



MEETING: Committee of the Whole

DATE: Monday, September 14, 2015

Reference No. COW - 35/46

OPEN SESSION in S.H. Blake Memorial Auditorium at 6:30 p.m.

Committee of the Whole - Operations Session
Chair: Councillor J. Virdiramo

DISCLOSURES OF INTEREST

CONFIRMATION OF AGENDA

Confirmation of the Agenda - September 14, 2015 – Committee of the Whole.

With respect to the September 14, 2015 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

DEPUTATIONS

"Take the Lead" Campaign - Thunder Bay & District Humane Society

Letter from Ms. Judy Decicco, Co-Chair of Take the Lead Campaign, Board President of Thunder Bay & District Humane Society, dated July 6, 2015 with respect to requesting a deputation relative to the "Take the Lead" campaign.

2017 WBSC U-18 Baseball World Cup - September 1-10, 2017

Letter from Mr. W. Philp, Executive Director - Thunder Bay International Baseball Association dated August 19, 2015 requesting to make a deputation relative to the above noted.

The Blue Dot Movement

Letter from Ms. C. Courtine, Chair, Thunder Bay Chapter - Blue Dot Movement dated June 22, 2015 with respect to requesting a deputation relative to the above noted.

Committee of the Whole - Meeting Date 09/14/2015

Building 'The Memorial Link' – Bike Lane (Cycle Track) Along the May – Memorial Corridor

Letter from Mr. D. Stamler dated August 30, 2015 with respect to requesting a deputation relative to the above noted.

Petition containing approximately 890 signatures received from Mr. D. Stamler, on August 31, 2015, relative to building the Memorial Link along the May - Memorial Corridor.

REPORTS OF COMMITTEES

Parking Authority Board

Minutes of Meeting No. 6/2015 of the Parking Authority Board held on June 9, 2015, for information.

REPORTS OF MUNICIPAL OFFICERS

Proposed 2015 Cost Containment

R138/2015 relative to the above noted. (Distributed Separately)

PETITIONS AND COMMUNICATIONS

Regulating Community Mailboxes: The Impact of the Recent Decision, Canada Post vs. City of Hamilton

Memorandum from Ms. N. Koltun, City Solicitor dated August 31, 2015 relative to the above noted.

OPEN SESSION in the S.H. Blake Memorial Auditorium

Committee of the Whole - Community Services Session
Chair: Councillor I. Angus

REPORTS OF COMMITTEES

Waterfront Development Committee

Minutes of Meeting No. 2-2015 of the Waterfront Development Committee held on April 2, 2015, for information.

NEW BUSINESS

ADJOURNMENT



MEETING DATE 09/14/2015 (mm/dd/yyyy)

SUBJECT Confirmation of the Agenda

SUMMARY

Confirmation of the Agenda - September 14, 2015 – Committee of the Whole.

RECOMMENDATION

With respect to the September 14, 2015 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.



MEETING DATE 09/14/2015 (mm/dd/yyyy)

SUBJECT "Take the Lead" Campaign - Thunder Bay & District Humane Society

SUMMARY

Letter from Ms. Judy Decicco, Co-Chair of Take the Lead Campaign, Board President of Thunder Bay & District Humane Society dated July 6, 2015 with respect to requesting a deputation relative to the "Take the Lead" campaign.

ATTACHMENTS

1. Correspondence from Ms. Judy Decicco, Co-Chair of Take the Lead Campaign, Board President of Thunder Bay & District Humane Society dated July 6, 2015.



Mr. John Hannam, City Clerk
Office of the City Clerk
City Hall, 500 Donald Street East, 3rd floor
Thunder Bay, Ontario P7E 5V3
E: jhannam@thunderbay.ca
F: 807-623-5468

July 6, 2015

RE: Deputation Request from the Thunder Bay & District Humane Society – ‘Take the Lead’ Campaign

Name of Presenters: Judy Decicco, Board President, Thunder Bay & District Humane Society
Brenda Everts, Treasurer, Board of Directors, Thunder Bay & District Humane Society

Presentation Date of Request: Monday August 24, 2015 or Monday September 14, 2015

Brief Summary: Thunder Bay & District Humane Society is taking the lead to control pet overpopulation in the region. Today, our community is facing a pet overpopulation crisis due to factors including indiscriminant breeding of domestic animals and inaccessibility of affordable veterinary services. This overpopulation crisis has a significant impact on the well-being of voiceless animals and poses a health and safety threat to our communities. It also impacts on fiscal sustainability for the City of Thunder Bay and surrounding communities in our region.

We want to let you know about our very special spay and neuter clinic campaign that we have called, **“Take the Lead”**. The aim of the **“Take the Lead”** campaign is to raise \$200,000 from the public to ensure support from the community and is only a portion of the cost to build this facility. This new Spay/Neuter Clinic will be opened to serve the public in the District of Thunder Bay and surrounding communities of Northwestern Ontario including First Nations.



The Clinic will provide high volume and high quality spay and neuter services to reduce pet overpopulation and indiscriminant breeding of companion dogs and cats. It will continue to ensure that all dogs and cats are sterilized before adoption from the Thunder Bay & District Humane Society. The new Clinic will be located on the current Thunder Bay & District Humane Society site and will be fully staffed by veterinarians, technicians and other support personnel.

The uncontrolled breeding of cats and dogs is causing tremendous problems for communities throughout the Northwestern Ontario region and is resulting in thousands of animals being neglected, abandoned and euthanized every year.

We are writing to request the opportunity to make a deputation to Council to ask for the City of Thunder Bay's help in addressing the cat and dog overpopulation crisis in our community. We would like to request from administration a financial contribution of \$40,000 as well as waiving all building permit, zoning fees and any other associated costs for the construction of the Spay/Neuter Clinic at our location at 1535 Rosslyn Rd.

The new high quality, high volume Spay/Neuter Clinic will offer affordable services to the City of Thunder Bay Animal Services Department. Last year Animal Services required 173 animals to be spayed and neutered at an estimated cost of over \$35,000. By supporting this initiative the Thunder Bay & District Humane Society could reduce this budgetary expense by up to 50%. Over time, additional savings could be realized with lower costs related to animal housing, feeding, veterinary care and euthanization as a result of decreased intake of animals to the City facility.

There are currently 8 high volume spay/neuter clinics operating across the province of Ontario, the most northerly having opened last year in North Bay. To date the cities in close proximity to these clinics have seen a 40% decrease in intake of cats at local humane societies.



A number of proactive business and organizations have already taken the lead to support this campaign: The Ontario Society for the Prevention of Cruelty to Animals (OSPCA), Cargo North, North Star Air, Nalu, Firedog Communications just to name a few.

For more information about the Thunder Bay & District Humane Society please visit <http://tbdhs.ca/>, call 807-475-8803 or email takethelead@firedogpr.com.

Preliminary Financial Information:

Capital Costs:

Architectural/Engineering Services	\$ 40,000
Soil Testing/Septic	\$ 30,000
Building Construction	\$ 640,000
Clinic Equipment - Major	\$ 140,000
Total	\$ 850,000

Efforts with Administration to Date: Thunder Bay & District Humane Society works closely with the City of Thunder Bay Animal Services to help control pet overpopulation, inhumane treatment, and the shelter of animals. The Thunder Bay & District Humane Society provides their OSPCA funded Investigations Officer for assistance with Animal Services, EMS, and Thunder Bay Police. Currently, our OSPCA Investigations Officer is assisting Thunder Bay Police Officers in responding to animal welfare calls.

Overview of Deputation:

1. Overview of "Take the Lead" campaign (4 minutes)
2. Cost savings for City of Thunder Bay (4 minutes)
3. Request of Financial Contribution (2 minutes)



On behalf of the Thunder Bay & District Humane Society we are asking the City of Thunder Bay to
“**Take the Lead**” and join our campaign.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Judy R. Decicco".

Judy Decicco,
Co-Chair of Take the Lead Campaign
Board President of Thunder Bay & District Humane Society



MEETING DATE 09/14/2015 (mm/dd/yyyy)

SUBJECT 2017 WBSC U-18 Baseball World Cup - September 1-10, 2017

SUMMARY

Letter from Mr. W. Philp, Executive Director - Thunder Bay International Baseball Association dated August 19, 2015 requesting to make a deputation relative to the above noted.

ATTACHMENTS

1. Letter from Mr. W. Philp, Executive Director - Thunder Bay International Baseball Association.



THUNDER BAY INTERNATIONAL BASEBALL

Office of the City Clerk
City Hall, 500 Donald St. E. 3rd Floor
Thunder Bay, ON:
P7E 5E3
Attention: John Hannam, City Clerk

Aug. 19, 2015

The Thunder Bay International Baseball Association is requesting a deputation to appear before City Council on Monday September 21st.

We are making preparations to host the 2017 WBSC U-18 Baseball World Cup September 1-10, 2017. We would like to bring Council up to date on our activities. Presenters of the update will be:

1. Warren Philp, Executive Director.

Sincerely,

Warren Philp, Executive Director
Thunder Bay International Baseball Association

MEETING DATE 09/14/2015 (mm/dd/yyyy)

SUBJECT The Blue Dot Movement

SUMMARY

Letter from Ms. C. Courtine, Chair, Thunder Bay Chapter - Blue Dot Movement dated June 22, 2015 with respect to requesting a deputation relative to the above noted.

ATTACHMENTS

1. Letter from Ms. C. Courtine, Chair, Thunder Bay Chapter - Blue Dot Movement dated June 22, 2015.

June 22, 2015

Catherine Courtine
289 Wrigley Dr.
Murillo, ON P0T 2G0
Tel : 345-3914
Email : casajna@hotmail.com

CITY OF THUNDER BAY

2015 JUN 30 AM 10: 23

CITY CLERK'S OFFICE

To the City Clerk:

RE: Presentation to City Council

My name is Catherine Courtine and I am part of a local group supporting *The Blue Dot Movement*. We would like to make a deputation to City Council, in September if possible.

