



WEST HANTS REGIONAL MUNICIPALITY RECOMMENDATION REPORT

To: Mayor Zebian and Members of West Hants Regional
Municipality Council

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: November 24, 2020

Subject: File # 20-08C Civic Addressing By-law

Background

Staff recommended a Civic Addressing By-law for the Region to the Planning and Heritage Advisory Committee (PAC/HAC) on July 9, 2020.

Planning Advisory Committee Recommendation

PAC/HAC considered the proposed amendments on July 9, 2020 and requested that staff revise the proposal so that the road naming process for the former community of Windsor and the former community of West Hants be the same. The revised Civic Addressing By-law was considered by PAC/HAC on September 10, 2020 and PAC/HAC recommended in favour of the revised Civic Addressing By-law.

Possible Motion

Should Council wish to approve the recommended Civic Addressing By-law after completion of the public hearing, the following motion would be in order:

... that Council gives Second Reading to and approves the Civic Addressing By-law, RC-001, which is substantively the same as that included as Attachment A to the report entitled *Civic Addressing By-law* dated September 10, 2020.

Attachments

Attachment A Civic Addressing By-law Report September 10, 2020

Report Approved by:

Mark Phillips, Chief Administrative Officer



**WEST HANTS REGIONAL MUNICIPALITY
RECOMMENDATION REPORT**

To: Members of Planning Advisory Committee/Heritage Advisory Committee (PAC/HAC)

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: September 10, 2020

Subject: Civic Addressing By-law
File # 20-08A

1.0 LEGISLATIVE AUTHORITY

Municipal Government Act (MGA) s.313

2.0 RECOMMENDATION

If PAC/HAC wishes to forward a positive recommendation the following motion would be in order:

PAC/HAC recommends that Council give First Reading and proceed to a Public Hearing regarding the Civic Addressing By-law, RC-001, which is substantively the same as that included as Attachment C to the report entitled *Civic Addressing By-law* dated September 10, 2020.

3.0 BACKGROUND

A proposed Civic Addressing By-law was considered by PAC/HAC at the July 9, 2020 meeting. During discussion members agreed that it would be preferable to recommend one system for naming roads throughout the Region and asked staff to prepare a draft which reflects this proposed change in policy.

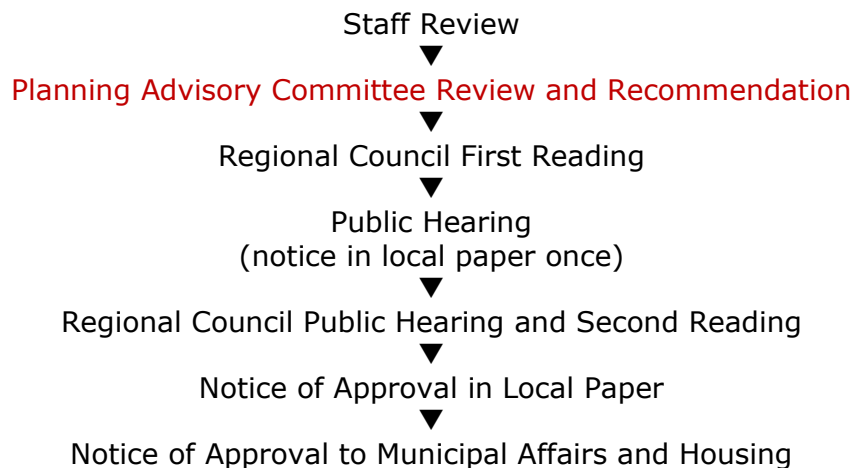
4.0 DISCUSSION

The road-naming process is the only area of real difference between the Windsor and West Hants Civic Addressing By-laws: applicants in the community of Windsor are restricted when choosing a name for a road. Names must be based on a list developed by the West Hants Historical Society and were approved by Windsor Council, or the applicant could request Council approve a specific name which the applicant then had researched by the West Hants Historical Society.

This is the difference PAC/HAC asked to have eliminated from a revised draft, and which is included in the revised draft (Attachment A).

5.0 NEXT STEPS

The following process is being used for adoption of the proposed by-law:



6.0 FINANCIAL IMPLICATIONS

There are no financial implications for the Region associated with replacing the existing By-laws with the proposed By-law.

