

5.1

Subject: FW: HHHBA word change request for Canada Post CMB

From: Mathieu Langelier [<mailto:mathieu@hhhba.ca>]
Sent: November-21-13 11:56 AM
To: Office of the Mayor
Cc: Paparella, Guy; Robichaud, Steve
Subject: HHHBA word change request for Canada Post CMB

Mayor Bratina, please see attached a word change request and explanation regarding the current wording in the Standard Form Subdivision Agreement regarding the Community Mail Boxes (CMBs) in New Developments.

Also attached are examples of other municipalities in Ontario who are not collecting the Canada Post CMB fee and who are not enforcing it as part of the development process. Also attached a list from our National office the CHBA (Canadian Home Builders' Association) regarding what other major municipalities and Provinces are doing in this regard. Most do not support this fee nor do they let Canada Post impose this fee to the developers through their subdivision agreements.

We are asking for your support in this very minor wording change. Also note that since this will only impact future subdivision submissions starting in 2014, no consumer would see any potential impact until future units are built, sold and occupied, and that would lead us well into 2015.

Please let me know if you have any question on this important matter to our industry.

Thank you for your time



Mathieu Langelier
Executive Officer, HHHBA
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www.hhhba.ca


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Community Builders...Building Communities

Mayor Bob Bratina
The City of Hamilton
via e-mail

Re: Changes to the current wording in the Standard Form Subdivision Agreement regarding the Community Mail Boxes (CMBs) in New Developments

Mayor Bratina,

I am writing to alert you of the ongoing issue related to Canada Post's imposition of a "super-box" levy of \$200 per house, to be collected during the subdivision process. The Hamilton-Halton Home Builders' Association informed you of our position in a letter dated April 22nd 2013, we continue to argue that Canada Post does not have the legal authority to implement this fee.

Since that date our National Association the Canadian Home Builders' Association (CHBA) has attempted to reach a satisfactory settlement with Canada Post, but without success. As you know this new fee of \$200 per home was waived for the 2013 year by Canada Post at CHBA's request.

With 2014 around the corner we are asking for Hamilton to follow the lead of many other Ontario Municipalities and Townships such as Brantford, Waterloo and Whitby who have already removed Canada Post as a clearing agency in the Draft Approval process.

The current wording in the condition in the Standard Form Subdivision Agreement is too broad and includes a specific notion of financial approval and the term activation by Canada Post: "The Owner covenants and agrees to provide the Senior Director of Growth Management with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation and activation of Community Mail Boxes (CMB) in locations satisfactory to the City of Hamilton."

We are asking for this condition to be changed to the following: "The Owner covenants and agrees to provide the Senior Director of Growth Management with evidence that satisfactory planning and engineering arrangements, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) in locations satisfactory to the City of Hamilton."



Community Builders...Building Communities

As you are aware, the City of Hamilton has already informed Canada Post that it would not collect any fees on their behalf. But the current condition in the Standard Form Subdivision Agreement allows the Crown Corporation to potentially block future developments until financial provisions have been met.

We provided staff with written examples of other municipalities and townships who have removed Canada Post as a clearing agency for draft approval of subdivisions during or liaison meeting on November 13th 2013. Our Canadian Association has also provided us with a short list of major Canadian municipalities and Provinces who do not enforce the CMB fee. See attached to this letter.

We now ask for the city of Hamilton to follow in these footsteps and clearly state that Hamilton does not support this new unjustified user fee. Canada Post has all the means to impose this fee directly to the users when they come in to the post office to collect their post box key. It is their responsibility to justify this fee directly to new homebuyers at time of service activation.

We believe the suggested wording will allow for appropriate cooperation between developers and Canada Post as to the most important matter relating to new developments: the adequate positioning and engineering requirement for the mailbox pads. All other matters related to Canada Post should remain between the crown corporation and the users and not be allowed to hold up future developments.

Sincerely,

A handwritten signature in black ink, appearing to read "Mathieu Langelier", is written over a faint, illegible background.

