

**PARTICIPATORY DEMOCRACY AND LAND DEVELOPMENT:
A CASE STUDY OF THE SOUTH DOWNTOWN
WATERFRONT REDEVELOPMENT
IN SASKATOON**

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Keywords: land development, land use planning, planning, democracy, public consultation

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ABSTRACT

There is growing expectation by the public for a greater degree of participatory democracy in planning and development. Governments have responded to this expectation by increasing the amount of public consultation. Still, public discontent with the efficacy of public consultations including the level of participation, accessibility, transparency and accountability remains. This thesis focuses on the importance of the quality over the quantity of public consultations to improve satisfaction with government decision making related to land use planning and development. More specifically, it focuses on the following elements: the types and levels of public consultation, accessibility of the consultations for different stakeholders, the influence of stakeholders in decision-making, and the meaning attached by stakeholders to the consultation experience in various planning and development processes.

This thesis examines the degree of participatory democracy within the context of a case study of public consultation undertaken by the City of Saskatoon between 2000 and 2010 to plan and develop the South Downtown Waterfront Redevelopment. The analysis is rooted in theoretical and conceptual frameworks contained within the relevant literature on public consultation drawn from different disciplines. The case study produced several key findings; the most notable is that the stakeholder assessment of the value or efficacy of public consultations used by the City is affected by the mechanisms in which they participate. Public sector and business sector stakeholders invited by the City to participate in central participative mechanisms, such as steering committees, expressed a higher degree of confidence that the consultations had significant positive influence in shaping the project. By contrast, community stakeholders invited by the City to participate in less participative mechanisms, such as open houses, expressed a lower degree of confidence that the public consultations had significant positive influence in shaping the project. This thesis concludes by recommending that the City of Saskatoon enhance participatory democracy in land use planning and development by: expanding the 'Community Engagement Model' to encompass the full 'Public Participation Spectrum' for all stakeholders; establish a complementary evaluation framework based on normative participation principles; expand the types and levels of public consultation available; and, adopt more inclusionary, accountable and transparent public consultation practices.

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My destiny changed the day I met Lenore Swystun, my partner and soul mate. Lenore is my love, light and inspiration. She has unwavering courage, commitment and resilience in advancing the ideals of public service, collaborative leadership and planning excellence. Saskatoon is a richer community for her contribution and I am grateful for the journey we have travelled together.

I am saddened that my father and friend, Randy Moore, passed away during the writing of this thesis. Some of his greatest teachings encouraged the completion of this thesis; in particular, his mantra that people can achieve anything they set their mind to as long as they have a goal, are prepared to work hard and believe it is possible.

I will never forget the day Dr. Joe Garcea agreed to be my thesis advisor. I had met Professor Joe ten years earlier when he was leading the Task Force on Municipal Legislative Renewal; clearly a momentous and highly contentious issue. I was struck by his knowledge, grace and perseverance under fire. I hoped someday I would have the opportunity to work more closely with Professor Joe. The stars aligned. It has been a great honour to study under Professor Joe. He masterfully provided guidance on my thesis structure, title, content and process. His encouragement to tell the story and keep it simple guided this thesis and has become every day words of wisdom.

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DEDICATION

This research is dedicated to the citizens
who volunteered their time
and had the courage
to participate in shaping
the South Downtown Waterfront Redevelopment.

*Voting is easy and marginally useful,
but it is a poor substitute for democracy,
which requires direct action by concerned citizens.¹*
- Howard Zinn

¹ http://www.top10-best.com/h/top_10_best_howard_zinn_quotes.html. Accessed December, 18 2012.

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LIST OF ABBREVIATIONS

Architectural Control District.....	ACD
Business Improvement District.....	BID
Canada Celebrates Saskatchewan	CCS
City of Saskatoon.....	COS
Chief Executive Officer.....	CEO
Community Association.....	CA
Community Development Corporation.....	CDC
Design Review Committee.....	DRC
Direct Control District 1.....	DCD1
Expression of Interest.....	EOI
Floor Square Ratio.....	FSR
Gathercole Initiatives Group.....	GIG
General Manager.....	GM
Greater Saskatoon Catholic Schools.....	GSCS
Leadership in Energy and Environmental Design.....	LEED
Local Area Design Plan.....	LADP
Memorandum of Agreement.....	MOA
Meewasin Valley Authority.....	MVA
Member Legislative Assembly.....	MLA
Member of Parliament.....	MP
Municipal Heritage Advisory Committee.....	MHAC
Municipal Planning Commission.....	MPC
North Saskatoon Business Association	NSBA
Official Community Plan.....	OCP
Planning and Development Commission.....	PDC
Planning and Operations Committee.....	P&O
Saskatoon Environmental Society.....	SES
Saskatoon Farmers' Market.....	SFM
Saskatoon Heritage Society.....	SHS
Saskatoon Nature Society.....	SNS
Saskatoon Public School Board.....	SPSB
Saskatoon Regional Economic Development Authority.....	SREDA
Saskatoon Tribal Council.....	STC
South Downtown Waterfront Redevelopment.....	SDWR
Statements of Provincial Interest.....	SPI
Symbolic Interactionism.....	SI
Request for Proposal.....	RFP
Riversdale Business Improvement District.....	RBID
University of Saskatchewan	U of S
Western Economic Diversification.....	WED

CHAPTER 1

INTRODUCTION

1.1 Purpose of Study

“What kind of legacy do I want to leave for my children and their children?” are the questioning words that have propelled and inspired the Saskatoon South Downtown Waterfront Redevelopment (SDWR).² For more than thirty years elected representatives, administrators, academics, stakeholder groups, consultants and individual community members have held their vision of a legacy for Saskatoon’s South Downtown. At certain points along the way, the collection of visions were packaged and presented as unified. The most historic of these being the completion of the Meewasin Valley Authority 100 Year Concept Master Plan, which outlined a plan for the South Saskatchewan River that included a:

Riverside promenade [that] has an atmosphere of gaiety and some of the bustle of a wharf. There are marinas, boat-launching and service areas, small shops, restaurants, boutiques and marine equipment stores. Bollards, banners and colourful signs, flags and traditional streetlights will help make this an attractive place for people and activities. (Moriyama, 1978, p.59).

Developing the SDWR as an animated public, people place was the single unifying vision for Saskatoon. At the beginning of the 21st Century, a number of factors culminated to catalyze the redevelopment of the South Downtown Waterfront. As concepts have turned into projects, it has become apparent that a single, unified vision for the site does not exist. There is disagreement about the combination of public space, amenity, and private development appropriate for the site.

When decisions are made to create or modify an existing land use plan, governing bodies such as the City of Saskatoon (COS), have a legal requirement to ensure the public is notified. The degree of additional public consultation sought varies depending on the level of interest anticipated. The SDWR is viewed as a citywide project having a high degree of public interest. There is recognition that the project’s success is dependent on the public’s commitment to invest, visit and promote the site. More than 50 studies, reports and plans have

² This question concluded the introduction given by Raymond Moriyama in the *Meewasin Valley Authority 100 Year Concept Master Plan* and has since been asked in public discourse and documentation on the future of the South Downtown.

been prepared to guide the redevelopment. There have been dozens of consultations and public hearings.

Provincial legislation exists to provide minimum requirements for municipalities to follow in land development. Among other requirements, the legislative framework outlines expectations for giving public notice on land use changes and minimum public consultation guidelines. It is common practice for municipalities to exceed the minimum public consultation guidelines particularly around significant land development initiatives. Even with the extra efforts made by municipalities to engage the public in the land development process, there is indication that these efforts are not achieving their intended outcome: to build public confidence, trust and ownership of decisions made by the municipality.

Though public consultation has been widely accepted and utilized since the 1960s, academic literature lacks a cohesive theoretical, conceptual and definitional framework (Rowe and Frewer, 2005). For the purposes of this study, public consultation will be used to describe the approach taken by the COS to include the public in shaping decisions. Terms such as “participation” and “engagement” will be used instead of consultation when distinction is being drawn generally to describe more active involvement by the public with government to inform decisions. A discussion of the prominent developments in framing a future public participation theory is presented in Chapter 3.

1.2 Research Objectives

This thesis is about land use planning, land development, democracy and public consultation. The purpose is to examine the following aspects of the SDWR in Saskatoon from 2000 to 2010: (a) the types of public consultation practices utilized by the COS; (b) the relationship of these practices to the regulatory and policy frameworks; (c) the assessment by stakeholders and informed observers regarding the level of satisfaction with the public consultations; and (d) the assessment by stakeholders and informed observers regarding the influence that public consultations had on the decisions made by the City regarding the waterfront redevelopment. The five central research questions are:

1. What regulatory and policy frameworks governed public consultation in the south downtown waterfront redevelopment?

2. What types of public consultation were utilized by the COS in the south downtown waterfront redevelopment?
3. What is the assessment of stakeholders and informed observers regarding the alignment between what was required pursuant to the regulations and policies versus the consultations that were actually undertaken?
4. What is the assessment of stakeholders and informed observers regarding their level of satisfaction with the public consultations?
5. What is the assessment of stakeholders and informed observers regarding the influence/impact public consultations had on the south downtown waterfront redevelopment?

Extensive attention has been given to accessing the types of public consultation used for various decision making purposes (Checkoway, 1981; Milbrath, 1981; Gundry and Heberlein, 1984; Lando, 2003; Adams, 2004; Rowe and Frewer, 2000, 2004 and 2005; Halvorsen, 2003, 2006). Less research has been devoted to the influence different types of consultation have on government decision making, public trust and satisfaction with governing institutions (Rosener, 1982; Tuler and Webler, 1999, 2000, 2001; Beiele and Konisky, 2000; Koontz, 2005; Yang, 2005; Halvorsen 2003, 2006). Environmental case studies are strongly represented in the formation of public participation theories (Beierle and Konisky, 2000; Tuler and Webler 1999, 2000, 2001), while case studies of urban planning and land development are less represented. This thesis will summarize the conclusions of prominent academic literature that considers the types and influence of public consultation on citizens and government. Specific attention will be given to reviewing existing public participation models, the consultation methods used by the COS, and relating the theories of neopluralism, structuration and symbolic interactionism to the experience and outcomes for stakeholders in the SDWR.

This thesis will contribute to the topic of public consultation in land use planning development: the expectations for public consultation and in particular, how these processes are evolving and need to evolve to become more participatory. Governments are responding by increasing the number of public consultations and the types of consultations, yet little is understood about whether these efforts are making any difference. There has been little

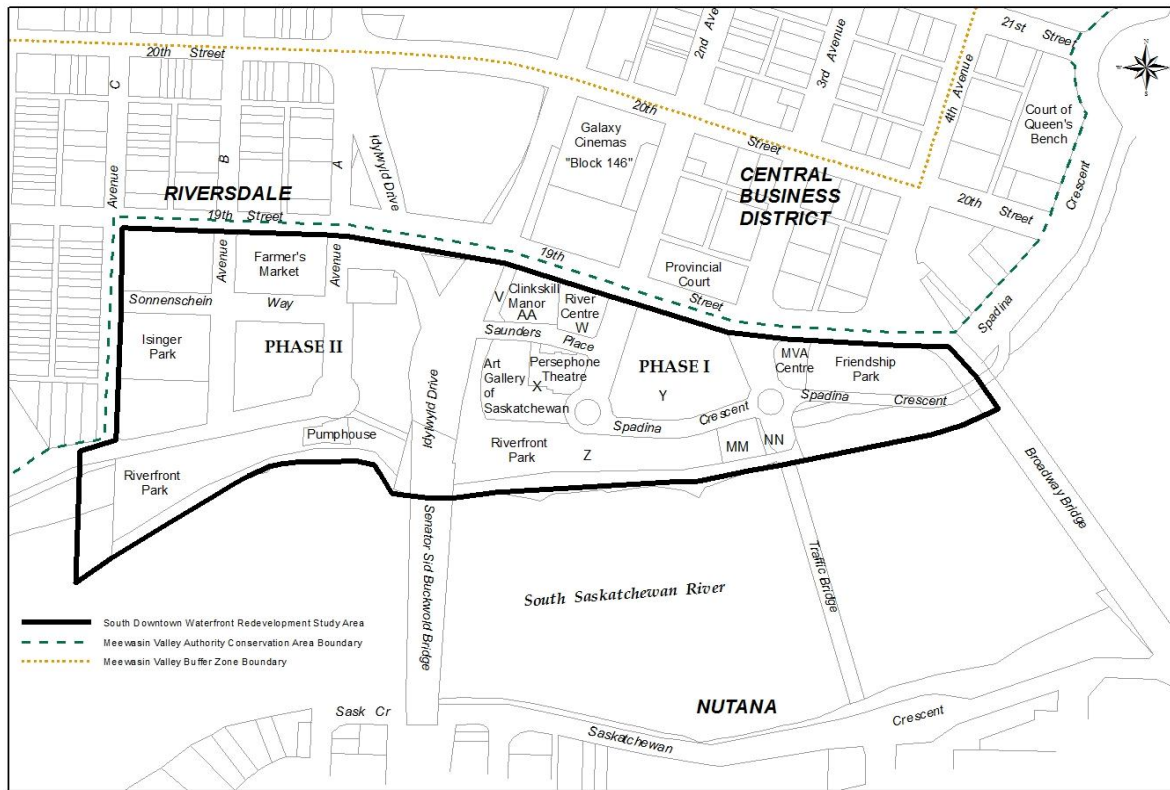
research that draws together the relationship between the legislative framework governing public consultation, the types of public consultation used by local governments, the influence these consultations have on planning and development decisions, and the meaning derived from consultations for both government and individual participants. There is a further need to conduct research that considers if a relationship exists between the types of consultation applied, both individual and group derived processes, and the public's sense of satisfaction with and influence over the decisions made by elected representatives. With declining voter participation and decreased public trust in government, it is ever more important to understand the process of democracy outside of elections. This thesis will provide both theoretical and practical insight into the influence different types of consultation practices have on planning and land use development decisions and public confidence in government.

1.3 Study Area

Saskatoon, Saskatchewan is a mid-sized Canadian prairie city. It is located on Treaty 6 lands along the shores of the South Saskatchewan River where three towns – Riversdale, Nutana and Saskatoon joined together in 1906. Instrumental to the amalgamation was an agreement by the three municipalities and the Province of Saskatchewan to construct a bridge across the river to bring the communities together. The study area for this research is adjacent to where the Traffic Bridge (ne Victoria Bridge) was constructed. It is the site where the city of Saskatoon was formed (Kerr and Hanson, 1982) and is historically known as the South Downtown. For the purposes of this study, the site will be referred to as the South Downtown Waterfront Redevelopment (SDWR).

As shown in Map 1.3.1, the SDWR study area rises from the river's edge at the base of the Broadway Bridge and 4th Avenue, runs west along 19th Street and is anchored west of the Senator Sid Buckwold Bridge by Avenue C. The site comprises approximately 15 hectares (37 acres) of riverfront land. The site abuts the Riversdale neighbourhood to the west, the Central Business District (CBD) to the north and the Nutana neighbourhood across the river to the east.

Map 1.3.1 South Downtown Waterfront Redevelopment Study Area



The site is guided by the South Downtown Concept Plan (2004) and zoned as Direct Control District 1 (DCD1). All land use decisions and developments within the study area are under the direct authority of Saskatoon City Council. The SDWR is also situated within the Meewasin Valley Authority (MVA) Conservation Zone. Any land use, zoning, or heritage considerations that occur within the area are subject to review and decision by the MVA Board of Directors. The Moriyama 100 Year Concept Plan and South Downtown District Development Plan are used to guide decision making.

1.4 Theoretical Perspectives of Participatory Democracy and Land Development

This is an interdisciplinary research study that will draw on the disciplines of political science, sociology and applied social psychology. The theoretical frameworks that have been selected are neopluralism, structuration and symbolic interactionism respectively. Within the theoretical context of neopluralism, consideration will be given to the involvement of stakeholder groups in the SDWR. There will be analysis of the influence of the regulatory

system and supplementary public consultation practices in balancing the interests of corporations, community interests and the municipality. In applying structuration theory, there will be analysis of how existing social structures and views of public consultation influenced the public consultation approach, stakeholder views of the consultation and decisions made by City Council on how to develop the site. By drawing on the theory of symbolic interactionism, this research will attempt to identify the meaning of the public consultations for different stakeholders based on their level of involvement. Attention will also be given to outlining theoretical and methodological models of public participation.

There is a growing body of literature that demonstrates public involvement in government decision-making influences civic literacy, voter turnout and social capital (Almond and Verba, 1965; Pateman, 1970; Dahl, 1986; Putnam, 2000, Milner 2005). The response by government has been to increase citizen access and engagement in decision-making processes. There are more public forums, consultations, focus groups, design workshops and public meetings than ever before, yet voter participation continues to decline and public satisfaction with democracy remains low (Moore, Swystun, Holden and Bernardin, 2010). The response to these trends may not reside in the quantity of engagement opportunities, but in the quality of the experience for both citizens and governments alike.

Nearly forty years ago, researchers attempted to answer the question: “Rule by what people?” and the principle of affected interests was developed. The principle suggested “everyone who is affected by the decisions of government should have a right to participate in that government” (Dahl, 1970, p.64). However, within liberal democracies views on the role and benefit of public participation in government decision making varies. On one side of the spectrum, there are arguments that citizen satisfaction about government spending and policy decisions, among other issues, are demonstrated at election time when the electorate cast ballots in support of – or in opposition to - the status quo. At the other end of the spectrum, there are advocates for more direct and deliberative public participation by governments between elections. Studies have come to identify this spectrum as the democratic continuum. On one side of the continuum is representative democracy and on the other, participative or even direct democracy (Hemmingway, 1999).

Representative democracy, or passive citizenship, rests on the assumption that citizens themselves are not able (or perhaps willing) to become involved in the policy arena, and

select representatives to look after their interests. Participatory democracy or active citizenship assumes that citizens can and do want to actively participate in the discussions and decision making concerning public policy (Cossom, et al., 2003). Participation is thought to benefit the individual participant, the voluntary organization, the community and society by: empowering participants to increase knowledge and skill level thereby increasing self-worth and dignity (Berry et al., 1993; Chrislip, 1995; Schultz et al., 1995); nurture local planning skills and abilities (Arai et al., 1997); engendering citizen awareness of health and social issues (Charles & DeMaio, 1993; Tewdwrjones et al., 1998;); building capacity to tackle problems and advance social change (Smith et al., 2001; Stoney and Elgersma, 2007); and, strengthen trust and connectedness in communities (Putnam, 2000; Yang, 2005). There is a growing movement calling for a more participative approach to democracy in Canada.

Political research in Canada has been occupied with understanding the individual citizen's ability and desire to function within the democratic system and the resultant ability of that system to succeed (Everitt, et al., 2002:2). Early studies focused on a narrow definition of the political participation process which included researching socio-economic status, personality traits of voters, political efficacy, political membership, and individual attention to politics. The continued downward trend in Canadian democracy has led researchers, governments and citizen groups alike to examine the relationship between public participation and democracy more closely. Researchers are drawing together different theories and approaches to make sense of the phenomena taking place.

Within popular culture, research on social capital, political capital, civic literacy and cultural capital have identified the importance of relationships, social networks, trust, efficacy, diversity, inclusivity and meaning in creating an engaged citizenry. This research, and public outcries for change, has influenced government decisions to re-evaluate its approach to public participation. The federal government has established a website for the public to share their budget priorities. Some provinces have established public participation secretariats or amended legislation to more explicitly define expectations concerning public consultation. Municipalities have created citizen charters or public consultation guidelines to demonstrate commitment and ensure a consistent approach among administrative departments. These efforts have largely translated into an increase in the number of public consultations; though no research currently exists that quantifies the actual number of public

consultations. What is clear is that these efforts have not translated into more public confidence and satisfaction with their government.

With the rapid emergence of increased participation, governments are ill-equipped with the expertise and knowledge to create engagement processes that are mutually meaningful and beneficial. A significant gap in research exists around understanding engagement experiences and whether an attempt to engage citizens has been meaningful. To understand the experience of citizens and governments alike, it is important to consider the influence of different types of engagement processes and how participants relate to these processes (Rowe and Frewer, 2005). Often governments enter into the public arena without giving careful consideration to the purpose of the engagement, who should be engaged, public influence over outcomes, trust, relationship building and so forth. Similarly, citizens participate without necessarily considering the bigger picture or perhaps common good, their role and the legislative requirements dictating the public consultation process.

Existing legislation often factors into government decisions to consult citizens. The legislation and other policy directions signal to government the minimal consultation required based on the issue at hand. Often, there is a lack of attention and care by governments in selecting the appropriate public consultation process, which may go beyond the legislative requirements. This may be in part because there is a common belief that consultation is time consuming, complicated and expensive or simply a regulatory hurdle. The process is often designed and facilitated off the side of the desk of an administrator without any public participation training. The lack of attention to the type and process of engagement leads to either an over or under-estimation of the need for public participation. Often it is the ill-conceived consultation process that is at fault for the time and expense required to “fix” surfaced controversy. Consideration of the long-term consequences of not investing sufficient thought, time and resources is starting to be considered. Governments have begun to invest in facilitation training, hiring professional facilitation consultants and engaging in more participative models of democracy between and during elections.

Over the past 15 years, waterfront redevelopment projects have been at the foreground of public consultation efforts. Across North America, cities are working to reclaim their formerly industrial waterfronts. There is competition among urban centres for private and public investment in commercial, residential, culture and recreation activities. Waterfront

redevelopment projects have a multiplicity of environmental, economic, physical and social policy considerations that complicate the land development process. Involvement and approvals from all orders of government are often required at various steps of the redevelopment. Public consultation is legislated, particularly within environmental and land use planning legislation, but also in terms of expectations. Waterfront redevelopment projects are viewed as an opportunity for a community to define and promote itself to the rest of the world (Bassett, et al., 2007). It is widely accepted that a successful waterfront redevelopment requires extensive public participation in defining and shaping the vision and plans for the site (Project for Public Places, 2012). The scope and scale of urban waterfront redevelopment initiatives present many opportunities to engage a wide range and variety of public interests. Yet, the success of these efforts varies substantially from one project to the next. According to Sarah Wakefield (2006), common challenges with less successful efforts have emerged that see public participation in the waterfront redevelopment planning process as a hindrance to the redevelopment progress. Focusing on the waterfront redevelopment in Saskatoon will provide a unique opportunity to consider how broader trends in theory and practice have influenced public consultation decisions and outcomes respecting this project.

1.5 Research Methodology

A socially constructed knowledge claim has been applied in preparation of this thesis. The focus is on the participant view of public consultation in the SDWR between the years 2000 and 2010. In this approach, the intent is to make sense of the meaning that has been constructed with respect to the project and how this applies to, or shapes, an interdisciplinary theoretical approach to public consultation in government decision making. There are three assumptions guiding this approach: 1) meanings are constructed by human beings as they engaged with the world they are interpreting; 2) humans engage with their world and make sense of it based on their historical and social perspectives; and, 3) meaning is always social and arising in and out of interaction with a human community (Creswell, 2003, p.9).

The strategy of inquiry for this thesis is qualitative. Qualitative research is generally concerned with how the social world is interpreted, understood, experienced, produced or constituted (Mason, 2002, p.3). The research was collected using a case study approach which involved an in depth exploration of the contextual and constructionist understanding and

meaning of public consultation in the SDWR by stakeholders and key informants in the process as it unfolded.

Three methods of data collection were used to form the base of this research. First, there was a review of: the provincial legislation respecting public consultation and municipal land development (such as the *Planning and Development Act, 1983, 2007* and the *Municipalities Act, 2005*); municipal policy frameworks regarding public consultation (such as the Official Community Plan); and, reports, studies and concept plans pertaining to the SDWR. The information was reviewed for content relating to public consultation in the land development process. Second, there was a review of: meeting minutes for City Council, the Municipal Planning Commission (MPC), and the Municipal Heritage Advisory Committee; public correspondence; key informant archives; and, newspaper articles within the Saskatchewan Newspaper Index over the 10 year period. The information collected was used to create a chronology of key events, public consultations and municipal decisions for the SDWR. Third, using a snow ball approach, structured interviews were held with a range of stakeholders and informed observers that had some level of involvement and/or knowledge of the SDWR. Participants were selected following the review of relevant studies, reports, public correspondence and newspaper stories pertaining to the SDWR. Interviews took place with administrators, elected representatives, advisory/commission committee members, community stakeholders and business stakeholders. In total, thirty (30) stakeholders participated in a research interview. Research participants were organized into three stakeholder groups:

- 1) Public sector stakeholders – represents government or quasi-government organizations (including boards, commissions and committees) such as the Government of Saskatchewan, City of Saskatoon, Meewasin Valley Authority, University of Saskatchewan, First Nation and Métis bands, and School Boards;
- 2) Business stakeholders – represents Business Improvement Districts, North Saskatoon Business Association, Saskatoon Real Estate Board, Saskatoon Chamber of Commerce, Saskatoon Regional Economic Development Authority, Tourism Saskatoon, Saskatoon Farmers' Market, media corporations, private consultants, and owners of land development companies; and,

- 3) Community stakeholders – represents community associations, Saskatoon Heritage Society, Environmental Society, Dutch Elm Society, Nature Society, Children’s Discovery Museum, Archeological Society, Saskatoon Boating Association, arts organizations, accessibility groups, and members of the general public without organizational association.

Each of the participants received an electronic copy of the interview consent form prior to the interview (Appendix A. Research Interview Consent Form). At the time of the interview, the consent form was read out loud and then signed. At the beginning of the interview, participants were shown a copy of the South Downtown Concept Plan Map. They were also shown a summary of public consultations that occurred in the South Downtown between 2000 and 2010 to assist with their recollection of events if necessary (Appendix B. Public Consultation Summary Prompt). Few interview participants drew on these additional resources to assist with the interview. Individual meetings occurred separately with five (5) administrators from the Province, City and MVA to supplement technical and detailed information about legislation, policy, process and practices governing the SDWR.

A content analysis of the interview responses occurred by stakeholder group to identify general themes of involvement, satisfaction and a sense of influence the public consultations had on the decisions made by City Council. These findings were compared and analyzed within the context of the public documentation of events contained in media records, advisory committee/commission minutes, Provincial, MVA and City Council records, publications, archives, blogs and other sources accounting the events that occurred between 2000 and 2010. The researcher also drew on her own experience as an observing participant and collector of information to develop a historical timeline to guide the research study.

During the study timeline, the researcher formed a unique perspective of the SDWR as a City Planner with the City of Saskatoon (1997-2005), Meewasin Valley Board Member (2007 and 2009), and partner to a former City Councillor who served between 2000-2003 and who remains an active community stakeholder. In this way an abductive research approach was employed where “the process of moving between everyday concepts and meaning, lay accounts and social science explanations” informed the research and analysis (Mason, 2002, p.180). The researcher did not have influence over the design of City or MVA consultation

processes and did not directly inform decisions respecting the consultations but did participate in the consultations at various points as both a citizen and decision maker while serving on the MVA Board of Directors.

1.6 Organization of Thesis

This thesis is organized into eight chapters. Chapter 2 outlines the regulatory and policy frameworks for public consultation on the SDWR. Chapter 3 provides an overview of the commonly cited models and methods of public participation. Chapter 4 examines the critical paths on public consultation in the SDWR. Chapter 5 is the assessment of public consultation used in the SDWR by stakeholders and informed observers. Chapter 6 considered the influence the regulatory framework had on the SDWR and satisfaction with the types of consultations used. Chapter 7 provides an inductive analysis of the major research findings within the context of the interdisciplinary theoretical perspectives framing this thesis: neopluralism; structuration; and, symbolic interactionism. Chapter 8 concludes the thesis with a summary of the findings, recommendations to improve consultation in government decision making, research limitations and areas for further research.

CHAPTER 2

REGULATORY AND POLICY FRAMEWORK FOR PUBLIC CONSULTATION IN LAND DEVELOPMENT

2.1 Introduction

A complex and overlapping myriad of federal and provincial legislative frameworks governs the SDWR. Federal and provincial environmental legislation, such as the *Fisheries Act, 1985* and *Environmental Management and Protection Act, 2002*, respectively, will not be considered in this thesis. These acts influence the internal administrative process, timeline and accountabilities with respect to environmental protection but were not primary drivers of public consultation in the SDWR. The provincial, municipal and interjurisdictional regulatory and policy frameworks with respect to land development and public consultation will be the focus of this chapter. The chapter is organized into three parts: provincial statutes; municipal bylaws, policies and guidelines; and MVA policies and regulations governing the SDWR.

2.2 Legislative Requirements for Public Consultation

There are three main provincial acts that influenced the SDWR and public consultation: the *Planning and Development Act, 2007*, the *Cities Act, 2003* and the *Heritage Protection Act, 1980*. This section will briefly review each of these Acts.

2.2.1 The Planning and Development Act, 2007

The *Planning and Development Act, 2007* (P&D Act) was created in 1983. It is the legislative framework that directs the province and municipalities on community planning and land development matters. The P&D Act guides the creation, adoption and administration of Official Community Plans, Zoning Bylaws, Direct Control Districts, Architectural Controls, Concept Plans, Municipal Planning Commissions and Public Participation and Public Notice Policies matters of which are all relevant to the SDWR. The P&D Act provides a minimum public participation regulation framework. In 2007, the Act was updated. Notable were the revisions to the Public Notice Policy. Councils declared an approving authority,³ with an

³ A municipality can be granted an approving authority by employing or retaining a professional community planner. The benefit to a municipality is they are independent to make decisions and pass bylaws concerning development plan and zoning bylaw amendments, discretionary uses, direct control districts, concept plans along

adopted public notice policy, were delegated flexibility to establish their public participation policies (Government of Saskatchewan, 2007). The City of Saskatoon is an approving authority that has adopted a public notice policy and as such has autonomy of their public consultation policies.

The amendments to the P&D Act placed notable emphasis on public consultation by encouraging municipalities to take greater responsibility for defining their requirements and procedures for public involvement. For instance, the list of municipal matters to include in a public notice policy has expanded to encompass the adoption of concept plans, discretionary use applications and establishment of interim development controls. Municipalities were also directed to include in their zoning bylaw “procedures for obtaining public input on land use and development matters, in addition to the public participation requirements” (Government of Saskatchewan, 2007a, p.30). The P&D Act requires any public notice bylaw to include: minimum notice requirements; acceptable methods of giving notice; and required content of the notice.

Under the P&D Act, municipalities can form a Municipal Planning Commission (MPC) to provide guidance to council. The MPC can investigate, advise and assist Council with respect to planning and development on any matter they determine “is related to the physical, social or economic circumstances of the municipality and affects or may affect the development of the municipality” (Government of Saskatchewan, 2007b, p.52). The City of Saskatoon has adopted a MPC Bylaw. As the research in this thesis will demonstrate, the MPC has not acted at its full capacity in advising Council on matters pertaining to the SDWR.

With the adoption of the renewed P&D Act in 2007, the Provincial government also established Statements of Provincial Interest (SPI) regulations. The statements provide guidance to municipalities on complex land and development issues. There are fourteen (14) common planning interests outlined in the regulations. Two of the interests relate to the SDWR: 1) First Nations and Métis Engagement; and, 2) Heritage and Culture.⁴ The SPI states that the Provincial Government is interested to see Saskatchewan’s culture and heritage resources protected by providing protection and conservation of culture and heritage

with other governance matters (P&D Act, 2007 Section 13(1-6). Provincial approval is only required when a municipality adopts a new Official Community Plan and/or Zoning Bylaw.

⁴ The Statements of Provincial Interest also include direction on Shore Lands and Water Bodies that have relevance to the SDWR but are outside the scope of this research.

resources. The SPI acknowledge the Province's interest in enhancing the participation of First Nations and Métis communities in land use planning and development. Examples of how to achieve this are provided by the Province to assist municipalities (e.g. appoint a Council liaison to facilitate regular communication with First Nations and Métis communities).⁵

Within Canada, there is an obligation to consult with First Nations and Métis communities. The Government of Saskatchewan First Nation and Métis Consultation Policy Framework was released June 15, 2010. The document outlines the process Government will use to fulfill its obligation to consult with First Nations and Métis communities on decisions or actions that may impact Treaty or Aboriginal rights.⁶ The SPI are implemented through official community plans, zoning bylaws, subdivision bylaws and development permit applications. Principles have also been developed. The SPI or Duty to Consult policies have not influenced or informed the consultations on the SDWR.

2.2.2 The Cities Act, 2003

In 2003, the Cities Act, 2003 (Cities Act) replaced the *Urban Municipalities Act, 1984*. The change was a further step taken to continue the devolution of authority from the province to local city governments. The Cities Act outlines municipal ward, Council roles and elections, terms of office, vacancies, quorum and voting and majority decision. The Cities Act also outlines public accountability. It speaks to the expectation of the local government with regards to giving public notice on decisions affecting citizens, but also on a range of other issues including referendums, petitions and the election procedures related to the *Local Government Election Act, 1996*. The purpose of cities are outlined as follows: to provide good government; provide services, facilities and other things that, in the opinion of council, are necessary and desirable for all or part of the city; develop and maintain a safe and viable community; foster economic, social and environmental well-being; and, provide wise stewardship of public assets (Government of Saskatchewan, 2003). The Cities Act as with other similar provincial acts is largely silent on the principles or values governing the relationship between the governed (citizens) and the governing (elected representatives). The

⁵ <http://www.municipal.gov.sk.ca/spihandbook> Accessed December 2012.

⁶ <http://www.municipal.gov.sk.ca/Programs-Services/Community-Planning/Duty-Consult>. Accessed December 2012.

Cities Act outlines the legislative framework for the powers of authority and operation of municipal governments. The purpose of the Act, as defined in the legislation is:

- To provide the legal structure and framework within which cities must govern themselves and make decisions that they consider appropriate and in the best interest of their residents;
- To provide cities with the powers, duties and functions necessary to fulfill their purposes;
- To provide cities with the flexibility to respond to the existing and future needs of their residents in creative and innovative ways;
- To ensure that, in achieving these objectives, cities are accountable to the people who elect them and are responsible for encouraging and enabling public participation in the governance process (Government of Saskatchewan, 2003a, p.14).

It provides authorities with respect to public utilities, disposal of municipal lands and buildings, creation of business improvement districts, election procedures, responsibilities of elected representatives and municipal administrators, organization of electoral boundaries, retention of public documents, budget adoption and reporting, investments, debts and borrowing limits, taxes and enforcement, as well as public accountabilities. Like the P&D Act, the Cities Act directs municipalities to adopt a public notice policy with respect to the regulations covered in the act instructing the policy to provide: the minimum notice requirements; the methods of notice to be followed; and, any prescribed matters (Government of Saskatchewan, 2003b, p.59). The P&D Act provides the specific requirements for public consultation on land development matters.

One section within the Cities Act refers specifically to the role of citizens – the Public Notice Policy - which municipalities are expected to adopt. Outside the legislative requirements of specific service provisions (such as the *Planning and Development Act, 2007* or the *Environmental Management and Protection Act, 2002*), the Public Notice Policy is the only municipal policy that speaks to methods of engaging citizens in issues of interest. The policy sets out the minimum notice requirements, the methods of notice to be followed, and the minimum time for giving notice. Within the policy, Saskatoon City Council is given

discretion to determine who may be affected by a particular policy change: “for the purposes of this policy, affected parties will be those members of the public who, in the sole discretion of the City, may be specially affected by the matter under consideration by the Council” (City of Saskatoon, 2003a, p.1). The policy goes on to outline the instances where notice must be given, how to give the notice and the length of time of the notice. Methods most commonly cited are newspapers, signage at City Hall and a new addition – the City website. The Cities Act also provides the provision to close City Council and committee meetings to the public if the matter falls within the *Local Authority Freedom of Information and Protection Privacy Act 1990*. The issue of “closed door” meetings and whether they were used appropriately has been a common theme throughout the SDWR. This topic is discussed further in Chapter 6.

2.2.3 The Heritage Protection Act, 1980

The *Heritage Property Act, 1980* (Heritage Act) sets out the authority for a municipality to create a Municipal Heritage Advisory Committee (MHAC) to provide advice to City Council regarding heritage matters delineated within the legislation. A definition of a heritage property is also provided and is described as:

- Archaeological objects;
- Paleontological objects;
- Any property that is of interest for its architectural, historical cultural, environmental, archeological, paleontological, aesthetic or scientific value; and,
- Any site where an object or property mentioned in sub clauses (i), (ii) or (iii) is or may reasonably be expected to be found (Government of Saskatchewan, 1980a, p.5).

A heritage property must be designated by the municipality. However, there is a clause in the Heritage Act that allows the Minister responsible the authority to seize activities deemed detrimental to a heritage property through the use of a stop order. Once a stop order is issued, the minister has 60 days to: salvage the heritage property in danger; record or excavate the heritage property; investigate alternatives to the destruction of the heritage property or; designate the property pursuant to the Act (Government of Saskatchewan, 1980b, p.8). Under the authority of the Act, the Minister may:

- provide professional, technical and financial assistance to any person, agency, organization or society whose aims and objectives are complementary to the purposes of this Act;
- refer any matter related to heritage property to the advisory board for its consideration; and,
- make grants to owners of heritage property, municipalities and heritage conservation districts designated under this Act, for the purpose of furthering activities related to heritage property on any terms and conditions he considers advisable (Government of Saskatchewan, 1980c, p.7)

In 2003, Saskatoon City Council approved the demolition of the Gathercole building on the SDWR site. The Gathercole Initiatives Group (GIG) made an attempt to save the building by calling on the Minister to impose a temporary stop order. The attempt was unsuccessful.