The *Blue Dot Movement* is headed by the David Suzuki Foundation and works toward recognition, by all levels of Canadian Governments, of the constitutional right of all citizens to live in a healthy environment.

Our group has so far been in contact with a few Councillors, as well as city employees, Brad Doff and Sarah Kerton, from the City's Environment Division. What arose from these discussions is that the City of Thunder Bay has already recognized that access to clean water is a fundamental human right, and has called on other levels of government to enshrine water as a human right in federal and provincial law. Extending this to a declaration stating the right of citizens to live in a healthy environment is also aligned with the City's EarthCare Sustainability Plan.

Many cities across the country have already signed such declarations, and we are hoping that Thunder Bay will soon be one of them.

The committee member who will be presenting to City Council is Sandra Goodick. Attached, please find a summary of her proposed presentation.

When we know the date of the presentation, we will send you some additional information for Council members by 11 a.m. on the Thursday prior to the meeting date, or as otherwise directed.

Thank you very much for your consideration of our request,

Sincerely,



Catherine Courtine
Chair, Thunder Bay Chapter
Blue Dot Movement

Thunder Bay's Blue Dot Movement Presentation to City Council

Mayor and Council, thank you for giving us the opportunity to present today.

It is widely recognized that there is an inseparable link between environmental and human health. The vast majority of Canadians are concerned about the effect of environmental degradation on their own health and the health of their children – and they should be. Over the past 50 yrs., we have come to understand the tremendous impact that the environment has on human health and well-being.

When municipal governments make decisions that affect transportation, housing density, waste disposal and other issues related to the quality of the environment, they have the power to pass bylaws that will protect citizens from environmental harm.

Municipal declarations, such as the one we are proposing today, which recognize the right to a healthy environment, show support for the rights of citizens to clean air, water and safe food. It signals the commitment of municipal leadership to building a healthy, sustainable community and draws attention to the Canadian Constitution's silence on environmental issues.

Today, Canada's Charter of Rights and Freedoms does not explicitly protect or even address environmental rights. Just as the Charter guarantees us freedom of expression and protects us from discrimination, environmental rights would ensure that our laws and policies protect the basic elements of our survival, such as clear air, safe water and unpolluted land.

Municipal governments can help move toward the development of an overarching environmental legal framework for Canada. Currently, there are over 100 municipalities in Canada where organizing around this declaration is underway, and 62 municipalities have already signed the declaration. As of June, with its adoption in Kitchener, more than five million Canadians live in a community that recognizes their human right to live in a healthy environment.

Perhaps this groundswell of action is a reflection of the fact that, locally, we must deal with our environmental impact. It is easy to ignore Thunder Bay's environmental degradation from Toronto or Ottawa, just as it is easy for us to ignore them. But here, in Thunder Bay, we have both the power and the responsibility to protect our environment. As a Council, you have already recognized clean water as a fundamental human right, by becoming a Blue Community, and you've made significant strides to build a healthy, sustainable vision for our community through EarthCare.

Tonight we are requesting that you adopt the proposed declaration. Thunder Bay's adoption of this declaration, which recognizes the rights of all citizens and residents to a healthy environment, will set an important precedent and, as additional municipalities in Canada follow our lead, will help to inspire action at other levels of government, resulting in a better environment and a healthier Canada for all. Thank you.

MEETING DATE 09/14/2015 (mm/dd/yyyy)

SUBJECT Building 'The Memorial Link' – Bike Lane (Cycle Track) Along the
May – Memorial Corridor

SUMMARY

Letter from Mr. D. Stamler dated August 30, 2015 with respect to requesting a deputation relative to the above noted.

Petition containing approximately 890 signatures received from Mr. D. Stamler, on August 31, 2015, relative to building the Memorial Link along the May - Memorial Corridor.

ATTACHMENTS

1. Letter from Mr. D. Stamler received August 30, 2015 requesting a deputation.
2. Attachment to the letter from Mr. D. Stamler received on August 30, 2015.
3. Petition received August 31, 2015 from Mr. D. Stamler, approximately 890 signatures (Page 1 of the Petition only).

Dean Stamler
464 Vickers St N
Thunder Bay ON
P7C 4B5
(807) 251-5555
dean@stamler.ca

To: Mr. John Hannam, City Clerk

RE: Request for deputation September 14, 2015

Hello,

I'm requesting a deputation before council on September 14, 2015 regarding The Memorial Link, a proposed 5km cycle track along the May-Memorial corridor. I will be the sole presenter. I have already had meetings with several councillors on the issue and have discussed the date of my deputation and its contents with the director of engineering (Kayla Dixon), the mobility coordinator (Adam Krupper), councillors Frank Pullia, Larry Hebert and Shelby Ch'ng. I've also had informal discussions with councillor Aldo Ruberto.

At the deputation I will be presenting the case for building the Memorial Link (<http://memorallink.ca>) to improve pedestrian and cyclist safety through the intercity area, to promote urban livability, sustainability and renewal and to provide economic benefit to the city as a whole. I will propose that project be piloted quickly and then fully implemented during reconstruction of Memorial.

Our group has secured approximately 900 signatures on a petition calling for the creation of a fully separated bike lane (a cycle track) along Memorial ave and May St. I will be referring to this petition and explaining what benefits other cities have realized who have constructed similar infrastructure.

I will request a resolution be moved at a later meeting to have administration study our proposal in the upcoming Transportation Master Plan RFP process as recommended by administration. I'm currently discussing the resolution with councillors and administration.

I may bring a few slides to show council what we're proposing, but this is not confirmed.

Thanks for your time!

Dean Stamler

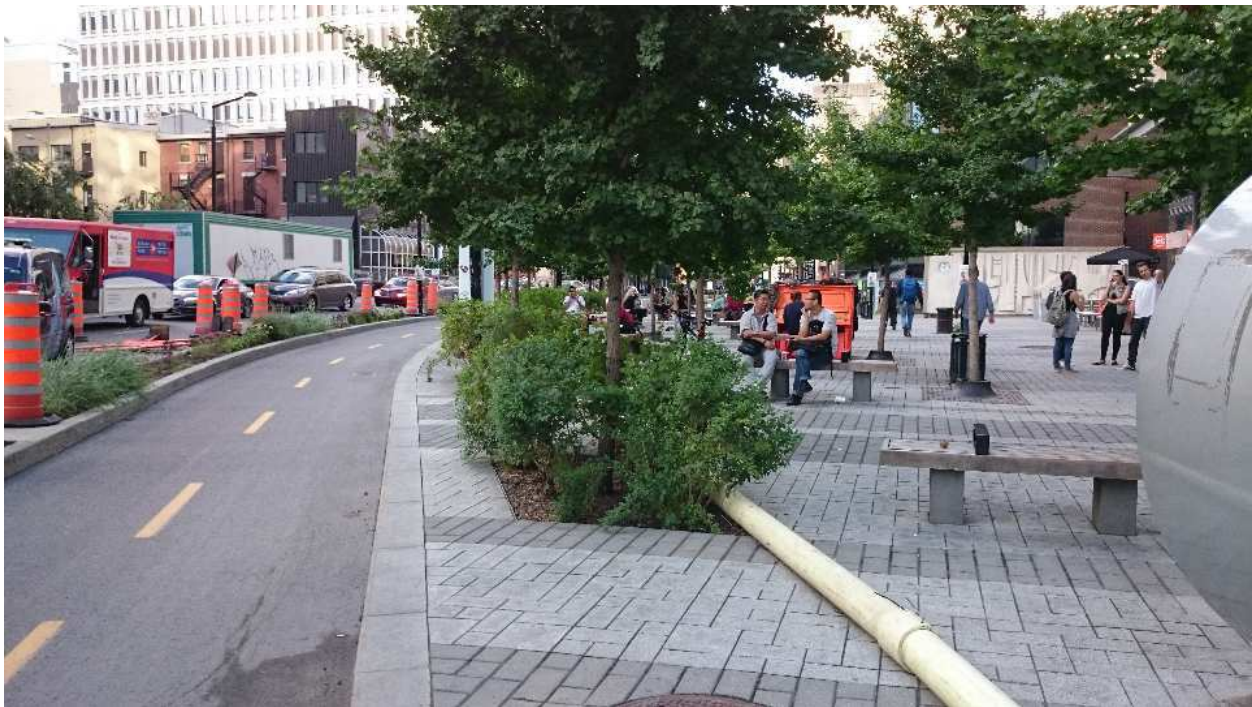


Above (Fig. 1) In its simplest form, the *Memorial Link* can be a single- or bi-directional painted bike lane with protecting bollards installed close enough together to prevent entry by cars. (Montreal)

Left (Fig. 2) Painting directly on the existing boulevard is an inexpensive way to get the project done in some areas quickly prior to full reconstruction of the Memorial/May corridor. This requires intersection treatment or by-law updates (Montreal)



Above (Fig. 3) Intersection treatment is necessary and this can be piloted inexpensively with bump-out bollards at corners. These are removable during winter months if required and provide the added benefit of more pedestrian comfort. (Montreal)



Above (Fig. 4) Final implementation during reconstruction would offer a pleasant pedestrian space, a fully protected bike lane (either single directional or bi-directional) and car traffic. (Montreal)



Above (Fig. 5) Single-direction lanes on the boulevard are often preferred by riders and occupy little space. It's important to clearly mark driveways so that cars know they do not have priority when crossing the bike lane. Colour is an effective method to do this. It's also crucial that the bikeway doesn't change elevation for driveways. Consistency is key for comfort and safety. (Dallas)

Left (Fig. 6) There's lots of underused space on the boulevard in most areas. (Thunder Bay)



Above (Fig. 7) It doesn't cost a fortune to implement a protected intersection where bike riders feel safe (Montreal)



Above (Fig. 8) Protected intersections can be integrated into existing sidewalks and streetscapes without taking up any additional space. (Essen)

Approximately 890 signatures.
Received Mon. Aug. 31/2015

Page ID: EFN 01

The Memorial Link is a proposed 5 km physically protected lane for bicycles and active transportation through the heart of Thunder Bay. It runs along May St and Memorial Ave between John St and Miles St, closely passing most businesses and amenities in the Intercity area.