7.0 ALTERNATIVES

Should PAC/HAC not wish to recommend this draft By-law to Council, PAC/HAC may:

- recommend further specific amendments to the proposed draft;
- recommend that a Civic Addressing By-law for the Region is not needed at this time; or
- provide alternative direction, such as requesting further information on a specific topic.

8.0 ATTACHMENTS

Attachment A Revised Proposed Civic Addressing By-law, RC-001



Report Prepared by:

Madelyn LeMay, Director, Planning and Development

Report Reviewed by: _____

Rhonda Brown, Municipal Clerk

*CIVIC ADDRESSING BY-LAW***ATTACHMENT A****1.0 TITLE**

- 1.1** This By-law is made pursuant to the Municipal Government Act, RSNs 1998, as amended from time-to-time and hereinafter referred to as the "Act" and shall be known and may be cited as the Civic Addressing By-law.

2.0 DEFINITIONS

In this By-law:

- (a) "building" means any structure used, or intended to be used, to support or shelter any use or occupancy, and includes an incomplete building once the footings have been constructed, but does not include a structure accessory to another structure on the same lot or a structure which, if it were now being built for the first time, would not require a Building Permit to authorize its construction;
- (b) "civic address" means the combination of an assigned civic number, the road name and the community;
- (c) "Civic Address File" means the database maintained by the Region containing geographically referenced civic address information including civic points, street network files, and community boundaries;
- (d) "Civic Addressing Coordinator" means the person who administers this By-law;
- (e) "civic number" means the number assigned to a lot or building by the Civic Addressing Coordinator in accordance with this By-law;
- (f) "community" means a geographic area contained within the Region of Windsor and West Hants;
- (h) "owner" has the same meaning as the owner of property in the Municipal Government Act or successor legislation from time to time;

CIVIC ADDRESSING BY-LAW

- (i) "private road" means any street, road, lane, bridge or other thoroughfare accessible to motor vehicles which is not a public road defined in clause 2.0 (k) and which serves as a principal vehicular access to three or more dwelling units;
- (j) "property" means a lot of land;
- (k) "public road" means a road or highway owned and maintained by the Region or the Province of Nova Scotia;
- (l) "Region" Region" or "Region of Windsor and West Hants Municipality" means the Municipality incorporated by the Region of Windsor and West Hants Act, SNS 2018, c.26 irrespective of whether it has had its name changed by virtue of Section 11 of that Act or otherwise ;
- (m) "road name" means the official name of a street, road, or highway as it appears in the Civic Address File.

3.0 DUTIES of CIVIC ADDRESSING COORDINATOR

The Civic Addressing Coordinator shall be responsible for:

- (a) assigning or re-assigning civic numbers to lots or buildings and the keeping of the Civic Address File;
- (b) reviewing and approving all proposed road names for new public and private roads created through the subdivision approval process;
- (c) reviewing and approving all proposed road names for existing unnamed roads; and
- (d) reviewing and recommending to Regional Council the acceptance or rejection of proposed road names submitted through the application process for changing an existing Provincial or Regional road name.

4.0 CIVIC NUMBERS**4.1 Existing Civic Numbers**

CIVIC ADDRESSING BY-LAW

A civic number that is recorded in the Civic Address File for a lot or building on the date of the first reading of this By-law is hereby assigned to that lot or building until such time as the Civic Addressing Coordinator, by written notice to an owner, directs otherwise.

4.2 Assignment of Civic Numbers

4.2.1 The Civic Addressing Coordinator may assign civic numbers to:

- (a) buildings that have permanent or temporary occupancy or use; and
- (b) vacant lots or developed sites and in the assignment of a number shall take into consideration the public use thereof which may require emergency services, such as parks, playgrounds and trails where public activity will occur.

4.2.2 The Civic Addressing Coordinator may assign more than one civic number to a lot or building.

4.2.3 The Civic Addressing Coordinator shall assign new civic numbers using a spatial formatting system which has all roads divided into intervals and numbers are assigned depending upon where the driveway intersects the road.

4.2.4 The Civic Addressing Coordinator may assign a new civic number with a spatial formatting system based on the surrounding civic numbers where an existing civic number prevents the use of the usual spatial formatting system.