Mathieu Langelier
Executive Officer

CC. Steve Robichaud, Director of Planning and Building, The City of Burlington
Kevin Lee, Chief Operating Officer, Canadian Home Builders' Association
Joe Vaccaro, Chief Operating Officer, Ontario Home Builders' Association
HHHBA Member companies



Community Builders...Building Communities

Responses from Government on Canada Post Fee (November 2013)

PROVINCE OF CONSTITUENCY:	LOCATION / DESCRIPTION:
Newfoundland and Labrador	<ul style="list-style-type: none"> • No position yet and municipalities are not collecting the fee at this time
Nova Scotia	<ul style="list-style-type: none"> • Halifax Regional Municipality - not collecting fee and will not require it as part development process •
Prince Edward Island.	N/A
New Brunswick	<ul style="list-style-type: none"> • Quispamsis - demanding that developers sign agreement with Canada Post • Sussex/Apohaqui - demanding that developers sign agreement with Canada Post
Quebec	<ul style="list-style-type: none"> • Individual arrangements with developers.
Ontario	<ul style="list-style-type: none"> • Brock – not collecting fee and will not require it as part development process • Kitchener - in consultations with CHBA-Waterloo Region and Canada Post • Severn - not collecting fee and will not require it as part development process • Uxbridge – not collecting fee and will not require it as part development process • Wainfleet - not collecting fee and will not require it as part development process • Waterloo (Region of) - not collecting fee and will not require it as part development process • Whitby – Mayor asked Minister to cancel fee
Manitoba	<ul style="list-style-type: none"> • Winnipeg – not collecting fee
Saskatchewan	<ul style="list-style-type: none"> • Saskatchewan Premier confirms that the province will not alter the Planning and Development Act to allow municipalities to collect the fee • City of Saskatoon refuses to pay fee
Alberta	<ul style="list-style-type: none"> • Calgary – currently not collecting fee nor requiring it as part development process • Edmonton - not collecting fee and will not require it as part development process • Fort Saskatchewan - not collecting fee and will not require it as part development process



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	<ul style="list-style-type: none"> • Leduc - not collecting fee and will not require it as part development process • Spruce Grove - not collecting fee and will not require it as part development process • Strathcona County - not collecting fee and will not require it as part development process
<p>British Columbia</p>	<ul style="list-style-type: none"> • Chilliwack – demanding that developers sign agreement with Canada Post • Surrey – not collecting fee • City of Kelowna - not collecting fee and will not require it as part development process • City of Vernon - not collecting fee and will not require it as part development process • District of Lake Country - not collecting fee and will not require it as part development process • Peachland - not collecting fee and will not require it as part development process • Salmon Arm - not collecting fee and will not require it as part development process • City of Kamloops - not collecting fee and will not require it as part development process • District of Clearwater - not collecting fee and will not require it as part development process • Village of Chase - not collecting fee and will not require it as part development process • District of Logan Lake - not collecting fee and will not require it as part development process • Village of Ashcroft - not collecting fee and will not require it as part development process • Village of Cache Creek - not collecting fee and will not require it as part development process • Village of Clinton - not collecting fee and will not require it as part development process • Village of Lytton - not collecting fee and will not require it as part development process
<p>Territories</p>	<p>N/A</p>



E2-1

Report

Planning, Design and
Development Committee
Committee of the Council of
The Corporation of the City of Brampton

Date: June 5, 2013

PLANNING, DESIGN & DEVELOPMENT COMMITTEE

File: G60 (CAN) 2013

DATE: June 24, 2013

Subject: RECOMMENDATION REPORT
Canada Post - Fees for the Installation of Community Mail Boxes

Contact: Paul Snape, Acting Director, Planning Design and Development
Department, 905-874-2062

Overview:

- Effective January 1, 2013, Canada Post is requesting that developers pay a one-time fee of \$200, per address, for the set-up of Community Mail Boxes (CMBs) and addresses in new residential and commercial developments. Canada Post has indicated that this fee will partially cover the millions of dollars in costs Canada Post incurs each year to install CMBs and to connect new mail equipment to an expanding delivery network.
- The Building Industry and Land Development Association (BILD) do not support the \$200 fee being requested by Canada Post. They question the authority Canada Post has to implement this fee. BILD also objects to the additional cost this would impose on the new home buyer.
- This reports seeks direction for the Planning, Design and Development Department to prepare a response to Canada Post stating the following:
 - (i) that the service level provided by Canada Post to both residential and commercial properties within the City of Brampton shall not be impacted, regardless of the payment of this fee;
 - (ii) that the City shall not be expected to administer the collection of this fee; and,
 - (iii) that Canada Post shall not include the collection of this fee as a condition to be cleared by Canada Post for plan of subdivision applications.