We, the undersigned, request the implementation of the Memorial Link to allow people to safely, quickly and comfortably bike across Thunder Bay and access businesses and amenities between the downtown cores on their bikes.

Name	Address	Signature
Chelsea Gemmell	959 Georgina Bay	Chesell
Candice Biscardi	214 Francis W.	C. Biscardi
T. Landmark	544 Woodcrest	T. Landmark
R. KARTANSON	504 CAMBRIAN CR.	R. Y. Karting
Justin Friedel	68 Lehto-Lantz loop	Justin Friedel
Colleen Walsh	2021 Fraser St	Colleen Walsh
Christina Petrie	222 Prospect Ave.	Christina Petrie
Mike Blaauw	392 Ambrose St.	P. Blaauw
Diane Muller	517-935 Adelaide St	Diane Muller
Jay Stapleton	332 Red River Rd	Jay Stapleton
Jessica Abdel-Malak	221 Sunrise Blvd	J. Abdel-Malak
Molly Vachay	494 Grenville Avenue	Molly Vachay
Boss Anderson	334 Pearl Ave	Boss Anderson
Chris Paulusma	160 Belton St.	Chris Paulusma
David Harris	1006 Victoria St.	David Harris
Nolan Hicking	622 Hartland	Nolan Hicking
Mike Bird	432 Brodie St. N.	Mike Bird
Michael Rice	6 Bearskin Lake Rd	Michael Rice
Aimee Thivierge	154 College St. - TBay.	Aimee Thivierge
Gary Desjardins	121 Caroline St	Gary Desjardins
Ellie Timblom	504 S Norah St	Ellie Timblom



MEETING DATE 09/14/2015 (mm/dd/yyyy)

SUBJECT Parking Authority Board

SUMMARY

Minutes of Meeting No. 6/2015 of the Parking Authority Board held on June 9, 2015, for information.

ATTACHMENTS

1. Minutes of the Parking Authority Board held June 6, 2015.

Minutes of Meeting

Parking Authority Board

TIME: 10:00 a.m.
PLACE: Community Services Boardroom
CHAIR: Greg Hookham

MEETING NO.: 06
DATE: June 9, 2015

PRESENT: JAMES COADY, MANAGER, LICENSING & ENFORCEMENT
FRANCES LARIZZA, MEMBER, VICTORIA AVE. B.I.A.
JONATHAN PASKE, SUPERVISOR, PARKING AUTHORITY
WILLIAM RUTLEDGE, WATERFRONT DISTRICT B.I.A.
LINDA RYDHOLM, MEMBER

ABSENT: PAUL PUGH, MEMBER
BILL SCOLLIE, VICTORIA AVE. B.I.A.
MARK SMITH, MANAGER, DEVELOPMENT

1. Minutes of May 12, 2015 meeting

Moved by Frances Larizza, Seconded by Linda Rydholm

“THAT the minutes of the Parking Authority Board meeting held on May 12, 2015 be approved.”

CARRIED

2. Outstanding Items List

Members discussed that administration will complete a report to council for the implementation of a 2 hour restriction on Waverly St. in July so as to come into effect before the school year begins.

Members discussed that administration will complete a report to council for the implementation of a 2 hour restriction on Elgin St. in July so as to come into effect before the school year begins.

Administration advised members that a report on the cost per space to operate a parkade will be completed by the end of September.

Members informed that short term parking signs will be installed in the Victoriaville parkade by July.

Members informed the way-finding signs will be installed in the Waterfront parkade indicating more parking on roof will be installed by July.

3. Financial Statement

Members noted “Administration Charges” line well below last year and were informed that was due to a miscalculation as the actual charges won’t occur until later in the year and are calculated until then. Members also requested “Stationary, office, general expense” line be renamed more appropriately to include actual utility charges, as well as renaming the “Utilities” line as “Communications”.

4. Update on “Utilities” Expense

Members were informed that “Utilities” expense is actually only telephone expenses. The reason for the increase from last year was due to the installation of the 8 new multi-space meters in surface lots each requiring a communication line.

5. Rate/Fine Increases

Members informed that the rate changes were completed as of June 1, 2015 and that we are currently waiting on POA to approve the fine increases.

6. Request to Advertise in Victoriaville Parkade

The Board discussed a request from CEDC – Entrepreneur Centre on behalf of a local business to install advertising in the form of posters at Victoriaville parkade. Members had concerns of how to keep only approved advertising being posted, who would be maintaining the installations, and possible distracted driving. Members were informed by administration that corporate standards would also have to be adhered to and that further information would be gathered and presented at the next board meeting.

7. Installation of Accessible Meter/Spaces

Members were informed of the installation of an accessible meter on May St. at the Columbus Centre as well as the addition of 12 accessible spaces on P2 of the Waterfront parkade for St. Joe’s visitors while their lot is closed for the duration of construction.

8. New Business

Members discussed complaint in newspaper regarding rate increases not being communicated to the public. It was determined that the rate increase was communicated during council's budget announcement.

Meeting adjourned at 10:35 a.m., next meeting August 11, 2015.

MEETING DATE 09/14/2015 (mm/dd/yyyy)

SUBJECT Regulating Community Mailboxes: The Impact of the Recent Decision,
Canada Post vs. City of Hamilton

SUMMARY

Memorandum from Ms. N. Koltun, City Solicitor dated August 31, 2015 relative to the above noted.

ATTACHMENTS

1. Memorandum from Ms. N. Koltun, City Solicitor dated August 31, 2015.

MEMORANDUM

TO: Mayor and Members of Council

CC: Tim Commisso, City Manager

FROM: Nadia Koltun, City Solicitor

DATE: August 31, 2015

SUBJECT: **Regulating Community Mailboxes: The Impact of the Recent Decision
Canada Post v City of Hamilton, 2015 ONSC 3615**

OUR FILE No.: 20-05

CANADA POST'S COMMUNITY MAILBOX INSTALLATION PROGRAMME WITHIN THE CITY

Canada Post is about to implement its community mailbox installation programme within the City.

The City should continue to cooperate with Canada Post regarding Canada Post's City-wide community mailbox installation programme. This is because, currently, Canada Post voluntarily submits its community mailbox installation plans to the City regarding subdivisions, and Canada Post is offering to extend the same practice to its City-wide community mailbox installation programme.

BACKGROUND: CANADA POST'S LEGAL AUTHORITY TO INSTALL COMMUNITY MAILBOXES ON MUNICIPAL LAND

In June 2015, Justice Whitten of the Ontario Superior Court of Justice released his decision regarding *Canada Post v City of Hamilton*, 2015 ONSC 3615. The main issue of the case was whether a municipality such as Hamilton (in this case) has the authority to enact a by-law that bans or regulates the location and installation of Canada Post's community mailboxes on City-owned lands. Hamilton enacted such a by-law as By-law 15-091.

The court ruled that Hamilton's By-law 15-091 was outside the scope of its jurisdictional authority to regulate the installation of community mailboxes and was, therefore, unconstitutional. Crown corporations that are enacted by federal statutes, such as Canada Post, do not have to follow municipal regulations where the municipal regulations attempt to limit the core functions of the Crown entity. Here, the court found that the By-law impedes Canada Post's core business function of delivering the mail.

A municipality cannot enact a by-law that regulates the location of Canada Post's community mailboxes nor can it find alternative ways of impeding Canada Post's core functions of delivering the mail.

SUMMARY: THE COURT'S DECISION IN CANADA POST V CITY OF HAMILTON, 2015 RE: HAMILTON'S COMMUNITY MAILBOX BY-LAW

Facts:

Hamilton passed By-law 15-091 – To Regulate the Installation of Equipment on Roads. This By-law was passed to regulate Canada Post's installation of community mailboxes by subjecting Canada Post to a permit process. The permit process required Canada Post to meet certain locational design standards, thereby regulating the location of community mailboxes. Canada Post asserted that Hamilton does not have the authority to regulate community mailbox locations because the *Canada Post Corporation Act, 1985* and the *Mail Receptacle Regulations* authorize Canada Post to locate and install mailboxes on any public place. Canada Post argued that its federal authority to deliver the mail trumps the municipality's regulatory authority.

The Superior Court's Decision:

The court ruled that Hamilton's By-law 15-091 was outside the scope of its jurisdictional authority to regulate the installation of community mailboxes and was, therefore, unconstitutional. Crown corporations that are created by federal statutes, such as Canada Post, do not have to follow municipal regulations where the municipal regulations attempt to limit the core functions of the Crown entity. Here, the court found that the By-law impedes Canada Post's core business function of delivering the mail.

Summary of the Court's Legal Reasoning:

The court ruled that Hamilton By-law 15-091 was unconstitutional for the following reasons:

- A) The By-law is Inapplicable because of Impermissible Vagueness and Uncertainty.
A municipality has an obligation to write a by-law that is precise and coherent. By-law 15-091 does not have any specific design standards that Hamilton will use to assess the locations of community mailboxes. Therefore, the lack of design standards makes the By-law unconstitutionally vague because Canada Post is unable to determine how it is supposed to design and locate its community mailboxes per Hamilton's standards.
- B) The By-law Conflicts with the Purpose of Canada Post's Federal Statute.
Section 14 (1) of the *Municipal Act* declares that a by-law will be of no force and effect where it conflicts with (or frustrates) the purpose of a Federal Act or regulation. Canada Post has federal authority, via the *Canada Post Corporation Act, 1985* and the *Mail Receptacle Regulations*, to carry out cost-cutting measures and to install mail receptacles in public places, because they are part of Canada Post's central business functions. The Hamilton By-law frustrates the purpose of Canada Post's federal authority because it does not allow Canada Post to implement a key aspect of its business plan.

