



Town of Whitby

By-law # 7371-18

Property Numbering By-law

Being a By-law to provide for the numbering of lots and buildings within the Town of Whitby.

Whereas subsection 116(1) of the Municipal Act, 2001 provides that a municipality may establish, maintain and operate a centralized communication system for emergency response purposes;

And whereas subsection 116(2) of the Municipal Act, 2001 provides that a municipality that has passed a by-law under subsection 116(1) may at any reasonable time enter upon land to affix numbers to buildings or erect signs setting out numbers on land;

And whereas the Council of The Corporation of the Town of Whitby deems it necessary for the safety of its citizens to have all occupied buildings in the Town display an assigned municipal address number for prompt identification by emergency services personnel;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. Definitions

- 1.1. "building" means a structure which consists of a wall, roof and floor or any combination thereof;
- 1.2. "commercial, industrial, institutional or multi-residential building" means any building erected on lands identified for a commercial, industrial, institutional or multi-residential use in the Town's Zoning By-laws, as amended;
- 1.3. "condominium owner" means the condominium corporation responsible for managing the condominium;
- 1.4. "condominium townhome" means a townhome located within a condominium which is managed by a condominium corporation;
- 1.5. "Council" means the Council of The Corporation of The Town of Whitby;
- 1.6. "Fire Chief" means the Chief Fire Official appointed by the Council of the Town;
- 1.7. "internal private road" means the private thoroughfare for the passage of vehicles or pedestrians with reference to which the building is allotted a unit number;
- 1.8. "municipal address number" means the municipal address number assigned by the Town;

- 1.9. "Municipal Law Enforcement Officer" means a Municipal Law Enforcement Officer appointed by the Council of the Town;
- 1.10. "occupant" means a lessee or occupant of property and may include an owner;
- 1.11. "owner" includes the registered owner, condominium corporation, condominium owner, assessed owner, occupant, tenant, person for the time being managing or receiving the rent of the property whether on his own account or as an agent or trustee or on account of any other person;
- 1.12. "residential building" means a house, detached house, semi-detached house or townhouse, but does not include a condominium townhome or multi-unit residential buildings;
- 1.13. "Town of Whitby" means The Corporation of the Town of Whitby or the geographic limits of the Town of Whitby as the context requires;
- 1.14. "roadway" means the private or public thoroughfare for the passage of vehicle or pedestrians or pedestrians with reference to which the building is assigned a municipal address number;
- 1.15. "rural area" means the area of the Town of Whitby identified in Schedule B, attached to and forming part of this by-law;
- 1.16. "rural settlement area" means the area of the Town of Whitby identified in Schedule B, attached to and forming part of this by-law;
- 1.17. "unit number" means the allotted unit number for an individual townhome in a condominium townhome development or the allotted unit number of an individual unit in a commercial or industrial building; and
- 1.18. "urban area" means the area of the Town of Whitby identified in Schedule A and Schedule B, attached to and forming part of this by-law.

2. Interpretation

- 2.1. When reading and interpreting this by-law,
 - 2.1.1. unless otherwise specified, references in this by-law to parts, sections, subsections, clauses and schedules are references to parts, sections, subsections, clauses and schedules in this by-law;
 - 2.1.2. references in this by-law to any statute or statutory provision include references to that statute or statutory provision as it may from time to time be amended, extended or re-enacted;
 - 2.1.3. references in this by-law to items in the plural include the singular, and references to the singular include the plural, as applicable; and

- 2.1.4. the words “include”, “includes” or “including” are not to be read or interpreted as limiting the words, phrases or descriptions that precede them.
- 2.2. If a court of competent jurisdiction declares any section, or any part of any section of this by-law to be invalid, or to be of no force or effect, it is the intention of the Town that every other provision of this by-law be applied and enforced in accordance with its terms to the extent possible according to law.

3. Urban/Rural Settlement Standards: Residential Buildings

- 3.1. In the case of residential buildings located within the urban areas or rural settlement areas identified in Schedule A and Schedule B to this by-law, every owner or occupant shall install municipal address numbers on their property in a location that is clearly visible from the roadway providing primary access to the building, and:
 - 3.1.1. the municipal address numbers shall be a minimum size depending on the distance of the setback from the curb of the roadway, or if there is no curb, the edge of the portion of the roadway used for vehicular traffic in accordance with the table below:

Maximum Setback From Curb/Edge of Roadway	Minimum Address Number Size (height of individual numbers)
15 metres	10 centimetres
22.5 metres	15 centimetres
30 metres	20 centimetres
45 metres	30 centimetres
60 metres	40 centimetres

- 3.1.2. and the municipal address numbers shall be made from durable, waterproof material, and bear numbers and/or characters in contrasting colour to the background they are placed on.