The P&D Act trumps the Heritage Act with respect to heritage designation. If Council designates a site for a purpose that is deemed incompatible with a heritage designation, the land use designation will take precedence over the heritage designation. If deemed compatible with the land use and zoning policies, the MHAC or City Council independently may create policies to preserve and develop heritage characters of designated properties including:

- Design elements of existing and proposed buildings and structures;
- Street and sidewalk designs;
- Street furniture, lighting and public signs;
- Commercial and private signs; or
- Landscaping (Government of Saskatchewan, 1980d, p.19).

Where land is within the Meewasin Valley Conservation Zone, additional consideration is required by MHAC and City Council in decisions with respect to preserving, interpreting, conserving built, natural and human history. The Meewasin Valley Authority has had a significant role in the redevelopment efforts of the SDWR and is discussed further below.

2.3 City of Saskatoon Public Notice Bylaw

As required by the Cities Act, the City of Saskatoon has adopted a Public Notice Policy (2003). The P&D Act acknowledges municipalities that are approving authorities and adopt a public notice bylaw are exempt from the public participation policies (Government of Saskatchewan, 2007c, p.111). The policy sets out the minimum requirements for the City with respect to giving public notice on issues identified by the Cities Act as of particular public interest. There are several areas covered by the Public Notice Policy that are of importance to the SDWR:

- Permanently closing or blocking off a street, lane or walkway;
- Borrowing money;
- Selling or leasing land for less than fair market value and without a public offering;
- Selling or leasing park lands and dedicated land except where the land is covered by public notice provisions in Part 2; and,
- Any matter where holding a public hearing is required under The Cities Act or any other Act except where the Act contains its own public notice provisions (such as the P&D Act) (City of Saskatoon, 2003a, p.2-3)

Notice to the general public is required prior to when Council initially considers the matter. Public notice requirements vary depending on the type of bylaw or amendment coming into effect. For example, the requirements to adopt a new zoning bylaw and official community plan are different from those to amend these policies or create a concept plan (four weeks, two weeks and one week respectively). In general, the four main public notice requirements outlined in the Public Notice Policy are as follows:

- Notice in the Saskatoon Star Phoenix either four, two or one consecutive Saturdays before Council considers the matter;
- Notice in the Saskatoon Sun two consecutive Sundays;
- Posted at City Hall 10 calendar days prior; and,
- City website 10 days prior (City of Saskatoon, 2003a)

There are policies that address matters where additional public notice may be required, but these mostly speak to matters with respect to road alterations (e.g. closing a road). There is a policy that speaks to the sale or lease of park lands and dedicated lands. But not the sale of public lands overall. One of the key debates in the SDWR was whether the site should be publicly or private owned. The disposal of land and buildings is considered in the Cities Act (2003). It defines decisions concerning these matters to be at the sole discretion of Council, unless the land has been dedicated park space or municipal reserve. If the land is sold for less than fair market value, which was the case with Parcel Y (see Map 1.3.1), then public notice guidelines must be followed. A discussion on the public participation process used to inform this decision will be provided in Chapter 4.

The Public Notice Policy (2003) indicates that public notice will be given on a matter when it is initially considered but that no further notice is required thereafter, unless expressly directed by council. Often in a public dialogue on matters, people can lose sight of the status of the matter and become reliant on others to keep them informed – either personal contacts or media outlets. The P&D Act requests that there be time between the first and second reading, while the Cities Act indicates that a Council can waive this requirement if there is unanimous consent. The purpose of these clauses is to allow time for the public to be informed and engaged if interested in the bylaw that is being put forth. With close to ten (10) amendments to the DCD1, City Council did use its discretion on a few occasions to proceed with all three readings.

The second part of the Public Notice Policy specifically addresses the P&D Act requirements for an approving authority. When comparing the requirements outlined in the P&D Act with the Public Notice Policy, it becomes apparent that from a regulatory perspective, the City has not ventured too far from the minimum requirements. The requirement the City has defined beyond those outlined in the P&D Act is notification of the community associations of the discretionary use public hearing.

2.4 City of Saskatoon Official Community Plan

An Official Community Plan (OCP) is a bylaw created by a municipality and ratified by the province for the purposes of guiding growth and development. The purpose of an OCP, as defined by the P&D Act is “to provide a comprehensive policy framework to guide

physical, environmental, economic, social and cultural development of the municipality or any part of the municipality” (Government of Saskatchewan, 2007d, p.21). It provides direction on policies pertaining to land use, future growth, public works, housing, safety, recreation, heritage, environment, traffic, infrastructure and so forth.

There are several sections of the OCP that guide development in the SDWR study area including heritage policies, creation of a direct control district, local design policies and architectural controls. The downtown policies identify the site as an area “intended to accommodate a variety of activities which will complement both the riverbank and the Downtown” (City of Saskatoon Bylaw No. 8769, 2010, p. 27).

The heritage policies of the City are an important consideration in setting context between public interest in heritage as expressed by the public through consultation opportunities and the ultimate decisions made by City Council. The City defines a limited role in heritage conservation and interpretation. The policy parameters concerning heritage have decreased over the 10 years considered in this study. The focus in the OCP is more on providing information regarding heritage properties than on actively conserving them:

- Identifying and researching potential heritage properties;
 - Recognizing property of heritage merit;
 - Providing support to owners to conserve properties of heritage merit;
 - Implementing a heritage review process for City-owned property;
 - Establishing an inventory of archeological and paleontological sites;
 - Interpreting the history of municipal government, and,
 - Conserving and interpreting artifacts related to the history of municipal government
- (City of Saskatoon Bylaw No. 8769, 2010, p. 73).

These policies are operationalized by the City through the Civic Heritage Policy and MHAC. These policies and mechanisms suggest a commitment by the City to both conserve and interpret heritage. However, in practice, concerns have been expressed over the course of the SDWR that the municipal emphasis is directed more prominently to interpretation. This has been an area of contention between the City and community stakeholders. The City’s

heritage policies and differences in interpretation and valuation of the policies are factors that have contributed to conflict over the SDWR.

The policy requirements for the formation of a direct control district are briefly outlined in the OCP. The emphasis of the policy is that “no use or development of land or buildings is permitted” in a direct control district “except as directly regulated and controlled” by City Council and in accordance with sections 63-67 of the P&D Act, 2007 and the Zoning Bylaw (City of Saskatoon Bylaw No. 8769, 2010, p. 8). The policy entwines with the south downtown policies by recognizing the area is also referred to as the South Downtown Area. The policy direction is that the Direct Control District One (DCD1) offers an unprecedented and unique waterfront development opportunity to strengthen the image of the downtown by providing a consistent set of development guidelines for unified riverfront development. The guidelines are intended to ensure that a strong, functional link is developed between the Downtown, South East Riversdale, the Gathercole site, friendship Park and the South Saskatchewan River (City of Saskatoon Bylaw No. 8769, 2010, p. 92).

2.4.1 City of Saskatoon Public Consultation in the Planning Process

The P&D Act, 2007 does not require the City to outline public consultation policies or processes in the OCP. There is only a suggestion that additional public notice requirements be outlined in the municipal zoning bylaw. The City has accommodated both by creating a section in the OCP on Public Consultation in the Planning Process. The objective of this policy is to ensure that the public is informed and consulted in a timely manner regarding planning and development processes, including applications for rezoning, discretionary use, and other appropriate matters (City of Saskatoon Bylaw No. 8769, 2010, p. 87). Principles for the City to “respectfully” follow have been defined:

- Municipal government decisions must be in a context that is sensitive and responsive to public concerns and values;
- The community engagement process must demonstrate openness, honesty and transparency of purpose as well as communication of results;
- The process must be respectful of decision-making protocols; and,

- The process must demonstrate a commitment to being time-sensitive and cost-effective (City of Saskatoon Bylaw No. 8769, 2010, p. 87-88).

Matters in which Council may wish to have additional public consultation are outlined in the OCP and include: land use, social, safety, recreation, creation and implementation of local area plan and utility service initiatives. The MPC is recognized as having a role in facilitating public participation prior to making recommendations to Council on planning and development issues. This option has rarely if ever been utilized by the MPC (Bury, 1979; Technical Research Interview 2011).

Complementary to the policy statement outlined in the OCP regarding community engagement, the City of Saskatoon has created a Community Engagement Process Manual for Civic Employees. On July 19, 2004, Saskatoon City Council adopted a community engagement process to provide a consistent approach to engagement of the public in civic matters. In 2006, a supporting manual was prepared to guide administration and City Council when engaging the public. The manual is comprised of a City commitment to the principles (replicated in the OCP as noted above), explanation of community engagement, steps on deciding whether to engage, and community engagement toolkits. The guiding statement is “Community engagement is about engaging the appropriate people in the appropriate way at the appropriate time” (City of Saskatoon, 2006a, p.5).

In 2009, the City dedicated a full-time person to assist the administration with planning and facilitating public consultation. The position is responsible to review all public consultation initiatives and to provide direct sign-off on the consultation plans proposed. Effort is made to compile and summarize the general themes of the consultation within City Council reports. Dedicating a resource to assist with public consultation was adopted to: 1) increase understanding about public consultation and when and how it should be applied; 2) provide training on the types of methods/processes to use based on the topic; 3) ensure there is a consistent lens and approach taken to public consultation: and, 4) coordinate the various consultations across departments (Technical Research Interview 2011). As shown in Table 2.4.1, a public consultation framework has been adapted by the City to guide this work. It is comprised of three levels of engagement: inform; consult; and, involve and what the public

can expect based on which level is chosen. Chapters 4 and 5 will provide a detailed analysis of the levels of public engagement used by the City of Saskatoon throughout the SDWR.

Table 2.4.1 City of Saskatoon Levels of Community Engagement

Level of Community Engagement	What the Public Can Expect
Inform: to provide the public with balanced and objective information to assist them in understanding the problem, project, alternatives and/or solutions.	We will keep you informed.
Consult: to obtain public feedback on analysis, alternatives and/or decisions.	We will keep you informed, consider what you say, and will provide feedback on how public input influenced the decision.
Involve: to work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how the public input influenced the decision.

Source: City of Saskatoon, 2006a.

2.5 Saskatoon Zoning Bylaw

Municipalities are required to adopt a zoning bylaw.⁷ The purpose of a zoning bylaw, as defined in the P&D Act is “to control the use of land for providing for the amenity of the area within the council’s jurisdiction and for the health, safety and welfare of the inhabitants of the municipality” (Government of Saskatchewan, 2007e, p.26). The zoning bylaw must be complementary to the OCP. Complementary land use policies show rational alignment. For instance, land dedicated as industrial in the OCP will have industrial zoning classifications (e.g. light industrial) and site specific regulation policies (e.g. permitted uses, height, area, volume or dimension of buildings and performance standards such as noise and air omission) defined in the zoning bylaw. Policies required for a zoning bylaw include: prescribing or establishing districts; prescribing the permitted use in each district; appointing a development officer to administer the bylaw; system of development permits; types of development in which a permit is or is not required and the associated administration, procedures on zoning variances, discretionary use and development appeals and zoning map requirements

⁷ Prior to the amendments to the P&D Act in 2007, not all municipalities were required to have both an official community plan and zoning bylaw. Municipalities operated with either, utilized outdated Basic Planning Statements (the rural pre-cursor to the OCP) and/or only had zoning bylaws which were ratified by the province. The current legislation requires greater responsibility and accountability for municipalities to create and maintain land use and zoning bylaws.

(Government of Saskatchewan, 2007f: P&D Act, 2007, p.27). A number of other policies may also be adopted including development standards, site regulations, landscaping and signage. There are provisions within the zoning bylaw to allow uses within zoning districts that are at the discretion of City Council. Discretionary use applications have a specific set of public participation requirements set out in the P&D Act, 2007 and the City's Public Notice Bylaw. In addition, the City's Zoning Bylaw also sets out the public consultation requirements and procedures for creating and modifying land use and development matters, which are complementary and in addition to the public notice policies.

The P&D Act gives Council the authority to create a direct control district (Section 63) when they have adopted an official community plan and want to directly "control the use or development of land or buildings" within a designated area (Government of Saskatchewan, 2007, p.37). Council is required to approve specific and detailed plans about the designated area to clearly inform the development expectations. Specifically, the following must be provided:

- plans showing the location of all buildings to be erected, all facilities and works to be provided in conjunction with those buildings and all facilities and works required;
- drawings showing plan, elevation and cross-sectional views for each building to be erected;
- the massing and conceptual design of the proposed building;
- the colour, texture and type of materials, window detail and architectural detail of the exterior of the proposed building;
- the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access; and,
- the provision of interior walkways, stairs and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings, but which do not include the layout of interior areas, other than the interior walkways, stairs and escalators (Government of Saskatchewan, 2007h, p.38).

The Council may require that there be payment in lieu of any requirements a developer is unable to meet. They may also require, through a development agreement, the developer to

agree to have an interest registered on the title. Though the City has had these options at their disposal, they have not required developers on the DCD1 to fulfill additional requirements. As developers identify obstacles to development in the DCD1, Council has sought to amend the zoning to lessen the regulations.

2.5.1 Direct Control District 1

The Direct Control District 1 (DCD1) was created by the City in 1988. It was the first site in Saskatoon to have a direct development control policy. The designation of the site was intended to signal the importance of the site and send a message to developers of the City's intentions to revitalize the South Downtown. Map 2.5.1 outlines a boundary change that occurred in July 2004. The boundary has remained consistent since this time. As shown in Table 2.5.1, the principles for the DCD1 have remained relatively consistent overtime; however, the policy framework has changed since it was approved more than 20 years ago.

Legend
 1988 ---
 2010 —

City of Saskatoon
 Community Services
 Planning & Development Branch
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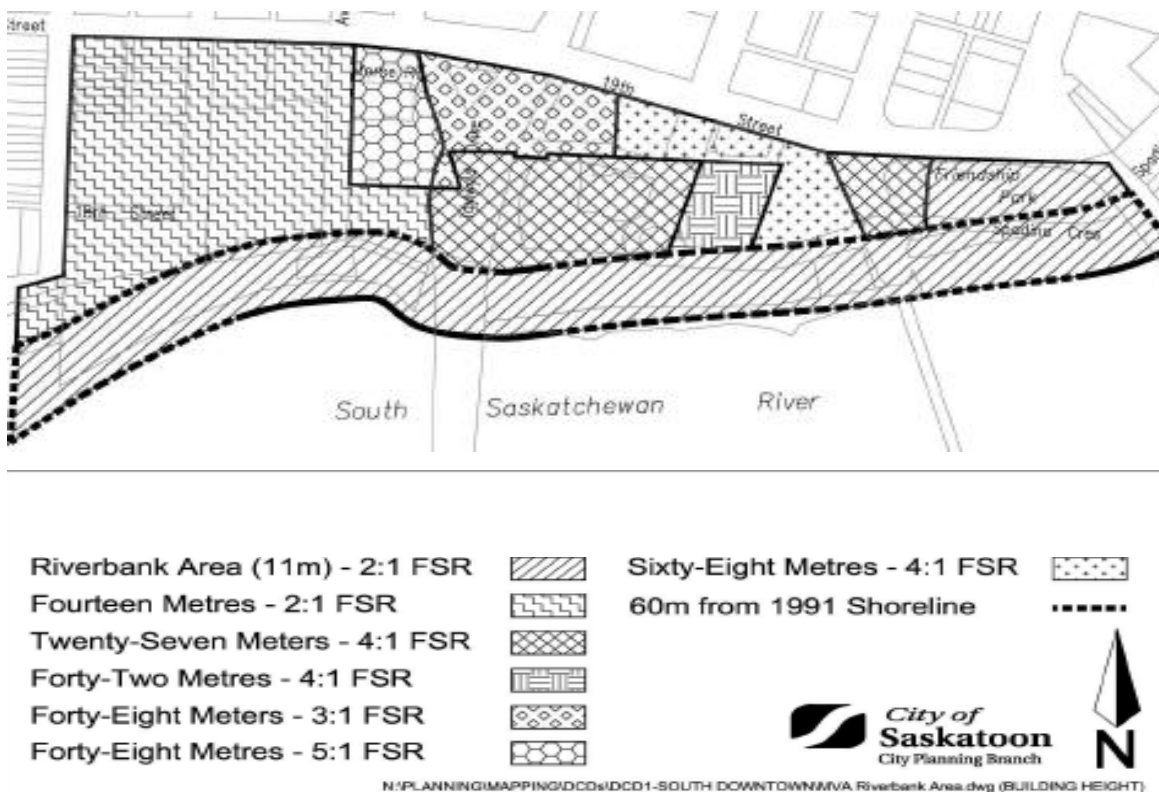
In 2004, the maximum building height and Floor Square Ratio (FSR) policies were applied to specific parcels. Prior and subsequent to this decision, building intensification and densification of the site has been a source of public debate. Business stakeholders have argued that lower densities are not viable on the site as a developer is unable to generate sufficient revenue from a smaller scale project to recover the construction costs. Community stakeholders have argued that high density and intensification of the site will diminish the character and draw for public gathering.

Table 2.5.1 Comparison of DCD1 Principles, 1988 and 2010

DCD1 - 1988	DCD1 - 2010
Offer a dynamic blend of diverse and complementary land uses which will attract people to the South Downtown area for year-round, daily and evening activity	Offer a dynamic blend and complementary land uses which will attract people to the South Downtown area for year-round, daily and evening activity
Provide complementary year-round indoor and outdoor public activities	Provide complementary year-round indoor and outdoor public activities
Support and enhance the existing commercial activities in the Downtown	Support and enhance existing and new commercial activities in the Downtown and Riversdale by encouraging both public and private investment
Result in architectural and site design solutions that will address the development guidelines [contained in the plan]	Provide for publicly-accessible physical linkages such as walkways, above ground linkages and corridors to allow for the greatest opportunity for barrier-free access to the river and allow public circulation between adjacent developments
Highlight the waterfront as a special feature in the context of an urban environment and provide a linkage or linkages from the commercial core. It is intended that there be open space linkage along the riverbank between Idylwyld Drive and the Broadway Bridge	Highlight the waterfront as a special feature in the context of an urban environment and provide strong linkages from the Downtown, South East Riversdale, the Gathercole site and the riverbank
Produce mixed use developments which will result in an urban environment which is integrated with public activities conducted on the riverbank	Produce mixed-use developments which will result in an urban environment which is integrated with public activities conducted on or near the riverbank
Provide the opportunity for the physical linkage of covered, pedestrian ways between adjacent developments	Create a distinct identity and a sense of place in Saskatoon and encourage the recognition of the historical richness of the area

Source: City of Saskatoon Bylaw No. 6955, 1988, p. 1-2; City of Saskatoon Bylaw No. 8770, 2010, p. 13-1.

Map 2.5.2 DCD1 Maximum Building Heights and Floor Square Ratios, 2010



2.5.2 Architectural Control Overlay District

In addition to the formation of a Direct Control District, Council has established an Architectural Control District to provide specific direction on the theme, character and design, of the specific and buildings. The Architectural Control 1 (AC1) – DCD1 Architectural Control District Overlay was approved by City Council in 2004. The AC1 - DCD1 Architectural Control District Overlay is applied overtop of the existing land use and zoning designation. The South Downtown Local Area Design Plan (LADP), as prepared by a consulting firm, is appended to the Zoning Bylaw. It comprises the guidelines envisioned for the AC1. The direct insertion of the consultant's report, including their logo into public policy has created a questionable precedent. The South Downtown site is the first area in Saskatchewan to receive this unique application of an overlay district. Procedures to process an AC application are outlined in the Zoning Bylaw. An interesting note with respect to the AC Overlay Districts – where the provisions of the ACD are in conflict with the regulations of the zoning district applicable to the site - the provisions of the ACD will apply (City of Saskatoon Bylaw No. 8770, 2010, p. 14-3).

2.5.3 South Downtown Local Area Design Plan

The South Downtown Local Area Design Plan (LADP) is a comprehensive 50 page consultant's report that provides multiple design examples to guide development within the AC1-DCD1 including: theme; character zones descriptions (e.g. residential, commercial, riverbank); architectural guidelines for the character zones (e.g. proportion, scale, massing, walls, roofs, colour, signage, mechanical, landscape, sight and building exterior lighting, sun studies, etc..) and, role of the Design Review Committee (DRC) application process. The LADP provides the framework for the DRC to implement the AC1. Before project applications are considered by City Council within DCD1, they must be vetted through the DRC which is comprised of City Council appointed technical experts. The recommendations of the DRC are reported to City administration. At the time of approaching the City, applicants are directed to simultaneously apply for approval to the MVA. Both the City and the MVA have sixty (60) days to render a decision. The approval process identifies that a combined meeting between the City's Design Review Committee, MVA Development Review Committee and applicant for development occur prior to either committee rendering a recommendation for City Council or the MVA Board of Director's decision (City of Saskatoon, 2005a). All projects presented must support the theme "a celebration of the river in the city". The architectural zones and pictorial examples outlined in the South Downtown LADP are expected to facilitate high quality architecture, which will create "a safe, animated, publicly accessible destination point for both residents and visitors through each day of the year" (City of Saskatoon Bylaw No. 8770, 2010, Appendix C, p.1).

2.5.4 Summary of Public Participation Requirements in the Zoning Bylaw

The Zoning Bylaw indicates that the City's Planning and Development Branch give notice to the community association that a discretionary use application has been filed (City of Saskatoon Bylaw No. 8770, 2010, p. 4-11). All other requirements are in accordance with Sections 54 to 58 of the P&D Act, 2007. A report containing recommendations is prepared by the City administration and forwarded to MPC. Once a date has been established for the public hearing by the Planning and Development Branch, property owners within seventy-five (75) metres of the site are notified by mail. The community association for the area is also notified. The City administration prepares on-site notification posters that the applicant is

required to post until the public hearing date when City Council considers the application (Ibid). At the time of the public hearing, the administration's recommendation and MPC's recommendations are presented then followed by public presentations. Council may approve, deny or impose conditions upon an application for discretionary use.

Applicants for a development permit within the City's ACD are treated differently than discretionary use applications. Council has the authority to appoint an ACD DRC. At least three members, without interest in the proposed amendment, are required to review the proposal. All amendments are reviewed in light of the associated LADP as required by the OCP. Once a development has been approved, the DRC has the authority to make a decision to issue, deny or place conditions on architectural features. Architectural designs do not come to City Council for final approval. If a requested amendment is smaller in scope, the City's designated Development Officer may choose to review the application independent of the DRC.

The municipal regulatory process governing land development and public consultation within the SDWR is complex. The legislation provides the basic framework. The bylaws provide the principles, policies and procedural framework. In 10 years, extra layers of policy regulations have been added to oversee the SDWR. The technicality of the regulatory framework has complicated public participation in the SDWR. In addition to the municipal framework, the MVA has its own legislation, land development policies and public engagement practices that oversee and guide the SDWR.

2.6 The Meewasin Valley Authority Act, 1979

In 1974, the City of Saskatoon's Environmental Advisory Committee commissioned a report, *Towards a Riverbank Study in Saskatoon*, which identified a number of environmental concerns and recommended a comprehensive study of the river valley. In 1978, the *South Saskatchewan River Corridor Study: Towards a Rivers Edge Authority – Saskatoon Corman Park*, commissioned by the Federal and Provincial governments was completed and concluded:

If Saskatoon is to retain its reputation as a beautiful city, the proposed riverbank authority is needed to minimize river bank encroachment and to set up a systematic plan for the whole river bank area (Meewasin Valley Authority, 2010, p.1).

This study, considered to capture the “imagination of the public,” recommended the establishment of an autonomous agency to plan and develop the river valley’s natural and heritage resources within an eighty (80) kilometre radius of Saskatoon. The recommendation resulted in the Meewasin Valley Project (Moriyama 100 Year Concept Plan) (Meewasin Valley Authority, 2008, p.1).

The *Meewasin Valley Authority Act, 1979* (MVA Act) was created following the completion of the 100 Year Conceptual Master Plan commissioned by the City, Rural Municipality (R.M) of Corman Park, University of Saskatchewan and Province of Saskatchewan (Meewasin Valley Authority, 2008). The Moriyama 100 Year Concept Plan outlined a vision, purpose, boundaries, a governance structure and priorities for river valley stewardship in the region. An autonomous agency was formed and the participating partners became the Board of Directors with authorities delegated through the MVA Act.⁸ The Meewasin Board of Directors is comprised of twelve members; four appointed members from each partner – the Province, City and University of Saskatchewan. All of the municipal members are elected officials. This has not always been the case.

The MVA Act provides a similar framework for planning and development within the MVA Conservation Zone as the P&D Act for municipalities. The MVA Act outlines requirements for a development plan, Development Review Committees, land acquisition and disposal, landscaping, facilities and maintenance, public notice and financing including amounts paid by participating parties. Through the creation of a development plan, the MVA Act delegates power to the Board of Directors to approve or deny proposed land development amendments within the MVA Conservation Zone (see Map 1.2.1).

The SDWR is situated within the MVA Conservation Zone. Any land use, zoning or heritage considerations that occur within the area are subject to review and decision by the MVA Board. The legislation provides the Board of Directors authority to accept or reject land development proposals within the conservation zone:

Notwithstanding the Planning and Development Act, if there is a conflict between the [MVA] development plan and an official community plan adopted pursuant to the *The*

⁸ Originally, the R.M. of Corman Park was identified as a governing partner in the formation of the Meewasin Valley Authority. However, when concerns were expressed that the MVA may over-extend their conservation agenda by expropriating private land holdings, residents and decision makers within the Rural Municipality withdrew their support to hold partner status in the formation of the MVA.

Planning and Development Act, 2007, the development plan prevails (Government of Saskatchewan, 1979a, p.16).

This is an important factor to consider in assessing the City's legislative and municipal requirements for public consultations in the SDWR; the methods they ultimately used and the fact that they were not the final authority. The legislation gives the MVA Board a broad range of authorities in order to protect and manage the conservation zone. They may regulate the use of public land, control traffic, prohibit, regulate or restrict uses and activities, authorize enforcement officers to uphold bylaws. The authority of the MVA to review all development plan amendments provided a unique and influencing dynamic in shaping the SDWR both from the public and the government perspective. However, the MVA has consistently approved all the SDWR proposals presented by the City and other developers.

Applicants to amend the MVA Development Plan, and their corresponding South Downtown District Development Plan, are typically the City of Saskatoon and the University of Saskatchewan. These partners hold Board of Directors' majority when taken together (8/12). All governing partners are represented on the MVA Development Review Committee. There are seven (7) appointed members on the Development Review Committee representing the three partners, MVA staff and a few other technically appointed experts. The MVA Act does not require the Authority members to be represented on the Development Review Committee. It only requires the committee, at minimum, be comprised of two architects, two professional planners, two geotechnical engineers or professional geoscientists and one landscape architect (Government of Saskatchewan, 1979).

The Act requires 45 days' notice be given to the MVA by anyone planning to make improvement on land within MVA boundary but outside the conservation zone if the costs is greater than \$150,000, an interior building improvement or is only landscape construction (Government of Saskatchewan, 1979b, p.20). When the improvement is within the conservation zone, approval by the MVA Board is required with some exception. However, even these exemptions can be removed by the authority through the passing of a bylaw. This factor became an important consideration when the City made a motion to extend 2nd Avenue South; it de facto meant a decision to demolish the Gathercole Building located on a site within the conservation zone. Community stakeholder groups were working to gain support by decision makers to adaptively reuse the building. They appealed to the MVA, who in turn

indicated a lack of jurisdiction over demolition (Letter from the Meewasin Valley Authority to Joe Kuchta, January 2004). However, the legislation did allow them the authority to intervene in the extension of 2nd Avenue South if they chose.

The MVA Board is directed by the MVA Act to support a proposed enhancement unless it is their opinion that the improvement will not be in accordance with the MVA Development Plan. They are also permitted to grant approval subject to terms and conditions they have identified as necessary for a project to adhere to the relevant policies within the Development Plan (Government of Saskatchewan, 1979c, p.22). The MVA Act specifically acknowledges that it may delegate power for decision making to the Province, City or University of Saskatchewan lands that they own.

The Act provides for an Appeal Board to be comprised of one representative appointed by each authority member. No member of the Authority, City Council, University of Saskatchewan Board of Governors or the Legislative Assembly is permitted to be on the Appeals Board (Government of Saskatchewan, 1979d, p.25). There were no appeals to the MVA on the SDWR between 2000 and 2010 (Technical Research Interview, 2011). The requirements for public notice in the MVA Act are as follows:

The Authority shall give notice of its intention to pass a special resolution adopting, amending or repealing a development plan by advertisement inserted at least once a week for two consecutive weeks in a newspaper published or circulated in the area affected by the bylaw (Government of Saskatchewan, 1979e, p.14).

The first of the notice by subsection (1) shall: (a) in the case of a proposed Development Plan, be published at least four weeks; or (b) in the case of a proposed amendment to or repeal of a Development Plan be published at least three weeks before the date fixed by the authority for a public hearing to consider any representations respecting the proposal (Ibid).

The requirement to publish amendments to the Development Plan three weeks is greater than that required by the City of Saskatoon Public Notice Policy or the P&D Act. Instruction on the content of the ad including type, location and purpose, as well as the public hearing date, place and time are included. This section mirrors the P&D Act and is consistent with the Public Notice Policy. At least six votes plus one is required to amend the MVA Development Plan

2.6.1 The Meewasin Valley Authority 100 Year Concept Master Plan

The Meewasin Valley Authority Project 100 Year Concept Master Plan was prepared by Raymond Moriyama. The five objectives identified for this work were:

- An enlargement of educational and research opportunities;
- The advancement of cultural arts;
- The conservation of nature;
- The improvement of recreational activities; and,
- The furtherance of rural-urban relations (Moriyama, 1978, p.7).

This founding document has remained the signature document guiding the MVA over the past 30 years. In commemoration of its 10th anniversary, the MVA commissioned a review by George Stockton⁹ to assess the continued relevance of the Moriyama 100 Year Concept Plan. Stockton provided the observation that the MVA was not fulfilling the full scope of its intended mandate including:

- A preserver and conservator of the natural system of the river valley;
- An educator in the sciences and cultural arts;
- An educator and communicator to interpret the history and life of the valley;
- A developer working with public and private investment to take fullest advantage of the river valley environment;
- A restorer of historical sites and landmarks;
- An enhancer of the river for use by the public;
- A mediator among the various jurisdictions along the valley;
- A coordinator of plans and projects by jurisdictional bodies holding separate 'title' to the water and ownership of the adjacent land;
- An originator of research into options and directions for the future;
- An innovator to begin defining urban and rural forms of the future that relate closely to the prairie environment; and,

⁹ George Stockton worked with Moriyama & Teshima Architects and Planners as a landscape architect. He was a key contributor, along with Raymond Moriyama in the creation of the Meewasin Valley Project 100 Year Conceptual Master Plan in 1979.

- An integrator of urban and rural lifestyle (Meewasin Valley Authority, 2010, p.3).

Stockton indicated that in its first 10 years, the MVA had limited its role to three objectives (education, recreation and some aspects of conservation indicating:

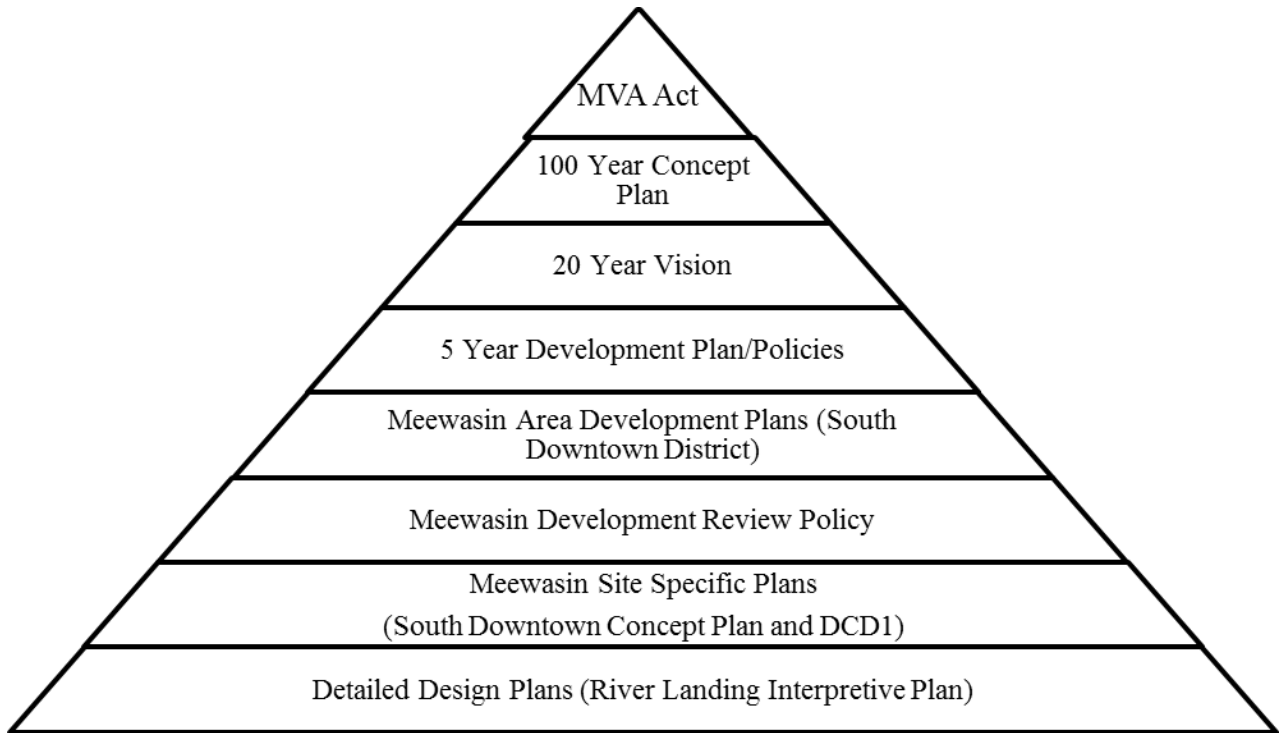
although [the MVA] has functioned as a glorified City Parks and Recreations Department and Conservation Authority, the strong community roots which Meewasin has nurtured with its effective environmental education, fund-raising and track record of successful projects carried out in partnership with the City, Province and University, point the way to a future cooperative role (Meewasin Valley Authority, 2010, Appendix p.3).

If concerted effort were made by all the parties, the vision was seen by the author as attainable. Caution was given that without the spirit of cooperation the benefits of the natural system of the river valley and key projects could fall short of their potential (Ibid). All decisions must look at the broader vision of the Meewasin - not individual interests - and view the river as an integrated system.

2.6.2 Meewasin Development Plan

Through the MVA Act, the authority is required to have a Development Plan. Unlike the City's Official Community Plan, the MVA Development Plan is comprised of a number of separate documents that are taken together to comprise the plan. The planning hierarchy representing the relationship between MVA's planning documents and subsequent policies is shown in Figure 2.6.2.

Figure 2.6.2 Meewasin Valley Authority Policy Hierarchy



There are two main policy documents that guide the MVA's policies with respect to the SDWR: South Downtown District Development Policy and South Downtown Concept Plan. In 2004, the MVA adopted the DCD1 Guidelines to replace the MVA South Downtown District Development Policy. The reason for consistency between the two plans was to unify the approach, reduce the regulatory overlap and improve investor certainty of the expectations on the site (Technical Research Interview, 2011). Historically, the MVA has exercised some independence in policy setting with respect to the South Downtown. When the South Downtown Concept Plan was adopted by City Council, there was a shift in views on the role of the MVA with respect to the South Downtown. Rather than utilizing its higher legislative authority, the Board of Directors decided to align with the City's policies. The motive for this decision has been questioned by members of the public. There is a sentiment that the MVA was bullied to take this direction due to the statutory funding relationship that makes the authority dependent on the operational expenses from the City of Saskatoon and Provincial Government. The criticism is that the funding dependency has compromised the intended independence and authority of the MVA to protect and conserve the river valley's natural and

built heritage resources. Both the City and MVA have publicly explained the change as administrative simplification intended to reduce development approval red-tape.

Since this time, there have been several notable revisions to the DCD1 including: parking garage entrances are now permitted along Spadina Crescent; the height requirements on Parcel Y increased along with the FSR; and, building setbacks are no longer required at grade. The MVA has accommodated each of these changes in their policy.¹⁰

2.6.3 MVA Development Review Policy

The MVA has adopted a Development Review Policy as part of its development plan (as required by the MVA Act). The Development Review Policy ensures “improvements” within the MVA conservation zone and buffer zone occur in accordance with the MVA Development Plan.¹¹ Meewasin’s jurisdiction is divided into two zones: the Conservation Zone and Buffer Zone. There are few improvements that do not require MVA development review in the Conservation Zone.¹² The SDWR falls within the MVA Conservation Zone. Improvements are reviewed by the Development Review Committee to determine their compatibility with Meewasin policies. Within the Conservation Zone, there are nine policy areas for which each development review is considered:

- Natural resources;
- Slope stability and drainage;
- Landscape construction and maintenance;
- River channel;
- Public access;

¹⁰ Significant effort was made to compile a detailed summary of the South Downtown: the South Downtown District Development Policy and the South Downtown Concept Plan amendments between 2000-2010 approved by the MVA Board of Directors. The MVA administration was unable to produce this information due to limited resources. The minutes of MVA Board of Directors and committee meetings are unavailable to the public.

¹¹ The MVA Act defines an improvement as “a building, structure or service facility constructed, or landscape construction, within Meewasin Valley, or any alteration thereof addition thereto but does not include the ordinary care, maintenance or repair of a building, structure or service facility or of landscape construction” (Government of Saskatchewan, 1979f, p.6).

¹² The MVA is not required to review any improvements to building interiors, repairs, replacement or expansion of water pumping facilities, water transmission pipelines, water treatment plant or a sewage treatment facility, public land defined by The Highways and Transportation Act, 1997, residence for not more than two families and costs less than \$50,000, not an improvement to the river channel or shoreline, aggregate costs less than \$10,000, or other areas designated as exempt by the MVA (Government of Saskatchewan, 1979g, p.20).