4.2.5 The Civic Addressing Coordinator shall assign a new civic number where:

- (a) a building permit has been issued; or
- (b) there is no building permit issued, once a site inspection has been done by the Building Inspector or Civic Addressing Coordinator to confirm whether a civic number is required.

4.3 Deletion of Civic Numbers

CIVIC ADDRESSING BY-LAW

Deletion of civic numbers shall be at the discretion of the Civic Addressing Coordinator.

4.4 Refusal of Civic Number

The Civic Addressing Coordinator shall not issue a civic number if they are made aware of an outstanding order against the property under the National Building Code, Fire Safety Act, or the Municipal Government Act.

4.5 Change and Reassignment of Existing Civic Numbers

- (a) The Civic Addressing Coordinator may, by sixty (60) days written notice to an owner, change or reassign civic numbers where necessary to avoid potentially confusing numbering irregularities and to assure an adequate supply of civic numbers for existing and future development.
- (b) The Region shall not be liable for any costs or damages whatsoever that may be incurred by an owner related to the reassignment of a civic number.

5.0 POSTING of CIVIC NUMBERS**5.1 Civic Number Specifications**

The owner of a property for which a civic number is issued shall keep the assigned civic number posted on the lot or building in the following manner:

- (a) civic numbers shall be in Arabic numerals;
- (b) the numerals shall be right side up;
- (c) the colour of the numerals shall clearly contrast with the background upon which the numbers are displayed;
- (d) civic numbers shall either be composed of highly reflective material or be effectively illuminated during the hours of darkness;

CIVIC ADDRESSING BY-LAW

- (e) the bottom of the numbers shall be a minimum of 90 centimeters (36 inches) above grade;
- (f) the height of the numerals shall not be less than 65 millimeters (2.5 inches);
- (g) civic numbers shall be posted within 6 meters (20 feet) of the closest edge of the traveled portion of the public road or private road which forms part of the civic address for the lot or building;
- (h) the civic number shall be posted on the building or on a gatepost, signpost, or other structure on the lot on which the building is situated, excluding a utility pole for electrical, telephone, or other utility service;
- (i) civic numbers shall face towards the public road or private road upon which the lot or building is situated and which forms part of the civic address for the lot or building, except that double-sided signage may be used, in which event the civic number shall be on both sides of the sign and perpendicular to the public road or private road;
- (j) civic numbers shall be posted in a location which is not obstructed from view when viewed from the closest place on the traveled portion of the public or private road upon which the lot or building is situated or from which it has access and from all points at least 10 meters (33 feet) in either direction from that place, except that an intervening tree trunk or a vertical pole or post shall not alone be considered an obstruction for purposes of this subsection; and
- (k) no person shall post or permit to be posted a number that could be reasonably confused with a civic number as determined by the Civic Addressing Coordinator.

5.2 Occupancy Permit

An occupancy permit shall not be issued for a property unless a civic number is posted on that property.

6.0 ROAD NAMING

*CIVIC ADDRESSING BY-LAW***6.1 Application Process for Naming New Roads Created Through Subdivision Approval**

- (a) The applicant shall complete the "Application to Name a Road" form and submit it to the Civic Addressing Coordinator;
- (b) The Civic Addressing Coordinator shall review the application;
- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator shall advise the applicant and provide an explanation for the rejection;
- (d) If the road name meets the evaluation criteria, the Civic Addressing Coordinator shall approve the name;
- (e) Within one week of notification of final approval of the plan of subdivision, the Civic Addressing Coordinator shall notify the appropriate agencies. Once the road is constructed the Civic Addressing Coordinator shall record the location of the road in the Civic Address File;
- (f) If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal; and
- (h) The Civic Addressing Coordinator shall contact all property owners on the road(s) to inform them of the name of the new road(s).

