



Governance and Priorities Committee Report For the Meeting of May 21, 2015

To: Governance and Priorities Committee **Date:** May 15, 2015
From: Brad Dellebuur, Acting Assistant Director, Transportation and Parking Services
Subject: Community Mailboxes

Executive Summary

The purpose of this report is to provide Council with information on best practices in implementing, managing and minimizing costs and the placement of units arising from the new Canada Post community mailbox program, and to provide advice on methods to minimize start-up and continuing costs to the City in relation to the urban community mailbox delivery system.

The community mailboxes present challenges when it comes to costs to the City, including impacts to public space, garbage and recycling, vandalism and theft, maintenance, accessibility, and location selection. While the City has been asked to comment on proposed locations, there is no legal authority for the City to refuse the change in service, or to refuse or authorize community mailbox locations. Many municipalities across Canada are currently undergoing similar processes to the City, reviewing locations, attempting to assess the impact to residents and the ability of the municipality to be involved in the process. As most jurisdictions are dealing with this issue simultaneously, the establishment of best practices is still in development.

The response of most municipalities in the region has been to post information of the proposal on their website, and direct residents to contact Canada Post directly. The City could ask for additional details on the proposed consultation by Canada Post, and include similar information for residents.

Recommendations

That Council:

- a) Request that staff ask representatives from Canada Post to make a presentation to Council on the community mailbox transition.
- b) Request more information from Canada Post regarding plans for community consultation on proposed locations, and post that information on the City's website, to inform residents.

Respectfully submitted,



Emilie Gorman
Policy Analyst

Legislative and Regulatory Services



Brad Dellebuur, A/Assistant Director
Transportation and Parking Services
Engineering and Public Works

Report accepted and recommended by the City Manager: _____ 

Date: May 15, 2015 _____

Purpose

The purpose of this report is to provide Council with information on methods and best practices to minimize impacts regarding the placement of community mailboxes.

Background

In December 2013, Canada Post (CP) announced plans to address financial sustainability and the changing postal needs of Canadians by converting one-third of Canadian household mail delivery to community mailbox delivery, over a five year period. Other household delivery is already conducted through similar centralized mailbox services. Commercial delivery would remain as-is.

Community mailboxes have individually locked mail compartments for individual households, a larger locked compartment for securely receiving parcels, and a mail drop for outgoing mail. They are to be centrally located, to serve a small residential area. The proposed mailboxes are pictured in Appendix C.

CP operates postal services in Canada under the jurisdiction of the Federal Government and the *Canada Post Corporation Act*, which gives CP the authority to install devices in any public places for the delivery of mail. The City does not have jurisdiction to refuse or authorize locations or the change in service, however CP has asked the City to provide input on the proposed locations, in terms of influence to city land and infrastructure.

Many other local governments have already begun the transition from door-to-door service to community mailboxes. The first round of community mailbox conversions in the Capital Regional District will affect approximately 18,000 homes. The entire conversion by CP is expected to take five years, but it is not known at this point when each region of the City will be converted to the mailboxes.

In January 2015, CP contacted the City with 31 proposed community mailboxes in the Victoria West neighbourhood and asked the City for preliminary approval, before going out to the community for resident feedback. On January 29, 2015, Council passed a motion asking staff for information on the impact of placing community mailboxes, the experience of other jurisdictions, and methods to minimize start-up and continuing costs to the City associated with the mailboxes. Staff advised CP they would postpone responding on the specific locations until Council received this information from staff.

Issues & Analysis

The installation of community mailboxes in municipalities raises many issues, including:

Cost	CP will be responsible for the cost and installation of community mailboxes. Staff resources will be required to review the locations and provide comment, a process already conducted for other public services and not requiring additional staff.
Impacts to Public Space	The City has a set of Guiding Principles on the Use of Public Space (Appendix D). Proposed locations for community mailboxes would ideally consider those principles. Public space impacts related to the mailboxes include traffic congestion, parking, sight line and visibility impacts, safety concerns, removal of green space from public use, and potential garbage accumulation.
Garbage and Recycling	CP does not provide garbage or recycling bins, recommending people take their mail home to sort. The installation of these bins near community mailboxes may be required. The City would be responsible for capital costs and any additional collections required.
Theft	While door-to-door mailboxes are typically unsecured, reports of theft from community mailboxes are reported frequently in the media and are a concern for those who receive their mail this way. Mail theft is concerning as it can include significant amounts of personal information.