Recommendations:

1. THAT the report from Paul Snape, Acting Director, Planning Design and Development Department, entitled "RECOMMENDATION REPORT" dated June

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5, 2013 to the Planning, Design and Development Committee Meeting of re: **Canada Post - Fees for the Installation of Community Mail Boxes**, File: G60 (CAN) 2013 be received;

2. **THAT** the Planning, Design and Development Department prepare a response to Canada Post stating the following:
 - (i) that the service level provided by Canada Post to both residential and commercial properties within the City of Brampton shall not be impacted, regardless of the payment of this fee;
 - (ii) that the City shall not be expected to administer the collection of this fee; and,
 - (iii) that Canada Post shall not include the collection of this fee as a condition to be cleared by Canada Post for plan of subdivision applications.

Background

Community Mail Boxes (CMBs) are installed by Canada Post to support new developments and provide residents with secure, convenient access to their mail and parcels all year round. They CMBs are installed in central locations within the development and contain individual, locked compartments for each municipal address.

Effective January 1, 2013, Canada Post is requesting that developers pay a one-time fee of \$200, per address, for the set-up of CMBs and addresses in new residential and commercial developments (see Appendix 1 – Canada Post Community Mail Box Set-up Fee Brochure). Canada Post has indicated that this fee will partially cover the millions of dollars in costs Canada Post incurs each year to install CMBs and to connect new mail equipment to an expanding delivery network.

The sharing of a portion of the costs to set up CMBs is necessary according to Canada Post so that they are able to maintain a high level of service, while helping to ensure that Canada Post does not become a burden to taxpayers.

Canada Post has provided the following information with respect to the proposed \$200 dollar fee:

1. The fee is not charged to municipalities. Canada Post will co-ordinate with the developers to install the CMBs and to collect the fee.
2. The fee applies to new CMBs installed for all residences or businesses, except for those that share a common indoor entrance (i.e. new high rise apartment or condominium buildings).
3. The fee applies to development projects received by the Canada Post Delivery Planner from municipalities on or after January 1, 2013.

E2-3

4. Canada Post is standardizing the process through which it provides comments on subdivision applications. This includes a commitment to provide consistent and timely responses.

Building Industry and Land Development Association (BILD)

The Building Industry and Land Development Association (BILD) do not support the \$200 fee being required by Canada Post. They question the authority Canada Post has to implement this fee. The other issue is the additional cost that this would impose on the new home buyer (i.e. housing affordability).

Other comments that have been received from the development industry include:

1. Developers install and bear the costs of the concrete pads that the CMBs rest on. This cost exceeds the cost of the mail boxes themselves.
2. Only Canada Post benefits from having CMBs in new development areas because the CMBs reduce Canada Post's operating costs. Residents in new communities have accepted walking to these mailboxes in order to support service efficiency, of which Canada Post is the sole and primary beneficiary.
3. The development industry should not be forced to accept increased charges in order to support Canada Post's corporate operation shortfalls.
4. Installing pads is a significant and sufficient contribution in order to allow Canada Post to operate in a self sustaining matter.
5. An additional fee of \$200 would further increase the disparity between residents getting door to door and CMB service. Residents in neighbourhoods with CMB service currently have to go further to get their mail. Now they would also have to pay additional costs that would not be charged to residents who get door to door delivery service. This goes against Canada Post's objectives as outlined in the Canada Post Corporation Act [5(1)(b)], which states that they must seek to provide similar standards of service to communities of the same size.
6. No consultation with the development industry was undertaken, no information was provided about the basis for the fee, and no information was provided with regard to what projects would be grandfathered, due to advanced approval status.

BILD is currently in discussions with Canada Post officials in an attempt to provide Canada Post with a better understanding of the planning and development approval system in the Greater Toronto Area and Ontario.

E2-4

Municipalities in Southern Ontario

Municipalities (i.e. Township of Brock, Town of Whitby, Township of Uxbridge, Township of Severn) across southern Ontario have passed resolutions that do not support Canada Post's requirement to implement a \$200 fee per address in new residential and commercial developments for CMBs.

