Council, and for affixing numbers to the buildings and for charging the owner or occupant with the expense incident to the numbering of the lot or property.

The Council of the Corporation of the City of Oshawa enacts as follows:

1.0 DEFINITIONS

“BUILDING” means a structure occupying an area greater than 10 square metres consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto.

“COUNCIL” means the Council of the Corporation of the City of Oshawa.

“CITY” means the Corporation of the City of Oshawa.

“FIRE CHIEF” means the person appointed by Oshawa City Council as Fire Chief, or his or her designate.

“GRADE” means:

- (a) when used with reference to a street, the elevation of the centre line of the street abutting the Lot in question, as established by the City for the top of the permanent surface constructed or to be constructed on such street;
- (b) when used with reference to a structure, the average elevation of the finished surface of the ground where it meets the structure, exclusive of any artificial embankment;
- (c) when used with reference to a Building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such Building, exclusive of any artificial embankment. (The “front of such Building” means the main wall of the Building facing the front lot line.)

“HIGHWAY” means any common or public highway in the Corporation of the City of Oshawa and includes a street and a bridge forming any part of any highway or on, over or across which a highway passes and “Street” has a corresponding meaning.

“INDUSTRIAL OR COMMERCIAL UNITS” means any business which is used or is intended to be used for industrial or commercial purposes.

“LOT” means a parcel of land, which is:

- (a) shown as a lot or block on a registered plan of subdivision; or
- (b) described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham.

“MAIN” means, when used to describe a use, the principal use carried out on the Lot and, when used to describe a Building or structure, means the Building or structure in which is conducted the principal use carried out on the Lot.

“NUMBER” means the address assigned by the Registrar or the unit number assigned by the Fire Chief.

“OWNER” includes:

- (a) the Person for the time being managing or receiving the rent of the property, whether on the Person’s own account or as agent or trustee for another; and
- (b) a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property.

“REFLECTIVE SIGN” means a sign depicting the official number of a Building or Vacant Lot, in accordance with the specifications and requirements of this By-law.

“REGISTRAR” means the Director of Building Services of the Corporation of the City of Oshawa and includes his or her designate.

“TRAVELLED PORTION OF THE HIGHWAY” means the area intended for use by vehicular traffic, excluding access points to property, and is the area surfaced with asphalt, gravel, or concrete measured between the lateral edges.

“VACANT LOT” means a Lot without any Buildings located thereon.

2.0 SCOPE

This By-law applies to all property in the City of Oshawa unless otherwise indicated herein.

3.0 APPOINTMENT OF REGISTRAR

The Director of Building Services is appointed as Registrar for the purpose of administration and enforcement of this By-law.

4.0 APPOINTMENT OF INSPECTORS

4.1 The following persons and classes of persons employed by the City are appointed as inspectors for the purposes of this By-law:

- (i) Chief Building Official;
- (ii) Inspectors pursuant to Part VI of the *Fire Protection & Prevention Act*, S.O. 1997, c. 4, as amended, including without limitation the Fire Chief;
- (iii) Building Inspectors;
- (iv) Zoning Inspectors; and
- (v) Property Standards Officers.

5.0 ADMINISTRATION

5.1 The Registrar shall assign a number to every Building and Vacant Lot abutting or fronting on any Highway within the City or accessed by a road not maintained by the City, as set out in Schedule “A” attached hereto except as exempted by subsection 5.2 of this By-law.

5.2 The following land uses are exempt from the provisions of this By-law:

- All lands owned, leased or managed by the City of Oshawa or Central Lake Ontario Conservation Authority which are zoned OSH and which are Creek Valley Lands;
- Lands owned by Canadian National Railway or St. Lawrence and Hudson Railway and constituting a rail corridor or spur line;
- Trans Canada Gas and Oil Pipelines;
- Bell Canada Communications Corridor;
- Hydro One/Oshawa PUC Networks Electric Transmission Corridors;
- Bicycle pathways owned or maintained by the City Oshawa, and
- The Second Marsh.

Notwithstanding the above, any exempted lands with Buildings shall be numbered.

5.3 The Registrar shall make and keep an official record of municipal numbers of all Buildings and Vacant Lots abutting or fronting on any Highway within the City or accessed by a road not maintained by the City.