4. Urban/Rural Settlement Standards: Commercial, Industrial, Institutional and Multi-Unit Residential Buildings

- 4.1. In the case of commercial, industrial, institutional or multi-unit residential buildings located within the urban areas or rural settlement areas identified in Schedule A and Schedule B to this by-law, every owner or occupant shall

install municipal address numbers on their property in a location that is clearly visible from the roadway providing primary access to the building, and:

- 4.1.1. the municipal address numbers shall be a minimum size depending on the distance of the setback of the numbers from the curb of the roadway, or if there is no curb, the edge of the portion of the roadway used for vehicular traffic in accordance with the table below:

Maximum Setback From Curb/Edge of Roadway	Minimum Address Number Size (height of individual numbers)
15 metres	20 centimetres
22.5 metres	30 centimetres
30 metres	40 centimetres
45 metres	60 centimetres
60 metres	80 centimetres

- 4.1.2. and the municipal address numbers shall be placed in proximity to a light fixture which provides illumination of the municipal address number at night; and

- 4.1.3. the municipal address numbers shall be made from durable, waterproof material, and bear numbers and/or characters in contrasting colour to the background they are placed on.

- 4.2. In cases where there are two or more commercial, industrial, institutional or multi-residential buildings on a property where one or more of the buildings cannot be seen from the roadway onto which the buildings have their main access, in addition to the requirements of Section 4.1. of this by-law, the owner or occupant shall affix, maintain or caused to be affixed or maintained the appropriate municipal address numbers on the front of the building that cannot be seen from the roadway and these municipal address numbers shall be a minimum size of 20 centimetres in height be made from durable, waterproof material, and bear numbers and/or characters in contrasting colour to the background it's placed on.

- 4.3. In cases where a commercial or industrial building is subdivided into individual units, in addition to the requirements of Section 4.1. of this by-law, the owner or occupant shall affix, maintain or caused to be maintained on the front of the individual units, the allotted unit number which shall be located so as to be clearly visible from the roadway or internal private road on which the unit has its access and shall be of a minimum size of 20 centimetres in height

and be made from durable, waterproof material, and bear numbers and/or characters in contrasting colour to the background it's placed on.

5. Urban/Rural Settlement Standards: Condominium Townhomes

5.1. In the case of condominium townhomes located within the urban areas or rural settlement areas identified in Schedule A or Schedule B to this by-law, every condominium owner shall install and maintain a permanent sign on their property which displays the municipal address numbers and the range of units in the complex at the point of access where the internal private road(s) intersects the roadway that provides primary access to the condominium townhomes in a location that is clearly visible from the roadway:

5.1.1. the municipal address numbers on the sign referenced in Section 5.1. of this by-law shall be a minimum size depending on the distance of the setback of the sign from the curb of the roadway, or if there is no curb, the edge of the portion of the roadway used for vehicular traffic in accordance with the table below:

Maximum Setback From Curb/Edge of Roadway	Minimum Address Number Size (height of individual numbers)
15 metres	20 centimetres
22.5 metres	30 centimetres
30 metres	40 centimetres
45 metres	60 centimetres
60 metres	80 centimetres

5.1.2. and the sign shall be made from durable, waterproof material, and bear numbers and/or characters in contrasting colour to the background they are placed on; and

5.2. In addition to the provisions of Section 5.1. of this by-law, in the case of condominium townhomes located within the urban areas or rural settlement areas identified in Schedule A or Schedule B to this by-law, every condominium owner shall affix, maintain or caused to be affixed and maintained on the front of the individual townhome units, the allotted unit number which shall be located so as to be clearly visible from the internal private road or roadway on which the unit has its access and shall be of a minimum size of 10 centimetres in height and be made from durable, waterproof material, and bear numbers and/or characters in contrasting colour to the background they are placed on;

6. Rural Standards – All Properties in Rural Area

- 6.1. In the case of properties located within the rural areas identified in Schedule A or Schedule B to this by-law, every owner or occupant shall install a municipal address number sign that complies with the design and location standards outlined in Schedule C to this by-law.