Vandalism	Vandalism and graffiti of the mailboxes may be a concern and can be managed through agreements. Area street lighting may assist in reducing safety concerns; CP have informed staff the existing presence of street lighting is one criteria used for identifying proposed locations.
Maintenance	The responsibility for snow clearance at community mailboxes falls to CP. Responsibility for general maintenance, including replacement of the box and installation site for wear and tear, must be established. If it falls to CP to repair, acceptable timelines for response should be clarified.
Accessibility	For seniors or other residents with mobility and accessibility issues, the placement of mailboxes is of particular concern. CP states that they are working on developing alternative solutions for these groups.
Locations	Current City process is to circulate proposed sites to the appropriate staff groups, similar to what is done for infrastructure proposed by a third party. As new developments are built, the installation of mailboxes will be considered during planning and construction. Community mailboxes would not be permitted inside parks; however, locations on the perimeter or frontage of parks may be ideal for resident convenience and accessibility.

Experience of Other Jurisdictions

Many municipalities across Canada are currently undergoing similar processes to the City, reviewing locations, attempting to assess the impact to residents, and the ability of the municipality to be involved in the process. As most jurisdictions are dealing with this issue simultaneously, the establishment of best practices is still in development. The following approach and work is underway in other municipalities in Canada:

- Edmonton – Council expressed concern over the conversion; their response was to establish placement guidelines.
- Hamilton – The City has passed a bylaw banning the mailboxes and CP has started court action to challenge the validity of that bylaw.
- Burnaby – The City of Burnaby's concerns were related to the issue of community impacts of the service transition, a lack of consultation with the public and key stakeholders, mail security, accessibility, provincial statutory public notification procedures, and mailbox locations. The City wrote to the Federal government, with the motion subsequently echoed by other local governments. No actions related to agreements or moving towards installation were discussed.
- Capital Regional District:
 - Saanich – Has a “super mailbox” location policy that they want CP to adhere to, and they have expressed concern over some elements of the transition, including mobility, maintenance, litter, security of contents, crime prevention through environmental design, and safety.
 - Esquimalt – Council raised concerns with litter resulting from the mailboxes, and asked staff to contact CP to ensure there are recycling bins next to mailboxes.
 - Sidney, Langford, View Royal, Colwood – General information about the conversion is posted on their websites and in communication materials, with residents directed to CP for more information. Colwood staff have also asked CP to make a presentation to Council about proposed mailbox locations.

Agreement Models

When external organizations wish to use public space the City often enters into agreements. The agreements detail the rights and responsibilities of each party, including maintenance, costs, emergency contacts, and design guidelines.

The Federation of Canadian Municipalities (FCM) prepared a sample agreement for municipalities to consider regarding community mailboxes (see Appendix A). Should Council decide to enter into an agreement with CP, staff suggest the agreement be customized to incorporate additional City requirements (set out in Appendix B).

The FCM model agreement approach could be considered a best practice at this time, and was created in response to concerns expressed to FCM by member municipalities.

Consultation

The details of the consultation that CP plans to undergo in affected areas is unclear. While the City does have the ability to review and comment on the proposed locations, CP can choose to accept or not accept the City's comments.

Consultation with residents on the individual locations for community mailboxes is the responsibility of CP. The City should not conduct parallel or competing consultation, as there is no ability to control the community mailboxes, and consulting on the conversion or placement may give an incorrect impression to the public. However, the City may wish to ask for more consultation details and communicate those details to the public. Some municipalities have invited CP to meetings where Council and/or the public can voice their concerns and ask questions; it is unknown if CP would accept that type of invitation.

Options & Impacts

1. The City requests that Canada Post make a presentation to Council (Recommended)

Some municipalities are inviting CP to a community meeting where Council and/or the community can voice their opinions and ask questions. It is not clear if CP would accept such an invitation, which may require staff resources to plan, promote and execute. CP has stated they will consult individual households on possible locations; hosting a meeting may put the City in the role of mediator between residents and CP.