- 5.4 The numbers of all Buildings and Vacant Lots as set out in the official record of municipal numbers shall be the official numbers of those Buildings and Vacant Lots.
- 5.5 Whenever it becomes necessary in the opinion of the Registrar to have the numbers changed on any Highway or portion of Highway, the Registrar shall thereafter re-number the Buildings and Vacant Lots along the said Highway or portion of Highway and shall cause the owners of Buildings and Vacant Lots on the said Highway or portion of Highway to be notified and directed to remove the previous numbers or Reflective Signs, as applicable, and affix new numbers to the Buildings or erect new Reflective Signs on the Lots, as applicable, within thirty (30) days of receipt of the notice.

6.0 REGULATIONS

- 6.1 Every owner or occupant of any Building or Vacant Lot in the City of Oshawa that fronts on any Highway or is accessed by a road not maintained by the City shall have affixed or inscribed on the front of such Building, or on a Reflective Sign, whichever is required by this By-law, the official number assigned by the Registrar to that Building or Vacant Lot, in the manner set forth in Schedule B and shall maintain the official number or reflective sign, as the case may be, in good condition and in accordance with the requirements of this By-law.
- 6.2 Every owner or occupant of any multi-unit commercial, industrial or residential Building shall have affixed or inscribed on the front of the main door of each unit in that Building a number or letter which is different from that affixed or inscribed on the front of the doors of all other units in that same Building.

7.0 INSPECTIONS

- 7.1 Inspections of Buildings and Vacant Lots may be conducted by an Inspector to determine whether a Building or Vacant Lot complies with this By-law. Where a Building or Vacant Lot does not comply with this By-law, an Inspector shall cause a Notice to be issued detailing the offence, the terms of compliance, and the date by which the infraction must be corrected.

8.0 NOTICE

- 8.1 Any notice to be provided pursuant to this By-law shall either be hand delivered or sent by regular mail. Where it is mailed the notice shall be deemed to have been received by the addressee on the fifth business day after mailing. Where it is personally delivered the notice shall be deemed to have been received by the addressee when handed to a person who appears to be eighteen years of age or older and who appears to be in care and control of the property to which it is delivered.

9.0 COMPLIANCE

- 9.1 Every owner, upon being notified of the requirements of this By-law, shall comply within thirty (30) days after receipt of a notice by placing the official number on the main Building or on the Reflective Sign (as the case may be) in accordance with the requirements of this By-law or the unit number on the doors of each dwelling in a multi-unit commercial, industrial or residential Building.

10.0 PENALTY

- 10.1 Every person who contravenes this By-law is guilty of an offence, and upon conviction is liable to a fine or penalty for each offence, as prescribed by the *Provincial Offences Act*.

11.0 NUMBERING OF PROPERTY BY THE CITY

- 11.1 Notwithstanding Section 10, and in addition to all other remedies that the City may have, if an owner or occupant is in default of doing any matter or thing as directed or required to be done under this By-law, then:

- (a) That matter or thing may be done at the owner's expense by or under the direction of the Registrar, and for this purpose the City shall have the right, at reasonable times, to enter in and upon the owner's property;
- (b) Any amounts payable under this By-law shall be added by the Municipal Clerk to the tax roll for any real property in the City where all of the Owner(s) of that same property are responsible for paying the amounts and the City may collect the amounts in like manner as municipal real property taxes and the amounts shall have priority lien status;
- (c) Amounts charged under this By-law are due and payable on the day immediately following the day the amount is imposed or charged and shall accrue interest at the rate of 1.25 per cent on the first day of default and on the first day of each calendar month thereafter in which default continues until paid; and
- (d) The City shall not be liable to compensate the owner or any other person having an interest in the property by reason of anything done by or on behalf of the City under the provisions of this By-law.

12.0 SEVERABILITY

12.1 If any provision or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

13.0 HEADINGS

13.1 The headings of sections, paragraphs, clauses and/or sentences in this By-law are inserted for ease of reference only and do not affect the interpretation of this By-law.

14.0 NUMBER/GENDER

14.1 All words and personal pronouns relating to words contained in this By-law shall be read and constructed with the number and gender of the person referred to in each case.

15.0 MEASUREMENTS

15.1 Where this By-law provides metric and imperial units of measure, the metric unit of measure shall prevail. For convenience only, approximate imperial measurements have been provided in parentheses but are of no force or effect. The abbreviation "mm" stands for millimetres, "m" stands for metres, and "m²" stands for square metres.