C) Canada Post Has Jurisdictional Immunity over Municipal By-laws

Given that the By-law seeks to regulate and control the installation of community mailboxes, it conflicts with Canada Post's federal authority to deliver the mail, making the By-law invalid because federal statutes like the *Canada Post Corporation Act, 1985* and the *Mail Receptacle Regulation* trump municipal by-laws. The *Mail Receptacles Regulations* allows Canada Post to locate mailboxes in places it deems appropriate because allowing Canada Post to determine mailbox locations is a "core activity relative to how mail is deposited, stored and delivered."

DISCUSSION: THE IMPACT OF THE CANADA POST V CITY OF HAMILTON DECISION FOR REGULATING COMMUNITY MAILBOXES IN THE CITY OF THUNDER BAY

The Ontario Superior Court's decision severely affects the degree to which the City can regulate Canada Post's community mailbox installation programme. Given that the Court ruled Hamilton's By-law 15-091 to be unconstitutional, the City cannot enact a by-law that regulates the location of Canada Post's community mailboxes. Section 3 of Canada's *Mail Receptacles Regulations* states that Canada Post "may install, erect or relocate or cause to be installed, erected or relocated in any public place, including a public roadway, any receptacle or device to be used for the collection, delivery or storage of mail." The Court said that this provision gives Canada Post the power to locate mailboxes where it deems to be appropriate.

Constitutionally, Federal entities such as Canada Post have supremacy over municipalities, meaning that municipalities cannot impede on a Federal entities' primary functions such as Canada Post's mail delivery service. Furthermore, section 14 (1) of the *Municipal Act* declares that a by-law will be invalid where it interferes with a Federal entities' primary functions. Therefore, Hamilton's By-law interfered with one of Canada Post's primary functions – choosing mailbox locations – which makes the By-law unconstitutional. This means that the City cannot enact a by-law that seeks to regulate where Canada Post can locate its community mailboxes.

How the *Canada Post v City of Hamilton* Decision Affects the City's Current Practice of Locating Community Mailboxes

Currently, the Engineering Division performs a general no-cost-for-service review of Canada Post's proposed community mailbox locations to determine whether the particular mailbox location conforms to general engineering standards. This current practice has been employed during new subdivision construction. Canada Post voluntarily submits its community mailbox plans to the City for municipal review.

Other utilities companies such as Shaw, Rogers, Bell, and Telus enter into Municipal Access Agreements ("MAA") with the City regarding the locations of their infrastructure; the utility company pays the City a \$5000 yearly fee for the City to review their applications and issue installation permits. Canada Post has not entered into any MAA with the City.

From the Court's tone and reasoning in *Canada Post v City of Hamilton*, the City cannot create a more formal policy or by-law that restricts how and where Canada Post locates its community mailboxes, which also means that the City cannot require Canada Post to enter into a MMA .

Infrastructure & Operations' Discussions with Canada Post

On July 6, 2015, the Engineering Division had a detailed in-person meeting with Mark Brennan and Chris Ashley of Canada Post's Delivery Services Division. The purpose of this meeting was to review Canada Post's community mailboxes installation process and their proposed locations and installation timelines within the City. This meeting was the result of on-going discussions between the Engineering Division and Canada Post regarding the community mailboxes' design standards and their proposed locations within the City.

The Engineering Division indicates that the meeting was positive. The parties reached the following conclusions:

- a) Canada Post's Community Mailbox Installation Setback Standard Employs the "Clear Zone" Concept:

The Engineering Division's questions about the type of minimum design standard that Canada Post is going to employ were clarified by Canada Post. Engineering was provided with Canada Post's Community Mailbox Setback Standards guidelines (see Attachment "A"). The document indicates that Canada Post is basing its setback standards off of the American Association of State Highway and Transportation Officials' (AASHTO) Roadside Design Guide by applying the "Clear Zone" concept to the installation process. The "Clear Zone" concept applies to the process of locating, designing, and installing utilities alongside rights of way. The main objectives of "Clear Zone" is to ensure that utilities are installed in right of way areas that contain unobstructed viewsheds, are traversable, and are located at a safe distance away from moving vehicles.

- b) Canada Post Will Use the City's Utility Location Permit Procedure (Document ID #: DFE-UP-PR-01):

The parties discussed the manner by which Canada Post would select the locations and install the community mailboxes. Canada Post indicated that they propose the site locations, review the proposed locations with the affected neighbourhoods and the City, and that Canada Post installs the mailboxes and then maintains them. The Engineering Division offered Canada Post the City's Utility Location Permit procedure as a way of ensuring certain design standards are met before Canada Post installs the community mailboxes (see Attachment "B"). Canada Post agreed to follow the City's Utility Location Permit procedure.

The Utility Location Permit procedure is a utility permit policy within the Engineering Division's Operations Manual that prescribes utility companies with design requirements that they must satisfy before being allowed to install a utility on a City-owned road allowance, laneway, or easement. Normally, a utility company would have to first enter into a Municipal Access Agreement ("MAA") with the City in order to be able to apply for Utility Location Permits. However, because Canada Post is a federal Crown corporation, it has the right to enter onto municipal lands without entering into a MAA. Canada Post is voluntarily agreeing to use the City's Utility Location Permit process as the method of installing its community mailboxes within the City. The Utility Location Permit procedure contains the following procedures:

- i. **Insurance:** The Applicant must provide the Engineering Division with proof of general liability insurance.
- ii. **Drawing/sketch:** The applicant must provide the Engineering Division with a drawing that identifies features such as the installation area, the design and dimensions

of the proposed utility structure, service connections (if necessary), property lines, and the proposed utility's relationship to nearby site conditions.

- iii. **Location Changes:** If it is discovered that the proposed utility location contains site impediments, then the Applicant must contact the Engineering Division to discuss a locational change to the proposed utility.

As a result of the meeting, the agreed upon process by which Canada Post will install and maintain the community mailboxes within the City is as follows: Canada Post will propose site locations based upon criteria that they developed (see Attachment "C"), review the proposed locations with the affected neighbourhoods and the City, and submit their proposal according to the Utility Location Permit application requirements. The Engineering Division will review Canada Post's proposed locations and the mailbox designs, and will then either approve the applications, or suggest revisions to the designs or location changes. Canada Post confirmed that they are willing to change some of the community mailboxes' locations, if required by the Engineering Division.

Canada Post also informed the Engineering Division that if problems are discovered upon installing a community mailbox at a particular location, they will be happy to re-locate the mailbox.

c) Canada Post Will Pay the City \$50 for Each Community Mailbox that Canada Post Install:

Canada Post acknowledged that the installation process is a large undertaking that will require the use of the City's administrative resources - primarily staff time spent reviewing the applications. Therefore, Canada Post indicated that it will pay to the City \$50 for each community mailbox that it installs on City-owned lands. Canada Post estimates that it will install roughly 1,100 community mailboxes on City-owned lands, bringing the potential monetary amount received by the City to \$55,000.

d) Plans Have Been Submitted for 20 Pilot Locations

The Engineering Division confirms that Canada Post has submitted plans for 20 proposed mailbox sites. Canada Post and the Engineering Division will employ the process that was agreed upon by the parties at the July 6, 2015 meeting. These 20 pilot locations will enable both parties to test the installation process and identify and rectify any issues that might arise.

CITY OF HAMILTON'S APPEAL REGARDING THE COURT'S DECISION

On June 17th, the CBC reported that Hamilton City Council has voted to appeal the Court's decision. Initial legal opinions regarding the likelihood that Hamilton's appeal will be successful are not optimistic. It is generally thought that the appeal will clarify the Superior Court's decision but not overturn it.

FINANCIAL IMPLICATIONS

As part of Canada Post's community mailbox installation programme within the City, it will pay \$50 to the City for each community mailbox that it installs. Canada Post estimates that it will install approximately 1,100 community mailboxes within the City. Therefore, the City could potentially receive up to \$55,000 from Canada Post as a result of their community mailbox installation programme.

NEXT STEPS

The *Canada Post v City of Hamilton* decision means that the City cannot enact a by-law that regulates the location of Canada Post's community mailboxes.

Since Canada Post currently submits its subdivision community mailbox plans to the Engineering Division on a voluntary basis, Administration should accept Canada Post's offer to voluntarily extend this practice to their broader community mailbox installation programme. Furthermore, Administration should accept Canada Post's offer to pay \$50 to the City for each community mailbox that it installs on City-owned lands. Canada Post's proposed community mailbox installation process will enable Administration to consult with Canada Post regarding its proposed locations for the community mailboxes programme.



Nadia Koltun, City Solicitor

REFERENCE MATERIAL ATTACHED

ATTACHMENT "A"

Specification E10X-SPEC-002



Standard Equipment Engineering

Specification E10X-SPEC-002

Community Mailbox (CMB)

Setback Standards

Specification E10X-SPEC-002

Scope

This document outlines minimum setback requirement for the installation of community mailboxes. The goal of the setback is establish compliance to AASHTO's Roadside Design Guide (4th Edition) and apply the CLEAR ZONE concept to where community mailboxes are installed. AASHTO is the American Association of State Highway and Transportation Officials and has sitting Canadian members.

Definition of clear zone based on AASHTO:

"A clear zone is the unobstructed, traversable area provided beyond the edge of the through traveled way for the recovery of errant vehicles. The clear zone includes shoulders, bike lanes and auxiliary lanes.."

The location of the Community Mailbox is selected by the delivery service officer as per the CMB(B) Site Selection Guide for Delivery Planning

Where site constraints do not allow for the application of the minimum clear zone setbacks as per Table 3.1.3.1 of the TAC Geometric Design Guide for Canadian Roads, then the CMB will be located as far as practically possible from the edge of travel way. When this occurs the CMB location will give consideration to minimum operational offsets as discussed in Sections 10.1.3.1 and 10.2.2.1 of Chapter 10, Roadside Safety in Urban or Restricted Environments of AASHTO's Roadside Design Guide (4th Edition).

When the clear zone setback cannot be achieved then the DSO will document why the clear zone setback cannot be met in the site file.

Canada Posts Corporation has established standard Installation drawings for the most common installation scenarios. Each of these standard scenarios will have corresponding minimum installation clear zone setback distances and operational offset.