2. The City requests information on the planned community consultation (Recommended)

The City may request the details of CP's plans to consult with residents on specific proposed locations, and share that information with residents on the City website. While concerns and comments would be solicited by and directed to CP, the City could be proactive in communicating with residents, and provide an additional location for information on the conversion in the City of Victoria. This would require minimal staff resources, provided that CP is able to share further details on their plans for consultation.

3. The City and Canada Post enter into an agreement

An agreement or contract with CP, similar to ones currently in place with third party users of public space and following the sample provided by FCM, could be considered. An agreement would set out responsibility and facilitate the installation of the mailboxes, while reducing the cost to the City and impacts to City infrastructure. This type of agreement is also in keeping with City relationships with similar organizations.

4. The City conducts citizen engagement on the proposed conversion to community mailboxes

Consultation could be conducted with the city as a whole, or by neighbourhood, as they are identified for conversion. The consultation could focus broadly on items for CP to consider when choosing locations, or be more focused on issues and concerns, in particular locations where community mailboxes are proposed. This would potentially be a duplicate process to the one CP already intends to conduct, and the City would likely hear that residents do not support the conversion to community mailboxes, although there is no authority for the City to refuse the change in service.

Recommendations

That Council:

- a) Request that staff ask representatives from Canada Post to make a presentation to Council on the community mailbox transition.
- b) Request more information from Canada Post regarding plans for community consultation on proposed locations, and post that information on the City's website, to inform residents.

List of Attachments:

Appendix A: Standard FCM Agreement Items for Canada Post Community Mailboxes

Appendix B: Additional Items for FCM Agreement for Canada Post Community Mailboxes

Appendix C: Proposed Community Mailboxes

Appendix D: Guiding Principles for the Use of Public Space

Appendix A: Standard FCM Agreement Items for Canada Post Community Mailboxes

The draft agreement provided by the FCM includes the following terms:

- Recitals acknowledging the following:
 - The *Mail Receptacles Regulations* authorizes Canada Post to install mailboxes in public roadways
 - Canada Post would like to install community mailboxes at convenient locations within the City
 - That the roadways are vested in the City of Victoria
- Canada Post will:
 - Use Canada Post's location criteria to identify suggested locations for community mailboxes
 - Advise the City of its suggested locations for mailboxes ("Suggested Sites")
 - Install mailboxes only at Suggested Sites approved by the City
 - Upon receiving any notice from the City that a Suggested Site is not appropriate or no longer appropriate, work with the City in good faith to expeditiously resolve the City's concerns and objectives
 - Maintain mailboxes at its expense
 - Provide snow clearing of the areas adjacent to the mailboxes at its expense
 - Indemnify and save harmless the City from all claims for injury or damage, except those arising out of City negligence
 - Assume all loss, injury or damage and risk of loss, injury or damage caused to municipally or public utility works in, on and under roadways, resulting from mailbox construction, maintenance or repair, except those arising out of City or public utility negligence
 - Give notice of its intention to remove mailboxes from roadways
 - If removing mailboxes, restore the roadway to a satisfactory condition
 - Compensate the City for roadway repair if Canada Post fails to restore affected property after removing mailboxes
 - If there is an emergency which required Canada Post to work at a mailbox site without consultation with the City:
 - Notify the City of the details as soon as reasonably possible
 - Expeditiously restore the roadway
 - Upon failure of restoring the roadway, compensate the City for expenses it incurs to restore the roadway
 - Address liens on City property due to labour, services and materials relating to Canada Post
- The City will:
 - Have designated staff who will expeditiously review the suggested mailbox sites provided by Canada Post
 - Not unreasonably withhold its consent to Canada Post's Suggested Sites
 - Immediately provide Canada Post of its reasons if the City does not approve the suitability of a Suggested Site, or would like them relocated in the future
 - Work with Canada Post in good faith to expeditiously resolve any Suggested Site concerns or desire to relocate mailboxes
 - If there is an emergency which requires the City to work at a mailbox site without permission with the Canada Post:
 - Notify Canada Post of the details
 - Temporarily relocate the mailbox in close proximity to its original site
 - Expeditiously restore the mailbox condition
- Canada Post acknowledges:
 - The City reserves its rights of the roadway for servers, water mains, electric light, power conduits, cables, telephone conduits, gas lines and other services

Appendix B: Additional Items for FCM Agreement on Canada Post Community Mailboxes

The City would like to include the following additional details to any contract between itself and Canada Post.