The concerns that have been raised by other municipalities are similar to those that have been identified by BILD. These include the question as to what legal authority Canada Post has to implement this fee, the additional costs that will be incurred by residents purchasing a new home, the lack of public consultation regarding these additional fees and the collection process that will be used to collect these fees.

Current Situation


The City of Brampton's primary concern should be that the level of Canada Post mail service that is currently being provided to its residents and commercial properties not be compromised, regardless of the payment of this fee. The City of Brampton should not be responsible for administering the collection of this fee. There is also the question as to what legal authority Canada Post has to implement this fee.

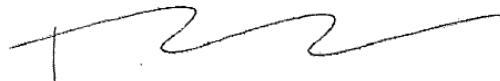
Currently, through the City's subdivision approval process, Canada Post provides their clearance for a plan of subdivision, before the plan is registered. The City of Brampton should not support the collection of this fee as part of the City's subdivision approval process.

This report is recommending that the Planning, Design and Development Department prepare a response to Canada Post stating the following:

- (i) that the service level provided by Canada Post to both residential and commercial properties within the City of Brampton shall not be impacted, regardless of the payment of this fee;
- (ii) that the City shall not be expected to administer the collection of this fee; and,
- (iii) that Canada Post shall not include the collection of this fee as a condition to be cleared by Canada Post for plan of subdivision applications.

Respectfully submitted:

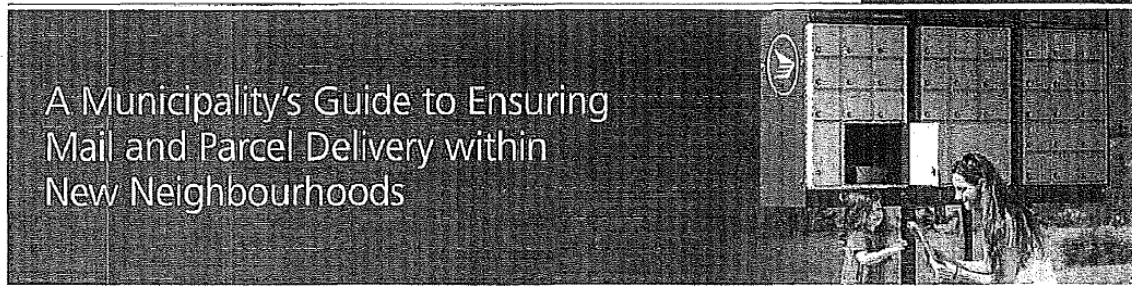

Paul Snape, MCIP, RPP
Acting Director, Land Development
Services


Dan Kraszewski, MCIP, RPP
Acting Commissioner, Planning,
Design and Development

Appendix 1: Canada Post Community Mail Box Set-up Fee Brochure

Community Mail Box Set-up Fee

E2-5



Mail service is part of the core infrastructure required to support new developments, just like roads, streetlights, fire hydrants, sewers, electricity, natural gas, phone lines and cable. Canada Post installs Community Mail Boxes (CMBs) to support new developments and provide residents with secure, convenient access to their mail and parcels 24 hours a day, seven days a week. CMBs are installed in central locations within the development and contain individual, locked compartments – one for each address.

Effective January 1, 2013, developers are responsible for paying a one-time fee of \$200 per address for the set-up of CMBs and addresses in new residential and commercial developments.

This fee will partially cover the millions of dollars in costs Canada Post incurs each year to install CMBs and to connect new mail equipment to an expanding delivery network.

Why is Canada Post introducing this fee?

Canada Post has a mandate from the Government of Canada to be financially self-sustaining. Its operations are funded by the sale of its products and services, not by taxpayer dollars.

The sharing of a portion of the costs to set up CMBs is necessary to ensure that Canada Post is able to maintain the high level of service that Canadians have come to expect, while helping to ensure the corporation does not become a burden to taxpayers.

What municipalities/subdivision approving authorities need to know

- The fee is not charged to municipalities. Canada Post works directly with developers and municipalities to establish the location(s) of the CMB(s). Then, Canada Post coordinates with developers to install the CMB(s) and collect the fee.
- The fee applies to new CMBs installed where residences or businesses do not share a common indoor entrance. For instance, it will not apply to new high-rise apartment or condo buildings.
- The fee applies to development projects received by a Canada Post Delivery Planner from municipalities on or after January 1, 2013.
- Canada Post is standardizing the process through which it provides comments on subdivision applications when it receives the development proposal from the municipality. This includes its commitment to provide consistent and timely responses.