If local and/or provincial regulations differ from this document, contact CPC Engineering

Exceptions:

- On private properties such as condominium complexes or parking lots, there is no minimum setback distance required as per this document. A setback distance of 1.0 m is recommended for snow clearing consideration.

Specification E10X-SPEC-002

A - Gravel shoulder installation

Reference drawings:

E-101 → E10X-INST-A00

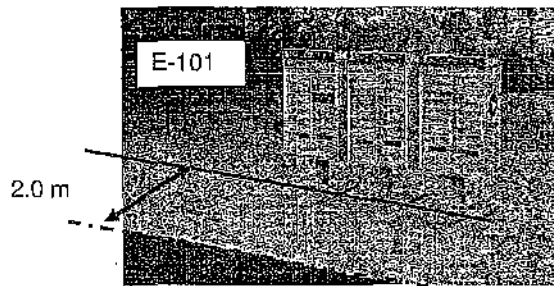
E-5 → E5-INST-A00

Site Criteria:

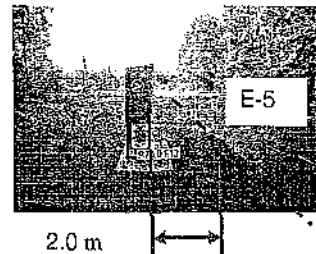
- Road is asphalt or gravel
- No curbs or sidewalk
- Access to be compacted gravel
- Design Speed 60km/hr or less
- CMB on tangent section of road
- Side slope beyond shoulder are 6:1 or flatter
- Urban Environment (Referred as Type 1 in the CMB site selection guide)
 - Characterized with signs, utility poles, luminaires, fire hydrant, numerous fixed objects, furniture and frequent stops)

Minimum Setback: 2.0m, from face of box to edge of travelled way

Edge of travel way:



- Typically where the gravel shoulder begins
- For wide asphalt or gravel roads , that do not have a clearly defined edge of travelled way, the edge of travelled way can be measured at 3.5m from centerline of road



For Non-Urban Environment (Referred as Type 2 in the CMB site selection guide)

If the design speed is greater than 60km/h and/or ADT is over 750, refer to table for minimum of clear zone distances.

Reference:
Table 3.1.3.1 - TAC Geometric Design
Guide for Canadian Roads"

Design Speed	Design ADT	Minimum Clear Zone Distances (m)
60 km/h or less	Under 750	2.0
	750-1500	3.0
	1501-6000	3.5
	over 6000	4.5
70-80 km/h	Under 750	3.0
	750-1500	4.5
	1501-6000	5.0
	over 6000	6.0

Specification E10X-SPEC-002

B – Sidewalk Road facing installation

Reference drawings:

E-101 → E10X-INST-B00

E-5 → E5-INST-B00

Site Criteria:

- Concrete Sidewalk
- Road facing
- Mountable or barrier Curb at edge of travelled lane
- Design speed is 60km/hr or less
- CMB on tangent section of road

Minimum Setback: 2.0m

Setback by design as follow:

- Typical Sidewalks are 1.5 m – 2.0m when located beside curb
- Concrete pad front access 0.5m
- Pad installed at 0.2m with 2 rows of pavers offset to sidewalk

Total of 2.2m to 2.7 of setback by design



Specification E10X-SPEC-002

C – Sidewalk Boulevard installation

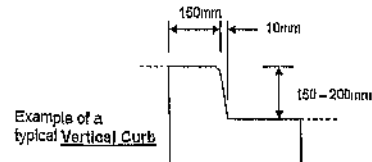
Reference drawing:

E-101 → E10X-INST-C00

E-5 → E5-INST-C00

Site Criteria:

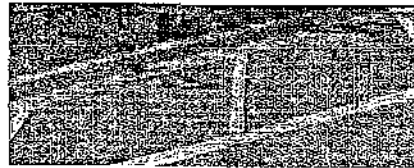
- Concrete Sidewalk
- Installed on the boulevard
- Box is rear facing to road
- A vertical curb, it must have a near perpendicular face and minimum height of 150mm
- Speed 60km/h or less
- CMB on tangent section of road



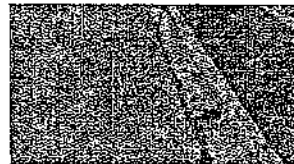
Operational Offset: 1.8 m from travelled lane to back face of box

The travelled lane is measured at:

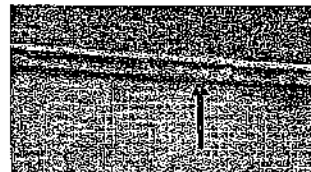
- Solid painted line on roadway (furthest)



- OR..Where the concrete curb and gutter meet the asphalt



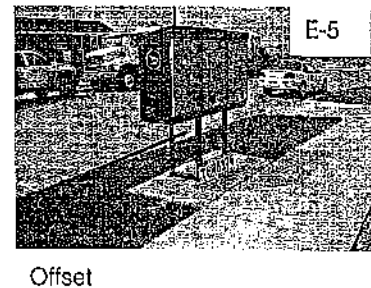
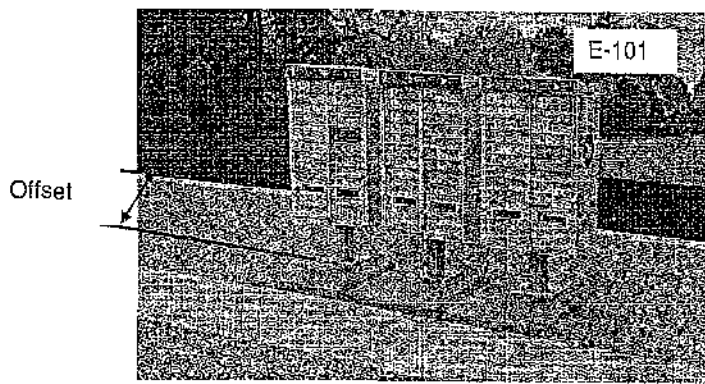
- OR..The vertical face of the curb



Specification E10X-SPEC-002

If 1.8m offset cannot be achieved after all locations in the area have been considered, the offset can be reduced to 1.2m if the road is not used as a thru-road, or if there is a barrier or object with lesser offset protecting the CMB on the traveled side (e.g., tree with diameter of $> 200\text{mm}$, other rigid utilities, etc.). The CMB Installation (all 1,2 or 3 modules) needs to be within 3.6m of the barrier

If the site includes bike lanes, dedicated parking or lay-by, the set back can be measured from the edge of the travelled way. See Annex 1 for examples. A minimum setback of 0.5m is required from face of curb



Reference: AASHTO: Roadside Design Guide, Chap. 10, Roadside Safety in Urban or Restricted Environments

Specification E10X-SPEC-002

D –Mountable/Rollover Curb installation

Reference drawing:

E-101 → E10X-INST-D00

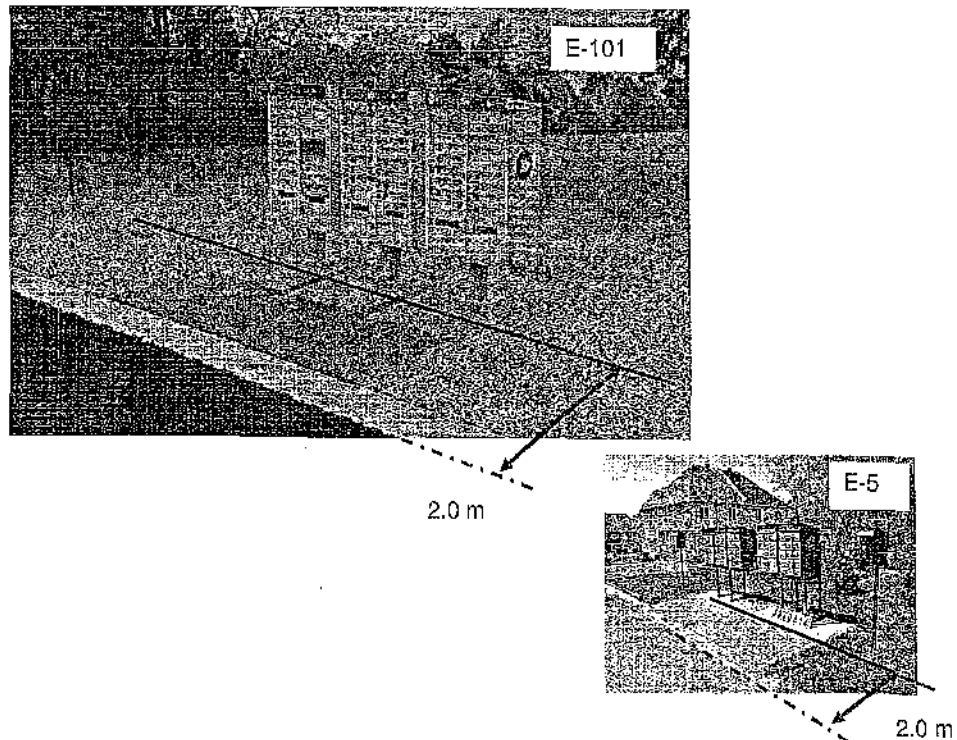
E-5 → E5-INST-D00

Site Criteria:

- No vertical curb
- Speed 60km or less
- CMB located on tangent section of road
- Side slopes are 6:1 or flatter
- Concrete pad and paver brick front access,; no sidewalk

Minimum Setback: 2.0 m from face the box to the edge of travelled way

-Where mountable curb is present, the edge of the travelled way is located at the interface of the mountable curb edge of gutter and the road surface edge of pavement.



