

Court fight over Canada Post super mailboxes being watched closely

By Brock Weir

The stand-off between the City of Hamilton and Canada Post over tough new bylaws put in place by the municipality in an attempt to force having a say in the placement of incoming super mailboxes in established communities is set to have its first airing in court next Monday.

Watching closely will be the Town of Aurora, where Councillors are likely to take their first kick at a new bylaw the following evening intended to achieve similar results here.

As The Auroran reported last week, Council approved taking the first steps in following Hamilton's lead in a 5 ? 4 vote. The decision came after several residents came forward urging action to get Canada Post to the table to consult with the people most directly impacted by the placement of these new mailboxes in their communities, as well as their placement on municipal rights of way, which are ultimately maintained by the Town.

Their decision also followed a delegation by Hamilton Councillor Terry Whitehead, who has led these efforts in his own community.

?It is something that is transpiring right across the country,? said Councillor Whitehead, noting there is not a one-size-fits-all solution to the crown corporation's plans to phase out existing door-to-door mail delivery services in most urban areas across the country. There is a concern?that when you approach this issue, Canada Post will try to spin it and say this is really about NIMBYs (Not in My Back Yard) and not wanting their mail delivery to be lost. I want to make it clear to this Council and all those who listen that we respect the rights of Canada Post. We may not agree with them, but we respect the rights of Canada Post to make fiscal decisions.

?If the decision arrived at is to take mail delivery away from homes and put in super mailboxes, that is their decision to make. The real issue is who sets the standards??

That answer, he said, should lie within the municipality. Hamilton has done ?due diligence? with their planning staff, water, sewer and public works departments, as well as their traffic specialists with a message they would be looking at permit applications filed by Canada Post for the placement of these new mailboxes, where they would be evaluated under a number of criteria, including the safety of the locations selected and lighting.

?There is consultation and there is meaningful consultation,? added Councillor Whitehead, citing one instance in Hamilton where a resident applied to the city for a new driveway into his house only to find, post approval, Canada Post earmarked a location right in the middle of his planned new driveway for a community mailbox.

Although this situation was rectified, he said, the wider picture is similar issues have not been addressed.

?Their legislation indicates they will follow and abide by the bylaws of the municipalities. We passed a bylaw about a month ago, and bylaw says they have to make an application for the permit, \$200 for the permit, and there is a number of criteria that we would go through. Canada Post has chosen to ignore that bylaw and continues to full court press as many of these community super mailboxes in as is practical.

?Subsequent to that, what has transpired is there have been a lot of mistakes made along the way, and people are now getting upset and they are now rising to the occasion.?

Hamilton's bureaucrats are ?cautiously optimistic? they will be successful in their endeavour, he added, noting placing these mailboxes in established neighbourhoods should follow the stringent processes, and consultation, required for their placements in newly planned subdivisions.

?Do you think it is fair that neighbourhoods are regulated in regards to super mailboxes and people who live in old neighbourhoods do not get the same standards?? he concluded.