CMBs are part of the core infrastructure of new neighbourhoods

- Convenience: With the growth of online shopping and increase in parcel delivery, CMBs provide Canadians with easy and convenient access to their parcels.
- Security: Each compartment is locked, providing greater security for important items.

E2-6a

Community Mail Box Set-up Fee

Step by Step

The processes that municipalities and Canada Post follow to ensure mail and parcel delivery to new neighbourhoods will change only slightly with the introduction of the new fee:

1	Developer submits development proposal to the municipality.
2	Municipality sends development proposal to Canada Post Delivery Planner for commenting.
3	Canada Post Delivery Planner provides comments to the municipality indicating the delivery method for the new development.
4	If a CMB is determined to be the delivery method, Canada Post and the developer enter into an agreement that outlines the location(s) of the CMB(s), technical specifications and financial terms.
5	Canada Post advises the municipality that it has reached an agreement with the developer.
6	Canada Post installs the CMBs within 30 business days of the first resident moving in. Canada Post leaves a Delivery Notice Card at their door indicating the location of the post office where the resident can pick up their CMB keys.
7	Canada Post reconciles developer's account.

Did you know?

- CMBs are used by 3.8 million households across Canada – one in every four Canadian homes.
- Each year, Canada Post adds more than 150,000 new addresses to its delivery network.

For any assistance, please contact your Delivery Planner or call 1-855-586-4151.



THE CORPORATION OF
THE TOWNSHIP OF BROCK
IN THE REGIONAL MUNICIPALITY OF DURHAM
1 CAMERON ST. E., P.O. BOX 10, CANNINGTON, ONTARIO L0E 1E0 (705) 432-2355

May 8, 2013

Ms. Paula Tenuta, MCIP RPP
Vice President, Policy & Government Relations
Building Industry and Land Development Association
20 Upjohn Road, Suite 100
North York, Ontario
M3B 2V9

Dear Madam:

Re: Canada Post Community Mail Box Fee

This is to acknowledge receipt of your correspondence dated April 19, 2013, which was discussed by the Township of Brock Council at their meeting held on May 6, 2013.

Please be advised that a resolution was adopted that Council not support or honour any requests to assist with the processing of the 'Canada Post Community Mail Box Fee' until such a time that clear legal authority to impose this fee has been provided.

I would be pleased to be informed of any further legal research/opinions obtained by your association in regard to this issue.

Should you have any concerns please do not hesitate to contact the undersigned.

Yours truly,

THE TOWNSHIP OF BROCK

Thomas G. Gettinby, MA, MCIP, RPP, CMO
CAO & Municipal Clerk

TGG: bm

Encl.

cc: Barry Devolin, MP, Haliburton-Kawartha Lakes-Brock
A.L. Georgieff, Commissioner of Planning & Economic Development, Region of Durham



TOWNSHIP OF SEVERN

THE CORPORATION OF THE TOWNSHIP OF SEVERN

P.O. Box 159, Orillia, Ontario, L3V 6J3

May 3, 2013

Building Industry and Land Development Association
c/o Paula Tenuta, Vice President
20 Upjohn Road
Suite 100
North York, Ontario
M3B 2V9

Dear Ms. Tenuta:

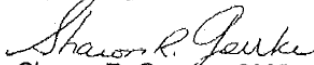
RE: Changes to the Process of Installing Community Mail Boxes in New Developments

The following is a copy of a resolution enacted by Severn Township Council at a meeting held May 2, 2013:

" *THAT a letter from the Building Industry and Land Development Association, dated April 19, 2013, with respect to Community Mail Boxes be received; AND FURTHER THAT as requested by the Association, the Township of Severn will not be honouring any requests to assist with the processing of the Canada Post Community Mail Box Fee.*

CARRIED "

Yours truly,


Sharon R. Goerke, CMO
Deputy Clerk

SRG/am



The Corporation of the
**Township
of
Uxbridge**
In The Regional Municipality of Durham

Town Hall
51 Toronto Street South
P.O. Box 190
Uxbridge, ON L9P 1T1
Telephone (905) 852-9181
Facsimile (905) 852-9674
Web www.town.uxbridge.on.ca