- Design;
- Traffic and parking;
- Service facilities and service maintenance;
- Heritage resources; and,
- Sustainability (Meewasin Valley Authority, 2009).

A developer is required to submit a development application to the City and MVA separately. As discussed above, each organization has its own development review process and both have a development review committee. The City's DRC is only responsible for the architectural review as outlined in the ACD policy. They are required to render a decision within 30 days. Once complete the City's DRC's recommendation and the developer's application will be submitted to the MVA Design Review Committee for consideration. Meanwhile, the City continues its process through to MPC for consideration of the overall alignment with the DCD1. MPC is not informed of the deliberations or recommendations by the MVA Design Review Committee. The processes operate separately from this point. Both the MVA and City administration try to coordinate the process but there is not a linear progression of steps which poses a number of challenges. First, the developer is required to meet with the MVA and City separately. There is not an initial meeting between all the parties or just the MVA and City to determine initial observations with respect to the proposals' alignment with their respective policies. Second, the MPC and MVA Design Review Committee make decisions in isolation from each other leaving room for confusion and conflict (e.g. the developer could be informed of two completely different outcomes from each advisory committee). Third, the process does not require the City to confirm MVA approval before proceeding to City Council which may leave the impression that the MVA is less relevant when in fact legislatively, MVA has greater legislative authority for approval of projects in the conservation zone. Finally, there is public interest in projects within the SDWR and MVA conservation zone. It is common for the media or elected officials to discuss development proposals before final approval. Any indication of favour toward the proposal by the City (which is a member of MVA Board) may send a signal to both the MVA Development Review Committee and MPC that the project is fait accompli thereby devaluing their role in the review process. There have been several instances in the SDWR where City

Council was well ahead of the MVA and advancing a project before MVA approval was granted. Tension between the two organizations and public confusion mounted at various points during the SDWR as a result of the accelerated land development process and timelines.

2.7 Summary and Conclusions

This chapter reviewed the provincial, municipal and interjurisdictional regulatory and policy frameworks governing public consultation in the SDWR. The assessment of the frameworks has shown a complex, layered, inter-related and at times overlapping web of regulations both in terms of governance but also requirements with respect to public consultation. There are provisions for minimal public consultation outlined in all the legislation. The City of Saskatoon has taken additional measures to outline public consultation policies, principles and guidelines beyond the legislative requirements. The MVA has the same capacity but has not utilized the same options.

CHAPTER 3

MODELS, PRINCIPLES AND METHODS OF PUBLIC CONSULTATION

3.1 Introduction

Participation in government decision making gained credibility in the 1960's and 1970's as the public and some government officials began to reconsider the role and capacity of government to address mounting issues in American cities.¹³ Pollution, urban decay and poverty were taking hold and the public began to demand greater transparency, accountability and involvement in areas that had typically been left to public administrators and elected representatives. At the same time, governments began to acknowledge the need to engage a marginalized public if social and physical decay were to be reversed. The response by government, particularly at the municipal level, was to gradually open the door for more direct public input into government deliberations and decision making (Cole 1975; Glass, 1979). Quasi-governing bodies, advisory committees, commissions, steering groups with public and stakeholder representatives began to emerge in the areas of planning, heritage, environment, health and education. Within the public sphere, Council meetings were made public, records of decisions were available and public meetings were held. To guide public administrators in this process, models, principles and methods of public participation were developed (Arnstein, 1969; Cole, 1975; Glass, 1979; Rosener, 1981; Tuler and Webler, 1999; Rowe and Frewer, 2004).

This chapter introduces two commonly cited models of participation: the Ladder of Citizen Participation; and, Public Participation Spectrum. Brief consideration will be given to dominant approaches of communication described by Rowe and Frewer's Flow of Information (2004). An overview of the types, "good" components and principles of participation is discussed along with research on approaches for assessing and evaluating public consultations. The chapter concludes by proposing a new framework to describe the relationship among participation types, decisions made, individual participant meaning and the overall process approach. The models and frameworks discussed in this chapter will be used to assess the types of public consultation, satisfaction with the process and the influence consultations had on the decisions regarding the SDWR.

¹³ It is documented that the Citizen Participation Movement began in North America with the participatory requirement of the American Housing Act of 1954 (Zimmerman, 1974; Glass, 1979).

3.2 Participation Models

Academic literature on theories and models of public participation is relatively dispersed and spread throughout a number of disciplines and academic journals. There is an absence of empirical research that applies and evaluates the concepts that have been developed. The foundations of a future public participation theory are contained within a series of studies ranging from evaluating public hearings (Lando, 2003; Adams, 2004), public meeting techniques (Gundry and Heberlein, 1984), advisory committees (Irvin and Stansbury 2004), surveys (Milbrath, 1981), e-participation tools (Conroy and Cowley, 2006), deliberative dialogue (Roberts, 2004); evaluation frameworks and typologies (Rowe and Frewer 2000, 2004 and 2005) and public consultation case studies (Koontz, 2005; Rosener, 1982; Webler and Tuler, 1999). A significant amount of research in this field is found within grey literature produced by think-tanks, government and organizations committed to improving public participation.¹⁴ The models are commonly applied to health sciences, environmental studies, community development and planning.

3.2.1 Ladder of Citizen Participation

The first and most commonly known public participation model is the Ladder of Citizen Participation (Figure 3.2.1). This typology of degrees of citizens' power in determining plans and programs was introduced by Sherry Arnstein (1969). The model identifies eight rungs on a ladder, each corresponding to a participation approach. The approaches range from full participation to no participation and are grouped into three broad categories corresponding to the degree of power shared by the government to achieve each approach. For example there is a degree of citizen power sharing required when governments give neighbourhoods the authority to create community associations to oversee local recreation programming. Governments delegate power to establish citizen assemblies or juries and to hold referendums on issues of broad public interest. Partnerships are a common form

¹⁴ Examples of think tanks leading work in this area include the Canadian Policy Research Network (CPRN) and the Centre for Information and Research on Civic Learning and Engagement (CIRCLE) based out of the United States. Australia and the United Kingdom are international leaders in defining their values, commitments and models with respect to public participation. The International Association for Public Participation (IAP2), Centre for Public Participation and Tamarack are examples of organizations with mandates dedicated to improving public participation.

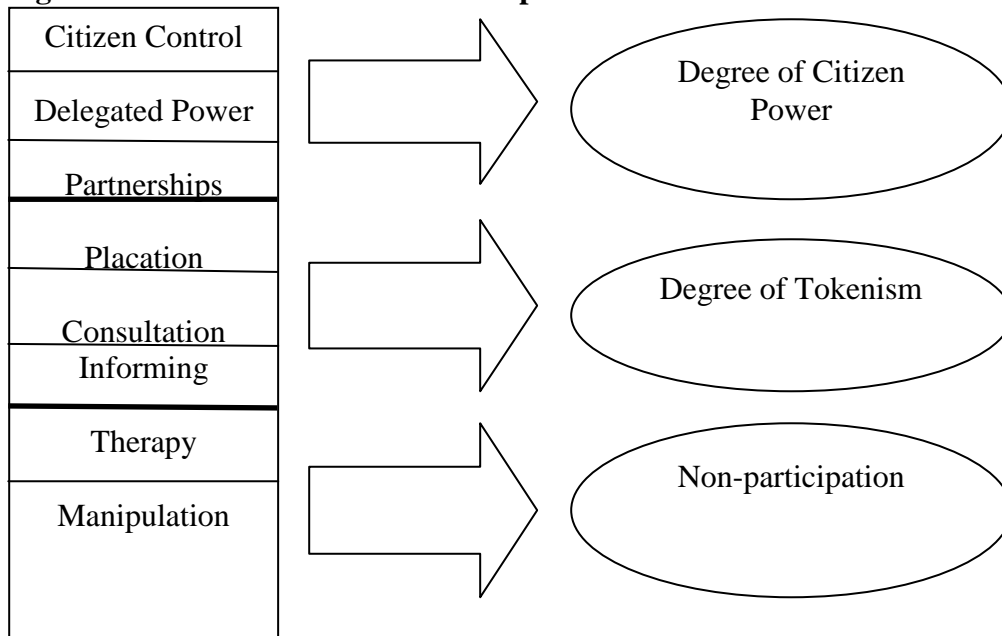
of power sharing by governments. The establishment of business improvement districts and the ability for these districts to maintain some portion of their business levies and parking revenue to invest back into local priorities is an example of partnership.

Placation is a higher level of tokenism where decision makers allow marginalized voices to provide advice, but retain for themselves the continued right to decide (p. 217). Placation is evident in several SDWR public consultations that invited one First Nation or community association representative to participate on an advisory or steering committee. Tokenism is applied to placation, consultation and informing approaches to participation.

Advisory committees and commissions are examples of efforts to share power. These groups prepare recommendations for consideration but final decisions are reserved for elected representatives. Common forms of consultation are public surveys, comment forms and public meetings. This approach is often used when there is a large, broad section of interest in an issue. The input provided by participants is used to gauge the degree of support and further work required to advance an issue or project. Informing is confused with consultation when effort is not taken to determine whether or not the public can influence changes. Examples of informing the public include public notices in the newspaper for proposed land use changes, municipal requests to borrow funding for projects, and hours of operation for civic facilities.

The lowest form or rung of power sharing is defined as non-participation. Manipulation may be applied when participation is intended to educate or persuade citizens to agree to already determined plans. Therapy is intended to create diversions from concerns that have been identified by citizens but there is no intention to change the direction that has been set. Therapy or manipulation can occur in any number of participation methods employed (e.g. a community meeting or workshop). As will be discussed in Chapter 5, the COS SDWR consultations fell within the lower portion of the Citizen Participation Ladder: token or contrived participation.

Figure 3.2.1 Ladder of Citizen Participation



Source: Arnstein, 1969, p.217.

3.2.2 Public Participation Spectrum

The Public Participation Spectrum introduced by the International Association for Public Participation (IAP2) is a current application of the Ladder of Citizen Participation (Table 3.2.2). The spectrum is presented in matrix format and depicts five progression levels of participation. There is an associated goal, public promise and method example that align with each level. The public impact increases with each level of participation. The lowest form of public impact is associated with providing information to the public. The goal in this instance is to provide balanced and objective information to help the public understand an issue. Greatest public impact occurs with empowerment participation methods such as citizen juries or delegated decisions where the promise of government is to implement what the public has decided.

The COS has adopted the Public Participation Spectrum in part. In its Community Engagement Model, employees are asked to clarify before initiating a consultation the level of involvement. Inform, consult and involve are noted while collaborate and empowerment are absent (City of Saskatoon, 2006).

Table 3.2.2 Public Participation Spectrum

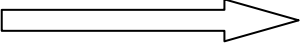
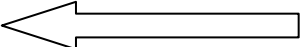
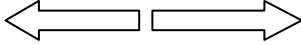
INCREASING LEVEL OF PUBLIC IMPACT				
Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback or analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solutions.	To place final decision-making in the hands of the public.
Promise to the Public:	Promise to the Public:	Promise to the Public:	Promise to the Public:	Promise to the Public:
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you and direct advice and innovation in formulation solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example Tools:	Example Tools:	Example Tools:	Example Tools:	Example Tools:
Fact sheets Websites Open houses	Public comment Focus groups Surveys Public meetings	Workshops Deliberative polling	Citizen advisory committees Consensus-building Participatory decision-making	Citizen juries Ballots Delegated decisions

Source: Public Participation Spectrum, International Association for Public Participation.

3.2.3 Information Flow in Public Consultation

Rowe and Frewer (2005) have developed a Flow of Information Model to represent the exchange of information between government and the public. The model does not acknowledge the ability for interests to mobilize independent of municipal prompting; however, its purpose is still useful in the context of the SDWR.

Table 3.2.3 Flow of Information between Sponsor and Public

Flow of Information		
Public Communication: Sponsor		Public Representatives
Public Consultation: Sponsor		Public Representatives
Public Participation: Sponsor		Public Representatives

Rowe and Frewer, 2004, p.255.

As shown in Table 3.2.3, the flow of information between the sponsor and the public is exchanged through communication, consultation or participation. Public communication is relayed from the sponsor, so in this case, the COS, but can be any organizations seeking to communicate with the public. The information is communicated through any number of mediums – newsletters, newspaper, television, and website. The information is not interactive and is not intended to necessarily solicit a response. The sponsor may also communicate information through a process of public consultation. In this exchange, there is no “formal” dialogue between the public and the sponsor; public representatives are invited to provide their input into pre-existing or drafted plans and policies. The flow of information in public participation is transformative through dialogue which occurs between the public and sponsor. Views of either participant role can be negotiated to form a different vision or plan. According to Rowe and Frewer, effective participation is when participants, information elicitation, information transfer, information processing and information aggregation is maximized (Rowe and Frewer, 2004, p.264). In the model, consideration is given to what influences the ability for government to be effective in the exchange of information. The authors argue that a particular consultation method is not intrinsically “fair” or “unfair” but

that they become so through the intent of those who sponsor, organize or participate (Rowe and Frewer, 2005, p.262). Structural features of a consultation will limit or enhance its effectiveness (e.g. having a neutral facilitator lead a consultation process).

3.3 Types of Participation

There are dozens of participation types available to governments and administrators seeking to engage the public in shaping public policy and planning decisions. For a review and description of public consultation types organized according to objective, structure or function and the mechanisms in each, refer to Rowe and Frewer, 2000. Table 3.3.1 provides a summary of the consultation types used in the SDWR. The table organizes the consultation types according to the level of involvement required by an individual and group. Each type varies in scale, effort, skill, time, and commitment required by the municipality, the individual and the group. Levels of participation range from low to high and are organized based on whether the participation was experienced individually or as part of a group. Low levels of individual participation require minimal effort and time. Examples include reading newspaper supplements or attending a public event, such as a ribbon cutting. Medium levels of participation range in successive commitment from interpretive displays, surveys, idea competitions and interviews for individuals and neighbourhood meetings, focus group, workshop to advisory committee for groups processes. High levels of participation for individuals include writing a letter or presenting to Council or other governing/advisory bodies. Individual skill and comfortability with this form of participation vary from person to person along with the energy and time invested to prepare the information. Group processes that require a high level participation include participating on steering and technical committees, leading a community event as a community member and preparing a proposal for Council through an expression of interest process.

Different types of consultations tend to favour involvement by certain interest groups. For example, public hearings are the most common method of consultation and tend to be under-representative of the broader population (Adams, 2004, p.44). In general, most consultation types tend to favour involvement from middle aged, Caucasian males. These participants, particularly those representing business and government are paid for the time they devote to an initiative (Irvin and Stansbury, 2004). Women are disadvantaged when it

comes to the resources that facilitate their involvement in political decision making (Scholzman, Burns and Verba, 1994). Emphasis is placed on assembling elite knowledge from participation in more involved public consultation types such as focus groups, visioning and workshops (Young, 2000 in Stoney and Elgesma, 2007). Public administrators and elected representatives have a role in determining who gains access to public consultation. According to Barnes, Newman, Knops and Sullivan (2003), “the power of public officials to constitute the public in particular ways... tend[s] to privilege notions of a general public interest that marginalize voices of ‘counter-publics’ in the dialogic process (p.395).

Table 3.3.1 Types of Consultation by Individual and Group Participation Level

Low (Inform)	Medium (Consult)	High (Involve)
Individual Process		
<ul style="list-style-type: none"> • Read newspaper story • Advertising/promotion • Website • Table display • Public poll/survey • Sign petition • Watch/listen to Council 	<ul style="list-style-type: none"> • Interpretive display • Comment form • Ideas/naming competition • Interview • Letter/e-mail to Council or newspaper 	<ul style="list-style-type: none"> • Attend council/other meeting/hearing • One-one one with mayor/councillor • Presentation to council
Group Process		
<ul style="list-style-type: none"> • Public event • Open house 	<ul style="list-style-type: none"> • Public forum/meeting • Stakeholder meeting • Focus Group • Workshop • Design charrette • Visioning session/workshop 	<ul style="list-style-type: none"> • Advisory committee • Steering/technical committee • Community-led event (includes petitions) • Expressions of interest/proposals

From the municipal perspective, choosing a process to pursue is partially determined by the legislative and policy framework regarding public participation in land development and typically involves some form of advertisement and public hearing. The vast majority of public participation efforts implemented are in addition to these requirements. The type of consultation used depends on the purpose and goal for engaging the public as well as the degree of influence public input can have on the decision or outcome (e.g. inform, consult, involve, collaborate, empower). Citywide projects that impact all residents often require multiple methods of consultations over time and to varying scales (e.g. open houses, e-

participation and workshops). Specific program changes that have a smaller impact and interest, such as maintenance of ball parks, are more suitable to targeted, focused consultation (e.g. information meeting, focus group or postering). A number of toolkits have been developed to assist government, governing bodies and citizens alike with understanding the options available when deciding to initiate a consultation.¹⁵ Even with the assistance of these tools, skills in adult education, group processes, conflict and change theories and application of the methods are not common to the typical public administrator. Governments are investing in training employees, hiring consultants and facilitators where possible to bring together the polis with their government to engage in dialogue, planning and decision making.

3.4 Elements of Good Engagement

There are a number of elements that influence whether a government's attempt to engage the public has been successful. In a study examining critical success factors in good government and community engagement in Australia, Cavaya (2004), created a framework to identify elements of good engagement and factors that support each element. As shown in Table 3.4.1, Cavaya introduces ten (10) elements of good government public participation processes and the factors that support each element. Good engagement is achieved when all elements are achieved, meaning when there is a genuine will and motivation to involve the public in the decision making process. Relationships and trust are established in the participation process through granting public access to information and decision making, ongoing and clear communication, consistency of direction, continuity of contacts and reciprocity of effort. Decisions that are made legitimately reflect the views provided through public involvement. The public participation process has a clear organizational structure, protocol and techniques and public administrators have the skills necessary to manage conflict, include diversity and maintain quality communication. Public satisfaction is considered important both in terms of the participation process and the resulting outcome. Feedback from the participants on their involvement is sought and follow up is provided informing participants of the decisions and the influence of their participation.

¹⁵ Examples include the Citizens Handbook: practical influence for those who want to make a difference located at <http://www.vcn.bc.ca/citizens-handbook/> and IAP2's Public Participation Toolbox http://iap2.affiniscape.com/associations/4748/files/06Dec_Toolbox.pdf. The former is written to guide citizens but has useful tips for all interests. The latter is written to assist the public process convener.

Table 3.4.1 Elements of Good Engagement

Elements of good government-public participation processes	Factors that support elements of public engagement
“Will”, genuine motivation	Motivation to engage and achieve an outcome negotiated expectations and limits
Relationships and trust	Accessibility Reciprocity Communication Consistency Continuity of contact
Leadership	Shared leadership Collaborative focus for leaders Attitudes and skills of leaders
Decision-making	Legitimacy to influence decisions A decision making purpose for engagement appropriate
Inclusiveness	Diversity of community included Equity of opportunity to participate Processes that allow broad participation Information and awareness
Structures, procedures	Organizational arrangements Protocols Techniques and methods
Accountability	Engagement processes accountable as good practice Government accountability for outcomes from engagement Government and community with mutual obligations
Skills	Ability to manage conflict, include diversity, maintain quality communication
Satisfaction	Gauging the extent of satisfaction with engagement Managing expectations and distinguishing the process from the outcome
Follow up - sustainability	Appropriate ongoing engagement Feedback

Source: Cavaya 2004, p.10.

3.5 Principles of Participation

Using a grounded theory approach, Webler and Tuler (2000), developed a set of normative public participation principles based on a forest policy case study where participants were asked to consider the features of “good process.” The result was the emergence of seven (7) categories of principles for participation:

- Access to the process;
- Power to influence process and outcomes;
- Facilitate constructive interaction (structural characteristics);
- Facilitate constructive interaction (personal behaviour);
- Access to information;
- Adequate analysis; and,
- Enabling of social conditions necessary for future processes (Webler and Tuler, 2000, p.576-78).

The last principle speaks to the influence past processes have on future efforts and success for participation. A specific example offered is that if a participation process fueled conflict, it was unlikely that more consultation processes would follow; therefore, specific effort is necessary to manage conflict and build better relationships (p. 578). In the study, Webler and Tuler analyze these principles within the context of two normative meta-principles: fairness and competence. Fairness refers to the ability for all interested in an issue to participate and have a legitimate role in the decision making process. Competence is the ability to reach the best decision possible. It speaks to the ability of the public administrator to collect, collate and accurately analyze the information received in the consultation process to develop plans, recommendations and ultimately inform decisions. One of the main lessons drawn from this study was that none of the participants argued that a good process was one that produced their favoured outcome; rather, one that was consensually agreed on and widely seen as politically legitimate” (p. 590).

3.6 Assessing Satisfaction with Participation

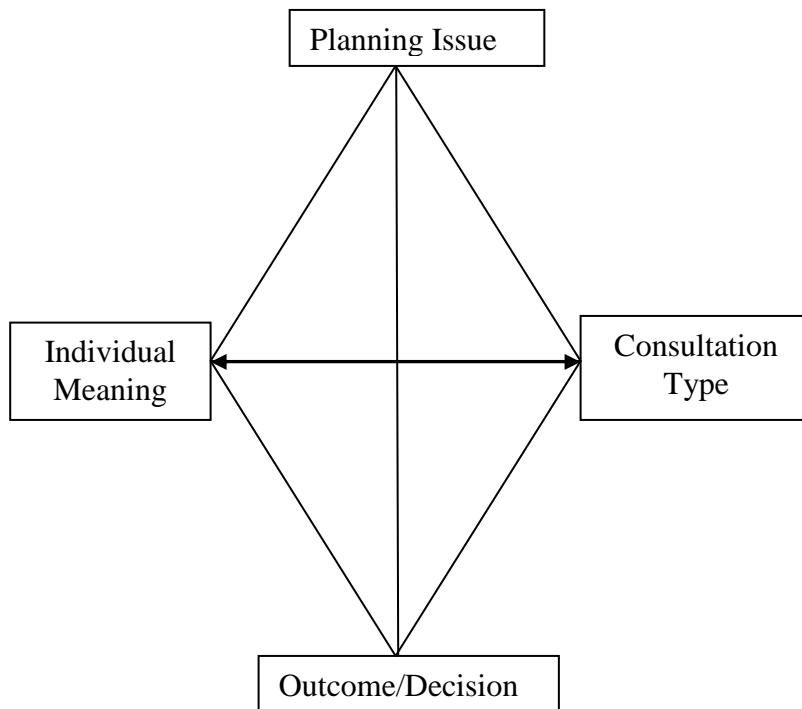
A standard public participation evaluation framework that can be applied universally has not been developed or adopted in academic literature. Rowe and Frewer (2000) have taken important steps forward to expand on Tuler and Webler’s work to develop acceptance and process criteria for “effective” public consultation methods. A number of popular participation methods such as referendums, hearings, public opinion surveys, focus group, advisory committee and consensus conferences are assessed according to a variety of acceptance and process criteria. Acceptance criteria includes: representativeness of participants; independence of true participants; early involvement; influence on final policy; and, transparency of process to the public. Process criteria include: resource accessibility; task

definition; structured decision making; and, cost-effectiveness. When the criterion is applied, an evaluation framework for understanding which method of consultation is most effective for different purposes begins to emerge. For example, advisory committees are assessed low for transparency, moderate-to-low for representativeness, and possibly high for early involvement depending on when the participants became involved (p.19). Different methods produce different outcomes in terms of participant satisfaction and decision making. For government to successfully involve the public in decision making, attention to processes that acknowledge the normative participation principles and assessment and process criterion is necessary.

Public trust and satisfaction with government in Canada is decreasing (Moore, et al., 2010). Distrust often leads to citizen cynicism and causes interest in participation to decline (Berman, 1997). When citizens do not feel heard they may form into groups to protest government direction (Timney, 1996) or they may become apathetic and withdraw completely from the public participation process (King, (1998) in Irvin and Stansbury, 2004). When the public is given the opportunity to participate in informing government direction, they expect to know the purpose of the consultation, how their input will be used, that they will be treated respectfully and given equal and fair opportunity to participate, appreciation for their time will be expressed and some indication of how their participation influenced the final outcome will be acknowledged (Halvorsen, 2006). Adherence to the normative principles introduced by Tuler and Webler (2000) impacts feelings of trust and satisfaction which in turn legitimizes the individuals' view on the role and function of government to serve the public. The assessment of the government's attempt to adhere to the principles creates a sense of meaning or value for the individual. If the participation process experienced is positive, in other words, the basic tenants were honoured, the role of the governing institution and the individual as an agent of influence in governance is validated. Conversely, if the experience is not positive and the individual is left feeling marginalized by the process and unclear of the outcome, they will feel their involvement was of little meaning or value. If an individual or collection of individuals perpetually experiences their role being of little or no meaning and value, they will withdraw from the process. Conflict can emerge based on different values and beliefs on the goals of public participation (Webler and Tuler, 2001, p.37). Figure 3.6.1 is a demonstration of the relationship between the identification of an issue, the public consultation type used to resolve the issue, the decision or outcome, individual participant

meaning and the overall process approach. The model proposes integration between the emergence of a planning issue, the resulting type of consultation/participation (e.g. public hearing or community meeting), the outcome decided and the meaning derived through the process (e.g. a sense that the public's involvement did or did not make a difference).

Figure 3.6.1 Integration of Issue, Consultation, Outcome and Meaning



Source: Concept adapted from Fritjof, 2002, p.74.

Integrating these four aspects of the consultation process serves to recognize that a relationship of influence exists. There is little published research about when and how involvement affects government decision making and there is even less published research on how involvement impacts individual meanings (Halvorsen, 2006). Research has been conducted to determine whether individual involvement in a public consultation impacted decisions made. It is difficult to measure influence on decisions definitively (Halvorsen, 2006, p. 156) and the effectiveness over time (Adams, 2004). It may be easier to identify the public's influence on an issue over time and perhaps repeated efforts or iterations to address the issue. Chapters 5 and 6 of this thesis will assess the influence of the types of public

consultation on levels of satisfaction, the influence public consultations had on the SDWR, and the meaning derived for individuals, groups and the broader public.

3.7 Summary

This chapter provided an overview of two commonly referenced participation models that help describe broad public consultation approaches by government: Arnstein's Ladder of Participation and the IAP2's Public Participation Spectrum. A typology was constructed of different methods of engagement for groups and individual according to participation level. The specific consultation types used by the COS in planning the SDWR were used to populate the table. A brief look at the components of good engagement, participation principles and evaluation criteria for assessing effective participation was provided as a base for later comparison. The chapter concluded by considering the relationship between the type of participation, individual meaning and the outcome that results through this process to advance or resolve a planning issue.

CHAPTER 4

CRITICAL DECISION PATH FOR PUBLIC CONSULTATION IN THE SOUTH DOWNTOWN WATERFRONT REDEVELOPMENT

4.1 Introduction

This chapter will review the public consultations and critical decisions that have both influenced and been influenced by the physical and situational developments in the South Downtown Waterfront Redevelopment. The South Downtown has been of great interest and contribution in the formation of Saskatoon's history. It is commemorated as the site where Commissioner, John Lake chose to settle Saskatoon at the advice of Chief Whitecap in 1882. John Lake was a former Methodist minister and leader of the Temperance Colonization Society, the region's earliest European settlers. Chief Whitecap was the leader of Dakota (Sioux) First Nation and established permanent settlement in the Moose Woods area (nee Whitecap First Nation Reserve) south of Saskatoon many years prior. At the time of European settlement the earliest decisions were made by the Temperance Colony to conserve South Saskatchewan River Valley shores as a public amenity and available to all citizens (Kerr and Hanson, 1982; Delainey and Sarjeant, 1975).

The city of Saskatoon was formed on the SDWR site. The Town of Saskatoon and Villages of Riversdale and Nutana amalgamated to form the city. The decision was made at a public meeting on June 3, 1905. A committee consisting of three members from each community unanimously supported the direction as did the public in attendance (Kerr and Hanson, 1982). The decision resulted in the successful negotiation with the federal and provincial government for funding to construct the Traffic Bridge (nee Victoria Bridge). The bridge created a physical connection between the three communities. The Chinese community that was prominent on the south downtown site resettled in the Riversdale neighbourhood. The homestead of James Clinkskill, the City of Saskatoon's first Mayor, was located near the base of the bridge. The foundation of the homestead remains a few metres under the surface of Parcel Y (see Map 1.3.1).

In 1930, Saskatoon's first zoning bylaw and community plan were approved. The plan positioned the river as Saskatoon's front yard and called for a river promenade to connect the area between downtown and Riversdale. The plan authors, Wilson, Bunnell and Borgstrom (1930) endorsed the development of a park and boulevard system along the riverbank to give

the city a “note of distinction beyond the reach of other cities in the prairie provinces” (p.16). The concept for a new technical collegiate on the South Downtown site was also endorsed in the plan as it was “neutral ground between the East Side and West Side and [offered] opportunity for real architectural effect” (Wilson et al.).¹⁶

In 1931, construction of the Saskatoon Technical Collegiate (nee Gathercole building, Dr. F. J. Gathercole Education Centre, the School for the Deaf and the Normal School respectively) was completed on the site to the west of the Traffic Bridge (Parcel Y as shown in Map 1.3.1). The construction of the collegiate was funded by the Federal and Provincial governments to create employment and investment in education in Saskatchewan (Kerr and Hanson, 1982). Over the years, the Technical Collegiate assembled a roster of educators and graduates including celebrated artists such as Ernest Lindner, Joni Mitchell and Sharon Butala.

Over the next 40 years, the South Downtown waterfront amassed an eclectic assortment of predominately industrial land uses including an armory, hockey arena, bottling plant, legion and power station (Amundson, Champ and Brandon, 1994). With the south downtown waterfront being the exception, the city’s growth remained at a distance from the waterfront.

The southern sector of the downtown, adjacent to the river, is one of the few large areas along the river remaining to be developed as a link in the continuous system of parks that parallels the river in the centre of Saskatoon. This sector of the riverbank...the downtown core is largely developed away from the river and has generally ignored its presence...the river supports within the city an environmental framework of trees and green space that is repeated nowhere else on the semi-arid prairie...the river is a natural form-giving element in the Saskatoon cityscape, not just because it is there, but because the people have recognized and increased the opportunities it offers for the enrichment of everyday life. It has always been a shared resource, the basis for a system of pedestrian links connecting streets, parks and open spaces with the river (Moriyama, 1979, p.32).

There have been approximately sixty (60) studies that have shaped and influenced the SDWR. Between 2000 and 2010, there were thirteen (13) key events that defined the course

¹⁶ The plan’s authors indicated that it would be a “horrible mistake” if the School Board did not acquire the frontage on 19th Street behind the proposed building site (south frontage and west flankage on Parcel Y) and to create an axis with 2nd Avenue. Nearly 75 years later the location of the building on the site and its obstruction of 2nd Avenue were significant factors influencing the decision whether to retain the building.

of history in planning the SDWR. Most of these events took the shape of planning studies or municipal initiatives that catalyzed a series of public consultations and then ultimately culminated in a decision by Saskatoon City Council on the direction forward.

The first two events considered in this chapter - the Moriyama 100 Year Concept Plan and Mayor's Task Force - fall outside the study timeframe but are included for historical reference in terms of how they shaped the early vision for the south downtown, the types of public consultations and their influence on later decisions.

4.2 Moriyama 100 Year Concept Plan

In 1977, the Minister of Finance and Wascana Authority Board Chair, hosted a meeting in Saskatoon with key provincial ministers, the President of the University of Saskatchewan, the Mayor of Saskatoon, and the Rural Municipal of Corman Park Reeve to discuss creating a plan and authority to guide development along the South Saskatchewan River within Saskatoon and the region. Outcomes from the meeting were to establish a policy committee, a technical working group and to commission a planner to create a conceptual master development plan (Moriyama, 1979). The Moriyama 100 Year Concept Plan was the result of this work.

The Moriyama 100 Year Concept Plan was created under the direction of the Meewasin Valley Authority founding partners – the Province, City, Rural Municipal and University. There were different working sessions with the partners, fourteen local community groups and/or organizations and members of the Provincial Legislature representing the area. The recollection from participants in the Moriyama 100 Year Concept Plan is that there was not broad public consultation (Public Sector Research Interview, 2011). The consultants engaged the general public in conversation while traversing Saskatoon streets and taking part in the life and activities they encountered in the community. Submissions from interested community groups were requested by the consultants to inform their thinking. Tape recordings of the meetings were kept and appended to the concluding work. The technical basis of the plan was formed using a detailed, historic and nature-based inventory approach; by air survey, canoe and on foot (Moriyama, 1979). The descriptive and poetic language presented in the Moriyama 100 Year Concept Plan was based on observing and interacting with the community in existing settings. The vision illustrated set the path to guide

decision making along the riverbank, and in particular the south downtown waterfront, for the next 40 years.

The riverside promenade has an atmosphere of gaiety and some of the bustle of a wharf. There are marinas, boat-launching and service areas, small shops, restaurants, boutiques and marine equipment stores. Bollards, banners, colourful signs, flags and traditional street lights will help make this an attractive place for people and activities. In summer there should be music in the air, bands playing and laughter of children...In winter, it is a place for skating, and a gathering place for cross-country skiers, joggers, hikers and shoppers. North of the enclosed walkways are public, civic, cultural and recreational facilities – a small theatre, playhouses, a community hall and an amphitheater/garden...Both east-west pedestrian linkages extend under the Idylwyld Bridge and connect, immediately to the east of it, into a terraced riverside horticultural garden (Moriyama, 1979, p.59).

As shown in Map 4.2.1, Moriyama's concept for the SDWR assembled several core features considered essential for creating a vibrant and teeming waterfront. Components identified included:

- a civic and cultural complex that provided for recreational, cultural and civic facilities and possibly a small theatre, playhouses, community hall and amphitheater;
- a riverside boardwalk and elevated and enclosed pathways linked to other downtown pedestrian routes;
- small scale shops, restaurants, boutiques and marinas, all focused along the riverfront promenade;
- terraced riverside horticultural gardens and a winter garden integrated with a converted A.L. Cole Plant; and,
- Commercial and residential development creatively integrated and tiered upward and away from the river between 19th and 20th Street (Hildebrand 1981, p.1-4).

The concept plan introduced the extension of the south downtown site west of the Senator Sid Buckwold Bridge (nee Idylwyld Bridge). An indoor and outdoor pedestrian linkage under the bridge was conceived to connect a terraced riverside horticultural garden with an adjacent winter garden. The A.L. Cole Power Station was transformed to house indoor sports and community activities.

Map 4.2.1 Moriyama's South Downtown Waterfront Redevelopment Concept Plan



Legend:

- A. Midtown Plaza;
- B. 21st Street
- C. 2nd Avenue
- D. Commercial/Residential Development
- E. Civic and Cultural Complex
- F. Enclosed Walkway
- G. Winter Garden
- H. Riverside Promenade

Source: Moriyama, 1979.

The Moriyama 100 Year Concept Plan led to the formation of the Meewasin Valley Authority. The document was adopted to form the base of the MVA Development Plan. It continues to provide the policy and conceptual framework for decision making by the MVA.

In 1981, the MVA commissioned its first study - MVA South Downtown Working Paper - to further develop Moriyama's concept plan for the SDWR and the role of the MVA in implementing the project. The recommendations concluded that the MVA should operate as initiator, motivator and promoter with respect to the project. In addition to having a technical advisory role, MVA was identified as well suited to coordinate the project. Leading and organizing meetings, agendas and supporting technical and advisory committees. The role would evolve as the project progressed into active participant with respect to wharf facilities, community-oriented interpretive centre, on site cultural and recreational developments, development of the winter garden, participation in development of other public structures (e.g. covered walkways) and a permanent office (Hildebrand 1981, p.34-35). Thirty years later, the City is the lead convener of the overall site. Discussions continue on the need for site governance and coordination. The MVA has project managed Phase I and Phase II of the

Riverfront Park and participated on technical and advisory committees but does not manage or coordinate activities on the site.

4.3 Mayor's Task Force

The establishment of the Mayor's Task Force was precipitated by fragmented efforts by the COS and Public School Board (SPSB) (nee Board of Education) to catalyze development on Parcel X and Parcel Y of their respective properties. In 1987-88, the COS and SPSB initiated separate efforts to invite private firms to conceptualize and develop their properties. Due to the scope of the proposal calls, debates respecting the new land use policies outlined for the site, and the economics conditions, only a few proposals were received and none advanced (City of Saskatoon, 1989, p.2-2).¹⁷ In Fall 1988, Mayor Henry Dayday was elected and within a few months the City publicly announced it would not pursue any of the redevelopment proposals it received, choosing instead to lead development of its own plan. The SPSB rejected the offer to join the Task Force as well as the two development proposals their request for proposals drew, opting instead to hire an architect to prepare the conceptual drawings. The plans eventually fell through.

In January 1989, Mayor Henry Dayday created a Task Force to “establish a formal structure and strategy under which an integrated redevelopment of the South Downtown [could] be pursued” (City of Saskatoon, 1989, p.i). The Task Force mission was to create within south downtown “a focus for the social and cultural activities of the city” (Ibid). The goals identified were to: create a separate district that acts as a transition between the downtown core and the river; defining the edge of the existing core and linking it with the riverbank; provide the general public direct access to the river in a space designed to accommodate large groups of people; and to draw people downtown by creating a new and exciting environment.

The Task Force established a process of public involvement through the use of advisory committees and interviews with interested parties. The Task Force was comprised of nine (9) members, composed almost exclusively of men, representing three organizations – the City, MVA and the Province. A Business Advisory Committee (13 members), Planning

¹⁷ The City of Saskatoon River Landing web site indicates that the City's Expression of Interest process was also thwarted due to the Public School Board issuing a dual request for proposal call for their property: http://www.riverlanding.ca/south_downtown_history/index.html.