7. General Standards

- 7.1. When a building or property is under construction or development and the owner or occupant is not able to comply with the provisions of this by-law, then the owner or occupant shall display the municipal address number on a temporary sign which complies with the size requirements contained in Section 3.1., Section 4.1., Section 5.1. or Section 6.1. of this by-law depending on the type of building being constructed or the type of property being developed.
- 7.2. Where a building or property fronts onto two roadways, the municipal address number shall be affixed in a location that is clearly visible from the roadway to which the municipal address number applies.

8. Restrictions

- 8.1. The owner or occupant of a property shall affix, maintain or cause to be affixed and maintained the appropriate municipal address number for the property in a location which complies with the provisions of this by-law.
- 8.2. In the case of condominium townhomes or commercial or industrial buildings that have been subdivided into units, the owner or occupant of a property shall affix, maintain or cause to be affixed and maintained the allotted unit number for the unit in a location which complies with the provisions of this by-law.
- 8.3. The owner or occupant of a property shall remove or cause to be removed any inaccurate or non-complying municipal address numbers.
- 8.4. The owner or occupant of a property shall remove or cause to be removed any inaccurate or non-complying unit numbers.
- 8.5. No owner or occupant shall affix municipal address numbers for any property solely to a landscape feature, whether naturally or artificially placed, or any other decorative feature on the property that may be covered or obscured by weather, snowfall, or growth of vegetation.

9. General

- 9.1. The Town shall maintain a system for assigning municipal address numbers and shall assign municipal address numbers to buildings and lots within the Town of Whitby.

- 9.2. The municipal address numbers of all building and lots, as assigned by the Town shall be the official municipal address numbers of all buildings and lots within the Town of Whitby.
- 9.3. The expense related to affixing, maintaining or replacing municipal address numbers and/or unit numbers shall be the responsibility of the owner or occupant of the property.

10. Municipal Address Change Request

- 10.1. The owner of a property may provide a written request to the Town for a change to the municipal address number assigned to their property.
- 10.2. Approval for a change to a municipal address number may be provided by the Town if the following criteria are satisfied:
 - 10.2.1. the change is feasible and does not conflict with established municipal address numbering criteria;
 - 10.2.2. abutting property owners are not affected by the municipal address number change;
 - 10.2.3. the appropriate fee, as set out in the Planning and Development Department's Fees By-law, as amended from time to time, has been paid to the Town.
- 10.3. The Town may waive the fee to change a municipal address number where;
 - 10.3.1. an error or omission has been made by the Town when assigning municipal address numbers to a street; or
 - 10.3.2. the Fire Chief recommends a change where they believe the level of emergency service response to the property would be improved.

11. Schedule(s)

- 11.1. Schedule A – Map of Urban Area
- 11.2. Schedule B – Map of Rural/Rural Settlement Area
- 11.3. Schedule C – Design and Location Standard for Municipal Address Numbers in Rural Area

12. Enforcement and Penalties

- 12.1. This by-law may be enforced by the Fire Chief or their designate, Municipal Law Enforcement Officers, or other such persons designated by Council.
- 12.2. The Fire Chief or Assistant to the Fire Marshal and Municipal Law Enforcement Officers may enter on land at any reasonable time for the

purpose of carrying out an inspection to determine whether or not there is compliance with this by-law.

- 12.3. No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this by-law.
- 12.4. Where an owner or occupant has failed to install a municipal address number or unit number in accordance with the standards set out in this by-law, or where an owner or occupant has failed to repair or replace a municipal address number or unit number that has been damaged, removed, stolen, missing or incorrectly placed, the Town, its employees and/or agents may enter upon the property at any reasonable time to erect, repair or replace the municipal address number or unit number, and the expenses associated with this action, along with a twenty-five (25) percent administration fee may be recovered from the owner in the same manner as property taxes.
- 12.5. Every person who contravenes any provision of this by-law is guilty of an offence, and upon conviction is liable to a minimum fine of \$200 and a maximum fine of \$100,000 pursuant to the Municipal Act, 2001.

13. Short Title

- 13.1. This by-law may be referred to as the Property Numbering By-law.

14. Repeal of Existing By-law

- 14.1. By-law # 2263-87, being a by-law to provide for the numbering of buildings and lots in the Town of Whitby, is repealed.

15. Effective Date

- 15.1. This by-law shall come into force and effect on January 1, 2020.

By-law read and passed this 20th day of February, 2018.

Original Approved and Signed.