Specification E10X-SPEC-002

E –Barrier/Vertical Curb installation

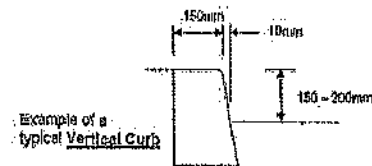
Reference drawing:

E-101 → E10X-INST-E00

E-5 → E5-INST-E00

Site Criteria:

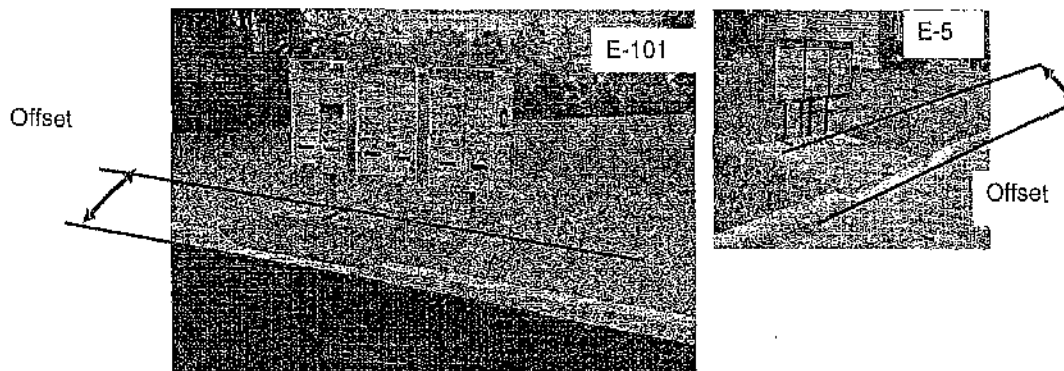
- No Sidewalk
- CMB located on tangent section of road
- Design speed 60km/h or less
- A vertical curb, it must have a near perpendicular face and minimum height of 150mm
- If the existing vertical curb does not have a depression, a curb cut will be required.



Operational Offset: 1.8 m from face of curb to face of box

If 1.8m offset cannot be achieved after all locations in the area have been considered, the offset can be reduced to 1.2m if the road is not used as a thru-road, or if there is a barrier or object with lesser offset protecting the CMB on the traveled side (e.g., tree with diameter of > 200mm, other rigid utilities, etc.). The CMB installation (all 1,2 or 3 modules) needs to be within 3.6m of the barrier

Where it is not practical to achieve the clear zone setback of 1.8m, the reasons for which shall be documented in the design file supporting the decision making for locating the CMB.



Reference: AASHTO: Roadside Design Guide, Chap. 10, Roadside Safety In Urban or Restricted Environments

Specification E10X-SPEC-002

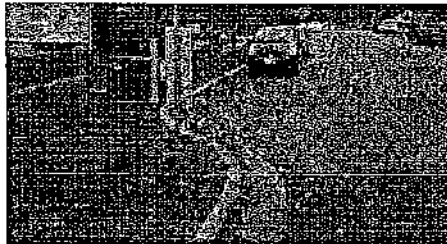
Annex 1: Inclusions on setback distances

The following situations can be included in the total setback distance required:

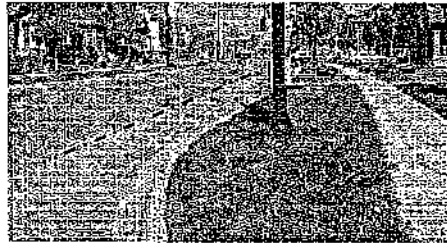
Integrated lay-by
provided by the
municipality



Permanent and
dedicated parking
area not used as a
travelled way



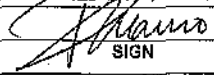

Dedicated bicycle
lane



ATTACHMENT "B"



**TRANSPORTATION & WORKS - ENGINEERING DIVISION
OPERATIONS MANUAL**

SECTION: 8.2 - UTILITY LOCATION PERMITS/PROCEDURE	REVISION #: 0	
DOCUMENT TITLE: UTILITY LOCATION PERMIT - SUBMISSION REQUIREMENTS	ORIGIN DATE: JUNE 14, 2010	
DOCUMENT TYPE: PROCEDURE	REVISION DATE: N/A	
DOCUMENT ID #: DFE-UP-PR-01	PREPARED BY: CORY HALVORSEN	
REVIEWED BY: PAT MAURO	 SIGN	DATE
AUTHORIZED BY: CORY HALVORSEN	 SIGN	June 14, 2010 DATE

1.0 Purpose

To inform applicants when a Utility Location Permit is required and what information must be included in the submission.

2.0 Scope

Any work done within a City road allowance, laneway, easement or property that involves excavating, breaking up, or breaching the existing surface or involves underground installation of plant (including plant installed using directional drilling methods) shall require a Utility Location Permit.

Refer to your agreement held between your company and the City for complete obligations and responsibilities.

3.0 Procedure

3.1 Insurance

Applicant shall provide proof of general liability insurance (complete a City of Thunder Bay "Certificate of Insurance" form).

3.2 Drawing/Sketch

All applications shall be accompanied by a drawing/sketch. Information required on the sketch shall be as follows:

- Identify entire area of excavation or installation
- Show all proposed utilities being constructed that relate to the permit
- Show all new structures related to the proposed utility and dimension their location (concrete pads, poles, etc)
- If the permit is for a service connection only, the existing main line that it is connected to shall also be shown



- North arrow, street names, lot #'s or house #'s
- Property/legal lines
- Dimension all proposed utilities to property/legal lines, +/- 0.1m accuracy
- Show all existing buildings/structures in close proximity to the proposed utility
- Denote proposed depth of the utility

3.3 Notification of Location Change

If the field conditions require the location of the utility to deviate more than 1.0m from the location defined on the permit contact the engineering office prior to installation so that conflicts with clearances can be assessed.

3.4 Exclusions and Clarifications

Replacement of existing poles will not require a Utility Location Permit unless the new pole is being installed more than 1.0m from its original location.

Major pole replacement projects (i.e. where most or all of the poles along the street are being replaced) will require a single Utility Location Permit to be obtained for the project. Detailed drawings defining the work will be required in order to complete the permit review.

Projects that cover a large site and incorporate multiple installations may be submitted under a single Utility Location Permit application. Detailed drawings defining the work will be required in order to complete the permit review.

Utility installations that are minor in size or length may be granted exceptions with respect to the level of detail required on the drawing/sketch. These exceptions will be granted on a case by case basis with the individual applicants.

ATTACHMENT "C"

**DSO JOB AID: E101 LOCALIZATION FORM
AND STANDARD DRAWINGS**



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DSO JOB AID: E101 LOCALIZATION FORM AND STANDARD DRAWINGS



CMB SITING GUIDELINES

- CMB siting must be performed with the **customer in mind**.
- There are **no postal code changes** when converting door-to-door to centralized delivery.
- **Find the balance** between the cost of installation, customer convenience and operational efficiency.
- **Property ownership can be:**
 - ☐ Municipal – on easements or utility lots
 - OR
 - ☐ Private property - with permission (licence), e.g. church parking lot, convenience store, strip mall, gas station, etc.
- **PREFERRED CMB locations:**
 - ☐ Sides or corner lots
 - ☐ Parks or other public spaces
 - ☐ Where walkways or sidewalks are present
 - ☐ Under existing street lighting
- **CMB locations to AVOID:**
 - ☐ Directly in front of school
 - ☐ In front of a home's front windows
 - ☐ In areas where snow removal may be an issue (where the municipality piles snow or where clearance at the CMB can be an issue)
 - ☐ In a cul-de-sac or at the end of a crescent, unless the CMB only serves that area
 - ☐ Cost prohibitive locations (requiring culverts, retaining walls...), unless there are no other options
- **CMB siting rules:**
 - ☐ The home beside a CMB site receives mail in that site
 - ☐ Sites are barrier free (accessible)
 - ☐ Splitting LDUs (within reason) is permitted
 - ☐ Customers must not pass another CMB site to get to their designated CMB site

DSO JOB AID: E101 LOCALIZATION FORM AND STANDARD DRAWINGS



COMPLETING THE CMB LOCALIZATION FORM

The *CMB Site Localization* form provides the Installation contractors with the exact location and configuration of the CMB site you've selected, as well as captures information vital to the route restructure. It is imperative this form be completed accurately.

As markings are not permitted at the physical location, it is imperative this form be completed accurately. The *CMB Site Localization* form contains four sections: 1) Site description, 2) Site configuration, 3) Letter Carrier measurements and 4) Site picture and mapping information.

CMB Site Localization Form		CANADA POST / POSTES CANADA	
Section 1: Site description		Section 2: Site configuration	
Site number:	Project type:	Letter carrier measurements	
Minipark reference No.:	Number of compartments:	To the back of the mailbox	
City/Municipality:	Direction of flow:	To the front of the mailbox	
Location:	Installation type:	To the side of the mailbox	
Private property:	If the back of the CMB appears:	To the front of the mailbox	
Section 4: Site picture and mapping information			
<p>4</p>			
Date: _____ Installer: _____ Project supervisor: _____ Date: _____			

Section 1 - Site description

- **Site number:** Record the site number from AMS.
- **Minipark reference No.:** Record the first site number of a mini-park.
- **City/Municipality:** Write the city or municipality where the site is located.
- **Location:** Provide a detailed description of the site location. For example: North side of 4 Main Street, facing Church Street.
- **Private property:** Select either Yes or No from the drop down list to identify if the site is located on private property.

Site description	
Site number:	
Minipark reference No.:	
City/Municipality:	
Location:	
Private property:	

DSO JOB AID: E101 LOCALIZATION FORM AND STANDARD DRAWINGS



Section 2 - Site configuration

- **Project type:** Select the appropriate project type from the drop down list:
 - 20219 - Door to door conversions
 - 20207 - E-5 to E-101 equipment conversions
 - 20214 - Growth
 - Other
- **Number of compartments:** Select the total number of CMB compartments required for this site from the drop down list.
- **Direction of face:** Select the direction the CMB units must face when being installed (e.g. North [N], South [S], North-West [NW]).
- **Installation type:** Select the installation type for the CMB site. This selection should correspond with the appropriate standard installation drawing.
- **Is the back of the CMB exposed?:** Check either Yes or No if the back of the CMB units will be visible. This will identify if the back of the CMB needs to have an anti-graffiti wrap.