Advisory Committee (10 members) and Working Paper Committee (13 members) were formed. The business committee had four (4) business, two (2) community and seven (7) public sector representatives. With the exception of the Royal Canadian Legion's membership on all three committees, and The Partnership's membership on the Planning Advisory Committee, all other membership was comprised of the City, Province and the MVA. Participation on the committees was by invitation of the Task Force (Public Sector Research Interview, 2011). Interviews and comments were received from tourism, cultural organizations, existing festivals and special events, theatres, the Saskatoon Symphony, Farmers' Market and individual business owners, professionals and members of the general public. The Mayor met with many of these community groups to describe his vision and receive their advice and comments (City of Saskatoon, 1989, p.2-4).

Building on the Moriyama's Concept Plan for the SDWR and the ideas presented in the MVA South Downtown Working Paper, a number of recommendations and conceptual drawings were prepared by the Mayor's Task Force. A common theme was the establishment of a separate development board with responsibility to stimulate development in the area by providing public amenities such as parks and basic infrastructure to allow for public and private development. Comment themes introduced in the Mayor's Task Force report that were later adopted into the South Downtown Concept Plan (2004) included:

- Development of an urban riverfront park designed for large, active public events;
- The extension of 2nd Avenue connected with Spadina Crescent west;
- Establish a landmark at 2nd Avenue;
- Provide streetscaping along 2nd Avenue from 20th to riverbank to create comfortable environment for events like the Farmers' Market; and,
- Establish design guidelines that are economically feasible to ensure a constant level of quality in building design (City of Saskatoon, 1989, p.3-3).

The Mayor's Task Force proposed the subdivision of the large blocks (e.g. Parcel X and Parcel Y) into smaller individual lots. The smaller lots sizes and their orientation were viewed to support the objective of the overall development and to provide the greatest degree of flexibility possible for the building design: "Priority in design was been given to public spaces

including pedestrian oriented roadways and lanes and size and shape of building sizes will be determined by the design of public spaces” (City of Saskatoon, 1989, p.4-12). The idea of subdividing larger lots on the site for smaller scale developments was not adopted into the 2004 South Downtown Concept Plan.

The Task Force outlined a marketing plan for the site and organized the developments to encourage into three groups: primary, secondary and tertiary. Primary was defined as: six or seven days a week; open evenings; part of the social and cultural fabric of the city; a destination (examples: restaurants, and delicatessens, arts and craft galleries (public and private) libraries, pubs and nightclubs, private and semi-private clubs (business, social, fitness,) theatres; meeting rooms and display facilities; box office, tourist info; tours concession (rental bikes, canoes, etc.); street vendors; and, hotels. Secondary target uses included: building users complementary or supplementary to the primary target - multiple unit residential; offices associated with the primary target: cultural organizations, advertising firms, interior designers, commercial artists, architects, landscape architects, media; retailers: arts and craft supplies, book stores, interior design, antiques, specialty food, specialty children’s shops, jewelers, childcare. Compatible tertiary uses were commercial office and retail uses that would not negatively affect the atmosphere of the South Downtown (City of Saskatoon, 1989, p.3-6).

The City made a major financial commitment to the South Downtown during this period by purchasing the entire block (Block 146) bounded by 1st and 2nd Avenue and 19th Street and 20th Streets. This block together with the side of the old Saskatoon arena (Parcel AA and Parcel W), south of 19th Street, formed a parcel of land that could integrate the development of the SPSB Gathercole Building and site immediately adjacent to the river with the core of downtown. By extending the concept north to 20th Street through an integrated development plan, the benefits of the river bank could be connected to the commercial core, a fundamental objective of Moriyama plan. With the conceptual planning framework in place, work commenced to prepare the land use policies to guide future development.

In 1988, City Council approved Bylaw No. 6955 bringing into effect the Direct Control District One (DCD1) on the South Downtown Area.¹⁸ The purpose in establishing the

¹⁸ Since the beginning, the DCD1 policies have been a work in progress. Just prior to passing Bylaw 6955, City Council met with the SPSB and MVA and agreed to amendments respecting pedestrian linkages, open space and

DCD1 was to allow the City control over the use and development of land and buildings within the area described to offer “an unprecedented and unique development opportunity to strengthen the image of the Downtown by providing a strong, functional link between the Commercial Core and the South Saskatchewan River” (City of Saskatoon Bylaw No. 6955 DCD1, 1988, p.1). The public was not involved in the initial preparation of the DCD1. The task was primarily administrative and led by the City (Public Sector Research Interview, 2011). However, the legislative requirements through the P&D Act respecting public notice and a public hearing were followed. The public focus was on the SPSB’s plans to redevelop their site that had requested a new facility be constructed where the Gathercole building resided.

The Municipal Heritage Advisory Committee (MHAC), Saskatoon Heritage Society (SHS) and the Saskatoon Technical Collegiate Institute Alumni Association lobbied City Council to not permit the SPSB to demolish the Gathercole Building. The groups argued the building was significant given that:

- it was the first large scale redevelopment project in Saskatoon and destroyed Saskatoon’s original Chinatown;
- the grounds in front of the building were the scene of a bloody battle between workers on relief and police;
- the architectural detail and façade of the building exterior was remarkable; and,
- the building served as tangible evidence of important aspects of Saskatoon’s history (Robinson, 1988).

On June 19, 1989, City Council considered a report from MHAC recommending the Gathercole building be added to Schedule “A” of Bylaw 6770, a bylaw to deny a permit for the demolition of certain properties. The report was referred to the Planning and Development Committee (PDC) for consultation with the SPSB. The meeting happened in October and the SPSB indicated they preferred not to retain the building but agreed there may be certain characteristics of the building’s façade that merit preservation. Subsequently, after further discussions and meetings, the PDC submitted that:

ground coverage. The Bylaw was passed and immediately after the administration was instructed to advertise a hearing for further amendments (City of Saskatoon, 1988).

The matter of including the Gathercole Centre in Schedule A of Bylaw 6770 is not relevant if the City's position is that this building should be demolished in order to accommodate the redevelopment of the South Downtown area. The 60-day delay with respect to issuing a demolition permit is designed to give sufficient time to City Council to decide whether it wishes to designate the building a heritage property. City Council's endorsement of the design proposals in the final report of the Mayor's Task Force indicates that the City wishes to see the building demolished and the site redeveloped (City of Saskatoon, 1991, p.5).

It was further resolved that City Council encourage the SPSB when and if the Gathercole building is demolished to consider:

- 1) Salvaging and incorporating the following features of the Gathercole building into a future redevelopment within the South Downtown area:
 - The patterned brick work on the east façade;
 - The central tower on the east façade; and,
 - The exterior bricks on the original building.
- 2) Taking a photographic inventory of the Gathercole building and developing an interpretive centre in any administration building that might be constructed in its place (Ibid).

The MHAC and SHS were not in agreement with Council's approval of the PDC's recommendation but conceded that if the building were demolished, the compromise was the SPSB and inventory the building's features for future use. It was a disappointing compromise for the heritage community who had noted early in the process one of the objectives outlined in the SPSB proposal call was to "develop the property in a manner acceptable to the community" yet it was not clear who the School Board was referring to given that demolition of the Gathercole Building, as an option for redevelopment, was not an acceptable option for the vocal heritage community or alumni and a survey of the broader public consensus had not occurred (Saskatoon Heritage Society, 1988).

In 1997, the City agreed to swap ownership of Block 146 with Princeton Developments in exchange for 154 acres of north industrial land owned by the company. Part of the agreement required Princeton to prepare a Master Plan guided by the Mayor's Task

Force Report for City land owned on the south downtown including the A.L. Cole site (Lyons, 1998). After pursuing various options, in October 1998, the SPSB sold the Gathercole building and surrounding nine acres of land to the City of Saskatoon for \$3.115 million (\$2.4 million for the building and site plus northeast land and parking valued at \$715,000) (Adam, 2000). The City struck a contractual agreement with Princeton that if they constructed a 10-theatre movie complex on Block 146, the City would sell them the SPSB lands (Kim McNairn and Murray Lyons, 2001). Once the conceptual plan was approved and the SPSB offices were moved, ownership of the land and building would transfer to Princeton. In March 2000, City Council voted in favour of Princeton's conceptual plan for the south downtown that included a riverfront amphitheater, marina, condominiums, reuse of Gathercole building for an indoor market, hotel with underground parking and extension of Spadina Crescent underneath Idylwyld Drive to Avenue C (McNairn, 2000). In spring 2001, Cineplex Odeon went into receivership and Princeton was unable to secure a tenant for Block 146. The SPSB moved out of the Gathercole building and into the former Army and Navy Department store building around the same time. The Gathercole building remained vacant. In July 2002, the contractual agreement between the City and Princeton to develop the south downtown was terminated. In anticipation of the south downtown property being fully controlled by the City, the municipal Council took a different approach to planning the redevelopment of the site.

4.4 The Gathercole Building and Site

The fate of the Gathercole building and site changed a few times over the course of the SDWR. The most extensive public consultation – both municipally-led and community-led – occurred between 2002 and 2004 when the building's future was publicly debated.

4.4.1 Assessment on the Adaptive Re-use of Gathercole Building

In early 2002, the City hired a consultant to conduct an adaptive re-use assessment and vision of the Gathercole building to determine the economic feasibility of reusing all or part of the structure. The goal provided by City Council was:

to create a separate district that acts as a transition between the downtown core and the river, defining the edge of the existing core and linking it with riverbank parks; to provide the general public direct access to the river in a space that is designed to

accommodate large groups of people; and to draw people downtown by creating a new and exciting environment (Stantec Architecture, 2002, p.1.1).

Under the guidance of a project steering committee comprised of municipal officials, in April 2002, Stantec initiated three methods of public consultation. The first method was a visioning session on April 17, 2002 for key stakeholders and community leaders to discuss the future possibilities for the Gathercole building. Invitations were organized into three stakeholder groups: real estate developers; potential users/public sector groups; and, other community leaders. In total, forty-three (43) stakeholders received invitations including twenty-three (23) business (19 of which were males representing architecture or engineering firms), 12 public sector, and eight (8) community stakeholders. A forum for public presentations was held for interested stakeholders to present their ideas on the reuse of the Gathercole building. Eight (8) of the ten (10) presentations given and submitted were from community stakeholders. The two (2) private submissions were from arts-based businesses. The attendees from the visioning session and public presentation were then invited to participate in focus groups. The project steering committee was responsible for selecting key stakeholders within each sector. In total forty-three (43) stakeholders were invited to participate in three different focus groups. There were twenty-four (24) business, thirteen (13) community, and six (6) public sector interest attendees (including (1) Métis representative).

In September 2002, the consultant completed the Adaptive Re-Use Assessment Gathercole Building. The technical aspect of the study concluded the Gathercole Building was structurally sound and could be adaptively reused to create a permanent home for Saskatoon history, theatre, crafts, art education and public market with minimum renovation required (Stantec Architecture, 2002, p.14-1). The conversion costs for the five options presented in the report ranged from \$7.5 million to \$11.8 million. The authors emphasized the “options presented...[were] not sustainable without substantial grants, subsidies or other forms of outside funding” (Ibid).¹⁹

On October 22, City Council voted to retain all or part of the Gathercole Building and to pursue a Call for Proposals for redevelopment. A few days later, the Star Phoenix ran a

¹⁹ Option 1 was seen as most feasible if the building remained publicly owned as it: occupied the least amount of the site area; maximized the views of the river from 19th Street; 2nd Avenue could be extended directly to the building; the building’s most significant heritage components are preserved; and, it had the lowest conversion costs (Stantec Architecture, 2002, p.1-3).

story headline stating the “Gathercole building to be converted to resort, hotel complex.” The story read that in late September 2002, City Council’s Executive Committee met privately with proponents for redeveloping the Gathercole site and building into a hotel/spa referred to as Blairmore Spa (Bernhardt, 2002). Concerned about the inaccuracy of the article, the Deputy Mayor, Patricia Roe, issued a news release on the same day stating:

I find it necessary to correct the headline in today’s paper which states that the Gathercole building will be converted to a resort hotel complex... This is obviously incorrect given that City Council has publicly announced the issuance of a Call for Proposals for the building and that no decisions will be made until that process is complete. While we welcome any and all proposals, it is important that the process, including media coverage, be conducted with fairness and accuracy (City of Saskatoon, 2002a).

This was the first of many concerns raised about the role and objectivity of the media in reporting the facts involving the SDWR.

4.4.2 Expressions of Interest for Gathercole Building and Site

In December 2002, the City issued a public Expression of Interest (EOI) call for the Gathercole Building and site. The purpose was to “obtain submissions from interested parties respecting the development or redevelopment of all or any portion of the Site and/or the Building, and further, to ensure that *as many potential users as is possible* have an opportunity to submit a project for consideration” (City of Saskatoon 2002b). Any interested individuals, groups, association and corporations were invited to share their ideas, drawings and conceptual plans. Advertisement for submissions was posted in the Star Phoenix, Saskatoon SUN, City website and in the lobby of City Hall. All submissions were due March 14, 2003. The launch of the EOI catalyzed an extensive public debate on the best use for the future of the Gathercole building and site. The City faced significant criticism for choosing an open-ended idea seeking approach rather than a more formal proposal call. There was one member of Council, Don Atchinson, who spoke publicly against the approach and the lack of criteria around credible proposals. Tensions also began to surface after the media leak between those that wanted to keep the lands publicly owned and those that wanted to sell the land for private development. Those in favour of the Blairmore Spa wondered why there was any need to look for further input. At the same time, the open invitation by the City for

submissions spawned an extensive community-led public participation effort. This was what was intended, in part; to get the community excited and involved in defining a future for the Gathercole Building and site (Public Sector Research Interview, 2011).

In fall 2002, a number of community based organizations and private interests banded together to discuss creating a shared vision for the Gathercole Building and site. This group, which later incorporated as the Gathercole Initiative Group (GIG), were self-described as a coalition of community organizations and business that shared a dream for the rejuvenation of the south downtown and the adaptive reuse of the Gathercole building:

Our shared vision is a vibrant waterfront that draws the city together for a unique blend of community, culture and commerce. It is shops, restaurants and a farmers' market. It is performers and artisans, entertainment and education, history and homes....a warm welcoming place, colourful, active day and evening, seven days a week. We call it Saskatoon Market Landing (Gathercole Initiative Group (GIG), 2003a, p.1).

GIG held two community visioning and planning sessions in the preparation of an EOI. The first community event was a visioning and strategic planning session held November 24. Attendance at the sessions was open to the public through word of mouth (Community Sector Research Interview, 2011). There were twenty-five (25) people in attendance representing various organizations. From this meeting, agreement was reached to submit an EOI and a Coordinating Committee was formed. On January 26, 2003, a Community Design Workshop was held. The purpose of the workshop was to present the vision and preliminary design to a broader public and to obtain feedback before proceeding to the more detailed design required for the EOI. The meeting was open to the general public through word-of-mouth. There were fifty (50) people in attendance (GIG, 2003a, p.23). From this point forward GIG's momentum gained. The group organized to sell memberships, raise funds for advertising, recruit volunteers and public support. They established a website, e-mail, wrote letters to the editor, met with community associations, businesses, funders and decisions makers federally, provincially and municipally. At the group's helm was municipal Councillor, Lenore Swystun.

On March 11, the group issued a news release inviting the media to talk with members of GIG including designers, the project managers and local celebrities, such as Sharon Butala,

about their shared vision for the Gathercole Building and site. Correspondingly, letters and copies of the EOI were sent to federal and provincial ministers, including the premier, with a portfolio influencing the SDWR.

In March 14, the City received eleven (11) submissions (though 64 EOI packages were distributed). There were three (3) submissions from school groups (Henry Kelsey, Montgomery School and North Park Wilson) proposing various site ideas. One (1) submission from the GIG proposing the Saskatoon Market Landing development and formation of a Community Development Corporation (CDC) with equal representation from the three levels of government. The building would be adaptively reused for public gathering and housing various profit and non-profit tenants including a restaurant, Farmers' Market, Children's Discovery Museum, art outlets, animation school and Scene III (a collaboration of theatre groups). There were two (2) proposals from hoteliers. One of the proposals was submitted by P.R. Hotels Ltd. for an 80-room extended stay hotel in the renovated Gathercole building. Space would be available for offices and a theatre space. The site would be further intensified with a new 120-room hotel with parking and future construction of a high-rise apartment/office building on the corner of 19th Street and 3rd Avenue. The Blairmore Spa and Resort Hotel Group submitted a proposal to construct a mineral water spa and resort hotel in the Gathercole building. They provided options that included the retention as well as the demolition of the building. Both options had medium density residential housing and optional space for live theatre. There was one (1) proposal for private mixed use development in the Gathercole building submitted by Mid-West Development (2000) Corp. The proposal included public and retail use on the main floor, upscale loft residential units on the top two floors. The site would be developed into commercial offices with option for a new library. There were three (3) submissions by private citizens that included indoor lawn bowling, construction of a 30-45 story multi-purpose building and reuse of the Gathercole building for retail, entertainment and winter garden space. Of the eleven (11) proposals, five (5) were shortlisted for consideration and decision by City Council: GIG, P.R.Hotels Ltd., Blairmore Spa and Resort Hotel Option A and Option B, and Midwest Development (2000) Corp (City of Saskatoon, 2003b, p.19). There was a public viewing of all the proposals at City Hall and a summary of the proposals were provided to the media.

On April 7, 2003, a special City Council meeting was held to give each group 15 minutes to present their proposal. There was standing room only in Council Chambers. There were presentations from all the groups, including the children from the elementary schools that submitted proposals. On April 14, 17 and 23 the GIG held public meetings to provide the opportunity for the public to learn more about the project and their proposal. In total, there were eighty-eight (88) people who attended. In May and June, a booth was set up at the Farmers' Market to garner patron support for including the market in the Gathercole building as conceived in the Saskatoon Market Landing proposal. There were 514 signatures received (GIG, 2003b).

4.4.3 The Media

The media portrayed the dual between private versus public at every opportunity as did some prominent business organizations. The Partnership, comprised of retailers operating businesses in the downtown, released an unscientific survey announcing after conducting a telephone survey of 162 business owners and 102 randomly selected members of the public, that a strong majority of the public want to see the Gathercole building demolished and half want the Blairmore Spa developed. The Star Phoenix also reported the overall majority support private sector financing and private-sector development, and most want the project to pay its full allotment of property taxes (Bernhardt, 2003a).

On May 22, the North Saskatoon Business Association (NSBA) produced for the media an unscientific study citing that nearly nine of every 10 businesses (88.3 per cent of respondents) believe the riverbank site should be freed of the former collegiate to save millions of dollars in taxpayer money on renovations. The article reported 71.7 per cent of respondents feel the facility is not historically important enough to necessitate an expensive salvage effort (Bernhard, 2003b).

John Gormley, a News Talk Radio host on 650 CKOM radio show and weekly contributor to a Star Phoenix column, showed no restraint in his support of the hotel spa proposal:

Saskatoon's Gathercole building debate is underway. The ugly abandoned eyesore that was once a high school on the riverbank will either be bulldozed (my preference) or incorporated into a new project. The assortment of proposals spans the sublime to the

ridiculous...these ideas come from a cadre of morally superior and arrogant sounding artsies who are lining up the left wing of council on their side...if you'll grant me an even more curmudgeonly moment than most, exactly what the hell is going on with Grade 3 students formally becoming involved in the Gathercole development process (Gormley, 2003a, p.A2).

There will be a new spa-hotel or hotel complex as an anchor to the incredible south downtown project on what is now the old and decrepit Gathercole site...too much government involvement will end up costing us more money. Usually, this happens when governments succumb to the temptation to spend our money by either competing as "partners" in private business or by funding ventures dreamt up by people with big ideas, no money of their own and an insatiable appetite for grants (Gormley, 2003b, p.A2).

The Star Phoenix hosted a "Sound Off" series from April 16 to April 23 requesting readers share their views on what they would like to see for the Gathercole building and site. When the submissions were published, the heading of the article was: "Not with our tax dollars!" Editorial captions were provided on articles in support of private development such as "bottomless pit", "must pay for itself", "no pumpkin pie please", "spa but no farmers", "get off the pot", "spa and hotel", "bulldoze it", "don't want taxes used", "get rid of the Gathercole." There were no editorial captions provided for submissions in favour of public ownership and use, but the write-ups by supporters were published (The Star Phoenix, 2003, A2, A6-A7, E17). There was public concern expressed about media bias in numerous letters to the editor. Following these criticisms, on June 13, just days before a special meeting of City Council to discuss the matter, the Star Phoenix and Global Television released a scientific survey they commissioned. The results stated that the majority of residents supported the Saskatoon Market Landing proposal (30.5 per cent) but that this was because residents were split on the two options outlined in the Blairmore Spa proposal (24.2 per cent and 19.4 per cent respectively). The survey also reported that 47.7 per cent wanted a privately owned development while 36 per cent felt it should be publicly owned. The majority of respondents (55.5 percent) were in favour of saving the Gathercole building. The survey also reported that women were more likely to support public ownership. Both women and younger respondents were more likely to support retaining the Gathercole building (Bernhardt, 2003c).

City Council met June 16, 2003 to review the proposals and decide on an EOI to advance. The Council report stated 184 letters from the general public were received and 180

were in support of the Saskatoon Market Landing proposal. There were 18 requests to speak to Council regarding the matter. The presenters were represented by proponents for the Saskatoon Market Landing proposal (10) and the other private development proposals (7) (City of Saskatoon, 2003c). The decision of the Council was to:

agree in principle that the City of Saskatoon form a South Downtown Community Development Corporation (CDC) in partnership with the Provincial and Federal Governments to develop a master plan for the historically significant Gathercole site...and the adjacent lands; that the CDC give serious consideration in their planning to the founding documents as cited in various city commissioned reports from 1978 to 2003 such the 1978 Moriyama 100 Year Plan, the 1991 Mayor's Task Force and the DCD1 Guidelines; and that the administration enter into discussions with the two other levels of government and report at the earliest on actions needed to form a CDC (Ibid).

The proponents of the Saskatoon Market Landing proposal rejoiced while some of the other proponents and their supporters, including the media bemoaned. While the MVA invited Raymond Moriyama back to Saskatoon to learn about the riverfront park work and the CDC, which he lauded, the Star Phoenix commentary remained consistently opposed to anything other than private development:

If Councillors actually think federal and provincial money and support for a CDC (and money to bankroll the GIG ideas) is going to come quickly, they're dreaming...by this fall there will be no CDC in place, no land transfer documents finalized, and no money. But – if we do our jobs as voters – there will be a new City Council which can make some progressive decisions for our future (Gormley, 2003c, p.A2).

His predictions were correct causing some members of the public to wonder about the extent of the media's influence on public opinion (Community Stakeholder Research Interview, 2011).

4.4.4 The Civic Election

On October 22, 2003, the Mayor and several members of City Council were unelected in the civic election. Voter participation was 52.3 per cent, which was more than double the number of voters from 2000. John Gormley's commentary in the Star Phoenix indicated the:

impressive voter turnout...resulted from anger at the antics of city council, concern over increasing violent crime, the casino debate...also LEAD Saskatoon – the voter action campaign spurred by class-act local people...also got people thinking about the weight and importance of their vote. This civic election was a sea of change and the waves washed pretty high – sweeping away councillors Lenore Swystun and Patricia Roe, whose defeats I’d been urging. For those who complain that I’ve been too personal over these two, let me explain “personal” for you. I don’t attack politicians personally – hell, I don’t even know them well enough for that. And for most politicians – including Swystun and Roe – they sacrifice too much and work too hard to be personally vilified. But I do take very personally the future of my city. I love this place and be damned if we should allow special interest groups to screw up my town and the people trying to grow this place into the North America success story we can be (Gormley, 2003d, p.A2).

Members of the public continued to take exception to John Gormley’s commentary and retaliated as demonstrated in the following letter to the editor:

At best, [John Gormley] is misinformed; at worst, he is defrauding his audience. If anything should be removed from our community, it should be the mean spirited divisive attitudes that have raised their ugly heads. GIG is comprised completely of volunteers – caring Saskatoon citizens who came together in response to the City’s call for expressions of interest for the Gathercole site. We saw an opportunity to share a common vision of a vibrant and diverse public/private development (McKay, 2003, p.A7).

Members of the new City Council, and in particular the new Mayor, Don Atchinson, viewed the election as a sign that the public was calling for a new direction, particularly as it related to the south downtown. Within a week of election, the Mayor publicly announced that he wanted to see the Gathercole building demolished. An in camera planning session was held by Council in November raising public concerns about future openness and transparency with respect to decisions concerning the site. On December 8, 2003, with more than 500 people in attendance and after hearing more than 30 presenters and receiving 113 letters and thirty-four (34) presenters – almost all of which supported the adaptive re-use of some or all of the Gathercole building - City Council voted to demolish the west side of the Gathercole building to make room for the extension of 2nd Avenue and to offer the remaining part of the building for sale. The decision was also made to review the DCD1 Guidelines (City of Saskatoon, 2003d). There was public sentiment that members of Council had made the decision before the meeting; back when the election occurred as the new Mayor had been consistently

supportive of a new private development on the site (Community and Public Sector Stakeholder Research Interviews, July 2011). For some, this further added to their mistrust of the Council's commitment to public engagement in planning the future of the site.

Some members of GIG and other supporters rallied in an attempt to save the vision of a publicly owned, governed and adaptively reused Gathercole Building and site. A community rally was held on January 30, 2004 at the building. There were approximately 300 people in attendance. Brochures were created to try and raise awareness about the issue. Posters were hung. A media promotion campaign was launched that included paper advertisements, radio announcements, participating in television, radio and print interviews, a television debate and media conferences. A letter writing campaign to the MVA, provincial and federal governments was launched. Raymond Moriyama, author of the MVA's 100 Year Concept Plan also weighed in:

The bigger the context, the better it is...A road is a facilitator project (for other developments). You don't start with a facilitator, a road, and then plan around it because the project might point out that the road is all wrong (Nickel, 2004a, p.A5).

4.4.5 MVA Lobby Effort

Recognizing that the City was only one of two approving authorities governing the site, community based groups approached the MVA. The hope was that Meewasin would agree to use its legislative authority within the conservation zone to not approve the extension of 2nd Avenue (and the de facto Gathercole demolition) in order to conserve and protect the heritage significance of the building. There was also some attempt to influence the MVA to play a convening role and facilitate a master planning process for the site that brought all the interests together under a common vision. There were eleven (11) groups and/or individuals that requested to present at the MVA Board meeting scheduled for February 6, 2004. The presenters received a correspondence, shown in part below, from the MVA dissuading their attendance at the meeting:

Thank you for your interest in Meewasin. To facilitate the process and make sure everyone has their say, we have the following suggestions for you:

- First, are you sure this is the meeting you want to attend? Remember the topic – Meewasin's five year plan. Your comments MUST be on that topic. The

chair will interrupt you if you drift into issues for which the Meewasin has no jurisdiction or for which there is no application [attachment of jurisdiction included]...if you are interested in the South Downtown, we recommend you get involved in the review of the DCD1 Guidelines.

- Meewasin has a mandate for human and natural heritage conservation...the [Gathercole] has no official heritage designation...the Meewasin has no authority over demolitions...it has attempted to work with landowners to preserve artifacts and/or record what is there.
- What is Meewasin's position on the proposed extension of 2nd Avenue? No one can speak definitively until the Meewasin Board has seen an application...the administration has been briefed on the plan...As a pedestrian priority cobblestone passage [it] raises no flags.
- Does Meewasin endorse any proposal for the South Downtown?...Meewasin supports the efforts of all individuals, corporations and groups to provide ideas and input for the South Downtown...." (Letter from the Meewasin Valley Authority to presenters, January 2004).

Members of the public were critical of the MVA's position stating that it did have multiple options available to become actively involved in the discussion including: leading the process to create a master plan for the site; rejecting the City's proposal to build a road as the site is in the conservation zone; advocating for the preservation of the Gathercole building, already identified by the MVA as having heritage significance; acquisition of the building and site possible through the MVA Act; and, ultimately protecting the Gathercole building from demolition. Initially the MVA stated they had no authority over demolitions; however, it was concluded through the Meewasin Valley Authority Act, the power resides to involve Section 12(1)(n) of the Act "for the protection, care and preservation of property" and that the City must obtain written approval from the MVA before subdivision or the sale/lease of land within the conservation zone can occur (Letter from the Meewasin Valley Authority to Joe Kuchta, January 23, 2004).

4.4.6 Other Heritage Designation Avenues

Community stakeholders wrote the provincial Culture, Youth and Recreation (CYR), Heritage Branch, who under the authority of the Heritage Property Act (1980) can designate a heritage building of provincial importance "for its architecture, historical, cultural,

environmental archeological, paleontological, aesthetic or scientific value” (p.5). On February 17, 2004, a representative from the Heritage Branch toured the Gathercole building as part of their assessment. In response to the news, the Mayor stated: “I find it interesting that they’d move ahead in this manner...I guess the province must have \$15 million to spend on [restoring] the property. I’m certainly not going to vote to participate with them” (Nickel, 2004b, p.A5). The SHS worked with MHAC to advance a recommendation through the City’s Planning and Operations (P&O) Committee that Council seek an “outside third party heritage evaluation of the Gathercole building with assistance from the Province as provided under Section 3 of the Heritage Property Act; and, the City delay demolition until the evaluation is complete“(City of Saskatoon, 2004a, p.1). The recommendations were not addressed by the P&O Committee. They instead left the direction for City Council to determine. On February 19, the Heritage Branch issued a two page memorandum stating that:

The Gathercole Building articulates local significance to the development of the city of Saskatoon, especially as it related to the history of Chinese settlement in the city, the development of education and a relationship to important civic events. However, these do not appear to have significance to the province as a whole (Culture, Youth and Recreation Memorandum to the Saskatoon Heritage Society, February 19, 2004).

At the February 23 City Council meeting, the SHS and MHAC representatives were not given the opportunity to speak to the MHAC recommendation before Council. The decision was made by Council to demolish the entire building (City of Saskatoon, 2004b).

4.4.7 The Petition

In response to City Council's decision to demolish the Gathercole Building, on March 1, 2004, Citizens for a Quality South Downtown Community, comprised of several former GIG members, launched a petition. A forum was held April 26. There were 55 people in attendance and 25 comment forms received (Citizens for a Quality South Downtown Community, 2004a). The purpose of the forums was to provide interested citizens with an opportunity to learn about the area, including the history of the Gathercole Building and site; overview of the sequence of events that have led to the immediate proposed development of the area; and, options that exist for redevelopment. The information provided was to help gain support for a call to action and pursued people to sign and/or volunteer to advance a petition to force a referendum to:

create a comprehensive master plan in full consultation with the citizens of Saskatoon for the development of the South Downtown Area (The Gathercole Site, Friendship Park and AL Cole Site) that is economically viable and environmentally responsible and ...includes the site remain publicly owned and controlled by a public authority and anchored by a public market and diverse mix of public/private uses...and that the Gathercole building be given due consideration for adaptive reuse as the heart of development (Citizens for a Quality South Downtown Community, 2004b).

The petition was requesting that City Council conduct an open and transparent master planning process for the SDWR that included:

- Environmental impact study;
- Historical analysis;
- Final governance plan (ownership, governance, management);
- Public consultation/citizen engagement process;
- Mandate area identification;
- Land acquisition and assembly process;
- Complete project plan (all consultants' preliminary concept);
- Adoption and integration of principles (district, site, building) including review of current DCD1 guidelines;
- Final business/financial plan; and,

- Final development schedule (Citizens for a Quality South Downtown Community, 2004c).

In the days leading up to the petition, and during the petition, Star Phoenix columnists escalated their criticisms of the effort made by the community-based group and specific individuals involved:

And so it was this week, as we were treated to the continuing spectacle of the GIG – a fascinating coalition of officious bystanders, political lefties and members of CAVE (Citizens Against Virtually Everything). GIG has big ideas and no money, unless it's your tax month they're eyeing...I think it's time to truly capture the cheap tricks and spectacle of GIG by setting up an anti-GIG group...How about GAG – short for "Gathercole All Gone" or "GIG Anti Group" or "Gathercole Annihilation Gang"...where good meets evil, where GAG meets GIG"...I think that Saskatoon is ready for this – GIG finally getting GAGGED (Gormley, 2003e, p.A2).

The viewpoints took a personal tone when commentary writer, Randy Burton, signaled out one of the lead spokespeople for the group involved in the petition threatening the non-profit organization she worked for may be in jeopardy of losing their grant funding from the City due to her involvement (Burton, Randy, 2002, p.A2). This led a number of supporters to begin to back further away and to eventually cease involvement with the group in fear that they too might be publicly targeted (Community Stakeholder Research Interview, 2011).

On May 31, it was announced that the petition received 5226 signatures falling short of the 20,530 signatures necessary for a referendum. The media release from Citizens for a Quality South Downtown indicated the public was not well informed about the issue, assuming the site and the building did not have heritage significance or value and was too deteriorated to restore:

What we learned through the petition process was the effect mainstream media had on perceptions people held about the viability of creating a people's gathering place on publicly held lands. Many citizens were confused over the timeline, the costs, the taxes, development guidelines, the decision making process, what was at stake, the history of the area, the value of the Gathercole building and the role that heritage plays in successful waterfront developments. Overwhelmingly, citizens were not well informed about the issue (Citizens for a Quality South Downtown, 2004d).

The most significant issue raised by people that did not support the retention of the building (aside from new is better than old) was that the Gathercole building and site, situated along the waterfront, was simply too valuable for tax payers to foot the bill for adaptive re-use and occupancy by groups that may pay less than full market value. In reality, it would take more than \$130 million in public investment to the SDWR before the first private investment could successfully proceed.

4.5 Direct Control District 1

In January 2004, City Council directed City administration to proceed with a public review for the DCD1 Guidelines that were in addition to the standard public notice requirements. As discussed in Chapter 2, there are public consultation requirements in creating and amending municipal land use and zoning policies. The minimum requirements for public consultation regarding amendments to the DCD1 are outlined in the City of Saskatoon Public Notice Bylaw. Notice in the Saskatoon Star Phoenix and Saskatoon Sun for two consecutive weeks, posted information at City Hall and the City website ten days prior to debate is required.

A consulting firm was hired to lead the DCD1 Guideline review and a presentation team, consisting of members from the City's Planning Branch and MVA, in a series of public review forums. The forums were open to the public and invitations were sent to specific stakeholders including The Partnership, developers, architects, members of former groups who submitted EOIs for the Gathercole Building and site, and members of the MPC (City of Saskatoon, 2004c). The consultant was also asked to develop an illustrative computer model of the Gathercole site and Riverfront Park to assist the public with visualizing how the regulations would influence the site once developed. Land use policies regarding building height, setbacks, public space calculations and other development standards are complex but can be somewhat simplified with the use of 3-dimensional, scenario renderings (Technical Research Interview, 2011).

There were four public forums held in February 2004 (February 11, 12, 17 and 21). The meetings were advertised in the Saskatoon Star Phoenix, Saskatoon Sun and on the City's website. Meeting times varied to accommodate different schedules including, day, evenings and weekends. The purpose of the meetings was to review and discuss the existing

development guidelines for the South Downtown. The format consisted of a presentation by the consultants followed by a question and answer period. Attendees were given the opportunity to provide written comments. A total of 143 people attended the public meetings (City of Saskatoon, 2004d). Many people attended multiple meetings. On April 5, 2004, City Council moved to adopt a revised Direct Control District. The Council report included a summary of the public's suggestions and copies of all the written submissions including e-mails. The meeting coincided with the presentation by the consultant selected to complete the concept plan for the South Downtown. Presenters at the meeting requested the DCD1 amendments be delayed until after South Downtown Concept Plan received more public input. Public notice for the proposed amendments occurred May 15 and 22 to allow time for public consultation on the South Downtown Concept Plan to conclude. The amendments to the DCD1 were approved by City Council on June 7. Five (5) community stakeholders spoke at the public hearing and expressed concern with the proposed amendments particularly with respect to density, height, site lines, heritage retention, relationships between building and open space and the public process. No additional changes were incorporated into the DCD1 at that time.

On June 21, 2004 when the South Downtown Concept Plan was presented to City Council, further amendments to the DCD1 were recommended based on concerns raised through the public consultations. The consultant's recommended amendments were supported by City Council except for reducing density for the blocks designated 14 storeys as outlined below:

- Additional five metre set back above the four storeys already required in the DCD1 to alleviate some concern expressed regarding the 20 storeys permitted on the riverfront;
- Reduce the density from 5:1 to 4:1 on the hotel/housing and cultural blocks and the Princeton block;
- Reduce the density on the blocks designated 14 storeys adjacent to and including the AT&T Building in Southeast Riversdale from 5:1 to 3:1 to address concern expressed at the core neighbourhood meeting regarding the transition in height and density; and,

- A landmark may exceed 8 storeys (City of Saskatoon, 2004e).

The public consultations that occurred in February 2004 were the only extraordinary consultations that occurred with respect to the DCD1 between January 2000 and December 2010. As shown in Appendix D, Direct Control District 1 Amendments, 1988-2010, there were close to ten (10) amendments between during this time. The public was notified of all the other amendments through the standard approach outlined in the Public Notice Bylaw. This involved notices in the newspaper, the opportunity to write a letter to City Council and to give a presentation at the time of the public hearing. When the DCD1 Guidelines were revised in 2004, business stakeholders wrote four (4) letters and gave four (4) presentations. Community stakeholders wrote six (6) letters and gave seven (7) presentations. In total, over the ten year period, ten (10) letters and eleven (11) presentations were received during public hearings respecting changes to the DCD1. The MPC supported all of the amendments without further comment. The issues initially raised by community stakeholders remained. Additional concerns were raised in 2008 when further amendments were requested to increase the percentage of office space permitted and building height, to reduce the setbacks, increase the maximum FSR (from 4:1 to 6:1), and to allow direct access to a parking garage off Spadina Crescent West. These changes were proposed to accommodate the Lake Placid River Landing Village project discussed further below. The City hosted an open house in June 2008 to discuss the amendments. Attendance was low and there were not many comment forms received.²⁰ Council approved the amendments. Since this time and over the course of this study, there have been four more amendments. There has been no further community stakeholder letters or presentations to Council. Only the developer requesting amendments has been present.