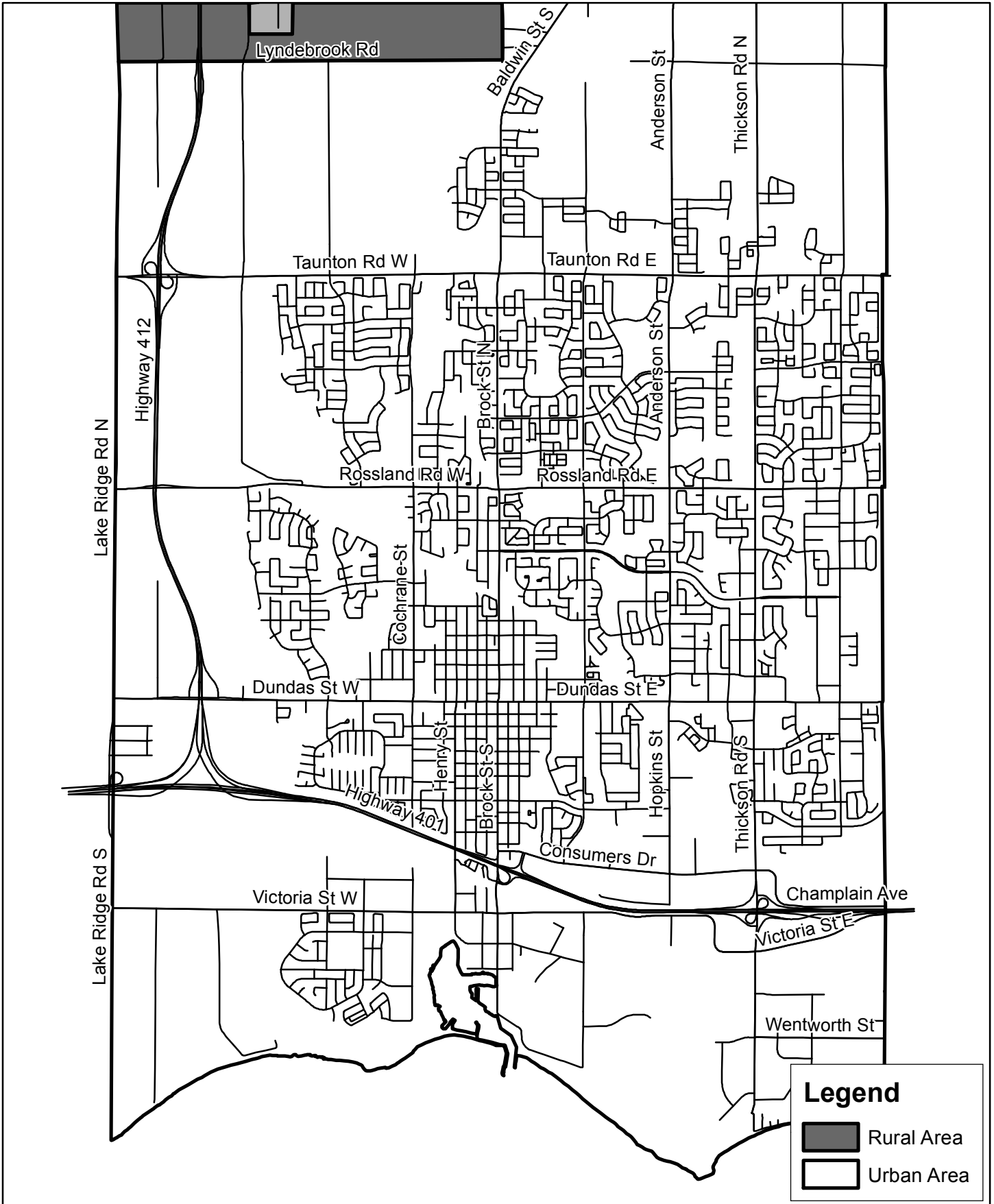
Don Mitchell, Mayor

Original Approved and Signed.