6.2 Application Process for Naming an Existing Unnamed Road or Changing an Existing Road Name

- (a) Application must be made by completing the "Application to Name a Road" form and submitting it to the Civic Addressing Coordinator. The application must be accompanied by a petition signed by the owners of seventy-five percent (75%) of the lots with frontage on the road;
- (b) The Civic Addressing Coordinator shall review the application;

CIVIC ADDRESSING BY-LAW

- (c) If the road name does not meet the evaluation criteria, the Civic Addressing Coordinator shall advise the applicant and provide an explanation for the rejection;
- (d) If the application meets the evaluation criteria, the Civic Addressing Coordinator shall:
 - (i) seek approval from the authority having jurisdiction over the road, if applicable, and approve the name; or
 - (ii) seek approval from Council when an existing Provincial or Regional Road name is to be changed.
- (e) Within one week of the approval of the new road name, the Civic Addressing Coordinator shall record the new name in the Civic Address File and notify the appropriate agencies; and
- (f) The Civic Addressing Coordinator shall contact all owners of property on the road to inform of the new road name. If a subdivision plan creating a new road is repealed, all agencies notified of the new road name(s) shall be notified of the repeal.

6.3 Road Naming Evaluation Criteria

- (a) The name must be easy to pronounce and spell and have recognizable words or an acceptable combination of words;
- (b) Consideration must be given to the long-standing local usage of the name by the local public;
- (c) Road names must be in good taste;
- (d) Qualifying words (such as Upper, Lower, New, Old, etc.) should be avoided, but may be accepted in cases where the qualifier has been applied in an official context (e.g., as found in the Nova Scotia Gazetteer);

CIVIC ADDRESSING BY-LAW

- (e) All names must have an associated road type and the road type must be checked against a standard list before the submitted name can be accepted;
- (f) Road names must be alphanumeric (e.g. First Street); name submissions using a numeral (e.g. 1st Street) shall be rejected;
- (g) Where a new road is a continuation of an existing road, wherever possible the new road shall be given the same name as the existing road;
- (h) There must be no duplication of road names within the Region and, if possible, duplication of road names used in immediately adjoining municipal units shall be avoided;
- (i) All road name submissions must be checked against the alias field in the road names database both for the community in question and its adjacent communities. If the suggested name appears as an alias, it must be rejected;
- (j) There should be no like-sounding names within the Region;
- (k) Official road names, including road type, must have no more than 35 characters (including special characters and spaces);
- (l) If the road is named after a topographic feature, the name must reflect the official name found in the Nova Scotia Gazetteer;
- (m) A personal name (given name and surname) should not be applied to a road unless such application is in the public interest. The person commemorated should have contributed significantly to the area where the road is located. The adoption of a personal name during the lifetime of the person concerned should only be made in exceptional circumstances and with the person's written consent;
- (n) No formal titles of distinction may be associated with the personal name (e.g., Captain, Major);

CIVIC ADDRESSING BY-LAW

- (o) Company or commercial product names, as well as names associated with copyright or trademarks, shall be avoided;
- (p) The spelling and accenting of names must agree with the rules of the language in which they are written; and
- (q) Changes to established existing road names shall be discouraged unless there are recognized difficulties with the existing name.

7.0 POSTING ROAD SIGNS**7.1 Public Road Signs**

Identification of provincially or municipally owned public roads is the responsibility of the respective jurisdiction.

7.2 Private Road Signs

The owners of a private road shall ensure that a road sign is erected and maintained according to specifications outlined in this Civic Addressing By-law.

7.3 Posting Private Road Signs through the Nova Scotia Department of Transportation (DTIR)

7.3.1 Private roads which intersect with public roads shall be identified only by an approved road name sign.

7.3.2 Private roads which intersect with public roads and are not already identified by an approved road name sign shall be provided with a road name sign upon the written request of one or more residents of the road subject to the following criteria:

- (a) prior to approval of a sign by the Civic Addressing Coordinator the applicant(s) has paid to the Region one hundred percent (100%) of the fees charged by DTIR for such purchase; and
- (b) the name of the road is to be that designated by the Civic Addressing Coordinator; and

CIVIC ADDRESSING BY-LAW

- (c) the administrative process developed by the Region from time-to-time shall be followed for the erection of private road signs.

7.3.3 When a private road sign requires repair, removal or replacement, costs shall be determined by DTIR and borne by the applicant.