The MVA replaced its South Downtown District Development Policy with the City's DCD1 Guidelines in 2004. Their amendments to the DCD1 Guidelines have been consistent with those implemented by the City. The MVA's public notice policies are consistent with the exception that the MVA must provide three weeks' notice for amendments. Like the City, the MVA can also waive the need for public engagement if the amendments are deemed minor.

²⁰ The results of the consultation in terms of attendance and number of comment forms received was not documented in the online administrative report.

Unlike the City, they have exercised this option (Technical Research Interview, 2011).²¹The MVA has not conducted any additional public consultations with respect to the guidelines. In 2004 and 2008, community stakeholders made some attempt to influence the MVA Board to retain the heritage elements (such as the Gathercole building, restoration of Clinkskill's foundation and preservation of the elm trees), and the design of the River Landing Village with respect to scale, massing, parking access and public access. For the purposes of this study, an attempt was made to assemble a detailed account of public correspondence for MVA hearings respecting the DCD1 Guidelines. Unlike the City, the MVA does not make available minutes of public hearings, public correspondence or details concerning Board decisions. There is no 'public' record. Information can only be obtained through discussion with current or past employees and Board members and by requesting a copy of the Board meeting "highlights" that are publicly released after each meeting.

4.6 South Downtown Concept Plan

In early 2004, the City selected two local consulting firms and one Toronto-based planning firm to develop a South Downtown Concept Plan. A steering committee was formed to oversee the preparation of the plan. Members of the steering committee included senior officials with the City (3), the MVA (1), The Partnership (1) and Riversdale Business Improvement District (RBID) (1). There was a visioning session with members of the steering committee in late December 2003 to set the foundation for developing a concept plan. There is no public documentation of this visioning session or who attended. The purpose of the concept plan is to provide a conceptual framework for decisions concerning all development within the South Downtown. There are twelve land use planning principles identified to guide the plan:

- Support and strengthen Downtown and Riversdale;
- Plan A.L. Cole and Gathercole sites together;
- Create a distinct identity and sense of place;
- Design to be a destination;

²¹ The MVA waived the need for public consultation in March 2008 in amending the South Downtown District Development Policy to maintain continuity with the City's DCD1 Guideline amendments with respect to removing all references to storeys and keeping maximum building height descriptions as a number of metres.

- Design for development viability;
- Appropriate density and building heights;
- Remember the past;
- Provide for special events;
- Ensure barrier-free access;
- Plan for all day and all season use;
- Ensure a mix of land uses; and,
- Plan for safety and security (Source: City of Saskatoon, 2004f, p.5).

The DCD1 is guided by the South Downtown Concept Plan. The plan outlines eight key elements for design within the DCD1 that must be acknowledged in any proposal as they assist in meeting the twelve key planning principles above:

- Landmarks;
- Strengthen connections and access;
- Mix of land uses;
- The riverfront as a stage;
- Ambient and special event lighting;
- Heritage and environmental interpretation;
- Streetscape and public art;
- Controlling development and design; and,
- The theme is “celebration of the river in the city.

As shown in Map 4.6.1, the South Downtown Concept Plan provides direction to extend the South Downtown to encompass the Riversdale portion along 19th Street, Avenue C and the river. It also provides specific guidance on the types of amenities and uses to develop to achieve the principles noted. It proposes a blend of mixed uses on one site that may involve multiple owners or leases. The potential uses considered appropriate for the overall site include: a live performance theatre; retail shops; brew pub, restaurants; cafes; a public atrium designed to be a warm haven in the winter with public washrooms; a destination attraction; visitor centre; landmark; and underground parking. All attractions are to be publicly

accessible. A Farmers' Market, Riversdale Square, business incubator, open stages and continuous programmable and passive park space are also identified for the site (City of Saskatoon, 2004f).

Map 4.6.1 South Downtown Concept Plan



The plan outlines a “good” waterfront development contains the following elements:

- Close contact with the water by pedestrians;
- Continuous public open space along the waterfront edge;
- Good connections with the Downtown and adjacent neighbourhoods;
- Access for all with public space shared; and
- Land uses and activities that will encourage [waterfront] use (City of Saskatoon, 2004f).

Some community stakeholders felt the description of good waterfront development needed some more breadth to go from good to great and provided the consultant with information from Project for Public Spaces (PPS). PPS is one of the world's leading organizations in creating successful waterfront redevelopments. PPS identifies thirteen (13) steps for creating great waterfronts:

1. Make public goals the primary objective – public goals first, not short-term financial expediency;
2. Create a shared community vision – a citizen-led initiative that outlines a set of goals – ideals to strive for;
3. Create multiple destinations: “the power of 10” – each destination should provide 10 things to do;
4. Connect the destinations – link the multiple destinations together including mixing partners (such as public institutions and businesses);
5. Optimize public access – provide continuous public access to the water and the ability for people to interact with the water in many ways;
6. New development fits within the community's vision – new developments tailored to meet the community's shared goals and expectations;
7. Encourage 24-hour activity by limiting residential development – successful waterfront developments are sites for festivals, markets, fireworks display and other high energy gathering. Residential development limits the diversity of waterfront use;
8. Use parks to connect destinations, not as destinations unto themselves;
9. Design and program buildings to engage the public space – any building should add to the activity of the public space. Towers are noticeably out of place and can create physical and psychological cut offs to the waterfront from surrounding neighbourhoods;
10. Support multiple modes of transportation and limit vehicle access – unimpeded by cars or parking lots, people are more at ease;
11. Integrate seasonal activities in each destination – year round conditions will reap the benefits of greater economic activity and higher attendance at public facilities;

12. Make stand-alone, iconic buildings serve multiple functions – today’s icons should strive to be flexible and have a public oriented presence; and,
13. Manage, manage, manage – waterfront improvement district or other partnerships to manage and program the area is essential (Project for Public Spaces, 2008).

The elements of good waterfront development outlined in the concept plan were not changed to incorporate the input provided.

On April 5, the consultant presented the concept plan to City Council. The plan had not yet been presented to the public. There were fourteen (14) requests to speak to the matter. Eight (8) were business representatives in favour of the plan and four (4) speakers were individuals and members of community groups requesting to be more involved in the planning. Two (2) public sector stakeholders also spoke. The Council received the concept plan and resolved that the business organizations represented at the meeting be included in the communication’s plan for the upcoming public input meetings (City of Saskatoon, 2004g).

On April 27 and 28, the City of Saskatoon invited public input on the preliminary South Downtown Concept Plan. There were 507 attendees at the public open houses. The concept plan and public input forms were made available at forums, City leisure Centres, City Hall, the MVA and the three BIDs. The City developed a website where citizens could review the plan and provide input. There were 364 comment sheets received. The core neighbourhoods also held their own town hall meeting outside of the “official” City consultation process.

The South Downtown Concept Plan Public Input Summary (2004) summarizes that “the overwhelming majority (well over 80 per cent) approved or strongly approved of the concept plan’s eight key elements. Most respondents expressed real enthusiasm for the plan and a key desire to see it move forward” (City of Saskatoon, 2004h). Common themes of importance were:

- There is a shared recognition this is an important location for the City, it should be a destination;
- The development has to be right – controls and quality are important;
- The theatre/cultural use is well supported;

- There is some concern regarding the building height and placement of 20 storey buildings close to the waterfront;
- The need to include boat launch facilities;
- Suitability of the library location; and,
- Public ownership of the property (City of Saskatoon, 2004h, p.1).

The input summary form also asked people to provide suggestions for a new name for the “south downtown” to capture the heart of the development. Several ideas were put forward using the words “landing”, “river”, “bridge”, “park” and Cree words for “vision”, “future” or “meeting place.” It was ultimately a communications firm that recommended the name “River Landing.”²² Respondents were asked to identify their level of support for the planning principles. All the responses were recorded and ranged according to strong support; support, neutral, oppose, strongly oppose. There were no questions in the comment form with regards to ownership and density questions were grouped with design, development and form. Responses were favourable (total support 80 per cent), but many of the comments highlighted spoke to both maintain public ownership and restricting height (City of Saskatoon, 2004h). Correspondence sent directly to the consultant was included in the Public Input Summary document provided to Council.

The Partnership conducted an unscientific membership survey regarding the South Downtown Concept Plan on April 25, 2004 concluding: “out of the 150 businesses randomly surveyed, a strong majority are in favour of the development plan proposed by the City of Saskatoon, and are increasingly convinced it will come to fruition through this most recent planning activity” (City of Saskatoon, 2004h, p. Appendix B).

On June 21, 2004, City Council received and approved the South Downtown Concept Plan and theme – “a celebration of the river in the city.”²³ There was one letter and presentation received from the SHS requesting the addition of five historical elements to the plan. The information was received but not considered for inclusion. On August 16, City Council held two public hearings. The first was to amend the Development Plan DCD1

²² The Marketing Plan also included a logo for all River Landing communications to brand the site and promote it to the public and prospective developers (City of Saskatoon, Saskatoon South Downtown Marketing Strategy, October, 2004).

²³ The name River Landing was later developed by a communication’s firm and approved by City Council.

boundary to exclude Block 146 (see Map 2.5.1). This was done to accommodate a proposal by Princeton Development Ltd to construct the Galaxy Cinemas on a portion of the site. The developer was the only person present to speak to the matter of the boundary change. The second hearing was to amend the Zoning Bylaw to include the South Downtown Local Area Plan Design (LAPD) and Architectural Control District (ACD) Overlay. The LAPD is a companion to the South Downtown Concept Plan and provides specific design guidelines and elements suitable for individual sites and developments within the DCD1. The ACD Overlay is applied overtop of the existing land use and zoning designations. The SHS and Partnership wrote and were present to speak to the ACD. The SHS requested a listing of historical elements be added to the LAPD. No changes were made.

4.7 The Riverfront

Following the approval of the South Downtown Concept Plan, the SDWR was organized into project development phases for both the riverfront and the upper portions of the site. Phase one includes the performance theatre,²⁴ destination centre, landmark, and hotel/spa. Phase one of the riverfront includes the landscaping, hard edging, overlooks, underground utilities, pavilion, water play area, amphitheater, boat dock, pedestrian bridge over the lagoon and garden. Phase two includes the remediation and redevelopment of the A.L. Cole site for residential development, reclamation of the former electrical building into a Farmers' Market and business incubator, village square, removal of the 19th Street overpass, restaurant retrofitted in Pumphouse, and eco-village. The riverfront portion includes site remediation, Riverfront Park including boat dock, construction of public spaces and linkage to phase one.

4.7.1 Riverfront Master Plan Phase I

In late 2002, Premier Lorne Calvert announced \$4 million toward the redevelopment of the riverfront park (now referred to as Phase 1). The City allocated \$300,000 for the overall site plan and \$200,000 for archaeological and environmental studies. The project was led by a team of consultants hired by the City to prepare the South Downtown Riverfront Design

²⁴ On May 3, 2004, after receiving a presentation from the Board Chair of Persephone Theatre, City Council agreed to enter into negotiations to relocate the theatre as the performance attraction in the South Downtown.

Report. A steering committee and technical committee were formed. The steering committee was comprised of six (6) members: two (2) from the City, one (1) from the MVA, one (1) from the RBID, (1) from The Partnership and (1) from the Saskatoon Cabinet Office. The technical committee had five (5) representatives from the City and (1) from the MVA. A communication plan was developed by the steering committee and City communication's manager to:

- Maximize, within the time constraints presented by the project schedule, opportunity for public and stakeholder input to the planning process;
- Convey, to the public and stakeholders, that the project team welcomes all input and to make such input as easy as practical within the constraints presented by the project schedule; and,
- Provide a range of opportunity and vehicles for public and stakeholder input and information delivery (City of Saskatoon, 2003e, p.12).

Stakeholders were grouped into primary and secondary stakeholders. Primary stakeholders were viewed to have direct and specific interest, knowledge or skills and secondary stakeholders were peripheral to the project. The steering and technical committees provided the list of stakeholders. The stakeholders identified were contacted regarding:

- Special interest(s) in the South Downtown Riverfront;
- Plans for lands within or near the South Downtown Riverfront area;
- Available background information regarding the South Downtown riverfront area, its role and context; and,
- Specific concerns or specific issues that need to be addressed in this project (Ibid).

A brief summary of the feedback received from the stakeholders was summarized in the report. A listing of the participants or their interests was not provided.

On April 30, 2003, the consultants hosted a public forum. The forum was advertised in the Star Phoenix, Saskatoon Sun and on the City's website. An overview of the project was provided and then individuals were invited to give a five minute presentation and/or participate in an informal discussion about the character, activities and development along the

riverfront. The public was also invited to provide written submissions to the consultants. Fifty-two (52) people attended the forum. Six (6) individuals made a presentation. A questionnaire was distributed requesting written responses. The same questionnaire was posted on the City website. A total of thirty-eight (38) responses to the questionnaire were received and briefly summarized in the report according to question.

A full-day visioning workshop was held on May 22, 2003 to explore conceptual options for riverfront development. Participation was by invitation only. Twenty-four (24) individuals were in attendance representing the project committees, the consulting team, business/community development, land development, river users, recreation and cultural sectors. There were four conceptual approaches developed, two of which were advanced (City of Saskatoon, 2003e, p.17).

A public open house to introduce the Preliminary Master Plan occurred June 24, 2003 at the MVA office. The number of people in attendance was not recorded. Displays of the concepts were developed and left on display at the MVA until July 8 and were posted on the COS website. The consultants reported “better than average attendance and...frank and lively discussion” (City of Saskatoon, 2003e, p.1). The public was invited to complete a written survey expressing their level of support (i.e. strong, oppose or neutral) for each of the design components introduced in the preliminary Master Plan. Forty-nine (49) written responses were received and were presented in the report to Council in tabular form. There was strong support (greater than 80 per cent) for components introduced (City of Saskatoon, 2003e, p.40).

On August 11, 2003, the Preliminary Master Plan was approved by City Council. The MPC was in attendance to speak to their support of the recommendations and to discuss concerns that remained outstanding with respect to:

- More recognition of parking issues is required;
- A definite proposal for the replacement of the boat launch is required; and,
- A further review of an adequate width for the bridge linkage to ensure good access (City of Saskatoon, Municipal Planning Commission, 2003f).

The additional matters raised by MPC were not discussed further. There was no further public correspondence.

4.7.2 Riverfront Master Plan Phase 2

In December 2004, the federal, provincial and municipal governments held a public announcement committing nearly \$30 million in capital funding to reclaim the riverfront. There was \$9 million allocated to the redevelopment of the riverfront between the Senator Sid Buckwold Bridge and Avenue C (City of Saskatoon, 2006b). Public funding was allocated toward a number of the projects identified for River Landing Phase 2 (noted above). In March 2005, a team of consultants was hired by the City to complete the second phase of the Riverfront Master Plan located on the west side of the Senator Sid Buckwold Bridge. A steering committee comprised of eight (8) representatives including two (2) from the City, one (1) MVA, two (2) BID, one (1) community association and one (1) representative each from the province and federal government. There was a technical committee also formed of eight (8) members. All the representatives were with the City except one (1) MVA and one (1) representative from the Boating Association of Saskatoon (City of Saskatoon, 2006c). The steering committee identified fifty-two (52) stakeholders with either direct or peripheral interest of or knowledge in the site. Where needed a meeting was scheduled to seek additional information.

There was a public forum on May 9, 2005 to discuss phase two of the Riverfront Master Plan. Stakeholders received a direct invitation. The general public was informed of the meeting via the Star Phoenix. There were forty (40) people that attended and there were no formal presentations though the option was available (City of Saskatoon, 2006c). The comments of participants were summarized in the pre-design report with respect to character and feel; activities; and facilities, services and programs. The City provided the opportunity for the public to give feedback to the pre-design plan on their website. A visioning session was held for invited stakeholders. There were twenty-four (24) people in attendance. Stakeholders included members of the project committee, consulting team, business, community, land development, river-users, recreation and cultural sectors. There was also a mini-visioning session for members of the Riversdale Community Association, Saskatoon

Farmers' Market (SFM) and City administration. A special meeting also occurred with the Riversdale Community Association and Riversdale Local Area Planning Committee.

On January 24, 2006, a public open house was held to introduce the preliminary design concepts for Phase 2 of the riverfront. The number of attendees was not documented. The plan included adaptively reusing the existing pumphouse on the site for commercial space, interpretive programming, performance stage, beach volleyball, sun shelters and a dock for boats, and offshore island with a performing stage, joined to the shoreline with pedestrian bridges. The latter idea was credited to the public consultations (Coolican, Lori, 2006, p.A3). The concept plan displays were available at City Hall and comments sheets were available on the City's website until February 6. The Council report included a tabular summary of all fifty-four (54) comment sheets broken down by strong support, support, neutral or opposed for the overall plan and the different design components proposed. The plan was received and approved by Council on February 27, 2006. There was no public attendance or further correspondence regarding Phase 2 of the riverfront design (City of Saskatoon, 2006d).

Overall, the methods of public consultation for phase two of the Riverfront were similar to Phase I with the exception that there was additional consideration given to the site's location within the Riversdale neighbourhood and a representative from the community association was invited to participate on the steering committee.

4.8 River Landing Interpretive Plan

The City of Saskatoon, the MVA and Western Economic Diversification (WED) partnered to fund a consultant to prepare the River Landing Interpretive Plan. The purpose of the plan was to recommend consistent elements across the site to guide the MVA, City, other land owners and site tenants in achieving a sense of place. The report indicates, somewhat ironically, that:

a sense of place emerges through an emotional connection to the history, geography and geology of an area, its flora and fauna and the legends of a place... This is not just another real estate development, rather, it is a place with special meaning to residents of Saskatoon – whether they know it or not! (City of Saskatoon, 2005b, p.12).

A steering committee or “core client group” as identified in the Interpretive Plan was formed to guide the consultant's work. There were seven (7) members including three (3)

MVA representatives, three (3) COS members and a consultant from another firm. A three-part consultant process occurred including a visioning workshop, design charrette and one-on-one stakeholder interviews. All participation was by invitation only. Participants were selected based on the direction of the core client group. There were twenty (20) attendees at the visioning workshop. All the individuals invited represented specific stakeholder interests including the MVA, City, Heritage Society, Nature Society, Tourism Saskatoon, nearby Community Associations and White Cap Dakota First Nation. Six (6) of the participants were consultants and seven (7) represented either the MVA or the City.

Following the visioning session, a design charrette was held with seven (7) participants that only included consultants, and representatives from the City and MVA. Further to this, the consultant conducted twenty-eight (28) interviews. The interviewees represented ranged from the arts, education, business, First Nation, Farmers' Market and other community-based interests. Gender representation was fairly balanced in each consultation type with the exception of the design charrette. Stakeholder meetings were also held November 20, 2004 and March 16, 2005. A record of the purpose of and attendance at these meetings was not publicly documented.

The Interpretive Plan provides a guide on how to apply the interpretive plan to specific sites. The site locations are identified (i.e. Market Walk, Cultural District) and matched with the interpretive opportunities (stories), followed by a description of the visitor experience (i.e. children can learn about water, solar, wind, power at the power play area) along with the appropriate media that will deliver the experience (City of Saskatoon, 2005c).

The Interpretive Plan was received by City Council on May 2, 2005. There was no public correspondence submitted. Once the Interpretive Plan was adopted, several additional creative consultation approaches were taken to engage the indigenous populations and children in the design process.

In December 2006, the River Landing Interpretive Elements Tree Grate Design report was finalized. The purpose of the report was to tell the stories of the River Landing location to draw attention to its history and spirit of place through the design of the tree grates. There were eight (8) First Nation's elders and individuals invited to contribute to help tell and interpret the stories. There were five (5) City representatives involved. In 2007, the MVA

involved school-aged children in designing the fish tile mosaic for the Riverfront Phase 2 water play feature.²⁵

4.9 Riversdale Square Preliminary Master Plan

As part of River Landing Phase 2 development, the City commissioned a consultant to prepare a Master Plan for the “Riversdale Square” (shown as the Farmers’ Market on Map 1.3.1). The plan included the development of a new Farmers’ Market located in the former electrical building at Avenue B and 19th Street along with programmable space for summer outdoor markets and special events. The plan emphasizes that the history of the area be told. Saskatoon’s first federal building, Immigration Hall, built in 1903 was located on the site. The plan proposed the outline of the building’s foundation be marked with a special paving pattern. The SHS publicly stated they were pleased the electrical building was being preserved but challenged the designers to go further and expose the foundation through excavation, which did not occur (Haight, (2005).

A steering committee comprised of eight (8) members including City officials (5), and one (1) representative each from the RBID, SFM and Riversdale Community Association was formed to guide the work of the consultant and identify stakeholders to inform the Master Plan. A Riversdale Square Preliminary Master Plan Open House was held on November 3, 2005. The format was come and go. There were poster boards of the plan for the public to review. The consultant and technical experts, mostly from the City, were available to answer questions. The open house was advertised in the Star Phoenix, Saskatoon Sun and on the City website. The time of the open house was from 3:30-7:30 p.m. which was different from previous forums which were typically held in the evening. There were sixty (60) people who attended (City of Saskatoon, 2007a).

The Master Plan encompassed a Farmers’ Market, Business Incubator and a Riversdale Square for outdoor public events. It was approved by City Council on April 24, 2006. The total project cost was estimated at \$3.9 million. There were no letters submitted regarding the matter or presenters to Council.

²⁵The tree grate and fish tile consultation design process is not included in the overall analysis as they occurred after the Interpretive Plan was adopted.

4.10 Destination Centre

The South Downtown Concept Plan identified the location of a destination/cultural centre on River Landing Phase 1 as a key anchor to draw public visitors year round. In January 2005, the City issued expressions of interest for the Cultural Centre. A technical committee was formed to review the submissions and to make a recommendation to City Council. A proposal by the MVA and Tourism Saskatoon to relocate their offices together with a Joni Mitchell Centre was supported by the City but was unsuccessful in securing funding through the federal government WED Canada Celebrates Saskatchewan (CCS) fund (Burton, 2005). During this time, the Mendel Art Gallery was also considered to anchor a future Destination Centre.²⁶ The Mendel Art Gallery Board of Directors issued a media release indicating there had been a discussion between City officials and Mendel management regarding the potential inclusion of the Gallery in a cultural centre in South Downtown. Assurance was provided that:

...if formal talks are to proceed, there would be widespread consultations with Mendel stakeholders such as staff, volunteers, members, donors, trustees and Foundation board members, artists, museum colleagues and design experts, our core municipal, provincial and national funders, or most importantly the public we serve...[we] have an obligation and responsibility to ensure any decisions on the future of the Mendel's location, facility and programming honour the spirit of the vision of our founder and major benefactor, Mr. Fred Mendel (Mendel Art Gallery Board of Directors, 2005 as cited in Kuchta, 2009a).

A few weeks later, the Mendel Board wrote City Council indicating they were not interested in pursuing relocation to River Landing as they felt it would dampen fundraising efforts and could cast the Gallery in a negative light with its stakeholders. The Mayor expressed similar concern for public transparency when questioned about approaching the Mendel: "we're being transparent. If we did all this behind closed doors and then announced a decision, we'd make a lot of people angry. We're not trying to hide anything" (Bernhardt, 2005, p.A1). Shortly after this exchange, discussions about a Destination Centre fell silent and the City requested that the WED CCS fund be used to repair the Traffic Bridge rather than the

²⁶ The Mendel Art Gallery is located northeast of the SDWR along the South Saskatchewan River to the east of the 25th Street Bridge. The MVA is located within River Landing next to Friendship Park and adjacent to the Broadway Bridge.

construct a Destination Centre (Haight, 2005). Two years later, the debate surrounding the Destination Centre began to surface.

On January 14, 2008, City Council appointed a steering committee to oversee the process of recommending a preferred concept for the Destination Centre. There were twelve (12) committee members including representatives from the Riversdale BID and Partnership, Persephone Theatre, the University of Saskatchewan, Mendel Art Gallery,²⁷ MVA, two (2) business owners, two (2) community members, one (1) First Nation representative and one (1) former federally elected representative. The City administration took a new approach to provide an opportunity for members of the general public to apply to participate on the steering committee through appointment by City Council. There were some challenges as the credentials required of these volunteers significantly narrowed the selection of participants (Public Sector Research Interview, 2011).

After choosing “creativity” as the development theme for the project, the steering committee undertook a preliminary call for proposals. The following proposals were presented to the steering committee:

- The Saskatoon Centre for Creativity;
- Children’s Discovery Museum;
- Sky Tower;
- U of S Collaboration with Saskatoon Centre for Creativity, Children’s Discovery Museum and a U of S Gift Shop;
- Saskatoon Sports Hall of Fame;
- Persephone Theatre space expansion;
- IMAX;
- Saskatchewan First Nations Keeping House;
- Tourism Saskatoon Visitor Centre; and,
- Music Hall of Fame (City of Saskatoon, 2009).

²⁷ The Mendel Art Gallery and Persephone Theatre representatives later stepped down from the committee due to a conflict of interest.

The steering committee invited the U of S Collaboration with Saskatoon Centre for Creativity, Children's Discovery Museum and a U of S Gift Shop to prepare a more detailed proposal; however, these proposals would not be further developed or publicly debated.

Meanwhile, the Mendel Art Gallery had hired an architect and was fundraising to expand on its existing site. The cost of the project was estimated at \$24 million. However, on March 14, 2009, the Mendel Art Gallery Board voted to relocate to River Landing. On March 23, 2009, City Council held an in camera meeting and approved, in principle, a new art gallery as the anchor facility for the River Landing Destination Centre. The decisions were made public April 3, 2009 when the City and the Mendel Art Gallery Board Chair made a joint announcement that the Destination Centre for River Landing would be the Art Gallery of Saskatchewan and the Mendel Art Gallery would be the anchor tenant (Saskatoon Gallery and Conservatory Corporation, 2009). There was no mention by the Mendel or City about previous statements that any discussion to relocate would involve full consultation and transparent decisions made in the public domain.

Community members concerned about the announcement mobilized to lobby elected representatives to stop plans to relocate the Mendel Art Gallery. A Save the Mendel website was launched.²⁸ Supporters were asked to sign a petition, call radio stations, e-mail the newspapers and write City Council, Mendel Board, MLAs and Members of Parliament (MPs). Dozens of letters were written and published by the Star Phoenix. The concerns are captured in the following submission:

I must defend the Mendel Art Gallery for what it means to Saskatoon. It is not broken and doesn't need fixing. It is a dream of a man who chose Saskatoon to reconstitute an old auto factory into a meat packing plant that became the city's largest employer. Fred Mendel brought art and culture to Saskatoon, made a place for artists worldwide to show their work, for young people to learn arts, and for school students to display their work...if the City sees fit to destroy the dreams of a wonderful, passionate man, I am ashamed...Powers-that-be should think again. Can we not have something left in its original form instead of going to River Landing and being renamed because they have money? Give some heart back to those who helped create Saskatoon (Stella, Pristupa, 2012).

²⁸ <http://www.savethemendel.org/>. Accessed September 2, 2012.

Public concern about Council meetings “behind closed doors” and their lack of transparency were back in the media along with frustration on the media’s willingness to report fairly as expressed in the following letter to the editor:

In an editor on September 12, 2009, the Star Phoenix lambasted Saskatoon City Council for conducting an in camera meeting on September 8, 2009, with library board members and city employees to review a \$50 million plan to expand the Frances Morrison Library. City officials later said it was a mistake to hold the meeting in private and plans were released to the public. But that didn’t keep the newspaper from weighing in: “the plans – and the discussions surrounding them – never should have been kept out of the public eye.” The editorial said: “An issue should only be discussed in camera if it involves collective bargaining, personnel matters, legal opinions and land negotiations. This project falls into none of these categories...It can be uncomfortable to develop ideas and policy under the scrutiny of the public eye. Criticism at early stages of planning can seem unfair, but discomfort is not a good enough reason to go behind closed doors...The public...should have access to all the debate and input that leads to decisions on the development of publicly owned property.” However, when it comes to the Mendel Art Gallery and the proposed new Art Gallery of Saskatchewan, both of which involve publicly owned property, the Star Phoenix won’t advocate for the same openness and transparency...this hypocrisy is stunning (Kuchta, 2009b).

By the time City Council met on November 30, 2009 (more than seven months after the media announcement) to receive the administrations report concerning the work of the steering committee and to finalize the decision, brochures had already been publicly distributed announcing a new art gallery as the anchor of the River Landing Destination Centre. Despite the obvious direction decided by Council, there were sixty-three (63) letters submitted opposing the move and a petition with thirty-seven (37) signatures. The web-based petition received more than 1027 signatures.²⁹ There were four presentations from the public – two (2) from the community opposed to the direction and two (2) in support of the direction from Persephone Theatre and the Mendel Art Gallery.

The decision by City Council was to approve, in principle, the development of the Destination Centre with an expanded art gallery (Saskatoon Art Gallery and Conservatory Corporation) as the anchor attraction. Additional programming for an atrium, restaurant, gift shop, information kiosk, River Landing administrative offices, accessible washrooms and an underground parkade was also approved. Subject to available funding, was the expansion of

²⁹ The petition remains active and continues to generate signatures.

Persephone Theatre's black box theatre, office and carpentry shop. The explanation provided for the turnabout in seeking public proposals for the Destination Centre was that the process had to be adapted as funding became very significant and federal funding was available through the Building Canada Fund.

The City was not required to undertake public consultation or give public notice to approve the Destination Centre plan. However, as expressed by both the City and the Mendel in 2005, the public significance of Mendel Art Gallery was believed to warrant extensive public participation in the decision making, yet in 2009 when the opportunity arose both organizations no longer shared the same concern. One aspect of the decision made did require public consultation; public notice was required for the City to borrow their portion of the funding necessary for the project. The total project cost at the time of approval was \$51 million. The Province committed to contribute \$17 million (\$4 million initially slated for the expansion of the Mendel on the existing site). The Federal government contributed \$13.02 million. The City's contribution is \$12.3 million and \$8 million to fundraise. The remaining funding sources were through other federal funding sources (City of Saskatoon, 2009). The total public costs for River Landing once this initiative was approved had reached 133 million and no private investment had yet to occur on the site.³⁰

4.11 Traffic Bridge

The Traffic Bridge (nee Victoria Bridge) was constructed in 1906 and is Saskatoon's oldest and founding bridge. It is situated between the Broadway and Senator Sid Buckwold Bridge. It is small compared to the other bridges spanning the river and has two lanes of traffic and one sidewalk for both pedestrians and cyclists. It carries approximately 7,000 to 10,000 vehicles a day. It has been used for festivals, firework displays and other community activities over the years. The South Downtown Concept Plan provides limited consideration of the bridge in suggesting illumination of the bridge and the installation of a roundabout crowned with public art where it meets Spadina Crescent. The fate of the bridge has been called into question at various points in history and decidedly during the SDWR. On November 3, 2005, the headline of the Star Phoenix read: "Condemned Victoria Bridge

³⁰ In August 2009, City Council received an updated estimate from the administration that the public investment in River Landing was \$82.1 million. River Landing Phase I and II City of Saskatoon Financial Report dated June 30, 2009.

closed to motor traffic.” During a routine inspection, it was discovered that the structural integrity of the bridge was compromised. The City had received a report from a consultant at its Executive Committee meeting on November 1 that outlined several options. The option chosen by the Council, in camera, was to pursue constructing a new bridge that replicated the existing bridge. On November 7, Executive Committee voted to apply for funding WED CCS Fund to replace the existing bridge (City of Saskatoon, 2005d).

When City Council met on November 14 and 28, 2005, they received 19 letters in support of retaining the bridge and had three (3) community stakeholder presenters requesting the same. The SHS stated there was an irony of losing the bridge that brought the city together on the eve of its centennial. They asked for a second opinion while providing information about new technologies available to stop deterioration of metal truss bridges. They also shared research work being done across Canada to preserve bridges of the same material and vintage (City of Saskatoon, 2005e). There SHS was successful in gaining Council support to seek a second opinion on the feasibility of rehabilitation.

In the months that followed, there were dozens of letters published in the *Star Phoenix*, including from the editorial staff, expressing views that the bridge should be saved. After receiving a new consultant’s report with a second opinion in February 2006, Council decided to invest in the structure to preserve its life expectancy 20 years. The city’s attempt to secure funding through WED CCS was unsuccessful; however, the provincial government announced the Community Share 2006 Program and the Traffic Bridge proposal secured \$798,000. There was the possibility at that time for the nearly \$7,528,000 needed to restore the bridge for 50 years to be funded (including painting). Council’s decision was to invest the funding elsewhere (City of Saskatoon, 2006e). The Traffic Bridge reopened to vehicles in fall 2006. Within three years, the safety of the bridge was called back into question. Though the structural repair had been adequate, the bridge had also required painting but this had not been funded. The steel structure was now deteriorating at an unpredictable pace.

On March 22, 2010 Council received a report from the administration advising the bridge was reaching the end of its service life and two days later issued an RFP for a needs assessment to replace the Traffic Bridge. The opening paragraph stated: “Unfortunately, the superstructure of the existing bridge will need to be replaced in the future. The primary

purpose of this study is a needs assessment for that future bridge” (City of Saskatoon, 2010a, p.1).

On May 25, 2010, City Council commissioned a consultant to undertake a needs assessment of the Traffic Bridge to examine options for the future and its potential to accommodate a variety of pedestrian/bicycle, transit, vehicle and community functions. Specific direction was provided for public consultation to ensure the public could express their views through three open houses to help guide the development of potential alternatives. The consultation process included three (3) come-and-go open houses. The first occurred on June 22, 2010. The format included approximately 25 poster boards containing information about the Traffic Bridge and boards were set up with sticky-notes for people to write their comments. Technical experts including the consultants and representatives from the City were present to answer questions. A comment form requesting a ranking of preferred options and other comments was available for attendees. Promotion of the event occurred in the newspaper, television news and a public forum on the City website. The website included an online comment form. There were up to 300 people who attended the open house and 125 completed a comment form. There were 420 that completed the online form. Of the ten (10) options presented, the majority of respondents (33 per cent) indicated they wanted, as their first choice, the Traffic Bridge rehabilitated for pedestrian/cyclist use only while 11 per cent indicated support for a new bridge as their first choice (City of Saskatoon, 2010b).

City Council met in camera on September 13, 2010 to discuss the status of report and consultations. At this meeting it was decided that only four options be considered during the upcoming public consultation:

- Complete rehabilitation for vehicle, pedestrian and cyclist use;
- Replace with a conventionally designed structure for vehicle, pedestrian and cyclist use;
- Replace with a modern steel truss or similar form to the existing bridge for vehicle, pedestrian and cyclist use; and,
- Replace with an architecturally significant structure for vehicle, pedestrian and cyclist use, a modern “signature bridge.”

On September 10, the Star Phoenix reported that the list of 10 options would be reduced before the public open house scheduled for September 15. The preferred public option was removed from the list of possibilities. The public responded with frustration and confusion:

As a citizen engaged in civic issues, I am confused and upset to learn that Council is proposing to debate the future of the Traffic Bridge prior to receiving the results from the public consultations that are currently underway. I had assumed that a public consultation was set in motion in order to provide information to help City Council reach a decision... To introduce any premature debate or decision making at this stage threatens to undermine the whole process... I feel such actions would be disrespectful not only to the process but also to those individuals who have been participating in good faith (Letter from citizen to City Council, September 13, 2010).

The second open house occurred on September 15, 2010. The public was asked to give input into the four remaining options. Approximately 400 people attended and 350 comment forms were completed. More than 600 people responded to the online form. At this point, 34 per cent were in favour of a modern steel truss and 33 per cent were in favour of complete rehabilitation. The consultant summarized the concerns raised were operating costs, what would be saved in complete rehabilitation and implications of non-standard width driving lanes. There was no mention of public sentiment respecting the absence of the pedestrian/cyclist only option among others.

On October 20th, the third and final open house occurred to review the remaining three options (complete rehabilitation; conventionally designed concrete bridge; and, modern steel truss). The consultant's report indicates there were 150 attendees and 105 comment forms completed. There were 180 completed surveys. There were 42 per cent who chose complete rehabilitation as their first choice compared to 32 per cent for the modern steel truss and 27 per cent for conventional (concrete) design. The conclusion, based on the public consultation process, traffic analysis and structural analysis, was that the final three options each represented a viable solution for the future of the Traffic Bridge. The report also pointed out that:

although a plurality of participants attending the open houses or visiting the online community forums value the heritage of the existing bridge and prefer rehabilitation over replacement, a significant portion... prefer the replacement options for reasons they give around their perceptions related to safety and functionality (City of Saskatoon, 2010b, p.viii).

The cost of each options was relatively similar to the cost to rehabilitate the existing bridge starting at the lowest end of the range at \$24 million and the modern steel truss bridge at the highest end \$37 million.

The Traffic Bridge is listed in the City of Saskatoon Bylaw 6770 “A Bylaw of the City of Saskatoon to deny a permit for the demolition of certain properties (Holding Bylaw).” The Holding Bylaw acknowledges that the structure has historical significance and gives the City the authority to deny a demolition permit application for a period of 60 days (unless otherwise instructed by City Council). The MHAC took measures to recommend the administration prepare a report considering available options to have the bridge designated a municipal, provincial and/or federal heritage site. The research determined the Traffic Bridge was historically significant municipally, provincially and federally, for two main reasons: 1) it may be the longest and oldest remaining example in Canada of a riveted, Parker through-truss bridge of the “camel back” style; and, 2) it is the vital link between the Downtown, Nutana and Riversdale before agreement could be reached to amalgamate and form the City of Saskatoon and it represents federal policies of the time to settle Western Canada. Though the research identified the bridge had significance, the recommendation to Council was to “receive the information” and no further action was requested (City of Saskatoon, 2010d).