Christopher Harris, Town Clerk

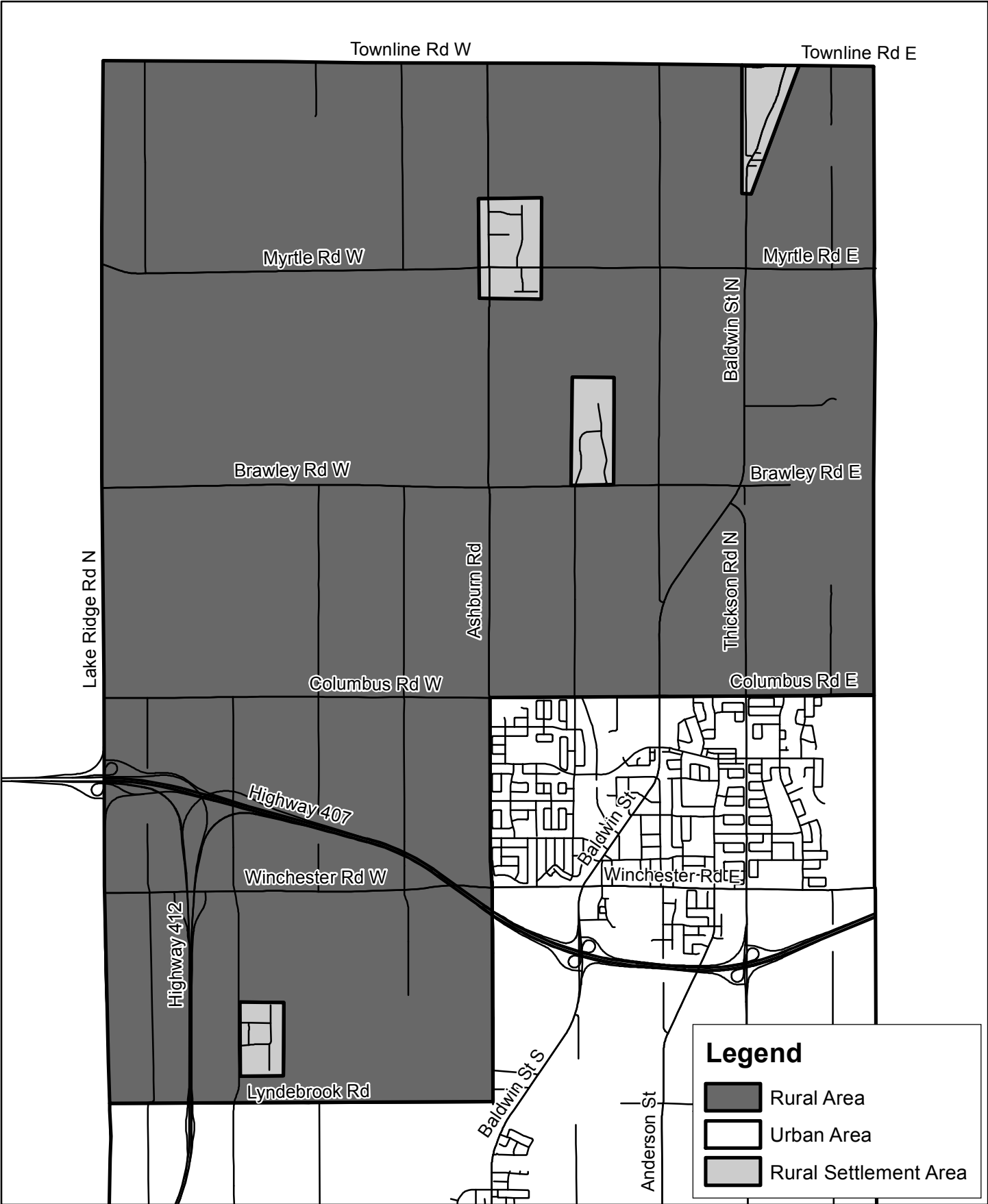
Schedule A - Urban Area

To By-law # 7371-18



Schedule B - Rural/Rural Settlement Area

To By-law # 7371-18



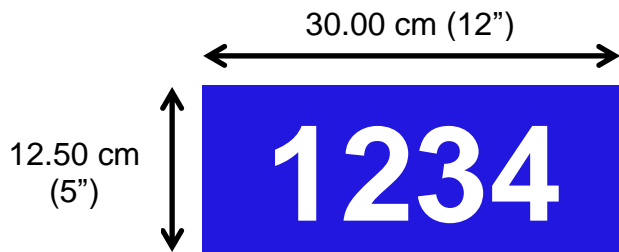
Schedule C

To Property Numbering By-law # 7371-18

Municipal address number signs in the rural area shall meet the following requirements:

Sign Specifications:

1. Flat aluminium or metal sign blank measuring 30.00 centimetres in length x 12.50 centimetres in height (12" in length x 5" in height).
2. White numbers measuring 10.00 centimetres in height (4" in height) on a blue background.
3. Numbers and background are to be made of engineering grade retro-reflective traffic sign sheeting.



Location Specifications:

Municipal address number signs in the rural area shall be attached to a post which is clearly visible from both sides of the roadway. The sign should be at least 1.5 metres above the ground and no further than 7.5 metres from the edge of the primary driveway or access lane to the property.