16.0 LEGISLATION

16.1 References in this By-law to legislation, including regulations and municipal by-laws, shall be deemed to include such legislation as amended, including successor legislation.

17.0 SHORT TITLE

17.1 This By-law may be referred to as the Building and Vacant Lot Numbering By-law.

18.0 EFFECTIVE DATE

18.1 This By-law shall come into force on the date of passage by Council.

19.0 By-laws 103-82 and 131-87 are hereby repealed. (79-2002)

20.0 Schedules 'A' and 'B' to this By-law shall form a part of this By-law. (79-2002)

By-law read a first, second and third time and finally passed this twenty-second day of July, 2002.

SCHEDULE "A" TO BY-LAW 74-2002

1.0 BUILDING AND VACANT LOT NUMBER COORDINATES

- 1.1 Building and Vacant Lot numbers shall be assigned by the Registrar based upon such policies and procedures as adopted by the Department of Development Services from time to time.
- 1.2 Subject to 1.3 of Schedule "A", all Buildings shall be addressed on the Highway on which the main entrance fronts.
- 1.3 The Buildings or Vacant Lots fronting on roads not owned or maintained by the City shall be numbered as directed by the Fire Chief of the City of Oshawa.
- 1.4 Dwelling units in Buildings containing more than one (1) dwelling unit shall be numbered as directed by the Fire Chief of the City of Oshawa.
- 1.5 Industrial or commercial units in Buildings containing more than one (1) business or a combination of business tenancies and residential tenancies shall be numbered as directed by the Fire Chief of the City of Oshawa.
- 1.6 Buildings or Vacant Lots on properties not identified in subsections 1.4 and 1.5 of this schedule, containing more than one main building, such as but not limited to Durham College, Kingsway College, Camp Samac, Parkwood Estate and the Oshawa Municipal Airport shall be numbered as directed by the Fire Chief of the City of Oshawa.

SCHEDULE "B" TO BY-LAW 74-2002

BUILDING AND VACANT LOT NUMBERING REGULATIONS

1.0 GENERAL REGULATIONS

- 1.1 Subject to Subsection 1.5 of this Schedule, every official number shall be securely affixed, or inscribed on the wall of the main Building, which wall is closest to the Highway on which the main Building fronts, at a height between 2.0 metres (6.5 ft) and 2.5 metres (8.2 ft) above grade.
- 1.2 Every official number shall be expressed in legible arabic digits at least:
 - (a) one hundred (100) millimetres (4 in) high with at least a twelve (12) millimetre (1/2 in) wide stroke, subject to 1.2(b);
 - (b) at least two hundred (200) millimetres (8 in) high with at least a twenty (20) millimetre (3/4 in) wide stroke where the Building is setback from the travelled portion of the road between eighteen (18) metres (59 ft) and thirty (30) metres (98 ft).
- 1.3 The number on any Building shall be placed on a contrasting background and shall be clearly visible from the Highway on which the Building fronts at a point parallel to the front of the Building during daylight, and absent daylight when illuminated from the street.
- 1.4 Where no building is located on a lot for which an official number has been assigned, the owner shall erect and maintain a Reflective Sign depicting the official number of the Vacant Lot in accordance with the requirements of Section 4.0 of this Schedule.
- 1.5 Notwithstanding Subsection 1.1 of this Schedule, where the main Building on a Lot is situated more than thirty (30) metres (98 ft) from the Highway on which the Building fronts measured from the edge of the travelled portion of the Highway, or where the view of such Building is obscured from the said Highway either by grade or vegetation or any structure or feature, the official number shall be affixed to a Reflective Sign in accordance with the requirements of Section 4.0 of this Schedule.
- 1.6 No owner or occupant of any Building or Vacant Lot shall allow to be affixed thereto or to remain affixed thereto any number except the official number of such Building or Vacant Lot.
- 1.7 No person shall affix a number to any utility pole or to any City property.
- 1.8 Buildings under construction which have not been completed and are not occupied shall have the official number posted on a sign in front of the Building and the official number shall be clearly differentiated from references to Lot numbers.
- 1.9 Where multiple lots are accessed by a common driveway, except in the case of condominium apartments or townhouses, a Reflective Sign with all the official numbers and street names of every Building and Vacant Lot accessed by the common driveway shall be installed at the entrance to the driveway located at the Highway and in addition, official numbers shall also be affixed to every main Building accessed by the common driveway. Notwithstanding the standards set out in Section 4.0, the size of the Reflective Sign in such cases must be approved by the Registrar prior to installation.
- 1.10 Reflective Signs and official numbers affixed to Buildings shall be installed or affixed, as the case may be, only along the street on which the Vacant Lot or Building is addressed.
- 1.11 Where pylon signs or ground signs, as defined in City of Oshawa Sign By-law No. 72-96, as amended, are erected and used, the official numbers of the Buildings shall be clearly indicated on the sign by inserting a separate sign panel with the official number 300 mm (12 in) in height at the uppermost point of any signage within the sign.