On November 22, 2010, the consultant’s report was presented to City Council and indicated that “throughout the public participation process, improving the non-vehicular facilities and the width of the driving lanes were identified as important elements of any new bridge. Each option has a significant amount of community support, and all three are technically feasible. During the third round of public consultations, approximately 59 per cent of the feedback supported the construction of a new bridge” (City of Saskatoon, 2010c, p.66). The Council debate centred on functionality and not the historical significance of the bridge to Saskatoon. Emphasis was placed on the cars volumes, lane width and emergency vehicles. There was little to no consideration of the heritage designation options or historical significance. The absence of this discussion was considered a few days later by a columnist with the Star Phoenix:

The challenge [for] those ...determined to protect this bridge is that Saskatoon has never carved a story out for itself. What heritage has been saved owes as much to luck

as it does to champions such as the Heritage Society and developers...who have the skill and vision...without a collective agreement on what it takes to make Saskatoon unique and the value of preserving the City's heritage, their best efforts will continue to be eroded brick by brick, bridge by bridge (Klein, G, 2010a, p.A2).

On Monday, December 6, 2010, City Council received the Traffic Bridge Needs Assessment and Functional Planning Study Final Report and the Heritage Designation Options for the Traffic Bridge. There were eight (8) people who presented to City Council regarding the matter, one (1) business and seven (7) community stakeholders. There were 28 letters in support of rehabilitating the existing. However, the decision made was to replace the existing Traffic Bridge with a modern steel truss bridge that can accommodate a safe minimum vertical clearance for emergency vehicles and transit and incorporate elements that are sympathetic to the heritage and architecture of the existing bridge. The administration was asked to do further work on the pedestrian and cycling options. A funding source to advance the recommendations was not identified (City of Saskatoon, 2010d).

4.12 Sale of Parcel Y

The South Downtown Concept Plan recommended that a hotel be encouraged on Parcel Y to bring activity to the area day and night. The plan provided for up to 20 storeys and 250 rooms but stated the market would ultimately determine if a boutique hotel or hotel spa was more appropriate. The plan also recommended a restaurant be developed to bring pedestrians and vehicles to the site. On November 15, 2004, City Council decided to initiate an EOI for the development of a hotel spa on the Gathercole site. An administrative committee was struck to undertake evaluations of the submissions received. Once evaluated, highly ranked proposals would be invited to submit an RFP. Two proposals were received and invited to submit an RFP – Remail Ventures Inc. and VPMI Hotel Group. Only Remail Ventures Inc. proceeded to submit an RFP. There were arguments made by the business community that the public's expectations for the site were part of the risk deterring developers from the site. However, there was also concern from the Hoteliers Association that if the hotel/spa proposal was approved, the market would be oversaturated. The Hoteliers Association also expressed concern that the proposed tax incentives being considered would put the other hotel operators at a disadvantage (Lyons, 2007).

The RFP submitted by Remai Ventures Inc. contained a hotel, spa, restaurant, retail, banquet rooms, bar and fitness centre. There was no residential component included. The proposal offered to purchase the site for \$1.6 million (City of Saskatoon, 2005f). The proposal also involved receiving \$3.1 million in tax incentives. The project details were placed on display boards at City Hall from May 27 to June 7 for public viewing. The images were also posted on the City's website. The public was invited to submit comment forms. There were thirteen (13) received; six (6) in favour, six (6) opposed and one (1) neutral. The proposal was debated publicly by City Council on June 27, 2005. There were ten (10) requests to address City Council from three (3) business and seven (7) community stakeholders and thirty (30) letters were received. Almost all the correspondence requested that the land not be sold. The business stakeholders, comprised of hoteliers, expressed concern that the tax incentives offered to Remai Ventures would give an unfair economic advantage. The proposal was unanimously supported by City Council and the land was sold to Remai Ventures with conditions. In June 2006, Remai Ventures purchased the Royal Canadian Legion Branch #63 building that occupied the northwest portion of the site. The building, which was constructed in 1929, was eventually demolished. Less than one year later (February 27, 2006), Remai Ventures Inc. announced it could not proceed with the project due to construction costs, difficulty obtaining skilled labour and the overall project cost (City of Saskatoon, 2007b). The land was returned to the City.

In April, City administration recommended to Council that they re-market Parcel Y to potential developers using the original vision within the DCD1 guidelines consisting of a hotel, restaurant, retail and a spa *or* destination facility: "to build on the Downtown's role as the cultural heart of the city by the development of cultural facilities which can improve economic prospects and encourage tourism" (City of Saskatoon, 2007c, p.66). Suggested uses that could be considered a destination facility include, but were not limited to, interpretive centres, theatres, museums, and art galleries (Ibid). Similar to 2005, City Council approved a two-stage process for developing Parcel Y starting with an EOI and then RFP following the approval of short-listed proponents. There was, however, some modification to the RFP requirement; that proponents demonstrate financial capacity and include a provision for a minimum sale price rather than an open-ended request. Following a report from Executive Committee, a decision was made to keep the existing strategy for a "mixed use urban

complex” but re-prioritize the site elements to include: street-level retail; restaurants(s), and a public attraction/gathering place. Important elements for the site now emphasized residential housing, commercial office space, underground/covered public parking, and a hotel. There was less emphasis on the spa and more emphasis on commercial office space. The land price was set at \$4.765 million (City of Saskatoon, 2007d). The proposal call was marketed across the country in local papers including Vancouver, Calgary, Edmonton and Winnipeg and in the two national papers. A sales brochure and mail outs were also sent to prospective developers.

Between March and June there were close to a dozen letters published in the Star Phoenix as well as submitted to City Council. Community stakeholders continued to argue that the land should remain public and decisions were being made that compromised the vision of the South Downtown. Most business stakeholders expressed the need for more residential development but for the City to stay on course with selling the land.

On June 25, 2007, City Council received a report indicating that two expressions of interest had been submitted and invited to submit an RFP - one from Calgary-based Lake Placid Investments and the other from Edmonton based WAM Group and Concorde Group Corporation of Saskatoon. There were no letters or requests from the public to speak to the proposals. Lake Placid was the only developer to respond to the City’s RFP on Parcel Y. The proposal consisted of three separate buildings to curve around a raised central plaza. It was comprised of a 20-storey residential building with 190 units, including street-level townhouses, apartment-style condominiums and larger condos with terraces. The hotel was eight stories with 120 rooms and a fitness club considered a ‘boutique hotel.’ A four-storey office and retail building including two-storey restaurant and a high-end green grocer was proposed. The exterior was a mix of metal and glass with stonework around the building base. Public space was introduced as a Festival Plaza in the centre of the buildings with a wading pool/ice surface and Christmas tree location. The concept was modeled after New York City’s Rockefeller Plaza. Also included was a two-storey rock waterfall and underground parking with 620 parking stalls. The cost of construction was estimated at \$125M. The land purchase price was \$4.765 million plus tax.

On September 17, 2007, City Council publicly considered the proposal. The Lake Placid Proposal was made available for public viewing and comment September 5 to September 11. This was six days less than when the Remail Ventures proposal was being

considered. There were 77 comment forms received. The administration reported that 73 per cent were positive, 11 per cent were neutral and 16 per cent were negative. There was one (1) request to speak from the SHS and 16 letters were submitted.³¹ In response to the public's concerns, there was a motion put forward by Councillor Pringle to defer the matter for more public debate, but there was no seconder. The Council voted to proceed with the Lake Placid proposal.

Business-based interests generally expressed support for the proposal. The Star Phoenix featured Tourism Saskatoon and the Partnership supporting the development indicating it had all the components needed (Coolican, 2007a). The MVA CEO stated, "At first glance, the proposal appears to incorporate many of the elements that our development controls require and that we are hoping to see" (p.A3). The Star Phoenix requested further public input into the project and reported that its readership was overall supportive of the proposal. A summary of readers' comments were included and a few are highlighted below:

This development is great news and exactly what Saskatoon needs more of. It's upscale and will certainly add some sophistication to the downtown. More of these kinds of projects will help people want to stay in this city and entice others to move here, creating a more diverse and existing place to live. I'm glad to see this project and hope the gradual attitude shift towards pro-development and embracing opportunities continue.

Looks beautiful: It's a sleek, modern showpiece for the developing jewel in the centre of the City. For all the false starts, we should jump on the opportunity. Not only that, but it's currently our only option.

I really thought this was supposed to be a place designed for the whole community. Expensive hotel, condo and shops doesn't really seem to go with that. I mean, how much of our city is really going to use this?

This is excellent. Let's hope citizens against everything don't get in the way (Coolican, 2007b).

Lake Placid successfully purchased the Legion building and another adjacent property in order to close the lane and increase the developable space (Kyle, 2008). The lane closure

³¹ http://www.saskatoon.ca/CITY%20COUNCIL/Documents/m2007/m_council_170907.pdf. Accessed September 4, 2012.

had to go through a public hearing process. There was no public correspondence submitted regarding the matter.

On June 23, 2008, there was a public hearing for amendments to the DCD1 to accommodate the Lake Placid proposal. The proposal included increasing the height for the hotel, adding additional office space on the former legion site and providing direct access to an underground parking garage off Spadina Crescent. Community stakeholders expressed concern that the proposal fell short of the DCD1 Guidelines including universal access (the plaza hours would be determined by the owner and access was by elevator), cultural significance and environmental commitment. The proposal did not include Leadership in Energy and Environment Design (LEED) standards and the agreement reached did not have this requirement. There were also concerns that the scale of the building was too large. There were three (3) letters received, two expressing concern for the proposal and three (3) presentations at the public hearing, two (2) business stakeholders expressing support and one (1) community stakeholder expressing concerns. The amendments were approved.

On June 24, 2008, the MVA Board met to review the proposed amendments. There was no public correspondence received. Two members of the public gave presentations requesting the Board not support the amendments. Their request was unsuccessful despite concerns identified by the MVA Development Review Committee regarding the lack of a wind study, building orientation with regarding to shading, management and public availability of the court yard space, exterior access to the plaza, accessible parking, heritage commemoration and geotechnical issues.

Lake Placid received three extensions to pay the City for the purchase of the land – January 2009, August 2009 and October 31, 2009. The public, including private developers, became skeptical of the viability of the Lake Placid proposal and asked the Council to not grant further extensions:

...In order to finance such a massive project, any reasonable financial institution will require between 25% and 40% equity...This means that any developer must have cash equity, not financing. Where is the equity? ...The City afforded this project every conceivable chance to go ahead and bent every rule to make it happen. You extended the time for payment and then excused missed interest payment deadlines. Finally, you empathetically set a drop-dead date. Now it appears you may go back on what you said (Ken Achs letter to City Council, November 13, 2010).

By the end of November 2009, the developer was unable to secure the financing necessary for the entire project and pay the \$4.5 million for the land. The proposal was terminated and the administration was directed to create a new RFP with fewer development requirements. However, on March 18, 2010 Victory Majors Investment Corp offered to donate funding to assist the defunct project. On April 12, City Council was faced with a decision to either: a) proceed with a new RFP on the land or; 2) enter into negotiations with Lake Placid and Victory Majors to build a hotel-office-condo project on Parcel Y. They chose the latter (City of Saskatoon, 2010e).

In June 2010, Lake Placid partnered with Victory Majors Investment Corp, a company owned and operated by a prominent local developer and philanthropist, Karim Nasser. There was a request for a fourth extension for financing. The City was debating whether to proceed. A local MLA and several members of the business community publicly expressed support for the sale of the land to the new partnership.

Almost all of the 100 letters sent to council support the sale. Others urging Council to pass the deal include a number of finance and real estate executives; the Royal Canadian Legion Branch 63, which has been promised a memorial on its former site; sports entrepreneur Al Anderson; former Mitchell's CEO Stu Irvine; United Cabs manager Scott Suppes; NSBA director, Keith Moen and North Ridge Development Corp.'s Wally Mah" (Hutton, 2010a, p.A1).

On June 14, 2010, City Council voted to sell Parcel Y and the adjacent lane to Lake Placid for \$5.2 million, a value now far below market value at \$11 million. The conditions of the previous MOA remained including satisfactory documentation by November 1, 2010 that financing was in place to complete the footings, foundation and parking structure of the development to grade level. There were 103 letters received and thirteen (13) requests to speak to Council. There were twelve (12) business and one (1) community stakeholder that addressed Council; ten (10) of the presenters supported the sale of the land (City of Saskatoon, 2010f). City Council is required to seek public notice prior to selling public land at less than full market value. Public notice occurred June 5 and June 12 in the Star Phoenix and Saskatoon Sun. The notice was also posted on the City Hall Notice board and website on June 4.

On November 1, 2010, it was publicly announced that Victory Majors Investment Corp and a group of unnamed investors bought out Lake Placid. As per the condition of the contract with the City, Victory Majors was able to demonstrate that it had raised the \$50 million to build an underground parking structure and bring the development to ground level. On the same day, City Council was also informed that starting in 2011 it would begin to cost taxpayers \$1 million annually to maintain River Landing due to the lack of private investment. After eight years, the only investments on the site were publicly funded (Hutton, 2010b).³²

4.13 Summary and Conclusions

In total, there were eleven (11) different methods of public consultation that occurred between 2000 and 2010 and 81 distinct opportunities for public consultation. As shown in Table 4.13.1 (a condensed summary of Appendix E. Summary of Public Consultation, Purpose, Method, Participants and Decisions), Council meetings and public hearings were the most common vehicle used by the public to express approval or disapproval for SDWR plans. Though the municipal government creates the platform for public involvement at Council meetings through legislation and policy, the public solely determines whether or not to attend or participate. This method was utilized by the public for 24 per cent of all the consultations options given.

Community-led consultations and engagements comprised 14 per cent of the public consultation opportunities and included community forums, visioning sessions and petitions (formal and informal). These methods were undertaken voluntarily and independently by the community to raise awareness and influence Council decisions.

Outside Council meeting, appointed steering committees and technical working groups were the most common type of consultation used by the City of Saskatoon to invite more involved stakeholder input (12 per cent). In almost all cases, committees were comprised of predominately public sector representatives, consultants and the BIDs.

Public forums and open houses were also common (12 per cent). Most of the forums took a come-and-go format using static display boards to convey information and options.

³² As of December 2012, one private office development has been constructed on Parcel W while Parcel Y, the previous home of the Gathercole Building, remains vacant.

Coupled with public forums was the use of comment forms that could be filled out at the meeting or online by accessing the City website (11 per cent). There were limited opportunities for public participation in shaping and designing plans such as through visioning sessions, design charrettes and workshops. Most of this work was completed by consultants, public sector and BID representatives.

There were 570 letters written and 121 presenters. The vast majority of the letters and presentations were from community stakeholders. In almost every instance, City Council did not alter its direction to reflect the requests of active community stakeholders. The exceptions were in: 2005 when the SHS requested a second opinion on the feasibility of rehabilitating the Traffic Bridge; and, May 2004 when community presenters requested the decision to defer amending the DCD1 Guidelines until after the South Downtown Concept Plan was tabled at City Council. In contrast, on the rare occasion business stakeholders mobilized before Council, they successfully influenced Council's decision. An example is the most recent Council debate on the sale of Parcel Y to Victory Majors where there were more than 100 letters from business stakeholders in support of the sale, which was approved.

Table 4.13.1 Summary of Public Consultation Types (Ranked)

Public Consultation Type	# of times method used	Rank
Council meetings (including public hearings) <ul style="list-style-type: none"> • Letters (570) • Presenters/speakers (121) 	20	1
Community-led (e.g. petition, open house, visioning)	11	2
Appointed Committees (technical, steering, working)	10	3
Open houses/forums/public meetings	10	3
Comment forms/questionnaires/written submissions (in person and Internet)	9	4
Vision sessions/workshops	6	5
Focus groups/stakeholder meeting	5	6
Public proposal/EOI	5	6
Stakeholder interview	3	7
Design charrette	1	8
MVA Board meeting/presentation	1	8
Total	81	

In summary, the City of Saskatoon undertook more public consultation than was required by legislation or municipal policy. The City consistently followed the legislative but not policy requirements. There was incongruence between what community stakeholders expected regarding the level public participation and the extent of public consultation that occurred. There was a consistent reliance on the same types of consultations – steering committee, technical committee, open houses and comment forms. There was some use of interviews, focus groups and visioning sessions but all were by invitation only. Invitation or stakeholder lists were determined in most cases by City Council, administrators or a steering committee.

The City and consultants consistently drew on the same people and the same organizations to represent the public in the more involved consultations. In other words, if there was a greater level of participation method used (i.e. visioning session), participation was by invitation only. Professional facilitators were not utilized. Public support or opposition to an initiative or proposal was based on consultant or City representatives quantifying the number of comment forms received either for or against an option or idea. There was no consistent methodology applied to determine public support for options being considered. There is a section in all Council reports that asks for a description of public consultation planned or implemented. Sometimes documents or Council reports included detailed accounts of the public consultations methods used, attendance, feedback received and overall conclusions and other times there was only a cursory statement or two. Administrative reports to City Council consistently omitted or limited expressing public views that were in opposition to the direction being proposed.

Expressions of Interest and other time and volunteer-intensive proposal submissions have been used by the City to determine stakeholder interest and ideas. This approach has been used five (5) times in ten years and has consistently been unsuccessful. The method, as it has been applied, appears to: create winners or losers; there is not sufficient response (in the case of private proposal calls); and, the projects submitted are not selected or the projects selected fall through.

The benefits of municipal advisory committees or commissions have largely been unrealized as none of their recommendations or suggestions have been factored into final

decisions made by Council. Federal and provincial funding influenced the shape and timing of decisions made to redevelop the South Downtown waterfront.

The media, and in particular the Star Phoenix and News Talk Radio, were the main vehicles available to filter the issues to the broader public. The Star Phoenix is the only conveniently packaged record of events that occurred between 2000 and 2010 in the SDWR.

Overall, a substantial amount of volunteer time, effort and personal commitment was made by community and business stakeholders alike to help shape the plans and decisions affecting the SDWR. This view is expressed in the following article by a Star Phoenix commentary that acknowledges the public's commitment but also takes aim at those speaking in opposition to the City's decisions:

I've always been amazed that so many people remain engaged in a lengthy process such as downtown redevelopment without getting discouraged about the time it takes and the compromises that must be made to achieve results. There are always some who can't let go of their disappointment. The debate over building a new gallery at River Landing reflects the frustrations of those who refuse to let go of their vision. Instead, they accuse others of fomenting conspiracies or recklessly building empires rather than looking for the good of the whole (Klein, 2010b, p.A14).

The following chapter will provide further insight into the observations by stakeholders and informed observers on the public consultations used in the South Downtown Waterfront Redevelopment. Specific attention will be given to assessing awareness of the regulatory framework governing public consultation, methods of consultations used, satisfaction and impact of the consultations on decisions governing the SDWR.

CHAPTER 5

ASSESSMENT OF PUBLIC CONSULTATION USED IN THE SOUTH DOWNTOWN WATERFRONT REDEVELOPMENT

5.1 Introduction

The purpose of this chapter is to look further into the different stakeholder perspectives to understand their views on the SDWR consultations, their involvement, and satisfaction. For the purpose of this study, thirty (30) interviews were conducted with stakeholders and informed observers. Research participants were organized into three stakeholder groups: public-sector, business and community (as described in Chapter 1). Participants were selected based on representation of the three key stakeholder groups that have been actively involved in the SDWR. Table 5.1.1 shows that there were thirteen (13) public sector, nine (9) business and eight (8) community stakeholders interviewed. Further breakdown of the participant information has not been provided in order to maintain confidentiality. Specific dates of technical and stakeholder interviews have also been omitted to protect anonymity. Stakeholders can often play numerous roles or their roles can change over time. Interview participants were asked to identify their primary role during the SDWR public consultations.

Table 5.1.1 Research Interviews by Stakeholder Group

Stakeholder Group	# of Participants
Public Sector	13
Business	9
Community	8
Total number of participants	30

Each participant was asked thirteen (13) questions (see Appendix C. Interview Questions) that corresponded with the purpose of this thesis to examine: a) the types of citizen engagement practices utilized by the City of Saskatoon; b) the relationship of these practices to the regulatory frameworks; c) assessment by stakeholders and informed observers regarding the level of satisfaction with the public consultations; and, d) the assessment by stakeholders and informed observers regarding the influence that public consultations had on the decisions made by City Council regarding the waterfront redevelopment. A more detailed account of the research methodology is provided in Chapter 1.

5.2 Assessment of the Regulatory and Policy Frameworks Governing Public Consultation

As discussed in Chapter 2, the minimum public consultation requirements are governed by provincial legislation including the P&D Act (2007), Cities Act (2003) and Meewasin Valley Authority Act (1979). As directed by legislation, municipal bylaws are established to operationalize the legal requirements within the local context through bylaws such as the Public Notice Bylaw. The City has attempted to establish a higher standard for public consultations than required. For example, the OCP defines principles of consultation such as demonstrated openness, honesty, and transparency of purpose as well as communication of results. A Community Engagement Process Manual and staff position exists to assist administrators through the public consultation process.

As shown in Table 5.2.1, 61 per cent of the public sector stakeholders interviewed were aware of the regulatory framework governing public consultation, but when asked “how aware,” only five (5) or 38 per cent were confident enough to report “very aware” (Table 5.2.2). Elected representatives and advisory committee members were less aware of the legislative and policy frameworks governing public consultation while public administrators were the most aware. In total, approximately 43 per cent of stakeholders indicated they were aware of the legislation and policies while 33 per cent were not aware.

Table 5.2.1 Are you aware of the regulatory framework or policy governing public consultation in SDWR?

Response	Public	Business	Community	Total
Yes	8	3	2	13
Somewhat	1	3	3	7
No	4	3	3	10
Total	13	9	8	30

Three (3) of the public-sector stakeholders viewed public consultation as a moral obligation more than a legislative or policy requirement while others suggested in some instances, such as the MVA, there should be more requirements governing public consultation:

MVA committees tend to be fairly contrived and not as open as the City. More openness would do the MVA a lot of good. Access to the decision making process is

problematic. I don't think the public could name an MVA Board representative. The public does not have access (Public Sector Research Interview, 2011).

Business stakeholders expressed being aware or somewhat aware (67 per cent) and identified the DCD1 guidelines as their main policy example while none acknowledged legislative requirements. Only one (1) business stakeholder was very aware of the legal framework. There were two (2) community stakeholders that indicated they were very aware of the legislative and policy requirements and three (3) that were somewhat aware. Representatives from all stakeholder groups acknowledged that the SDWR is important to Saskatoon as a citywide initiative that has been a vision waiting to happen for more than 30 years – starting with Moriyama's plan.

Table 5.2.2 How aware are you of the regulatory or policy framework?

Response	Public	Business	Community	Total
Very	5	1	2	8
Somewhat	4	4	3	11
Not Very	4	4	3	11
Total	13	9	8	30

5.3 Assessment of the Types of Public Consultation used by the City of Saskatoon

Interview participants identified fourteen (14) types of public consultation used by the City in the SDWR. As shown in Table 5.3.1, the most identified examples, respectively, were: public open house/forum/public meeting; appointed committees; Council meetings (including letters and presentations prepared for the meetings); public proposals such as expressions of interest; and, comment forms. The top five ranking closely coincides with the analysis in Chapter 4 (Table 4.13.1) of the most common types of public consultations used with the exception that the community-led participation was the second most used method of consultation overall but was not in the top five when all stakeholder responses were considered. It was ranked third by community stakeholders. Stakeholder interview was ranked seventh in the total number of consultations used but was ranked fifth among stakeholders due to public sector and business interests ranking it as their top method. Exchanging views and information one-on-one with the Mayor or Councillors via e-mail, calls or meetings is not publicly documented and was not analyzed as a method of consultation in the previous chapter; however, interview participants ranked this method fifth. Business stakeholders most

identified with this consultation type followed by public sector elected representatives. Similarly, one stakeholder in this group identified a business-led consultation that occurred in 2007 for a mixed-use residential, commercial development at River Landing Phase.³³ Media communications such as consultation advertisements and letters to the editor were also identified by all stakeholders. Public sector stakeholders identified this method as a means of communicating information. Business and community stakeholders identified this method as a way of expressing and understanding other viewpoints as well as receiving information about upcoming consultations. This is consistent with Rowe and Frewer's (2005) Flow of Information model introduced in Chapter 3 where public communication flows from the sponsor (City) to the public and vice versa with no formal dialogue.

³³ This project was a proposal for a EcoVillage led by Prairie Ecovillage Development Corp (PEDCO). It was unable to successfully secure financing and the agreement for the sale of the land was terminated by the City. This consultation is not considered in this study as it was not a significant consultation event in the SDWR.

Table 5.3.1 All Types of Consultations Identified by Stakeholders (Ranked)

Types of Consultation	Public Sector	Business	Community	Total	Rank (all)
Open house	10	6	7	23	1
Appointed committees	11	6	4	21	2
Council meetings*	6	4	6	16	3
Public proposals/Expressions of Interest	3	4	5	12	4
Comment forms/questionnaires/written submissions (in person and Internet)	5	1	4	10	5
Stakeholder interviews	3	6	1	10	5
One-on-one meeting, call or e-mail with Mayor or Councillors	3	5	2	10	5
Media communication	5	2	1	8	6
Community-led (e.g. participation, open house, visioning)	0	1	5	6	7
Design charrette	2	2	0	4	8
Displays City Hall/public library	0	1	2	3	9
Visioning sessions/workshops	1	1	0	2	10
Focus group/stakeholder meeting	0	1	0	1	11
Mail brochure	0	0	1	1	11
Total	50	42	38	130	

*Public hearings were identified six (6) times, equally by all stakeholders. Letters were identified by two (2) community stakeholders and public presentations were identified by eight (8) stakeholders: two (2) public sector, two (2) business and four (4) community.

Interview participants were asked to indicate whether or not they participated in any of the SDWR consultations. All except two responded that they did participate in the SDWR consultations. Two business stakeholders indicated they had not but upon further inquiry they each identified instances where they had participated.

As shown in Table 5.3.2, consideration was next given to the stakeholder's recollection of the types of public consultation in which they were a participant. Public sector administrators tended to answer with examples of the types of consultation in which they had some responsibility to advance some aspect of the development. They did not identify participating in the consultations as a private citizen. Elected representatives acknowledged being involved in the consultations through their role as decision makers on City Council and identified consultations as events they attended both inside/outside of the Council or committee meetings. Advisory/commission members are privy to planning proposals that

came forward and also identified the consultations they attended inside/outside the formal advisory/commission and City Council proceedings.

In total, the stakeholders interviewed identified participating in consultations on 106 occasions. The public sector stakeholders, as the most represented group, identified the most number of consultations in which they were a participant at 43 (41 per cent). Most of the public consultations involved at least one public administrator. The community stakeholders were the next most represented group participating in 38 per cent of the consultations. Business stakeholders indicated participating in nearly half the number of consultations as the other stakeholders at 22 per cent. Respectively, the South Downtown Concept Plan, DCD1 Guideline review, Expressions of Interest for the Gathercole Building and site, and River Landing Interpretive Plan had high participation by all stakeholder groups. The Riverfront Master Plan Phase 2 and Traffic Bridge were ranked as the fourth most attended by stakeholders. Proportionally, community stakeholders were most represented in the EOI for the Gathercole Building at 54 per cent of the respondents. The business stakeholders were most identified in the DCD1 Guidelines review that occurred in 2004 with 44 per cent indicating some form of involvement.

Table 5.3.2 Stakeholder Participation in Consultations

Types of Consultation	Public Sector	Business	Community	Total	Rank
South Downtown Concept Plan	6	3	6	15	1
Direct Control District 1 Guidelines	5	4	4	13	2
Expressions of Interest for the Gathercole Building and Site	2	3	6	11	3
River Landing Interpretive Plan	6	1	4	11	3
Riverfront Master Plan Phase 2	5	2	3	10	4
Traffic Bridge	4	2	4	10	4
Sale of Parcel Y	3	2	3	8	5
Assessment on the Adaptive Reuse of the Gathercole Building	4	1	2	7	6
River Front Master Plan Phase 1	3	2	2	7	6
Riversdale Square Master Plan	2	2	3	7	6
Destination Centre	3	1	3	7	6
Total	43	23	40	106	

Chapter 3 introduced a model for assessing individual and group levels of participation with the intention of attempting to assess satisfaction with the public consultations based on the level of involvement (Table 3.3.1). Table 5.3.3 represents the level of participation by stakeholders in the SDWR public consultations and sets the base for analyzing this theory in Chapter 6. Attendance at City Council meetings was the most identified public consultation for all stakeholders at 19 per cent. Several also identified participating in public hearings, providing presentations and attending advisory committee meetings.³⁴ All of these require a higher level of involvement.

Participation on steering/technical committees is a group process that requires a high level of participation. This type of consultation was ranked second (17 per cent of all types) and was represented almost exclusively by the public sector and business sector stakeholders (59 per cent and 39 per cent respectively). Preparing a public proposal or responding to an EOI was ranked third (11 per cent) with representation from all stakeholder groups. This type of consultation requires a high level of group involvement. Typically, proposals are submitted by community groups, community organizations or businesses but individuals at times also submit proposals. Community stakeholders comprised 54 per cent of the total indicating they submitted a public proposal or EOI.

Attending an open house is a group process that requires a low level of participation. This type of consultation was ranked fourth (10 per cent of all types). Community stakeholders most identified with attending one of the open houses at 50 per cent. Open houses were the most common type of consultation used by the City to involve community stakeholders. The Ladder of Citizen Participation, discussed in Chapter 3, categorizes open houses as a method of therapy or tokenism depending on whether the participants had the ability to influence the outcome.

In the SDWR, the ability to influence outcomes was not equal between stakeholders. Community-led consultation is not sponsored by the municipal government and requires a high level of participation. This level of consultation was ranked fifth overall, but for community stakeholders was their top pick along with attending City Council meetings.

³⁴For the purposes of this study, public hearings, providing presentations to council, writing letters and attending an advisory committee meeting have been grouped as subsets of a Council meeting and are not independently tallied. Interestingly, none of the interviewees identified writing a letter to Council when in fact it was one of the most utilized types of public consultation that required individual effort by stakeholders to express their views.

Engaging the media by either writing a letter or posting an advertisement was also ranked fifth by all stakeholders. Community stakeholders were most likely to identify using this method as a form of consultations they participated in to share their views followed by public sector stakeholders who tended to use this method to communicate information about upcoming consultation processes. Interview participants from all stakeholder groups expressed dissatisfaction with the media's representation of the issues and polarization. Chapter 6 provides more discussion on the media's role and influence in the SDWR.

Contacting the Mayor or City Councillors either by phone, e-mail or face-to-face meeting was identified by both business and community stakeholders and was ranked sixth overall. This typically requires a higher level of participation as individual stakeholders are knowledgeable of the issue and comfortable with expressing their views, particularly with face-to-face meetings. Stakeholder meetings was ranked seventh and identified by business and community stakeholders. This form of consultation can occur in a group or individual format. For the purposes of this analysis, it is classified as a group process.

Overall, the top five ranking of stakeholder participation in the consultations changed slightly from the summary of public consultation types in Table 4.13.1. City Council meetings were the top ranked method of consultation both in terms of the number of times key events in the SDWR were discussed and by all stakeholders interviewed. Participating on appointed steering and technical committees was ranked third of all consultation types but second for stakeholders interviewed. Public sector and business stakeholders interviewed were most involved in this method of consultation (94 per cent). Community-led consultations was the second most common types of consultation overall but for stakeholders interviewed was ranked fifth. Community stakeholders almost exclusively identified they had participated in this method of consultation (78 per cent). Comment forms dropped from fourth to ninth and were replaced with media communication and one-on-one correspondence with the Mayor or Councillors, and stakeholder meetings respectively.

Table 5.3.3 Level of Stakeholder Participation in Consultations (Ranked)

Consultations Participated In	Public Sector	Business	Community	Total	Rank
City Council Public Hearing (5) Council presentation (10) MPC (1) MHAC (1) MVA (3)	8	5	7	19	1
Steering/Technical Committees (DCD1, South Downtown Concept Plan, Riverfront Master Plan, Interpretive Plan, Riversdale Square, Destination Centre)	10	6	1	17	2
Public proposal/EOI	2	3	6	11	3
Open House (South Downtown Concept Plan, Riverfront Master Plan, Riversdale Square, Traffic Bridge)	2	3	5	10	4
Media communications (letters or advertisements)	3	1	5	9	5
Community-led (Open house/visioning) Petition (1 public sector, 1 community)	0	2	7	9	5
One-on-one meeting, call or e-mail with Mayor or Councillor	0	4	3	7	6
Stakeholder meeting	0	2	4	6	7
Visioning/Design Charrette/workshop	1	4	0	5	8
Comment Form	1	0	3	4	9
Focus group	0	2	0	2	9
Interview	0	2	0	2	10
Total	27	34	41	101	

5.4 Assessment of Consonance between Public Consultation Regulations and Policies versus the Public Consultations Undertaken

Table 5.4.1 summarizes stakeholder assessments of the City's compliance with legislative and policy requirements respecting public consultation. In total, 37 per cent of the respondents stated that the City fully complied with the legislative and policies governing public consultation. Public sector stakeholders were most represented in this group (73 per cent) followed by business stakeholders (27 per cent). None of the community stakeholders indicated they felt the City fully complied with the requirements. There were seven (7) stakeholders (23 per cent) that were not sure if the City complied with the legislative or policy

requirements. Most of the respondents (40 per cent), indicated they believed the City somewhat complied. These stakeholders did not question the City's legal compliance but did question compliance respecting good consulting practices:

If this City Council had followed the good planning practices of including citizen input at the onset and had listened to their concerns and aspirations then the frustrations and alienations so evident amongst much of our populations would not have occurred. Many people both in the community and private sector have expended a large amount of energy putting forward proposals...only to have them ignored (Community Stakeholder Research Interview, 2011).

Table 5.4.1 Compliance with regulatory framework or policy on consultation

	Public	Business	Community	Total
Yes	8	3	0	11
Somewhat	3	3	6	12
Not Sure	2	3	2	7
Total	13	9	8	30

Public sector stakeholders acknowledged that the City made extra effort to consult and listened to a lot of people, but the challenge was with the compressed timeframe to get the project going made it difficult to adopt broader or more involved consultation practices. There were also concerns expressed that the more formal types of consultation that exist pose barriers to giving the public a sense that their views have been heard.

Generally the administration does a good job and goes beyond the legal requirements...[Council] presentations, which at times are strategic, interesting and valuable need to be made in another forum. The public hearing is not the place for them. Just by definition, the rigidity of it, the hierarchy of it and the time of night. There needs to be another place for that type of discussion...Another room, day and place. Public has the time, comfort and confidence to present and dialogue. Council in the evening, with the [camera] lights on can be quite intimidating (Public Sector Research Interview, 2011).

Only four (4) stakeholders interviewed mentioned they were aware that the City has public consultation principles adopted into the OCP or that there is a Community Engagement Process Manual for Civic Employees (3 public sector and 1 community stakeholder). Some public sector and business stakeholders indicated there were lots of consultation opportunities,

but were not sure what difference it made as other factors, such as federal funding parameters, weighed more when the final decisions were made.

When asked to consider: “what should the regulatory or policy framework be regarding the responsibility of the City to consult with the public prior to making land development decisions?” common themes emerged among all the stakeholders interviewed (in order of suggestion):

- Establish steering/advisory committees with broader public representation and better utilize existing advisory committees and commissions as forums for engaging in a more detailed dialogue;
- Create public consultation categories that explain what the public can expect for different types of consultations including the purpose, level of involvement, roles, areas the public can and cannot influence, and how the outcomes of involvement will be shared;
- Utilize professional external facilitators to facilitate public consultations;
- Provide more opportunity for public involvement in visioning, planning and programming. Public involvement is needed before the plans are drawn;
- More use of social media;
- More interjurisdictional and best practices research upfront;
- Establish a municipal ombudsman to determine if policy, process and practices are fair and consistent;
- Heritage legislation and policies should have a special provision for public consultation; and,
- Statistically significant and reliable data on public awareness and views on community and citywide issues.

Both public sector and community stakeholders provided similar suggestions. There were three (3) business stakeholders who indicated they would not change any of the legislation or policies. There was one (1) public sector stakeholder who reported they had no idea what if anything needed to change. Most of the suggestions provided are practice changes that can be accommodated within existing policies or legislation. The ideas of

establishing a municipal ombudsman and enhancing consultation regarding heritage issues could involve amendments to provincial legislation.

5.5 Assessment of Satisfaction with the Public Consultations

Interview participants were asked to share what type of public consultation in the SDWR they thought was most influential and why. They were invited to identify more than one type. The responses are summarized in Table 5.5.1.

Table 5.5.1 Most influential types of public consultation in the SDWR

	Public Sector	Business	Community	Total
Open House	7	1	0	8
City Council Meeting	3	1	1	5
Advisory Committees	4	1	0	5
Expression of Interest for Gathercole Building and Site	0	1	3	4
One-on-one meeting, call or e-mail with Mayor or Councillor	1	2	1	3
Visioning Session	2	1	0	3
Comment Forms	2	1	0	3
Design Charrette	1	1	0	2
Stakeholder Meeting	0	2	0	2

Open houses received the most responses, almost all from the public sector stakeholders. The reasons indicated were that: the most number of people participated in the open houses; there was opportunity to generate a lot of feedback; it decreased the possibility for grand-standing by some members of the public which can occur in an open microphone format; there was opportunity for everyone to ask questions and receive one-to-one responses; and display boards provide a picture that can be easily communicated to a diverse range of stakeholders and can allow for some interaction with the ideas being presented. City Council meetings were a form of consultation that was influential. For public sector stakeholders, this forum is where decisions are made. Elected representatives identified that they have been persuaded by presentations given at Council meetings.

