



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1
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NOTICE OF MOTION

Request for Notice of Motion, Pursuant to Sections 37 and 38, Council Procedure Bylaw No. 2715, 2009.

INTRODUCED: Council Meeting – September 14, 2015

FROM: Councillor Olga Liberchuk

SUBJECT: Support for the City of Hamilton for Roads-Equipment Installation Bylaw

WHEREAS: In April 2015 the City of Hamilton passed a Roads-Equipment Installation by-law that was successfully challenged by Canada Post in the Ontario Supreme Court.

WHEREAS: The Township of Esquimalt believes that municipalities have the authority to reasonably regulate their road allowance and can apply minimum standards to the community mailboxes which ensures the protection of persons and property without conflicting with Canada Post's authority to determine how mail is delivered.

WHEREAS: Council at the City of Hamilton decided to appeal the Canada Post decision to Ontario Court of Appeal and is asking for financial support from other municipalities.

THEREFORE BE IT RESOLVED: That the Township of Esquimalt contribute \$1000 to the City of Hamilton to go towards legal fees to appeal their case to the Ontario Court of Appeal.

BACKGROUND:

On August 17th Esquimalt Council received a letter from the Mayor of Hamilton asking for financial support from other municipalities in appealing the Canada Post decision to the Ontario Court of Appeal. Earlier this year the City of Hamilton passed a bylaw that regulates the installation of road equipment, which includes the installation of Canada Post mailboxes in their community. The bylaw ensures safe and appropriate installation of mailboxes throughout the Hamilton community. The decision that will be made in Ontario's Court of Appeal will determine to what degree municipalities have authority over their streets and roads when another level of government installs road equipment.

The decision at Ontario's Court of Appeal will be important to the Township of Esquimalt because if the Court sides with the City of Hamilton in the Canada Post case, the Township of Esquimalt will have greater ability to determine where Canada Post mailboxes can and cannot be installed in our community.