- Canada Post will:
 - Ensure box locations will
 - not project into traffic
 - not interfere or impeded pedestrian or vehicular traffic
 - allow a minimum of 1.5 meters of unobstructed sidewalk in light pedestrian areas
 - allow a minimum of 2.5 meters, and 3 meters where possible, of unobstructed sidewalk in heavy pedestrian areas
 - be located on a boulevard instead of a sidewalk, when both are present
 - be a minimum of 0.6 meters from curb
 - not be within a crosswalk area, loading zone or taxi zone
 - not block building signage
 - be a minimum 2 meters from a fire hydrant
 - not block access to a building fire connection
 - be a minimum of 1.2 meters of any ramp, driveway, sidewalk or service grate
 - be a minimum of 30 meters on the nearside of a crosswalk
 - be a minimum of 15 meters on the far side of any crosswalk
 - not block a crosswalk sightline
 - not be located on a tree grate
 - if located in a park, be close to parking and away from playground equipment, tables, benches and other structures
 - Prior to providing the City with Suggested Sites, provide the City with confirmation that:
 - Third party utilities have been consulted
 - Third party utility operations have been considered
 - Upon receiving notice from the City that City work or improvements are planned in the area, will, within 14 days, make temporary arrangements for mailbox relocation, at the expense of Canada Post.

- The Suggested Sites must:
 - take into account the impact to vehicle traffic
 - demonstrate steps taken to minimize the impacts to neighbouring residents

Community Mailbox Backgrounder



The new, improved community mailboxes that will be ready for use in the fall of 2014 have been designed for the changing needs of Canadians. Here are some key features:

Larger individual compartments

The locked compartments dedicated to each address are larger. They're big enough to accept more than 50 per cent of the parcels and packets mailed in Canada. A magazine can lie flat.

Larger parcel compartments

Each unit has two parcel compartments. They're big enough to accept more than 80 per cent of the parcels and packets mailed in Canada. Customers who have an item in one of these compartments will find a key in their individual compartment.

Design and construction

The unit is built with high-grade aluminum for durability and reliable performance.



Angled top

The top profile of the community mailbox allows rain and snow to drain away from the compartment doors.

Outgoing mail slot

Customers can deposit outgoing mail in this slot, which can accommodate mail twice as wide as the former unit could. It is also where they can return the parcel compartment key.

Security

Each compartment has a new kind of secure lock, reflecting Canada Post's continuing investments in the security of the mail.

Sturdy base

The unit is securely attached to a concrete foundation.

Dimensions

The unit is 164 cm tall. Canada Post can allocate individual compartments at an appropriate height to better meet the needs of customers with a disability. It is also exploring alternative approaches to meet the needs of Canadians with significant mobility challenges.

We are also developing alternative designs for use in the dense urban cores of larger cities.

Appendix D: Guiding Principles for the Use of Public Space

On October 20, 2011, Council adopted the Guiding Principles for the Use of Public Space to give a consistent approach to how public space is managed by the City. The use of public space by Canada Post for community mailboxes would be considered a “non-commercial use” under the principles.

Guiding Principle	Commercial uses	Non-commercial uses
Pursuing Operational Excellence		
1. Use of public space must be consistent with all applicable legislation, bylaws, plans and agreements	✓	✓
2. The City pursues opportunities to raise revenue through the use of public space	✓	✓
3. The City charges fair market value and full cost recovery for the commercial use of public space	✓	
4. The City determines charges for non-commercial use of public space based upon the purpose of the use and the nature of any community benefits		✓
Building A Strong Community		
5. Use of public space must not unduly impact public access, safety or mobility	✓	✓
6. Use of public space must be compatible with the purpose of the space	✓	✓
7. Use of public space must be compatible with neighbouring residential or commercial uses	✓	✓
8. Use of public space must be consistent with the aesthetics and character of the space and any applicable design guidelines	✓	✓
Growing Our Economy		
9. The City supports use of public space that increases the vibrancy of neighbourhoods	✓	✓
10. The City welcomes commercial uses of public space that provide opportunities for economic growth	✓	
11. The City provides equal opportunities to commercial users who wish to access public space	✓	
Respecting Our Environment		
12. Use of public space must not damage public property or the environment	✓	✓