The City Council meetings when business came in and told us to give [the developer] another chance...because they asked to stay with what we'd done already. It was safer and easier. Reaffirms you're on the right track (Public Sector Research Interview, 2011).

The EOI for the Gathercole building and site was also viewed to have influenced the SDWR, particularly for community stakeholders. It was seen as getting the ball rolling and that many of the developments in the south downtown – theatre, market, inclusion the Riversdale portion – were some of the ideas generated through initial community involvement offered by the EOI process. Advisory committees, such as the South Downtown Steering Committee were identified by public and business sector stakeholders as also having influence.

For me personally, the most gratifying was sitting on a steering committee with a consultant and playing with colour and blocks. It was good. It's important to keep the vision at the forefront (Public Sector Research Interview, 2011).

Other influencing consultations included visioning sessions, stakeholder meetings and providing the opportunity for the public to submit comment forms online and in person.

Interview participants were also asked to consider the question: “overall, what types of public consultation do you think were least influential and why?” The responses are summarized in Table 5.5.2.

Table 5.5.2 Least influential types of public consultation in the SDWR

	Public Sector	Business	Community	Total
Not sure	6	4	0	10
Open house	1	2	1	4
City council	3	0	1	4
Traffic Bridge	2	0	2	4
Destination Centre	2	0	1	3
Most types	0	0	3	3

Similar to the previous question, there was not a strong response to this question in terms of specific consultation examples. Close to 50 per cent of the public sector and business stakeholders indicated they were not sure which consultations had the least influence. There were three (3) community stakeholders who indicated that there were a lot of disappointing consultations. Common views expressed by all stakeholders were more about situations that resulted in there being a sense that public consultation had little influence such as: having consultations after a decision was already made; information being filtered by City administration before it got to Council; having a vague purpose for consultation; consulting

and then not following through on advice given; or feeling that the information prepared for Council such as research on a subject was not acknowledged or had little influence. Some examples of these views are provided below:

There needs to be better clarity on the lines of decision making. [We] never got a chance to present to Council. We gave everything [to the administrator who] put a spin on it and never fully represented [our proposal]. If we'd been given the opportunity, we could have answered the questions. This was frustrating (Business Stakeholder Research Interview, 2011).

We had a session about naming the park [at River Landing in Riversdale]. There was a good turnout. People were eager to put forward suggestions. There were certain things they felt was important. They wanted to be able to have a legacy to honour someone. If possible to have local meaning. To have the local relevance. We had discussions and in the end the people that were there wanted to honour Métis and First Nation leaders by naming the park after them. We didn't come up with the name but we came up with some guidelines and suggestions. [Later] I was told the park had been named Isinger Park after a public administrator, a non-aboriginal person...it was a done deal (Community Stakeholder Research Interview, 2011).

Where specific consultations were identified, some stakeholders interviewed suggested both open houses and City Council meetings had the least influence. This is in contrast to the views expressed by some stakeholders in the previous question that these methods were most influential. Some interviewees answered the same for both questions acknowledging the difficulty in really understanding which consultations made a difference to the overall SDWR. The reason provided for Council meetings having the least influence is that it is a place where decisions get made and there is no opportunity for dialogue. The public gets five minutes, the camera is rolling and often there are no or few questions asked:

Debates at City Council in the sense of the legal and technical part are the least influential. By the time you're at the public meeting, the Council has pretty much decided even though they listened they seemed to have already taken a point of view on a particular element. I can't think of a case where there was any movement by Council. Once it gets to a public hearing that particular part of the consultation is done already (Public Sector Stakeholder Research Interview, 2011).

Going through the formality of presenting to City Council when you knew the decision [is the least influential]. For example, it was clear in the case of the Gathercole their minds were made up as soon as they walked in the room. They may

be asked one or two polite questions but we're just going through this process...looking at their watches sending a pretty clear sign they wanted to move on (Public Sector Stakeholder Research Interview, 2011).

Open houses were similarly viewed as a final stop before decisions are made. By this time in the process, the design is done, the plan is in place and most of the details are finalized. The public's role is to help with fine tuning a project not influencing the direction:

There are a lot of projects that I feel disappointed about. Coming to an open house and looking at a poster board is least influential. They are telling us this is what we're planning (Community Stakeholder Research Interview, 2011).

In terms of specific public consultations around projects, the Traffic Bridge and Destination Centre were raised by stakeholders as case examples where a decision had been made while the public consultation was still in progress:

The Art Galley of Saskatchewan open call for two committee members on the Destination Centre committee. My take on this was...theoretically it was a good idea and even practically it could be a good idea. The problem was, this had nothing to do with the function of the committee. To be blunt, the mayor was working on an art gallery so having that type of committee together when he was trying to move the Mendel Art Gallery to the Destination Centre rendered the committee basically useless (Public Sector Stakeholder Research Interview, 2011).

There were some strong views expressed by business stakeholders that the public has very little to offer and is often misinformed and opposed to change. These views also held that technical experts such as consultants and civic administrators are the experts and should be left to do their work. There is too much public consultation that slows down progress:

I think the administration really tries to consult with the public. I can't think of a time that the public has come up with anything that has been helpful. It's been my experience that the public just doesn't want to change period...Consultation bogs down the process. It's time consuming and we can't get on with things...I guess I'm not a proponent of consultations. I feel enfranchised. If I wanted to go down and beak off [to City Hall] I can (Business Stakeholder Research Interview, 2011).

Flowing from the questions of influence was consideration on whether stakeholders were satisfied with the public consultations. Table 5.5.3 shows that 60 per cent of the

stakeholders were either very satisfied or satisfied with the public consultations. The public sector and business stakeholders were most represented in this group (76 per cent and 66 per cent respectively). Community stakeholders were most represented in the “not satisfied” category with 75 per cent of this group indicating they were not satisfied. Public sector and business stakeholders were also represented in this group but to a lesser degree. There were 33 per cent of all stakeholders interviewed that were not satisfied with the consultations.

Table 5.5.3 How satisfied were you with the public consultations?

	Public	Business	Community	Total
Very satisfied	3	1	0	4
Satisfied	7	5	2	14
Somewhat satisfied	1	1	0	2
Not satisfied	2	2	6	10
Total	13	9	8	30

The main reasons stated for being satisfied included: the riverfront looks beautiful; there were lots of consultations; lots of people participated in the consultations; and the public did have some influence.

There’s been ample opportunity to gather feedback provided. It is up to the public whether they like the process or not. Time, number of people attending was recorded and shared with Council. People did get involved. It’s up to City Council which way they want to go. We’ve never had a project with this much consultation. If I don’t like what my representatives decide, I do not mark an “X” [at election time]. The general public doesn’t know they can speak to Council directly. They think that Council speaks for them (Public Sector Stakeholder Research Interview, 2011).

Reasons stated by stakeholders for not being satisfied were: attitude that they are simply special interests rather than people caring for their community; not feeling appreciated for their contribution; seeing decisions made mid-process; not being invited to participate in more focused discussions; not seeing their contribution reflected in the final decision; and, not knowing whether their contribution made a difference.

There was a time when people were asked to make presentations at the beginning [of City Council meetings] and this changed three years ago and now people have to wait. What makes me feel my views are not being considered is: 1) not being asked a question after presenting; 2) body language is a factor. To show interest might be

good; 3) being thanked for having presented. Just general feel good things. There isn't any encouragement from City Council. Previous Councils have been more welcoming. There may be some of the fact that they don't agree with me. I feel that they have made up their minds. If the presenters were asked "why?" then you'd feel like you were being taken seriously. It seems like they don't ask questions because they assume they already know your point of view. It's intimidating. It's easier to go to a public forum but you have to assume your views are being included in the report (Community Stakeholder Research Interview, 2011).

5.6 Assessment of the Influence/Impact of the Public Consultations

Interview participants were asked to share their view on the influence or impact the public consultations had on the SDWR overall. As shown in Table 5.6.1, interview responses were grouped into four categories: influence; some influence; no influence, or not sure. Most stakeholders (83 per cent) indicated that they thought the public consultation had influence or some influence on the SDWR. Public sector and business stakeholders were more confident than community stakeholders that the consultations had influence (92, 78 and 62 per cent respectively). Fifty (50) per cent of community stakeholders indicated that the consultations had some influence and 37 per cent were not sure. There were two community stakeholders that did not feel the consultations had influence.

Table 5.6.1 Assessment of the Influence/Impact of the Public Consultations in the SDWR

	Public	Business	Community	Total
Influence/impact	8	7	1	16
Some influence	4	1	4	9
No influence	0	0	2	2
Not sure	1	1	1	3
Total	13	9	8	30

There was a general sense that after all the consultations it must have had an impact. The phrase "a horse designed by a committee is a camel" was used by some public sector and business stakeholders to describe the challenges with public consultation. The view of one community stakeholder was that compromise occurred along the way and if you ignore the losses - such as the Gathercole Building - the community's contribution can be seen:

I think immediately we felt that it had no impact because it didn't develop exactly along the same lines as we were proposing. Over time, it is moving in that direction. Maybe it's not so much that people are remembering what we proposed and are building it. Maybe it's the process we went through with so many people and so many

good ideas it was actually the best way to do it that overtime other people will come to the same conclusions that we came to and will slowly build up that area to be close to what we thought it could be (Community Stakeholder Research Interview, 2011).

Other reasons for stakeholders indicating the consultations had influence include: there is a plan for the site; interpretive elements offered by different stakeholder groups are present; the park has different programming elements for different user groups and is being used; aspects of the different expressions of interest are represented or are in progress and the DCD1 Guidelines did change. Picking up on this point, there was one business representative that expressed the greatest impact the consultation had was convincing developers that they wanted nothing to do with the site because of the DCD1 regulations. Another business stakeholder indicated similar frustration with the DCD1 by indicated “we won what we wanted except DCD1.”

Reasons provided for stakeholders thinking the consultations had no influence was that: some decisions were made in camera (i.e. decision to relocate the Mendel Art Gallery); they were not thanked or acknowledged for their contribution; there was a sense of being misunderstood in the contribution they did make; suggestions provided were not evident or acknowledged in the plans; and, in some cases, there was uncertainty about who actually came up with the vision, ideas and plans. The feeling of being misunderstood is present in the following view:

We wanted to see a people place. There is a sense that when a group of people from the public come forward they want to be owners...that's not necessarily the case. I think they're willing to put the time in and start a process and research. They are asking for a process, not a product (Community Stakeholder Research Interview, 2011).

There is a feeling by some stakeholders that the project and the consultations have been especially challenged because Saskatoon lacks identity. There is not a clear story line or theme that weaves the residents of Saskatoon together. As one public sector stakeholder shared: “there is a lot to be proud of but I am asking myself, do the people see themselves in this project?” This is exactly the sentiment that inspired the consultations and the public's desire to participate – they want to create a lasting legacy for future generations as first articulated by Raymond Moriyama (1978).

5.7 Summary and Conclusions

This chapter considered different stakeholder perspectives on public consultation in the SDWR. There was an initial assessment of stakeholder awareness of the regulatory and policy framework governing public consultation. Though only 66 per cent of all stakeholders interviewed are aware of the legislative and/or policy framework, 37 per cent indicated they think the City fully complied. The concerns expressed by stakeholders were less about the legal aspects and more about the public participation principles proposed by Weber and Tuler (2000) and discussed in Chapter 3 including: the ability to influence the process and outcomes; constructive interaction facilitated between stakeholders; access to information; adequate analysis of options; and, enabling the conditions necessary for successful consultation in the future. There is a high degree of awareness about the types of consultation used in the SDWR. The public sector was the most represented group in the consultations followed by community and business stakeholders respectively. Public sector and business stakeholders identified being more involved in municipally-led group consultations requiring a higher level of participations such as steering committees. Community stakeholders indicated they were more involved in individual based consultations such as attending Council meetings or open houses. The more involved community stakeholder consultations were led by the community. Public sector and community stakeholders both identified the importance of more diverse and representative participation on steering and advisory committees. They also identified some form of public consultation framework was needed to clarify what the public can expect. Most stakeholders, including public representatives, are not aware that the City has a policy and principles on public engagement. There is a significant gap between public sector and community stakeholders' satisfaction with the public consultations. Public sector stakeholder satisfaction was 76 per cent while community stakeholder satisfaction was 25 per cent. Business stakeholders were mostly satisfied at 66 per cent. There is a general sense by all the stakeholders that the public consultation had some impact, but the impact was not clearly articulated or mostly referenced the riverfront park or the DCD1 Guidelines. For some public sector and business stakeholders, public input on the DCD1 Guidelines was viewed as negatively impacting the ability to develop the site and resulted in several amendments. All stakeholder groups identify that there have been

compromises made. The question remains whether the decisions made will result in the legacy the project was intended to create for future generations.

CHAPTER 6

INFLUENCE OF PUBLIC CONSULTATION IN THE SOUTH DOWNTOWN WATERFRONT REDEVELOPMENT

6.1 Introduction

This chapter will examine the influence of the legislative and policy framework in shaping the public consultation, how the types of consultation influenced stakeholder satisfaction, and the influence of public consultation on decisions and outcomes affecting the SDWR.

In 1978, Duncan Bury completed a case study on the role of the public and planners in the City of Saskatoon decision making process. The study concluded that elected representatives and administrators had a cynical view toward public consultation and the public that participated. In general, the common views held were: 1) the public who participated were under-representative of the broader public perspective; 2) people were apathetic and tended to only get involved if an issue had a direct impact on them; 3) public consultation created unnecessary delays in the decision making process; 4) consultation gave the vocal minority too much say; and, 5) City Council and advisory committees provided sufficient representation of the public's perspective. The public perspective argued that the people were not apathetic; rather, they were not given sufficient opportunities to be involved due to the attitudes of elected representatives and administrators. Often, the public was invited to participate, or informed of a direction, at the end of the decision making process which resulted in a reactive stance by the community. There was a general sense that information shared with the public by the City was only lip service as opposed to a genuine interest in engaging people in defining and resolving issues (Bury, 1978, p.182-189).

Over the past 30 years, views regarding public consultation have evolved. There is a broader societal acknowledgement that public engagement in government decision making between elections is important and should be fostered. However, as will be discussed further below and in Chapter 7, history and culture have influenced the patterns present today with respect to public consultation.

6.2 Influence of Regulatory and Policy Framework in Shaping Public Consultation

The provincial legislation governing public consultation provides direction on the minimum requirements necessary. As discussed in Chapter 2, the P&D Act (2007) gives municipal governments that are designated approving authorities the autonomy to have their own minimum consultation requirements by adopting a Public Notice Policy. The legislation also gives municipalities the authority to establish a bylaw to form a publicly appointed MPC to advise City Council on planning and development matters. The City of Saskatoon is an approving authority and has adopted a Public Notice Policy and appointed an MPC. The City has adapted their Public Notice Policy to exceed the minimum requirements prescribed in legislation by adding provision of notice to affected community associations of land use changes and posting notices on the City website. The Cities Act (2003) outlines the legislative framework for the powers of authority and operation of municipal government including Council proceedings, delegated authority, meetings in public and matters requiring public notice.

The Cities Act provides the provision to close Council and committee meetings to the public if dealing with matters that fall within the Local Authority Freedom of Information and Protection Act (FIPA) (1990) (Government of Saskatchewan, 1990). In the SDWR, FIPA's legislation applied in two main areas: 1) receiving advice from officials (Section 16(1)), and; 2) economic and other interests (Section 17(1)). The City fell under criticism at times by the media, some members of the public, and the Information and Privacy Commissioner for unnecessarily holding certain information out of the public domain.

The Public Notice Policy requirements identify the minimum public notice requirements, methods, timeframe and who will be notified directly. Some of the key decisions in the SDWR that required public notice included: amendments to the OCP and Zoning Bylaw (particularly with regards to the DCD1 Guidelines); adoption of the South Downtown Concept Plan, lane closure abutting Parcel Y, and the sale of the Parcel Y for less than fair market value. The legislation does not require public notification regarding the sale of public lands, which was a contentious issue in the SDWR but was never debated publicly. The legislation or policy framework never required this consultation to occur. Notification of stakeholders is determined based on affected interest; those deemed affected are determined at the discretion of Council. It also requires municipalities to ensure they are accountable to the

people who elect them and are responsible for encouraging and enabling public consultation in the governing process. This suggests the legislative leaning is toward a more participative democracy than simply representative and that consultation occur on an ongoing basis. Over the course of the SDWR, the City met the legislative requirements and their Public Notice Policy on matters requiring public notice. In fact, the City undertook more consultation than required by legislation and advertised and promoted consultation opportunities beyond their Public Notice Policy requirements. However, the City did not follow its public consultation policy within the OCP.

The City has adopted into the OCP a policy statement respecting Public Consultations in the Planning Process. The policy, which is suggested in legislation but not required, was created to demonstrate a commitment to public consultation on all planning matters of public interest (Technical Research Interview, 2011). The policy contains principles such as: decisions must be made in a context that is sensitive and responsible to public concerns and values; engagement process must demonstrate openness, honesty, transparency of purpose as well as communication of results; respectful of decision making protocols; and, demonstrated commitment to being time-sensitive and cost-effective (City of Saskatoon, 2006a, p.i-iv). The City of Saskatoon Community Engagement Process Manual (2006) identifies five steps to community engagement in planning: 1) deciding whether to engage; 2) planning the engagement strategy; 3) implementation; 4) reporting back; and, 5) evaluation.

Even though the City Council adopted the Community Engagement Process in 2004, the City did not apply the principles and community engagement steps in planning the SDWR. There simply was no community engagement strategy developed. Consultation for different projects on the site occurred in isolation of each other. There were no implementation plans and there was no direct report back to members of the public regarding the outcome of the consultation. Only stakeholders that presented to City Council or advisory committees received a formal acknowledgement from the City on resolutions. Stakeholders that participated in consultations learned about decisions either through the media or word-of-mouth at community events (such as the case with the naming of Isinger Park discussed in Chapter 5). There has been no evaluation of the consultations. None of the consultations provided a feedback form or other opportunities for the public to evaluate the consultation. Comment forms typically left space for “other comments” but there were no explicit requests

for feedback about the consultation process. The public was left to air its frustration in public formats such as letters and presentations to Council. There was no opportunity for deliberative dialogue amongst the City and stakeholders.

On the matters of principle and decisions being made that are “sensitive and responsible to the public concerns,” the challenge is understanding how the public is defined in the policy. On numerous occasions, community stakeholders, a segment of the public, in large numbers expressed views to: conserve heritage; retain public ownership of Parcel Y; undertake a Master Plan for the entire site; and, to be included in creating a vision as well as planning and design at the various stages. Yet, decisions opposite to these requests were made. One public administrator explained that the reason for the incongruence is that people expect their input to influence decisions, but that is not necessarily the point of consulting the public:

I can see why people get cynical about community engagement in the city simply because they don't have a lot of influence...part of this is our history, culture, politics and political culture...As much as we call it community engagement, it is information sharing only...I don't think the public understands that engagement isn't to do what you want, but to tell us what you think and whether we do what is asked is not the point, it's that you get the opportunity [to provide input] (Technical Stakeholder Research Interview, 2011).

If the public is only consulted to provide input, then this comes back to step one: defining the purpose of the consultation and communicating this to stakeholders. It is evident in the SDWR that the expectations of the community stakeholders to be more involved in the consultation did not align with the City's expectations. However, correspondingly, the City's expectations were not aligned with their consultation policy as the role of the public in the consultations was not clearly defined.

Another example of policy and practice incongruence was the lack of openness and transparency in the consultations for the Traffic Bridge and the Destination Centre. In part, the City was not obligated to undertake any consultation, outside of City Council Chambers, as neither of these projects involved matters requiring public notice.³⁵ The COS Community Engagement Manual provides some further guidance on deciding when to engage from a

³⁵ Public consultation is required at the point in the projects when the City seeks to borrow funds to implement the Council resolutions to build a new Traffic Bridge and Destination Centre.

community point of view and two of the considerations that applied were: significant members of the community were directly affected; and, a significant number of people or particular groups are likely to have strong views on the issue (COS, 2006a).³⁶ The challenge with the Traffic Bridge consultation was that the public was not aware of the consultation parameters, which appeared to change as the project advanced. When the initial consultation occurred, the option for converting the Traffic Bridge into a pedestrian and cyclist-only bridge received the most public support. A few days before the next public consultation occurred, this option was no longer available. The public learned through the media that City Council had limited the options available and an explanation was not provided. In the case of the Destination Centre, the City administration made a unique effort to appoint a community member at large to participate on the project steering committee. The group started a process of proposal calls for the project only to learn, once again through the media, City Council had already, in camera, chosen the Mendel Art Gallery as the anchor tenant for the Destination Centre. The public explanation offered was that federal funding was available and a prompt decision was needed. This reason may be valid but from an outside perspective, the process lacked openness and transparency.

One of the primary reasons given by some public sector stakeholders interviewed was that the project was under tight timelines, which restricted the ability to fully engage the public in the process. In hindsight, the rush to get the project developed was short-sighted. The SDWR was not expedited or more cost effective. An argument could be made that the controversy, lack of transparency and public exclusion in the process resulted in more costs with respect to false project starts and the eventual sale of Parcel Y for far less than market value. As discussed in Chapter 4, good planning practices for successful waterfront developments put the public goals before short-term financial expediency and start with a shared community vision.

³⁶ Eventually with the Traffic Bridge, there will be an environmental component but that has not yet been considered publicly.

6.3 Influence of the Types of Public Consultation on Satisfaction

Table 6.3.1 shows the types of consultation organized into level of involvement, type of process (e.g. group or individual) and ranking according to the total number of times each stakeholder group participated. Public sector and business stakeholders identified being more involved in group based consultations including steering/technical committees, visioning sessions, design charrettes, workshops and focus groups. These types of consultation are more involved and require a higher level of public participation. They require time, dedication, access to information, which is sometimes confidential, and the trust of municipal officials (Yang, 2005). In turn, participants in these types of consultations are granted influence to shape plans and policy directions.

Community stakeholders identified attending individually based consultations that were more informational or consultative such as open houses and completing a comment form. These types of consultation do not provide the opportunity to access information, dialogue and influence outcomes. Effort was made by community stakeholders to create influence through forming group-based processes through the community-led consultations. There are rewards to participating in a group with a common purpose and objective and attempting to provide input into planning and decision making. This type of group formation and identity outside the formal consultation process was a response to the community stakeholder's own needs to feel more included in the process and to try and shape the outcome (Barnes, et al., 2003).

Table 6.3.1 Stakeholder Participation by Consultation Type, Level and Process (Ranked)

Consultation Type	Level Participation	Individual/ Group Process	Rank All Stakeholders	Rank Stakeholder Groups		
				P	B	C
City Council	Involve	Individual	1	2	2	1
Steering/Technical Committee	Involve	Group	2	1	1	6
Public proposal/EOI	Involve	Group	3	4	4	2
Open House	Inform	Individual	4	4	4	3
Media communications (letters or advertisements)	Consult/ Inform	Individual	5	3	5	3
Community-led	Involve	Group	5	0	4	1
One-on-one meeting, call or e-mail with Mayor or Councillor	Involve	Individual	6	0	3	5
Stakeholder meeting	Consult	Group	7	0	4	4
Visioning/Design Charrettes/Workshop	Involve	Group	8	5	3	0
Comment Form	Consult	Individual	9	5	0	5
Focus group	Consult	Group	9	0	4	0
Interview	Consult	Group	10	0	4	0

P = Public sector stakeholder; B = Business stakeholder; C = Community stakeholder

The City has adopted, in part, the Public Participation Spectrum discussed in Chapter 3. There are five levels of participation that comprise the complete spectrum. The City acknowledges the first three levels – inform, consult and involve. The two remaining levels not adopted by the City are collaboration and empowerment. Collaboration is a partnership with the public in each aspect of the decision, including the development of alternatives and identification of the preferred solutions. Empowerment involves placing the final decision in the hands of the public. Though the City has not formally adopted collaboration, the use of steering committees in the SDWR is an example of how the authority for decision making in terms of defining a preliminary vision, goals, concept plans and designs was shared, particularly between public sector and business sector stakeholders (i.e. technical experts, City administrators and BIDs). Overall, the City consistently applied the first two levels of public participation – inform and consult - in the SDWR. However, the “involved” level of

participation was not consistently applied for all stakeholders. Community stakeholders were less represented in consultations requiring a higher level of involvement. They were more likely to be invited to consultations that were “informational” such as open houses and “consultative” such as public and stakeholder meetings. With few exceptions, the public sector and business stakeholders were represented in various consultations considered “involved” such as visioning sessions and workshops. Community-led consultations and attendance at a City Council meeting were significant types of consultations initiated by community stakeholders.

Public sector and business stakeholders indicated in the interviews that they were satisfied or very satisfied with the public consultations (77 per cent and 67 per cent respectively). These two stakeholder groups were given access to more participation options and more involved levels of participation. All the public sector stakeholders had access to information, knowledge of the public consultation plans, influence over who was invited to participate, the ability to provide their perspective and to either shape or decide on direction. Business stakeholders indicated in the interviews they either participated, were invited to participate or felt “enfranchised” to directly influence decisions. They were given choice of involvement and as one business stakeholder shared “we won what we wanted.” Community stakeholders did not have the same sense of “winning.” Their level of satisfaction with the consultation was only 25 per cent. Community stakeholders were invited to participate in one type of involved group process – public proposals/expressions of interest, none of which were successful.

Another consideration to determine whether the types of consultation influenced stakeholder satisfaction is the normative principles of public participation developed by Webler and Tuler (2000). The normative principles include: 1) access to the process; 2) power to influence the process and outcomes; 3) access to information; 4) structural characteristics to promote constructive interaction; 5) facilitation of constructive personal behaviours; 6) adequate analysis; and, 7) enabling of social conditions necessary for future processes. After City Council made the decision to extend 2nd Avenue and demolish the Gathercole building, the public consultation process became more insular and distant from the normative principles. The South Downtown Concept Plan became the foundational document to guide all future planning and development on the site; however, there was no “involved” public

consultation in this process. The vision, principles and concepts were developed by a steering committee comprised of public sector and business stakeholders and a visioning session was held that was by invitation only. The first time the public had input was at two consecutive open houses. The decision to limit the consultation process was due in part to community stakeholders' opposition to the decision to demolish the Gathercole building and the community-led protest that resulted. Barnes, et al., (2003) refer to this as the marginalization of the 'counter-publics' in the dialogical process (p.383). A division between public sector, business and community stakeholders emerged. Community stakeholder views were discarded as the vocal minority and in direct opposition to the silent majority. This view was expressed by one of the public sector stakeholders interviewed:

Imagination gets challenged by fear. The attitude is that by going and talking to the public you're just going to get the same small number of people and know what you're going to hear. Almost an increasing polarized view. The Traffic Bridge was one of the real indicators of this. Even the community vision [Saskatoon Speaks] exercise. When we received the vision [one Councillor said:] "why do I need to listen to 5 per cent of the population?" The people that come to the meeting, show up, and speak their mind, is kind of irrelevant. They are seen as an interest group. The silent majority gets referenced more and more (Public Sector Research Interview, 2011).

The emergence of labeling engaged community members as the vocal minority and everyone else as the silent majority significantly influenced 'enabling the social conditions necessary' for successful consultation throughout the SDWR, particularly for the community stakeholders. The media, as a form of consultation and information exchange, had a significant influence on shaping the public consultation process and views of stakeholders involved. The media was the most accessible source of information available to the public on the South Downtown. In the formative stages of planning the SDWR, the line was drawn by prominent media personalities where popular opinion should reside with respect to the development. All stakeholder groups interviewed identified that the media had both a positive and a negative role. The positive aspect was that the public was kept informed of plans and Council decisions and there was a vehicle available for the public to express their views. On the negative side, concerns were expressed around bias, misinformation and sensationalizing of the events for the purposes of selling papers or persuading public opinion. The influence of

the media had a profound effect on decisions made by stakeholders to stop participating in the consultations as expressed below:

Things like the south downtown or bridge discussions were largely played out in the media – whether it's the Gormley show people are listening to, newspaper articles people are reading or other radio, I often felt there was a desire to create news and dramatize what was going on...often your ideas and words were misconstrued so you felt as though the way the stories rolled out that you were part of a fight more than anything else and I don't think very many people were there for a fight. I think they were there for a vision to see great things happen... But when things became polarized and it became about the fight and people's names were used, people backed away for fear of being on one side or the other of the fight...That fear led a lot of people to back away from the process...Everyone is quite protective of their time. They're quite protective of their reputations. And so, when those two things are disregarded or damaged, they back away from the process and try to find a happier place to spend their time (Community Stakeholder Interview, 2011).

The Star Phoenix and Global Television partnered during a critical juncture of the Gathercole Building and site debate to conduct a scientific poll to determine the public's preferences for redeveloping the site. At that time, 55 per cent of the public surveyed indicated they wanted to keep the Gathercole building but the headline read that the Blairmore Spa was the top pick for the Gathercole site. Editorial decisions such as these shaped public opinion, perceptions ultimately decisions. According to the Spiral of Silence Model first introduced by Noelle-Neumann in 1993, the task for a group whose opinion is shared by a majority of citizens is clear: engage in ongoing public communication in an attempt to reinforce the perception of confidence (i.e. that its opinion is – and will remain – the dominant one). Conversely, the task of a group whose opinion is not shared by the majority is equally clear: use public communication in an attempt to give the impression that its (minority) opinion is either the dominant one or the one with substantial momentum, or to imply the opposing opinion (i.e. the actual majority opinion) is not widely and confidently expressed in public (Salmon & Oshagan, 2009, p.154).

Prominent business groups such as The Partnership and NSBA used a similar approach through non-scientific polling to communicate the preferences of their membership for private development and decisions in favour of expedited development. These polls were regularly published in the Star Phoenix. Overtime the public sentiment began to change to the point where anyone that spoke out publicly in favour of heritage, public ownership or public

involvement in the decisions was labeled as the vocal minority. Eventually these voices became less prominent, which is consistent with the Spiral of Silence Model expressed by Salmon and Oshagan (2009) as follows:

If relatively few people are willing to express an unpopular viewpoint... it will slowly slip from the public consciousness because it has not vocal proponents. Over time, the majority faction will become increasingly confident and its view increasingly pervasive... eventually the proponents of the minority viewpoint, and their sentiment will follow the path of other unpopular, obsolete and dated notions (154).

Further research is required to more fully understand the influence of media and public polling in shaping public opinion and decisions made by municipal councils in land development matters.

6.4 Influence of the Types of Public Consultation on the Overall South Downtown Waterfront Redevelopment

The stakeholder interviews concluded that 83 per cent felt that the public consultation had influence or some influence (ninety-two (92 percent) of public sector, 88 percent business and 62 per cent community respectively). City Council meetings were the most common consultation type accessed by all stakeholders. Stakeholders identified City Council meetings as one of the most and least influential formats for public consultation.

Due to the limited level of involvement (versus opportunity) for community stakeholders to participate in the public consultations, the process often required them to write, attend and present at Council meetings to ensure their views were heard to influence decisions. During the interviews, public sector stakeholders acknowledged that by the time the issue was presented at a Council meeting, little influence over the final decision remained. In almost every instance, City Council did not change or modify its decision to reflect the views of community stakeholders that made the effort to become involved in the Council proceedings. In fact, steps were taken to deter the use of Council meetings for public discourse and debate. Actions such as moving matters involving requests to speak back in the agenda and not asking questions of presenters created further barriers to influence outcomes. The 'structural characteristics to promote constructive interaction' were limited by the Council format already and these measures further discouraged stakeholder involvement. The

community stakeholders that continued to attend the meetings, to write and to present came to understand they would not change the outcome but continued to be involved for the sake of principle and the public record (Community Stakeholder Research Interview, 2011). The one anomaly to this pattern was the sale of Parcel Y to Victory Majors. City Council received more than 100 letters from business stakeholders supporting the sale of the land. Council approved the unilateral sale to Victory Majors without public tender and for \$6 million less than market value. In this instance, stakeholder involvement at the final stage of decision making did have an influence. One public sector stakeholder interviewed acknowledged the anomaly stating:

[The process] was not fair, especially with regards to Parcel Y and not giving all developers the same concession. [Council] got caught up in simply making something happen.... There was also a sense that there was compliance...the consultation didn't matter as it didn't change the decisions (Public Sector Research Interview, 2011).

According to Adams, 2004, Council meetings or public hearings are not venues well suited for reconciling opposing views (p.43). Deliberation amongst stakeholders and elected officials needs to occur before an issue is tabled at the Council Chambers and through methods that facilitate discussion and understanding. Alternative approaches could have included: listening sessions where Council members participate as audience members and listen to individual and group presentations that are given outside the Council Chambers (Webler and Tuler, 2000); electronic town hall meetings that allow citizens to deliberate over policy issues using a mix of face-to-face deliberation and communication through technology (Adams, 2004); open calls for the general public to participate on a citizen panel or citizen jury comprised of broad public representation that deliberate and shape public policy matters (Haight and Ginger, 2000); crowd-sourcing as a distributive problem solving model that invites people to work together online within an electronic forum to solve a problem; and, deliberative opinion polls where a random sample of the public is selected to deliberate on an issue and propose recommendations to inform Council decisions. Research has shown this method to reflect what the public at large would have decided if they had deliberated the issues themselves (Fishkin, 1991). Even with the existing types of consultations used in the SDWR, little effort was made to ensure the voices of marginalized or less vocal populations were represented in the plans and decisions. Women, First Nation, Métis, immigrant, youth,

persons with disabilities and low income groups were underrepresented in the consultations. The view by some stakeholders interviewed, particularly the public sector and the business stakeholders was that the general public did not do its part to be involved in the consultation:

The City of Saskatoon did their part. Citizens didn't do their part. The citizens didn't show up. Two hundred and sixty thousand (260,000) residents needed to know what was going on. It's up to the citizens to stay informed. They have access to libraries, computers, schools, churches and so on (Business Sector Research Interview, 2011).

Henry Milner (2002) and Robert Putnam (1993) both theorize that a public that is educated in civic matters and consistently invited by local government to be involved will participate. However, the change does not happen in a single event or simply at election time. Sustained effort and commitment are required to provide and maintain access for the public to become more involved in government decision making through participatory efforts. The public needs to see that its involvement is valued and will inform decisions. The polarization of views in the early stages of the SDWR assisted in distancing the broader public from becoming involved.

As discussed at the beginning of this chapter, another contributing factor for disengagement is the longstanding culture within the municipal government that engaged citizens have a self-vested interest or are anti-progress. Clearly significant progress has been made since the 1970s when the City of Saskatoon did not proactively include the public in the planning process. The SDWR serves to demonstrate the progression from this time to present and the steps still required for the City to meet the policy principles it has defined for engaging the public. This will need to include attention to adopting a public participation evaluation framework introduced by Rowe and Frewer (2000) that includes acceptance (i.e. early involvement, influence and transparency) and process criteria (i.e. access to information, task definition and structured decision making) for public consultations.

When taken all together, the types of public consultation used in the SDWR had influence beyond decisions concerning physical aspects of the project. People's lives were impacted at various consultation points in the development. Individuals, groups and the broader public learned through their respective experiences what was considered desirable or appropriate for the SDWR both in terms of the development and the role of the public in decision making. Consideration of the broader and lasting meaning resulting from a public

consultation should be factored into early decisions about who participates and how they participate.

6.5 Summary and Conclusions

This chapter considered how the regulatory and policy frameworks shaped public consultation in the SDWR, how the types of consultation influenced stakeholder satisfaction and the overall decisions and outcomes on the site. The analysis demonstrated that the legislative framework created the overarching governing structure guiding public consultation, particularly with respect to Council meetings and public hearings. The City has developed public consultation policies in addition to what is required by legislation. A spectrum of involvement was developed and was followed fairly consistently with distinction made between stakeholder groups regarding their involvement levels. Public sector and business stakeholders were invited to participate in activities that had greater influence over shaping decisions. Community stakeholders were invited to participate in consultations that had less influence over decisions.

The types of consultation used did influence satisfaction. Stakeholders that participated or had the invitation to participate in more involved types of consultation expressed a higher degree of confidence that the consultations had an influence on the SDWR. The community stakeholders that were excluded from the more involved consultations did not see the influence of their contribution or the consultation in the outcomes as clearly. However, generally the stakeholders interviewed expressed some optimism that their contribution had some impact. Arguably many aspects of the various stakeholder contributions over time have been adapted into the SDWR. The incorporation of these ideas – theatre, arts, market, play, food and festival - may be more a matter of a collective awareness of the key elements necessary for a successful public waterfront development than a direct reflection of the public consultations.

The City's public consultation policies and principle that exist were not followed consistently. The City did not develop a consultation strategy or follow the steps associated such as communicating outcomes, receiving feedback about the process and evaluating. The principles of openness, honesty, transparency of purpose were not consistently adhered. On several occasions, City Council was not forthcoming with the public about decisions that had

been made and allowed consultation processes to proceed without the public having knowledge that options were not available and decision already made. The media perpetuated the classification of winners and losers and the silent majority giving the impression that people speaking of views different from those proposed, were in fact not credible and a minority view. These collective actions influenced public perceptions, Council decisions and the choices by some stakeholders to disengage from the process altogether.

