

Deputation to TBM Committee of the Whole from Cim Nunn
July 2, 2024

I am appearing before Committee of the Whole today to speak in opposition to Staff Report CSOPS.24.031, a report which appears to completely dismiss any concerns expressed by residents about the Bay Street East reconstruction proposal. My initial submissions following the PIC can be found on Page 14 and 15 of Attachment 2 appended to the staff report.

I have a number of concerns, which I will group into three general areas - the reason this is happening, the process, and the outcome.

I'll begin at the end – what staff want to happen to a reconstructed Bay Street East.

This report, and the report to Council following a December public meeting, essentially said the town standard would be applied here. A full urban profile, with curbs, and a multi-use trail, and other features. Despite unanimous opposition, this report says streets should be consistent, and that a single standard should apply.

I'm not telling council anything you don't know already – all streets are not the same, and efforts to try to make them all look the same just don't make sense. As an illustration of why the staff report does not make sense, take note that the report proposes that Grey Street and Bay Street East should end up with the same profile. The starting points of those two streets could not be more different – there are no residences fronting on Grey Street, it is already wider, and there is significantly less potential to remove mature tree cover.

Although the town does not have a category of cottage or heritage streets, that's what Bay Street East is – a quiet road with a country lane character that has developed organically over a century. My Bay Street East neighbours, whether new arrivals or long-time residents, have not moved onto Bay Street in the fond hope the town will impose an urban feel to street by widening, adding curbs and trails or sidewalks, and removing trees. There is allowance in the town's standards for exceptions, and I believe it is clear Bay Street East should be considered one. With regard to the proposed disastrous loss of tree canopy, Attachment 9 (which is also labelled Attachment 0) appended to the staff report provides Council with a reasonably accurate depiction of the impact on the streetscape (trees within the red dotted line will be removed). We hope that Council will agree that these changes are unacceptable and indeed, unforgiveable, and will reject the imposition of a full urban profile for Bay Street East.

I won't spend a lot of time going through how we got here, but I think some context is appropriate.

From my perspective, this situation is being driven primarily by the needs of the proposed Campus of Care project. With additional significant new development being approved, it is obvious the town's waste water pumping capacity needs to be expanded. I won't argue the merits or shortcomings of this plan, or the decision to build a second forcemain to triple the town's capacity to pump waste water to the water treatment plant.

It is convenient the town has determined the water and sewer lines under Bay Street must be replaced. Twenty (20) leaks in the water line over a ten year period is not good. But seven of those leaks – more than one third – happened in 2015, nine years ago. I am unaware of any concerns expressed about the infrastructure or the need to replace it, until last year. But tearing up the road to replace the infrastructure provides a convenient route for the force main. If the apparent need to construct a new force main were not an issue, there is no reason to believe that the town would be planning the water and sewer infrastructure replacement and we might not be having this conversation at all.

I am troubled by the process. A number of decisions have been made with no opportunity for residents to contribute ideas, concerns, or suggestions that might inform a final product. Instead, staff have essentially made decisions behind closed doors, and informed residents afterward. The most recent example is the Public Information Centre this report follows up. As the staff report states quite clearly, the intent of a public information centre is NOT to provide residents with that chance to have their voices heard and reflected in final decisions. To us residents, it seems to be merely the mechanism for the staff to tell us what they're going to do.

The decisions to accelerate the replacement of the water and sewer mains on Bay Street East, and to combine the force main project and the replacement of the Bay Street East water and sewer lines were made without any public input.

In August 2023, Council approved a staff request to negotiate with a company to do the work, but it is not clear the town issued a Request for Proposals and conducted a public tendering process to ensure fair value. It is also not clear if even a rough costing for the combined infrastructure replacement and force main installation has been done, so we don't really know what this is going to cost.

It is also not clear that Council was provided with sufficient information in August 2023 to understand what alternatives were considered to Bay Street East for the forcemain location. The staff report before you today seems to be the first occasion for Council to see and discuss the alternatives to Bay Street East, yet the decision to proceed with Bay Street East was already made in August. It does not appear to us as residents that Council was provided with a full thorough examination when it was asked to approve Bay Street East for the location of the forcemain. In Attachment 2 to today's staff report, it is stated that "the preferred route along Bay Street East was confirmed by WT Infrastructure". As residents we are owed some explanation for why elected Council members were not provided with details about alternative routes when they were asked to approve Bay Street East.

As a final point, I am concerned that, without adding to or changing the basic facts, staff have been changing the way this situation is characterized. In April, a staff document made clear the pumping capacity of the Mill Street pumping station was adequate for current needs, outside a “two-year rain event” – presumably a downpour with a volume of rainfall one might expect every two years or so. The report before you today now says the pumping capacity is inadequate, and that no development can go forward until the capacity is expanded. Changing the tone without changing the facts.

With each new report, the story staff are telling about Bay Street East has changed a bit. The discourse around the condition of the sewer and water lines under Bay Street East has also changed, while the underlying facts have not. A document prepared by staff recently said the sewer line should be replaced in five years. In materials prepared for the PIC, it was simply described as “leaky”. This report now says a watermain failure would put the entire drinking water system at risk of contamination. Scary stuff! But no evidence we’re actually facing that scenario.

Complaining about decisions made before residents have a chance to contribute their views won’t change where we are, but it is not the way this should have been done. That said, it is inappropriate and unacceptable that Council is being asked to approve a report that completely disregards the views and suggestions of a majority of the directly affected residents. We request that Council:

1. Re-visit the decision that Bay Street East is the location of the forcemain
2. Not direct staff to proceed with the design of Bay Street East as proposed in the staff report
3. Incorporate the views and suggestions of residents into decision making on this matter.