Site configuration	
Project type:	
Number of compartments:	
Direction of face:	
Installation type:	
Is the back of the CMB exposed?	

Section 3 - Letter Carrier measurements

- **Is the back of the site facing the street?:** Check either Yes or No to indicate if the back of the site is facing the street.
- **LC footage distance:** Measure the distance in feet (to the expected mid-point or centre of the CMB site) from the curb, edge of pavement or parking spot to where the Delivery Agent will stand in front of the CMB site to deliver the mail.
- **Mail mobile LC distance:** When the CMB site is in a commercial centre or plaza, measure (in feet) and record the distance from the street location entrance to the nearest possible parking spot.
- **Unable to measure:** Check this box if the required Letter Carrier measurements were obtainable.
- **Notes:** If you are unable to obtain the LC footage or Mail Mobile LC distances (for example, inside location or a site that was not reachable when DSO was on site), identify the reason why in this section.

Letter carrier measurements	
Is the back of the site facing the street?	<input type="checkbox"/> YES <input type="checkbox"/> NO
LC footage distance:	XX ft
Mail mobile LC distance:	XX ft
Unable to measure:	<input type="checkbox"/>
Notes:	

DSO JOB AID: E101 LOCALIZATION FORM AND STANDARD DRAWINGS

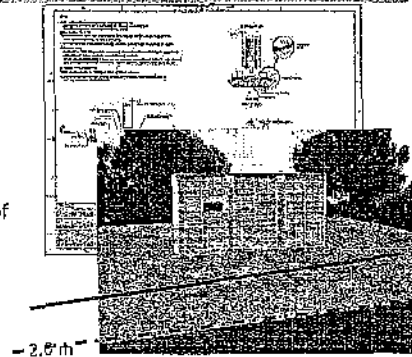


STANDARD INSTALLATION DRAWINGS

Canada Post has established standard drawings for the most common installation scenarios. The goal of the standard drawings is to establish compliance with the highway and transportation acts, as well as identify the corresponding minimum installation setback distances and apply the clear zone concept to the installation of Community Mailboxes in Canada. *Exception:* On private property (such as condominium complexes or parking lots), there is no minimum setback distance required; however a setback distance of 1.0 m is recommended for snow clearing consideration.

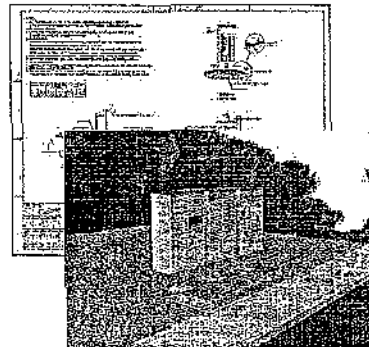
Standard Drawing A - Gravel Shoulder Installation

- **Site Criteria:**
 - ☐ Road is asphalt or gravel
 - ☐ No curbs or sidewalks
 - ☐ CMB located on tangent section of road
 - ☐ Side slope beyond shoulder are 6:1 or flatter
- **Minimum Setback:** 2.0 m from face of box to edge of travelled way.
- Refer to the *CMB Site Selection Guide* and the *Setback Guidelines* for details.



Standard Drawing B - Sidewalk Road Facing Installation

- **Site Criteria:**
 - ☐ Concrete sidewalk
 - ☐ Road facing
 - ☐ Mountable or barrier curb at edge of travelled lane
- **Minimum Setback:** 1.8 m.
- Refer to the *CMB Site Selection Guide* and the *Setback Guidelines* for details.






DSO JOB AID: E101 LOCALIZATION FORM AND STANDARD DRAWINGS



Completing the Standard Installation Drawing

Once you have identified the appropriate standard drawing, the section on the bottom left-hand side must be populated with the site details.

		<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> 1  <small>NO MODULE</small> </div> <div style="text-align: center;"> 2  <small>GRID</small> </div> <div style="text-align: center;"> 3  <small>GRID</small> </div> </div>	
		NUMBER OF MODULES:	
RATE <small>PER HOUR</small>	<small>ENTER THE RATE FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>	LOCAL CONTACT METHOD: <small>ENTER THE LOCAL CONTACT METHOD FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>	
	<small>ENTER THE RATE FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>	<small>ENTER THE LOCAL CONTACT METHOD FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>	
NOTE (PERSON) IDENTIFICATION: <small>ENTER THE NOTE (PERSON) IDENTIFICATION FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>	<small>ENTER THE NOTE (PERSON) IDENTIFICATION FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>	DETAILS: <small>ENTER THE DETAILS FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>	
	<small>ENTER THE NOTE (PERSON) IDENTIFICATION FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>	<small>ENTER THE DETAILS FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>	
ADDITIONAL COMMENTS AND REMARKS: <small>ENTER THE ADDITIONAL COMMENTS AND REMARKS FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>			
<small>ENTER THE ADDITIONAL COMMENTS AND REMARKS FOR EACH MODULE IN THE FOLLOWING COLUMNS</small>			

Number of Modules: Select the number of CMB modules required for the specific site. The number of modules selected will automatically update the standard drawings and identify the required equipment and supplies.

Date: Enter the date in MM-DD-YY format.

Site Number: Enter the site number.

Location: Provide a detailed description of the site location. For example: North side of 4 Main Street, facing Church Street.

City: Enter the city or municipality where the site is located.

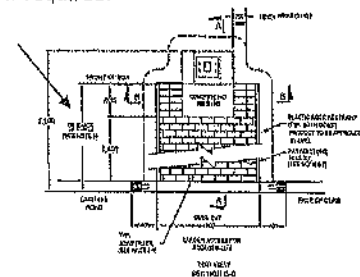
Additional Notes: Enter any other site specific comments you have that may help the installation contractors.

Cut Curb: This field only appears if you have selected _____ Standard Drawing E - *Barrier/Vertical Curb Installation*. Check the appropriate box to identify when the Installation contractors must cut the curb to access the CMB site.

DATE: 11/17/77		NUMBER OF MODULES:		1	2	3
1. NAME OF THE PROJECT: 2. NAME OF THE PERSONNEL: 3. NAME OF THE ORGANIZATION: 4. NAME OF THE PROJECT: 5. NAME OF THE PERSONNEL: 6. NAME OF THE ORGANIZATION:		1. NAME OF THE PROJECT: 2. NAME OF THE PERSONNEL: 3. NAME OF THE ORGANIZATION: 4. NAME OF THE PROJECT: 5. NAME OF THE PERSONNEL: 6. NAME OF THE ORGANIZATION:				

Note: DSOs have the ability to adjust the setback on the drawings, if required.

- Setback distances must always conform to Setback Standards.
- Adjustments in increments of 0.1m are required when dealing with paver installation.





MEETING DATE 09/14/2015 (mm/dd/yyyy)

SUBJECT Waterfront Development Committee

SUMMARY

Minutes of Meeting No. 2-2015 of the Waterfront Development Committee held on April 2, 2015, for information.

ATTACHMENTS

1. Minutes of Meeting of the Waterfront Development Committee held on April 2, 2015.

DATE: THURSDAY, APRIL 2, 2015**MEETING NO. 02-2015****TIME:** 4:30 P.M.**PLACE:** MCNAUGHTON ROOM, 3RD FLOOR, CITY HALL**CHAIRMAN:** COUNCILLOR I. ANGUS**PRESENT:**

Councillor I. Angus
Mr. D. Fisk
Ms. D. Gilhooly
Ms. A. Ostrom
Mr. J. Susin
Mr. M. Tenander

REGRETS:

Mayor K. Hobbs
Councillor B. McKinnon
Councillor A. Ruberto
Councillor J. Virdiramo

OFFICIALS:

Mr. T. Commisso, City Manager
Mr. D. Matson, General Manager – Infrastructure & Operations
Ms. N. Koltun, City Solicitor & Corporate Counsel
Mr. L. Morrow, Corporate Project Manager – Facilities, Fleet & Transit Services
Mr. P. Fayrick, Manager - Parks Division
Ms. L. Douglas, Committee Coordinator – Office of the City Clerk

GUESTS:

Mr. J. Mauro & Mr. K. Williams – Military Tribute Committee
Mr. E. Hansen, Mr. P. Hansen & Mr. J. Stephenson – Community Boating Centre

1.0 CALL TO ORDER & DISCLOSURES OF INTEREST

Councillor I. Angus, Chair, called the meeting to order at 4:37 p.m. A roundtable of introductions followed.

There were no disclosures of interest declared at this time.

2.0 AGENDA APPROVAL

Mr. D. Matson added potential surplus of lands under New Business.

MOVED BY: Ms. D. Gilhooly
SECONDED BY: Mr. J. Susin

With respect to Meeting No. 02-2015 of the Waterfront Development Committee held on April 2, 2015, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

3.0 PRESENTATIONS

3.1 Presentation on the Memorial Wall Location

In reference to a memorandum from Councillor L. Hebert, dated March 6, 2015, to members of Council, the following resolution was moved by Councillor L. Hebert at the March 23, 2015 Committee of the Whole meeting:

THAT the City of Thunder Bay offers a location at Marina Park for the proposed Memorial Wall which will contain the names of all military members from Thunder Bay and /or the District of Thunder Bay who were killed in action while serving their country in armed forces combat missions.

This motion was referred to the Waterfront Development Committee by the following:

THAT the resolution relative to the Memorial Wall location be referred to the Waterfront Development Committee and Administration for a report back on their recommendations in consideration of proposed and potential locations.

A presentation was made by Mr. Jim Mauro and Mr. Kyle Williams, members of the Military Tribute Committee, relative to adding a Memorial Wall at Marina Park.

Mr. J. Mauro provided background information on how the Memorial Wall would look, and noted that City Council had been approached about this request in January 2014.

This committee is convinced that Marina Park would be the best location for the Memorial Wall for the following reasons:

- visibility of the monument would be limited if it was located at Waverley Park;
- Marina Park is visited by more visitors and citizens than Waverley Park; the monument would be in a more vital, growing part of the community;
- At Marina Park, the monument would also be a tribute to those whose lives ended on the water;
- The waterfront has more of a setting of serenity and peace.