7.4 Posting Private Road Signs by Applicant

7.4.1 The applicant shall erect, maintain in good condition and replace as necessary, a sign and signpost at the intersection of the private road and the public street in a manner consistent with any conditions attached to such permission and other lawful requirements; and

7.4.2 The residents of a private road shall apply for and obtain permission to erect an identifying sign and a signpost from any person or regulatory authority whose permission is required by law to erect an identifying sign and a signpost, subject to the following requirements:

- (a) the cost of fabrication and installation of such sign shall be the responsibility of the residents;
- (b) it shall be the residents' responsibility to install, maintain in good condition and replace as necessary the sign and signpost;
- (c) the name of the road is to be that designated by the Civic Addressing Coordinator;
- (d) to the extent possible, the signpost is to be located in an unobstructed line of sight for vehicles approaching the private road from either direction along the intersecting public street, and is to be set back a minimum of 5 feet (1.5 meters) from the outside edge of the travel lane of the intersecting public road;
- (e) double-sided signage placed perpendicular to the intersecting road shall be used so that the name of the road is visible for vehicles approaching the private road from either direction;

CIVIC ADDRESSING BY-LAW

- (f) lettering of the private road name shall be 4 inches (100 millimeters) in height and in uppercase letters;
- (g) the sign shall be painted with reflective paint with lettering in black against a white background;
- (h) the bottom of the sign shall be between 5 feet (1.5 meters) and 8 feet (2.5 meters) above the road grade of the intersecting public road; and
- (i) the signpost shall be made of pressure-treated lumber with cross-sectional dimensions not less than 3.3 inches (85 millimeters) by 3.3 inches (85 millimeters), or rigid non-ferrous metal, and sufficiently fastened to the ground to hold the sign rigidly in place and to prevent turning of the sign.

8.0 COMPLIANCE**8.1 Special Conditions**

8.1.1 Upon application by an owner, the Civic Addressing Coordinator may provide written authorization for signage for civic numbers or road names to vary from the standards contained in this By-law, with or without conditions, when:

- (a) compliance with the standards is not reasonably possible, due to the physical features of the site or other matters; or
- (b) compliance with this By-law would not as effectively meet the objectives of this By-law as an alternative approach.

8.1.2 The Civic Addressing Coordinator may revoke or vary an authorization under this section. Owners shall comply with any conditions contained within authorizations granted under this section.

9.0 VIOLATIONS

9.1 It shall be an offence for a person to refuse or fail to comply with a written notice issued by the Civic Addressing Coordinator to an

CIVIC ADDRESSING BY-LAW

owner which assigns, reassigns, or deletes a civic number of a lot or building.

9.2 Any person who violates any provision of this By-law shall be liable on summary conviction to a penalty of not less than \$200.00 and not more than \$5,000.00, and in default of payment to imprisonment for a period of not more than 90 days.

9.3 In the event of contravention of this By-law, the Region may:

(a) prepare and serve a notice in writing to an owner to undertake work including, but not limited to, the posting or re-posting of a civic number on a building or lot, the erection or re-erection of signage for a private road, or the removal of a civic number or signage for a private road;

(b) in the event that:

(i) required remedial work regarding a road sign has not been completed within thirty (30) days; or

(ii) required remedial work regarding a civic number has not been completed within fourteen (14) days,

of the date of service of the notice, enter upon the property of the owner and undertake the work, and the cost of the work with interest at the same rate as taxes from the date of completion until the date of payment, shall be a first lien on the property upon which, or for the benefit of which, the work was done.

9.4 The notice required to be served pursuant to this By-law may be served:

(a) in person;

(b) by regular mail to the address shown on the Assessment Roll;

(c) by electronic mail; or

(d) by facsimile.

CIVIC ADDRESSING BY-LAW

A notice is deemed to have been served on the seventh (7th) day after it was sent.

10.0 REPEAL

10.1 The Town of Windsor Civic Addressing By-law dated November 19, 2019 and the Municipality of the District of West Hants Civic Addressing By-law dated November 27, 2018, C-003, are hereby repealed.

I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Region of Windsor and West Hants at a meeting duly called and held on the ____ day of _____, 2020.

 R. N. Brown
 Municipal Clerk

By-Law Adoption	
First Reading:	
Notice Published:	
Second Reading & Approval	
Final Publication	
Notice to Municipal Affairs	
Description:	