SENT VIA E-MAIL

May 14, 2013

Paula J. Tenuta
VP, Policy & Government Relations
Building Industry and Land Development Association
20 Upjohn Road Suite 100
Toronto, Ontario
M3B 2V9

**RE: CANADA POST – COMMUNITY MAIL BOX FEE
TOWNSHIP FILE NO. A-16 CP**

Please be advised that during the regular meeting of the General Purpose and Administration Committee of May 6, 2013, the following motion was carried;

THAT the Finance, Administration and Emergency Services support the Building Industry and Land Development Association's request by not honouring any requests to assist with the processing of the Canada Post Community Mail Box Fee;

AND THAT a copy of same be sent to Canada Post for consideration."

I trust you will find the above to be satisfactory.

Yours truly,

Debbie Leroux
Director of Legislative Services/Clerk

/ljr

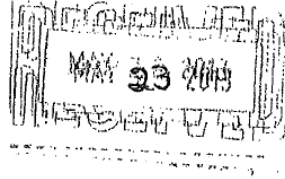




Township of Wainfleet

"Wainfleet - find your country side!"

Mr. Jonathan Whyte, President
Niagara Home Builders' Association
34 Scott St. W.,
St. Catharines ON L2R 1C9



RE: Changes to the Process of Installing Community Mailboxes (CMBs) in New Developments

Dear Mr. Whyte;

Thank you for your recent correspondence received in our office on April 28th, 2013. Please be advised that Council for the Township of Wainfleet at its meeting held on May 14th, 2013 passed the following resolution:

"**THAT** correspondence item no. 069 from the Niagara Home Builders' Association regarding Changes to the Process of Installing Community Mail Boxes (CMBs) in New Developments, including a new charge by Canada Post of \$200 per house to be collected during the subdivision process, and urging the Township of Wainfleet to refuse to collect this fee on behalf of Canada Post as a show of support to new home buyers and housing-affordability, be received;

AND THAT Council for the Township of Wainfleet hereby supports the request of the Niagara Home Builders' Association by refusing to collect the fee on behalf of Canada Post."

Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

C.S. Luey
CAO/Deputy Clerk

cc: Grant Munday, Manager of Planning

SL/sd

31940 Highway #3 • P.O. Box 40 • Wainfleet, ON • L0S 1V0
PHONE 905.899.3463 • FAX 905.899.2340 • www.wainfleet.ca

THE CORPORATION OF THE TOWN OF WHITBY
In the Regional Municipality of Durham



PAT PERKINS
MAYOR

WHITBY: 905-668-5803
TORONTO: 905-686-2621
FAX: 905-686-6954



MUNICIPAL BUILDING
575 Rosland Road East
Whitby, Ontario, Canada
L1N 2N8
www.whitby.ca

November 13, 2012

The Honourable Denis Lebel, M.P.
Minister of Transport, Infrastructure and Communities, and
Minister Responsible for Canada Post
House of Commons
Ottawa, ON K1A 0A6

Dear Minister Lebel:

In response to Mr. Côté's letter dated October 18, 2012 (copy attached), I have a number of concerns regarding this proposed "partial cost-recovery initiative". I am concerned about (i) the additional cost that will be incurred by our residents purchasing a new home, (ii) the lack of public consultation regarding these additional mandatory fees imposed by Canada Post, (iii) the lack of consideration for options to additional mandatory up front fees, and (iv) the collection process that will be used to collect these additional charges,

Over the next twenty years the Town of Whitby is expected to grow by approximately 30,000 households. The proposed fee of \$200 per address will require new residents in the Town of Whitby to contribute an additional \$6.0 million to use a mail system that Mr. Côté indicates is in rapid decline. This additional fee will add an unacceptable burden on the already encumbered public particularly in growing communities.

I would greatly appreciate your putting a halt to this new levy until alternatives to this mandatory fee are considered with input from the public and building industry.

Regards,

Pat Perkins
MAYOR

c: The Honourable J. Flaherty, M.P. Whitby-Oshawa
C. Elliott, M.P.P. Whitby-Oshawa
R. Anderson, Chair & CEO, Region of Durham
Members of Council
R. Petrie, Chief Administrative Officer
D. Wilcox, Clerk
J. Côté, Group President, Physical Delivery, Canada Post