Mr. Mauro responded to questions, and estimated that the Memorial Wall would be approximately 25 feet in length, with 1,200 names of the military on it. There is currently no design; if this project is approved, the community would be invited to submit designs. There is no specific location along the waterfront being suggested. The Military Tribute Committee is prepared to start the project in about six weeks upon approval. They will raise their own funds for this project.

Discussion was held relative to the importance of the right location and place of reflection.

Mr. Mauro noted that there have not been many discussions about the Memorial Wall with the

local legions; however, they are supportive. The legions do not have any opinion on the location of the Memorial Wall. The Military Tribute Committee has had no discussions with the committee that put up the naval memorial at the waterfront.

Mr. Mauro and Mr. Williams were thanked for their presentation, and they left the meeting at 5:00 p.m.

Copies of a map of the Waverley Park Cenotaph and Memorial Walkway were distributed separately on desks at the meeting.

Mr. P. Fayrick, Manager – Parks Division, provided an overview of the map and responded to questions. It was noted that Remembrance Day ceremonies are held at Waverley Park on an annual basis.

It was noted that a committee has been struck to commemorate the 100th anniversary of the outbreak of World War I, and they are vetting memorial tributes and legacy projects.

It was also noted that Port Arthur was the first place (in the world) to commemorate the poppy after WW1 ended.

Mr. Fayrick provided an overview of where the proposed Memorial Wall could be located – in the semi-circle near the cenotaph. Mr. D. Matson provided an overview of a grade change in the area which could accommodate the monument.

It was noted that parts of Red River Road can be closed for open street events.

If members of the WDC have any further questions in this regard, they are to forward them to Ms. L. Douglas, Committee Coordinator, and she will send them to Administration.

Administration will draft a resolution in regards to the deputation for consideration by the WDC at the June 4, 2015 Committee meeting.

3.2 Thunder Bay Community Boating Centre Initiative

Copies of the Thunder Bay Community Boating Centre Brochure were distributed separately on desks at the meeting for information.

At 5:16 p.m., Mr. Eric Hansen provided an overview of a joint initiative of the Thunder Bay Yacht Club and the Temple Reef Sailing Club called the Thunder Bay Community Boating Centre. Mr. P. Hansen & Mr. J. Stephenson were also in attendance to respond to questions. A PowerPoint slideshow was part of the presentation.

Background information was provided on the Thunder Bay Yacht Club and the Temple Reef Sailing Club.

The Temple Reed facility is showing signs of aging, and the Yacht Club currently has no presence on the waterfront. An overview of a proposed multi-use facility was provided. It was noted that there are currently no services (water, hydro, etc.) to the proposed location. Primary funding for the facility would come from fundraising endeavours by the two clubs. It was noted that the waterfront provides a lot of opportunities for racing events. Both clubs would like to bring more boating events to Thunder Bay.

Copies of the proposed STB storage/launch area were distributed separately on desks at the meeting. Mr. E. Hansen, Mr. P. Hansen and Mr. J. Stephenson responded to questions.

Mr. D. Matson noted that this initiative is an integral part of the Waterfront Master Plan Update, and that these two clubs are part of the stakeholders group in the development of the plan.

Councillor I. Angus requested that information on the City's Community, Youth & Cultural Funding Program is sent to Mr. E. Hansen. Ms. L. Douglas, Committee Coordinator, will follow up on this request.

The representatives for the Thunder Bay Community Boating Centre were thanked for their presentation, and at 5:57 p.m. they left the meeting.

4.0 MINUTES OF PREVIOUS MEETING

The Minutes of Meeting No. 01-2015 of the Waterfront Development Committee, held on February 5, 2015, to be approved.

MOVED BY: Mr. M. Tenander
SECONDED BY: Mr. J. Susin

THAT the Minutes of Meeting No. 01-2015 of the Waterfront Development Committee held on February 5, 2015, be approved.

CARRIED

5.0 BUSINESS ARISING FROM PREVIOUS MINUTES

Pedestrian Overpass

Mr. D. Matson, General Manager – Infrastructure & Operations, reported that the structural repairs and architectural finishes (approximately \$600,000) included in the 2015 capital budget for the pedestrian overpass have been moved to the 2016 capital budget.

6.0 VISIONING WORKSHOP

On March 5, 2015, a visioning workshop on the Phase 2 Waterfront Master Plan and the 52 kilometres of waterfront was held for members of the Waterfront Development Committee. Representatives from BrookMcIlroy Inc. facilitated the workshop.

Additional information from BrookMcIlroy Inc. relative to the Key Directions for Phase 2 Waterfront Master Plan was distributed separately on desks at the meeting.

Mr. D. Matson provided an overview and responded to questions relative to the WDC Action Items listed on Page 3.

Chair, Councillor I. Angus, requested that this type of information be distributed with the agenda for review prior to the meeting.

Accordingly, the Action Items will be tabled for the June 2015 WDC meeting to enable the Committee members to read them and provide feedback.

Mr. L. Morrow, Corporate Project Manager, provided an overview of Attachment 1 and noted that approval of the draft Guiding Principles on Page 4 is required by the WDC. Several members requested more time to review the document. The subject information will be sent out electronically to the WDC members for their review. They can forward their revisions/questions/suggestions etc. to Ms. L. Douglas, Committee Coordinator. The deadline for feedback will be Thursday, April 30, 2015.

7.0 CITY'S 2015 – 2018 STRATEGIC PLAN

Copies of an invitation to members of the Waterfront Development Committee to provide input into the City's 2015 – 2018 Strategic Plan were included in the agenda.

After some discussion, the following responses were provided:

In your view as a Committee, what are the most important issues facing the City today?

- Implementation of the Waterfront Master Plan - Phase 2, particularly for the area South of Pearl and the Festival Area;
- Progress on the development of the 52 kilometres of the Waterfront Recreation Trail;
- Integration of the Image Route Visioning into City Plans

What issues should receive the greatest attention from City Council?

- No responses were discussed.

As a Committee, what is your vision for the City of Thunder Bay?

- Development of the 52 kilometers of waterfront to its full potential.

8.0 WATERFRONT TRAIL – WDC SUPPORT

Discussion was held relative to a recommendation to City Council in support of the Waterfront Trail.

MOVED BY: Ms. A. Ostrom
SECONDED BY: Mr. D. Fisk

THAT having received the revised waterfront trail plan, the Waterfront Development Committee supports the waterfront trail in principle, and directs Administration to proceed with a full report, including but not limited to, implementation and financing.

CARRIED

9.0 TERMS OF REFERENCE

Copies of the Park Master Plan Projects for 2015 and the draft Terms of Reference for the Chippewa Park Master Plan were distributed separately on desks at the meeting. Mr. P. Fayrick, Manager – Parks Division, provided an overview of the projects and responded to questions.

9.1 Chapples Redevelopment Plan

Mr. P. Fayrick provided an overview of the draft scope of work for the Chapples Recreation Area – Redevelopment Plan and responded to questions. Copies of an air photo of the Chapples Recreation Area were distributed separately on desks at the meeting.

He noted that the City is looking for partnership opportunities in this plan. A high level traffic study is needed for the area.

9.2 Boulevard Lake Master Plan

It was noted that the tender for consulting services for the Boulevard Lake Area Improvements Plan was awarded to the EDS Group Inc. in February 2015.

9.3 Chippewa Park Master Plan

It was noted that the tender for consulting services for the Chippewa Park Breakwater Study were awarded to Oshki Aki LP in February 2015.

Mr. P. Fayrick provided an overview of the scope of work, and noted that permanent removal of the dock is being considered.

Objectives include improving the water quality at the main beach and enhancing the fish habitat.

Discussion was held relative to the Park's Carousel and its designation as a protected heritage structure.

It was noted that the highest use of Chippewa Park occurs in June, in the event consultants want public input.

10.0 BOULEVARD LAKE CONSTRUCTION UPDATE

Mr. D. Matson reported that the Boulevard Lake dam project has been tendered.

Repairs to the water main are scheduled for this year. Repairs to the parking lot and dredging of the lake are part of the Boulevard Lake Area Improvement Plan, which is currently underway.

11.0 NEW BUSINESS

Administration recommended that the Waterfront Development Committee resolve into Closed Session to discuss the business at hand.

MOVED BY: Ms. D. Gilhooly
SECONDED BY: Ms. A. Ostrom

THAT the Waterfront Development Committee resolves into Closed Session in order to receive information that is relative to a proposed or pending acquisition or disposition of land by the municipality, and then revert back to Open Session to continue with the business at hand.

CARRIED

The meeting reconvened in Open Session at 6:53 p.m.

MOVED BY: Mr. M. Tenander
SECONDED BY: Mr. D. Fisk

THAT Administration proceeds as directed relative to a proposed or pending acquisition or disposition of land by the municipality;

AND THAT Administration keeps the Waterfront Development Committee informed about the progress.

CARRIED

Mr. D. Fisk left the meeting at 6:54 p.m.

12.0 REQUEST FOR INFORMATION

On March 11, 2015, WDC member, Jason Susin, requested information from Darrell Matson, General Manager – Infrastructure & Operations, on the Great West Timber property relative to writing a proposal for consideration by the Waterfront Development Committee for a recommendation to City Council.

Discussion was held relative to the above noted.

13.0 PHASE II UPDATE – No Update

14.0 PRIVATE DEVELOPMENT UPDATE – No Update

15.0 2015 MEETING DATES/NEXT MEETING

Meetings of the WDC are scheduled on the first Thursday of every second month, except in July and August, from 4:30 – 6:30 p.m. in the McNaughton Room, 3rd Floor of City Hall (unless otherwise notified), as follows:

- Thursday, June 4, 2015
- Thursday, September 3, 2015
- Thursday, November 5, 2015

16.0 ADJOURNMENT

The meeting adjourned at 7:33 p.m.