2.0 RURAL AREA REQUIREMENTS

- 2.1 For the purposes of this By-law, Rural Area shall mean the geographic area located north of the centre-line of Conlin Road to the northern most limits of the geographic jurisdiction of the City.
- 2.2 Notwithstanding anything to the contrary in this By-law, but subject to Subsection 2.3 of this Schedule, every owner of a Vacant Lot or Building in the Rural Area, regardless of the distance between the main Building and the edge of the travelled portion of the highway on which it fronts, shall erect and maintain a Reflective Sign, showing the official number for that Vacant Lot or Building in accordance with the requirements of Section 4.0 of Schedule B.
- 2.3 Properties located in the Rural Area and within registered plans of subdivision shall be numbered in accordance with the provisions of Section 1.0 of this Schedule .

3.0 TRANSITION ZONE REQUIREMENTS

- 3.1 For the purposes of this By-law, Transition Zone shall mean the geographic area located north of the centre-line of Taunton Road and south of the centre-line of Conlin Road.
- 3.2 Notwithstanding anything to the contrary in this By-law, the requirements of Section 2.0 of this Schedule apply with such changes in context as are necessary to all Vacant Lots and Buildings located in the Transition Zone that are zoned UR or EU under City of Oshawa Zoning By-law No. 60-94, as amended.

4.0 REFLECTIVE SIGN REGULATIONS

- 4.1 Where a Reflective Sign is required by this By-law, it shall be erected and maintained in accordance with the following requirements:
 - (a) The Reflective Sign shall be supported by a post.
 - (b) The supporting post for the Reflective Sign shall be galvanized steel with a minimum cross sectional dimension of 25 mm x 25 mm (1" x 1").
 - (c) The distance between the post and the centre line of the principal access driveway shall not exceed 6.0 metres (20 ft).
 - (d) The Reflective Sign shall be at a right angle alignment to the Highway on which the Building or Vacant Lot fronts.
 - (e) The Reflective Sign shall be located on the property line where the Lot meets the Highway unless it's view will be obstructed, in which case the Reflective Sign shall be located on the road allowance and as close as possible to the Lot line.
 - (f) The Reflective Sign shall be posted on the same side of the Highway as the Building or Vacant Lot to which it pertains.
 - (g) The top of the Reflective Sign shall be at least 1.4 metres (4.5 ft) above the average grade of the Lot directly in front of the Reflective Sign.
 - (h) The Reflective Sign and Lot to which it pertains shall be maintained so that the Reflective Sign is clearly visible from the Highway on which the Lot fronts at all times.
 - (i) The Reflective Sign and its support post shall not be used for any other purpose than to support the Reflective Sign.
 - (j) Every owner or occupant of a Building or Vacant Lot that abuts or fronts on a Highway shall be responsible for the replacement or repair of the Reflective Sign.
 - (k) The Reflective Sign shall be a minimum of 125 mm (5 in) in height and a maximum of 300 mm (12 in) in width.
 - (l) The Reflective Sign shall be constructed of high intensity grade reflective sheeting and shall be a minimum of 3 mm (1/8 in) thickness.
 - (m) The Reflective Sign shall be of a reflective blue material. The official numbers for the Vacant Lot or Building shall be affixed to each side of the Reflective Sign. The numbers shall be a minimum of 100 mm (4 in) and a maximum of 150 mm (6 in) in height. The numbers shall be of a reflective white material and shall contrast with the plate so that the numbers are clearly visible from the abutting street.