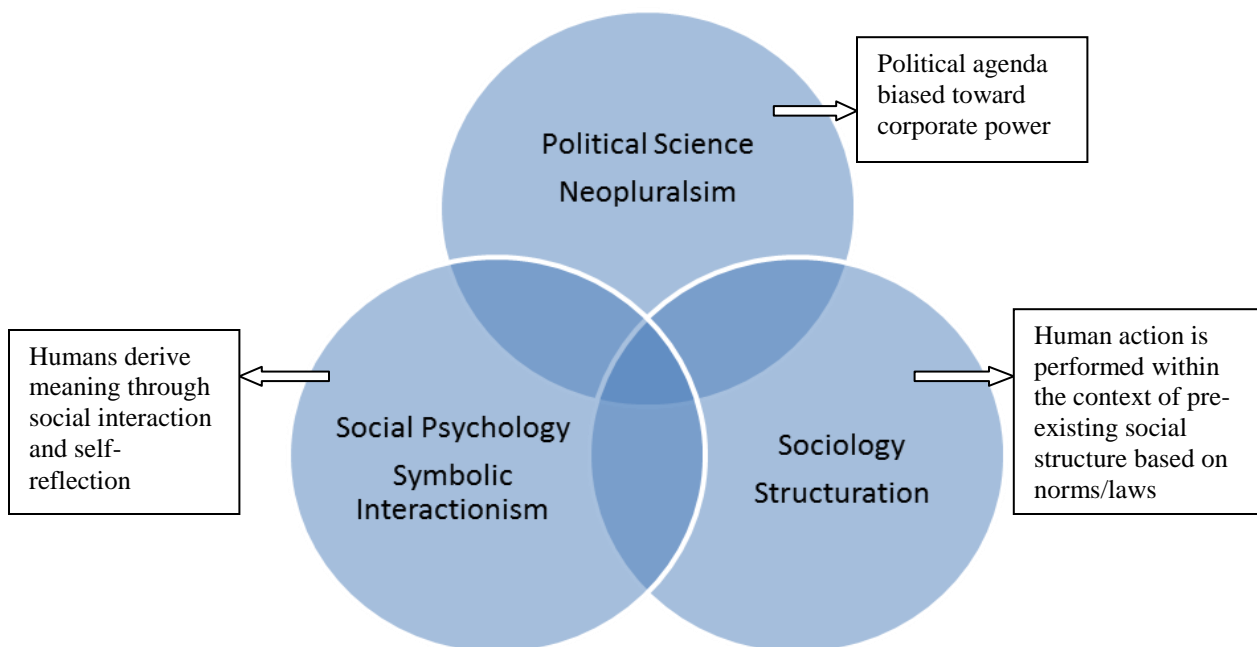
CHAPTER 7

ANALYSIS OF MAJOR FINDINGS BASED ON THREE THEORETICAL PERSPECTIVES

7.1 Introduction

This chapter provides an interdisciplinary analysis of the major research findings of the public consultation process by drawing on the disciplines of political science, sociology and applied social psychology. The theoretical frameworks that will form the analysis are shown in Figure 7.1.1 and include neopluralism, structuration and symbolic interactionism. Within the theoretical context of neopluralism, consideration will be given to the influence of the regulatory system and supplementary public consultations in the involvement of stakeholder groups in the SDWR. In applying structuration theory, there will be analysis of how existing social structures such as policies, consultation methods, stakeholder groups and views on public consultation influenced decisions and development on the site. By drawing on the theory of symbolic interactionism, consideration will be given to the meaning of public consultation for the different stakeholder groups based on their involvement.

Figure 7.1.1 Interdisciplinary Theoretical Model of Analysis



The approach taken in this chapter is to consider the key concepts presented in each theory and ask whether they provide insight into the underlying dynamics shaping the public consultation process. Consideration will also be given to where there are similarities and differences between the theories and where future interdisciplinary studies in the field of public consultation may be beneficial.

7.2 Neopluralism and the Consultation Process

The theory of neopluralism is rooted in its predecessor pluralism. Pluralism is concerned with, in part, the influence of interest groups on democratic governance including the actions and decisions of government and its institutions where the state acts as a mediator among competing interests. Neopluralism gives more credence to the role and strata of interest groups, their structural foundations and policy arenas that influence political systems. Interest groups are not considered equal. Corporate and professional elites are viewed as having more power and influence over policy direction and government decisions than other stakeholders (Hicks and Lechner, 2005, p.64). Policy and government decisions take place within a political process model based on four assumptions:

1. Political process is normally relevant to questions concerning power, policy making and interest groups in some field of action.
2. Causation in that A has power over B to the extent that A causes changes in B's behaviour in the direction of A's intentions. Power is causing change in the behaviour of others.
3. Power and policy making may vary within different policy issues and as such should be studied within specific domains (e.g. public consultation or taxation policy).
4. Self-definition of interests that recognizes subjects sometimes redefine their interpretation of interest in a process with and learning from others in the political process (McFarland, 2004, p.4).

Public consultation can bring together different interest groups to inform and influence a policy direction. There were numerous consultations over the past ten years regarding the SDWR. However, none of the consultations made an attempt to bring together all interest groups to create a shared or common vision or purpose. The role of community stakeholders was characterized as having unrealistic expectations, wanting something on someone else's dime and being against growth and development as expressed by the interview participant:

There was an alliance of private versus public and anyone that saw the private as the way became more listened to. Anyone that said public ownership was seen as the ones being wasteful: we're the ones not caring. And, the irony of it all is the amount of public funding that has been spent to subsidize a private investment is way more than if they'd just spent the \$6 million at the beginning to get something going (Community Stakeholder Research Interview, 2011).

The media, elected representatives, municipal officials and business stakeholders (those with power), all contributed to casting the community in this light. This resulted in the level of involvement in the consultation to be diminished where only certain groups, and more specifically, business stakeholders, were invited to participate in more involved public consultations.

When the civic election occurred in 2003, a new mayor and several new Councillors were elected. The mandate was a clear pro-business and open for growth agenda. The immediate decision of the Council was to rescind previous political decisions to establish a CDC to oversee development, including the adaptive reuse of the Gathercole Building. The media demonstrated a clear bias toward the new agenda and business lobby groups gathered their evidence to support the new direction. The community's lobby effort in terms of sheer amount far exceeded the business effort at this critical juncture in the SDWR. It had no immediate effect. The Council did not establish a CDC, create a Master Plan, maintain significant heritage structures on the site, retain ownership of Parcel Y or include the public in visioning and planning the site. There was no consultation on these items. The election was considered the only consultation necessary. From this point forward, community stakeholders, with few exceptions, were invited to attend consultations that were informational and offered some opportunity for input. Conversely, business stakeholders and professional elites such as architects, engineers and designers were invited to shape and influence goals, plans and policy. The Council's actions sent a signal that some public voices held greater importance than others in the SDWR:

From certain Councillors, we kept getting told about the, quote unquote, silent majority that never showed up at Council. That was enough to say it didn't matter that there were thousands of people that were saying that this was important. It was only important if you didn't show up. Otherwise the thousands that did show up were only seen as the minority and a special interest... Yet, if it went the other way and there was a small voice but it

went the way of development towards private. There was a bias to listen to that (Community Stakeholder Research Interview, 2011).

The City's own structures influenced the interception of the stakeholders within the public domain and further perpetuated the inequity and conflict. City Council meetings were the primary venue for the views and interests of stakeholders to be heard. The structure of the Council meetings was a de facto source of conflict. There was no opportunity for dialogue, to find commonality, to change course. By the time an issue was tabled at City Council, the decision had already been made. City Council approved nearly every recommendation presented by the administration. The reports presented to Council were often completely void of community dissention on issues or other policy considerations, and only indicated generally that consultation occurred. The receipt of letters and presence of community stakeholders had little to no bearing on decisions made between November 2003 and November 2010. The one exception is when business stakeholders organized to submit more than 100 letters in support of selling Parcel Y to Victory Majors.

There is a broader societal pattern of political bias toward business interests including free markets, private ownership and laissez-fair state (Wolfe, 2002). According to John Friedman (1998), the most significant issue in planning is ambivalence about power (pg.249). Throughout North America, difficulties have emerged in establishing inclusive and successful waterfront redevelopments (Wakefield, 2006; Bunce and Desfor, 2007). Saskatoon is not an island. The governing process, governing institutions and the governed have been influenced by these patterns. The views and values toward public consultation in the SDWR were, in part, a reflection of the current emphasis on capital over social development. In reality, a balance of business and community interests is required for sustainable development (Jennings, 2004). Over ten years, the City invested over \$130 million in public funding to develop the South Downtown. There was no private investment. The early decision to extend 2nd Avenue and assemble larger parcels of land resulted in squeezing out local developers and excluding the possibility of smaller scale projects. Concerns about building massing and the scale of development were lost in favour of attracting a mega-project that would define and position Saskatoon as a world class city.

7.3 Structuration and the Consultation Process

The theory of structuration holds that all human action is performed within the context of a pre-existing social structure which is governed by a set of norms and/or laws. Human action is at least partly predetermined based on the varying contextual rules under which it occurs. The structure and rules are not permanent and external, but sustained and modified by human action. The application of structural theory provides a lens to consider macro structures such as legislation and policy governing public consultations in interplay with micro social structures such as how individuals (agents) interpret, interact, experience and influence macro structures including societal norms. The integration of agents and structure is reflexive, recursive and occurs over time and space (Giddens, 1984). The structures of the past influence the present. Structures change over time by the constant interaction between agents and institutions. There is a bidirectional relationship in which both are influencing and being influenced simultaneously. Giddens describes this dynamic as the duality of structure. The properties of social systems are both medium and outcome of the practices they recursively organize. Structure is both enabling and constraining (p.25).

Public consultation in the SDWR was influenced by both macro and micro structures that have developed over time. The Moriyama 100 Year Concept Plan (1979) was developed when public consultation was first taking shape as a new approach to planning in North America. The vision and plan were defined by the consultant and select stakeholders largely comprised of public officials and technical experts. There was no extensive public involvement though there was the opportunity for public input. The overall vision of the plan held that the riverbank lands remain contiguous, publicly owned and accessible. The vision reinforced the broader values of the public shared when Saskatoon was incorporated and formed the basis of future policy respecting ongoing development along the riverbank. It was in this plan that the concept of the South Downtown as a public gathering place, with a market, arts, music, food and fun for all was first introduced. Since that time, elected representatives, public administrators, business and community stakeholders and the broader public eagerly awaited the opportunity to make the vision into a reality.

When the Mayor's Task Force completed its version of the South Downtown Plan (1989), there had been minimal change in the extent of the public's involvement in shaping the plan. Business and technical stakeholders were invited to participate in steering and

technical committees, the Mayor met with stakeholder groups, advisory committees had input and the plan was debated at Council. Community stakeholders were not given an active role in shaping the plan. Conflict did erupt with community stakeholders over the heritage significance of the site and preservation of the Gathercole Building. As has been the case historically (and to present day) legislation, policies and incentives had little meaning for elected representatives who decided a vacant site provided greater potential for development than preserving historical buildings. By the time the City officially took full ownership of the Gathercole Building and site in 2002, thereby catalyzing the SDWR, societal expectations regarding the role of public consultation had changed substantially.

By the beginning of the 21st Century, the public expected greater government transparency and accountability, access to information, options for engagement, ability to influence decisions and to know that their input was heard and considered. In part, the City adapted to changing public expectations. The provincial legislation had evolved to place greater emphasis on the need and importance of public consultation and the City fully adopted and exceeded these requirements in its own Public Notice Policy and practices.

The City held close to one hundred consultations during the SDWR between 2000 and 2010. Clearly the public's expectations to be included had influence. However, the practice of inviting technical experts and business stakeholders to work with the public sector, to establish the vision and conceptual plans remained. The general public and community stakeholders were only invited to give their input into plans that were already largely defined. When the public tried to exert greater influence in shaping the consultation process, vision and plans, the main venue available for influence was City Council meetings. In 2004, City officials purposely adopted an exclusively open house format to constrain open public dialogue. The only place available for public 'dialogue' was community-led consultations, public opinion forums in the newspaper, and City Council meetings. The structure of Council meetings (and the media for that matter) furthered the isolation of stakeholder groups from each other and Council, especially those speaking in opposition to the recommendations being advanced. The conflict further enforced the view for some Councillors, public administrators, media and business stakeholders that the involved public and community stakeholders were unreasonable. They were seen as representing a minority viewpoint, and as such no amount of consultation would appease their interests. Conversely, public and community stakeholders

were further marginalized, distrustful and unsatisfied with the consultations. The patterns were a self-fulfilling prophecy. As Giddens states, social systems are “reproduced relationships between actors or collectives organized as regular social practices” (p.17).

In structuration theory, recognition is given to the use of power to conceptualize “relations of autonomy and dependence between actors in which these actors draw upon and reproduce structural properties of domination” (Zaheer, 1991, p.223). Government is structurally hierarchical and has responsibility for, and control over, public resources. The views and actions of elected representatives, especially the Mayor, have influence over the policies and practices that are adopted and implemented.

In 2005, City Council approved amendments to the OCP to include policy respecting public consultation in the planning. However, the City struggled to achieve the principles outlined in the policy, particularly around openness, honesty and transparency through the SDWR. Several public consultation processes – such as the Traffic Bridge and Destination Centre – were meaningless as a result of in camera planning and decision making by Executive Council. These actions and decisions undermined the administration’s attempts to meet the public’s expectations respecting public consultation. Without key positions of power adhering to the public consultation policies, they were unable to take effect.

There was disconnection between the City’s Community Engagement Model that commits to inform, consult and involve but not collaborate or empower the public. During the SDWR, the community stakeholders were asking for collaboration and to be more involved when clearly the City had no intention of moving in this direction. The outcome resulted in community stakeholders being less satisfied and feeling they had less influence over the SDWR. It also resulted in community stakeholders disengaging from the SDWR. In 2010, when both the Traffic Bridge and sale of Parcel Y were before City Council, community stakeholders were no longer as actively engaged in attempting to influence decisions. Yet, it is exactly the disengagement of the general public and community stakeholders that governing institutions are in theory trying to reverse. This outcome – of moving in the direction opposed than intended - is described by Giddens (1984) as an unintended consequence where:

a pattern resulting from a complex of individual activities....a definite ‘end result’ is taken as the phenomenon to be explained and that end result is shown to derive as an unintended consequence from an aggregate of courses of intentional conduct (p.13).

On one hand the City wanted to give the opportunity for public input but when community stakeholders spoke out, they were discounted and discredited ultimately resulting in their disengaging. This in turn sends a signal to other community stakeholders that there is a limited role and little value in being involved in the democratic process of public consultation.

7.4 Symbolic Interactionism and the Consultation Process

Symbolic Interactionism (SI) is a social psychology theory that considers the formation, influence and interactive nature of meaning among and between the self, individuals, groups, institutions and nations. The focus is on the actor at a micro level of analysis. Herbert Blumer (1969) introduced the idea that “meaning [in the social sciences] is either taken for granted, and thus pushed aside as unimportant or it is regarded as a mere neutral link between the factors responsible for human behaviour and this behaviour is a product of such factors (p.2). SI was developed to fill the gap in understanding how humans derive meaning and how meaning influences decisions and actions (behaviours). In the still newly forming academic field of public consultation, there is a similar void of meaning. In recent studies, meaning has received cursory consideration as a statement of importance as opposed to an understanding of a reflexive relationship that is influencing and being influenced through the public consultation experience either directly or indirectly (Stoney and Elgersma, 2007; Yang, 2005). The application of SI in this context seeks to understand how meaning shapes the individual, stakeholder groups and government views about public consultation. SI also provides a theoretical lens for considering whether consultation processes in and of themselves can shape and influence meaning about the self, stakeholder group and government as a whole.

In their 1975 work, Meltzer, Petras and Reynolds (1975) review Blumer’s foundational work on SI and its organization around three premises: 1) human beings act towards things on the basis of the meanings they have for them (e.g. other people, institutions, personal values); 2) meanings are a product of social interactions in human society; and, 3) meanings are modified and handled through an interpretive process that is used by each individual in dealing with things encountered (p.1). It is understood that individuals influence meaning through social interaction and interpretation. Similar to structuration, SI incorporates

at a micro level both structure and agency. The individual and society are inseparable units, mutually interdependent. Society is not rooted in predetermined rules and structures; rather through social process and self-reflection, individuals take joint action through shared meaning to establish, uphold and reform patterns which influences structures (such as institutions and government) (Katovich and Maines, 2003, p.297). Also similar to structuration is that SI views collective or joint action (such as the formation of a group or policy) as intrinsically linked to past actions and therefore past meaning.

A new kind of joint action never comes into existence apart from such a background. The new form of joint actions always emerges out of and is connected with a context of previous joint action. Joint action not only represents a horizontal linkage, so to speak, of the activities of the participants, but also a vertical linkage with previous joint action (Blumers, 1969, p.18).

Individuals form groups with shared meanings such as political parties, community groups and business associations. SI researchers, Katovich, Miller and Stewart (2003) have determined that before people can engage in collective action together, congruent identities must be formed through reciprocating and acknowledging similarities and creating in a shared social objective. (p.125). This idea is present in Webler and Tuler's (2000) normative public participation principle to "create the social conditions necessary for future processes" to occur and succeed (p.578). One of the significant limitations of the public consultations in the SDWR was that a shared vision was not developed amongst all stakeholder groups. According to SI theorists, a sense of shared purpose or meaning is the sine qua non for successful cooperation within and between individuals, groups, institutions and so on (Katovich, et al, p.133). The lack of a shared vision between public sector, business and community stakeholders throughout the SDWR resulted in conflict. When taken together, each group appeared to have a different sense of meaning of the project. This meaning has been shaped over time as different individuals and groups have interacted to influence the project.

In 2004, the City attempted to establish a shared concept of the SDWR among stakeholders through the DCD1 and the South Downtown Concept Plan consultations. However, by this time some fundamental decisions – such as private ownership of Parcel Y - had already been made that segregated rather than aligned interest. The interviews of public

sector stakeholders show a pattern of belief that not all interests could be appeased. However, there was no significant attempt to understand the underlying meaning for individuals and stakeholders and how these interests could be incorporated into the development. Many elements of the development that were important to all stakeholders such as the waterfront park, Farmers' Market and theatre are now incorporated into the site. Other aspects, such as retention of the heritage buildings (for community stakeholders) and removal of the DCD1 (for business stakeholders) have not been incorporated into the site. People generally accept that there are compromises in planning and development. But the depth of meaning or value placed on some aspects of the development was not given an appropriate forum to be communicated, understood and resolved. In some instances, such as the Traffic Bridge, there was simply no explanation given of why City Council removed the most preferred option, a bicycle and pedestrian bridge, from the debate. All stakeholder groups acknowledged that the project has been and will continue to be negatively affected by this communication breakdown. Rather than the focus being on the SDWR, it became more about questions of how and why certain decisions were made, the role of the public is in government decisions making, and who government represents.

Part of the challenge was that the types of public consultation chosen to inform the SDWR. If all stakeholder groups (and the broader public) had been invited to participate in the more involved types of consultations, the opportunity to establish shared understanding and meaning could have been developed. Instead, the methods chosen further perpetuated the differences. The public sector and business stakeholders were invited to participate in more involved and dialectic consultations and as such had a high degree of shared satisfaction and belief that the consultations influenced the SDWR. Part of the explanation offered for the limited level of involvement of community stakeholders was that there simply was not sufficient time, though work on the site has been continuous since 2003. The matter was not so much about the timeline involved as rather the level of confidence and value placed on the views of certain stakeholder interests over others.

From the public sector and in particular the political perspective, the success of the SDWR is imperative. A substantial amount of time, effort and resources has been dedicated to revitalizing the site into a successful waterfront development. The success of the site will depend, in part, on how the public at large views and attaches meaning to the site. According

to SI theorists, “a commonly accepted account of how the world works can make the world work in that way” (Edgley, 2003, p.158). This is particularly relevant in the creation of a legacy, which is the intended outcome for the SDWR. The project has been mired in controversy, creating division amongst stakeholders. It has not, as of yet, created a sense of shared meaning and purpose for the Saskatoon community.

7.5 Summary and Conclusions

The approach taken in this chapter was to consider the key concepts presented in the theories of neopluralism, structuration and symbolic interactionism and to ask whether they provide insight into the dynamics shaping the public consultation process. Each of the theories offers an important lens on public consultation. Neopluralism provides a framework from which to view the influence of stakeholders, particularly corporate and professional elites, on government decision making. During the SDWR, the City’s public consultations marginalized community stakeholders. Business stakeholders were given opportunities to participate in more involved public consultations and Council decisions tended to align with prominent business interests, including the media. Structuration theory considers the micro and macro social structures and how individuals and institutions reflexively and recursively influence each other. The City did respond to increased expectations for public consultations by adopting policies and principles that formalized consultation requirements beyond legislative requirements. There were more consultations than required by legislation. According to structuration theory, the breakdown occurred in the historical social practices of the City in routinely drawing on the same types of consultations methods – such as open houses – when seeking broader stakeholder input. The expectations of the community stakeholders for involvement were greater than the options provided. Symbolic interaction is concerned with meaning and how meaning is derived and influenced through social interaction. For shared meaning to be developed stakeholder groups need to work together to establish a common vision or principles from which to work. The opportunity for the different stakeholders to work together to create a shared vision was not provided in the SDWR. The vision was developed largely by public sector and business interests (including consultants). The different levels of involvement in establishing and defining meaning for the site influenced whether stakeholders felt their involvement mattered and hence if they were

satisfied with the development. Each of the theories has relevance in local government studies, urban planning, policy development, stakeholder analysis and public consultation. Future research in public consultation would benefit from a thorough, empirical analysis of the interception of these interdisciplinary studies in understanding how to improve the consultation process, experience and outcome.

CHAPTER 8

SUMMARY AND SIGNIFICANCE OF THE FINDINGS AND CONCLUSIONS

8.1 Introduction

This chapter provides a summary of the research findings with respect to the influence of the legislative and policy framework governing public consultations in the SDWR. Brief consideration is given to the significant empirical findings of stakeholder involvement in public consultations between 2000 and 2010, including the influence of the types of consultation on satisfaction for stakeholder groups. The findings are considered within the context of prominent models of public participation. A summary of the theoretical research results on the role of public consultation in democracy and specifically regarding land developments is also provided. The chapter concludes with recommendations to improve public consultation, openness and transparency and public satisfaction with consultations as well as areas for further study.

The SDWR is the largest and most complex revitalization effort that has been undertaken by the City of Saskatoon. From determining the future of the Gathercole Building, creating concept plans, rezoning, remediating contaminated sites, negotiating land sales and selecting landmarks, the project has garnered an extensive array of public consultations. Elected representatives, administrators, business owners, community members and media have consistently referred to the site as the most valuable piece of real estate in the country. Since the visionary and foundational Moriyama 100 Year Concept Plan, the site's purpose has been to create a legacy for future generations to take pride in, as expressed in the following stakeholder interview:

People wanted the South Downtown to be something for the city: something for the community. And the dreams never got any smaller despite the challenging economic times. The dream has its roots in the Moriyama report. People liked what that said. People had the sense that Saskatoon had potential to be a lot more than what it was. This would be evidence that something could go in this part of the city that would really catch the world's attention... The dream was fostered by councils and newspapers that bought into it. We all knew it was important. You couldn't talk to people without them believing this would be evidence of when we made it: when something down there came to fruition. There is something great about this city and [development on this site] will demonstrate this (Business Sector Research Interview, 2012).

Over time, substantial financial and human resources by public sector, business and community stakeholders have been invested to create this legacy. The journey has not been easy. It has been fraught with frustration, conflict and false starts. There have been numerous public consultations to inform the plans necessary for development to occur in the South Downtown. These consultations did not serve to bring stakeholders together under a unified vision for the site. Instead, further division resulted among public, business and community stakeholders. The site is starting to house the necessary elements of successful waterfront developments such as a live performance theatre, Farmers' Market and various festivals. However, the long-term success of SDWR will be contingent upon a shared vision, pride and a personal sense of ownership for the activities on the site by all community members.

8.2 Summary of Findings on Influences of the Regulatory Framework and Public Consultations

The SDWR is governed by a complex, overlapping, interjurisdictional regulatory framework. The P&D Act (2007) and the Cities Act (2003) are the primary legislation guiding public consultation in the SDWR. The City has adopted a Public Notice Bylaw that outlines the public consultations requirements specific to its jurisdiction. The requirements closely mirror those outlined in the P&D Act with the exception of two additions: public hearing notices are posted in the City's website ten (10) days before the hearing; and, community associations are notified of discretionary land use applications occurring in their neighbourhoods. The City has further exceeded the policy requirements by incorporating public consultation policies and principles into the OCP. In support of this policy, the City has developed a Community Engagement Process Manual to guide civic departments through the public consultation process. A full-time staff resource has been allocated to assist the administration with implementing the policies, carrying out planning and facilitating public consultations. Over the course of the SDWR, the City has held many more consultations than was required by legislation. In total, 81 separate consultation events were held when consultation was only required for approximately twenty (20) different decisions. The City succeeded in meeting its policy objectives to ensure the public was informed and consulted in a timely matter. Public notices consistently appeared in the newspaper within the required timelines for new bylaws or amendments. Where the City struggled was in meeting its public

consultation principles in two areas: first, decisions were not consistently made that were sensitive and responsible to public concerns and values; and, second, the community engagement process did not consistently demonstrate openness, honesty and transparency. The role of advisory committees such as the MPC and MHAC to influence and inform City Council decisions was largely underutilized. On several occasions, the MHAC attempted to provide information about heritage assets in the South Downtown but was consistently unsuccessful. The MHAC was further distanced from Council in 2004, when it was no longer granted the courtesy to present its recommendations directly during City Council meetings. The MPC has the inherent authority to facilitate independent public consultations and undertake studies for the purposes of informing recommendations to City Council. The MPC did not utilize this authority and was largely viewed throughout the SDWR as a rubber stamp in the decision making process. On the few occasions MPC proposed additional considerations in the SDWR (such as the Lake Placid Development) City Council did not alter its decisions to incorporate this input.

The SDWR resides within the MVA conservation zone and is subject to the associated legislation and policies. The MVA Act (1979) requires that any development within the conservation zone be subject to approval by the MVA Board of Directors. The MVA Act has legislative authority over the P&D Act where a discrepancy between the two Acts exists. The MVA Act gives the MVA a broad range of authority to protect and manage the conservation zone, including regulating the use of public land and prohibiting or restricting uses. In 2004, the MVA relinquished some of its autonomy by adopting the City's DCD1 Guidelines in place of the MVA South Downtown District Development Policy. This decision was premised on the need to unify the approach between the City and MVA, reduce regulatory overlap and improve development certainty. This decision has not reduced the steps in the review process as developers still need to apply to both the City and MVA for development approval and as such there are two separate public notice requirements, two different review committees, and two different governing bodies. Elected municipal representatives now comprise four of the twelve MVA Board members. This has resulted in public criticism that a perceived or real conflict of interest exists for most developments on the SDWR as the City has been the primary development applicant. Amongst stakeholders interviewed, there is a general sentiment that the MVA has become a rubber stamp for City-led development in the SDWR.

This is validated by the fact that all development applications approved by the City have been approved by the MVA with no additional requirements pertaining to the nine (9) conservation zone policy areas. Similar to MPC and MHAC, the MVA's Development Review Committee identified concerns and provided suggestions on amendments to recommendations for development, but none of these suggestions resulted in binding resolutions for the developer. However, arguments have been made that the close working relationship between the City and the MVA allows most policy disagreements to be resolved prior to rendering a final decision. The missed opportunity was that the MVA was unable to gain the necessary traction to lead its own public dialogues respecting the SDWR.

8.3 Summary and Significance of the Findings on the Theoretical Perspectives and Empirical Findings

There were thirteen (13) key events that influenced decisions in the SDWR and eighty one (81) distinct opportunities for public consultation. Eleven (11) different types of consultation were used. City Council meetings, including public hearings was the most common method of consultation utilized by the public either through direct attendance, letters submitted or presentations to Council.

Community stakeholders took exceptional effort beyond the City's formal consultation process to engage members of the public. Community-led consultations such as open houses, visioning sessions, public meetings and petitions were the second most common type of public consultation utilized in the SDWR. Since 2003, community-led consultations on the SDWR have not influenced decisions made by City Council.

The use of appointed technical and advisory committees was the third most common consultation method used followed by City-led open houses and public forums. Public sector and business stakeholders were invited by the City to participate in more involved types of consultations with more influence over decisions such as appointed committees, steering groups and visioning sessions. Community stakeholders were invited to less involved consultations with less influence over decisions such as open houses and public forums.

There was a consistent reliance on the same people to represent the public interest on steering and advisory committees. These individuals were often granted the power to determine who would be included in broader consultations. There was a lack of representation

from women, First Nations, Métis, new immigrants, youth, seniors and persons with disabilities on steering committees and advisory groups. There was no documentation of broader representativeness in the consultations. The results of the public consultations were not consistently reported and diverging views to recommendations put forth were often absent from City Council reports.

Sherry Arnstein's 1969 Ladder of Citizen Participation is the most referenced model of public participation in academic literature. The SDWR consultations fell within the lower rungs of Arnstein's Ladder, defined as token or contrived participation. This is mostly the result of limited opportunities for the public to participate in more involved types of public consultations that could directly influence visions, plans and decision making. The City of Saskatoon has adopted a Community Engagement Model that adapts the Public Participation Spectrum created by IAP2. The original Public Participation Spectrum includes five levels of participation: inform, consult, involve, collaborate and empower. Each level of the Public Participation Spectrum corresponds with an increasing level of public impact on decision making. The City has only adopted the first three levels of participation. This limited commitment to more involved levels of consultation was reflective in the types of consultation used in the SDWR.

According to Rowe and Frewer (2000), the types of consultation should vary based on the purpose and goal for engaging the public. There are dozens of consultation types available and the list continues to grow with increased Internet usage. The level of involvement by the public can range from low to medium to high and can be divided into either individual or group participation. Each type of consultation will vary somewhat by scale, effort, skill, time and commitment. Group processes that require a high level of involvement include advisory/steering/technical committees. Participation in this type of consultation requires time, dedication, access to information that is sometimes confidential, and trust of municipal officials (Yang, 2005). In the SDWR public consultations, public sector and business stakeholders were most represented in this form of consultation. Community stakeholders were included in less involved, informational types of consultations (such as opening houses), which do not provide the same opportunity to dialogue and influence outcomes.

Sixty (60) per cent of stakeholders interviewed for this study were either very satisfied or satisfied with the public consultations. Public sector stakeholders were most satisfied at 76

per cent, followed by business stakeholders at 66 per cent and then community stakeholders at 25 per cent. The most common reason for being satisfied expressed by all stakeholders interviewed was the aesthetic appearance of the riverfront park. One of the most common reasons identified for not being satisfied was uncertainty whether the consultation had an impact on the final decisions. Overall, 83 per cent of the stakeholders interviewed felt that the consultations had influence or some influence on decisions impacting the SDWR. Community stakeholders were the least represented in this group at 62 per cent. The type of consultation a stakeholder participated in had influence on satisfaction with the SDWR consultations.

8.4 Summary and Significance of the Findings Regarding Participatory Democracy and Land Development

The history of public participation in government decision making is relatively brief. Correspondingly, the City of Saskatoon does not have a strong history of public participation (Bury, 1979). There is a polarization of views on the role of the public in government decision making. Representative views of democracy believe that public participation occurs at election time when citizens choose someone to represent their interests. Conversely, proponents of participatory democracy believe that more direct and deliberative public involvement should occur consistently between elections on a range of public policy matters. There is growing public demand for a more participatory democracy.

Research has demonstrated that public participation in government decision making influences civic literacy, voter turnout and social capital. This has led governments to increase the number of consultations but this has not translated into increased public trust and confidence in government and governing institutions. The same can be said for the public consultations on the SDWR. The high number of public consultations did not translate into higher public satisfaction. The type of consultation used and quality of the consultation are also important factors in satisfaction to consider when engaging the public. Rowe and Frewer (2000, 2005) have taken steps to develop a typology of consultations for different purposes and criteria for measuring effective public consultations methods. Evaluation criteria such as participant representativeness, early involvement, process transparency, clear task definition and structured decision making are examples of measures that should be used to improve the type and quality of consultation. Consideration of what constitutes “good” consultation is also

important. Webler and Tuler (2000) have created principles of participation such as access to the process; power to influence outcomes; facilitating constructive interaction and adequate analysis. Adherence to these principles can improve trust and relationships between the public, stakeholders and government. Though the City took initiative to establish Public Consultation in the Planning Process Policies in the OCP and a Community Engagement Model, these tools were not adequately used to inform good consultation practices in the SDWR.

There were numerous consultations in the SDWR but none of which brought together all the stakeholder groups to create a shared or common vision. The over-reliance on the same types of consultation and the same people to inform plans limited the potential to unify stakeholders. Instead, a division was created between community and business stakeholders. Community stakeholders were labeled as having unrealistic expectations, wanting something on someone else's dime and being anti-business. Business stakeholders were labeled as being pro-development at all cost, closed to public investment and anti-community. Saskatoon is not an island and similar polarization of government between public and private interests has gained prominence in Canada (Wolfe, 2002).

Society is calling for greater government transparency and accountability, public access to information, options for engagement, and the ability to influence decisions. Several consultations and decisions impacting the SDWR occurred in contrast to these expectations. For example, decisions such as the demolition of the Gathercole Building were not publicly debated; a decision regarding the fate of the Traffic Bridge was decided contrary to popular public opinion mid-way through the consultation process; and, the anchor tenant for the Destination Centre was determined by City Council in camera and outside the appointed steering committee tasked to inform this decision. The cumulative effects of these decisions by City Council resulted in less public involvement as stakeholders came to understand that their involvement would not influence decisions.

The land development process holds great promise to help strengthen democracy. The existing legislative and policy framework have built-in public consultation requirements for administrators and elected officials to include the public in municipal land development decisions. Improving the process of public consultation will require an integrated awareness between: the emergence of a planning issue; the type of consultation selected to understand

and resolve the issue; the influence of the consultation on decision making; and, the meaning of the process for individuals and government alike. The perceived success or failure of these experiences will shape future views and approaches around the role of the public in government decision making.

8.5 Recommendations Based on the Findings of this Research

Based on the research findings, several recommendations are outlined for improving participatory democracy in land use planning and development in Saskatoon. The recommendations are organized into six categories: City of Saskatoon Community Engagement Plan and Evaluation Framework; Inclusionary Public Consultation; Council Proceedings and Reports; Committees; Meewasin Valley Authority Governance; and, Legislative Considerations. Implementation of the recommendations will assist to improve: the quality and representativeness of the public consultations; stakeholder relations; openness and transparency; and, public trust and satisfaction with the decisions made by the City of Saskatoon.

8.5.1 City of Saskatoon Community Engagement Plan and Evaluation Framework

- Fully implement the Official Community Plan Public Consultation in the Planning Process policy and accompanying City of Saskatoon Community Engagement Process. This includes implementing the Steps to Community Engagement such as development of a Community Engagement Plan.
- Establish an evaluation framework for the Official Community Plan Public Consultation in the Planning Process policy. The framework should encompass acceptance and process criteria as outlined by Rowe and Frewer (2000). The framework should provide the opportunity for members of the general public, stakeholders, consultants, administrators and elected representatives to inform ongoing public consultation evaluations.
- The existing principles within the Official Community Plan Public Consultation in the Planning Process policy should be amended to align with the normative public participation principles developed by Webler and Tuler (2000) to allow for more objective and research-based assessment.

- Expand the Community Engagement Model to encompass the full Public Participation Spectrum which includes methods of collaboration and engagement.
- Establish a Public Consultation Typology that organizes different types of consultation according to the objective, structure, function and level of involvement by individuals and groups. The typology can be used as a tool to communicate to administrators, City Council and the public the purpose of the consultation, the associated type of consultation (e.g. open house or listening session) and level of involvement and influence expected.
- Expand the use of different public consultation type's available (e.g. electronic town hall meetings, citizen panels, deliberative polling and listening sessions) and employ the services of neutral, trained facilitators.
- Create a communication strategy that regularly promotes and reports on public consultation activities and profiles the influence of public consultation in the municipal decision making process.

8.5.2 Inclusionary Public Consultation

- Establish targets to increase public representativeness on municipal advisory committees/commissions and technical committees including women, First Nations, Métis, immigrants, persons with disabilities, youth and seniors.
- Expand electronic participation methods such as online forums, webinars on public projects, electronic town hall meetings, crowd sourcing, and webcasting public questions and input directly into committee or Council meetings to bring the public closer to the decision makers. These methods would be in addition to steps taken by the City to use social media such as Facebook, Twitter and Live Streaming City Council meetings.
- Advertise public meetings and hearings in alternative newspapers that target specific segments of the population such as youth, students, First Nations and Métis people.
- Implement objective, third-party polling on issues of public importance to determine levels of awareness, view divergence and where further information and public participation is required.

8.5.3 Council Proceedings & Reports

- Amend the Public Notice Policy procedure to outline methods for Council to participate in consultation matters they deem to be of public interest outside of standing committees and before proceeding to an official Council meeting or public hearing.
- That administration reports to City Council consistently provide an explanation of the public consultation process, level of participation, number of participants and scope of views expressed. Complete consultation reports that summarize the public input responses should be appended to reports.
- City Council reports that consider projects within the Meewasin Valley Authority Conservation Zone should contain a separate section outlining consultation that has occurred with that agency and how the development proposal has addressed the related policies.
- Complete City Council minutes and reports should be posted on the Internet including all letters from the public submitted to City Council.
- Publish agendas and minutes for Executive Committee meetings and establish searchable electronic archives.
- As public documents, city bylaws, such as the Zoning Bylaw, should not contain logos or promotional material for consultants or other companies.

8.5.4 Committees

- Establish an open and transparent process for inviting participation on project steering/advisory committees and working groups to allow for a broader, more diverse selection of participants.
- Publish or make available volunteer steering committee and technical committee minutes.
- Steering/technical committees produce progress updates and steps taken to inform the work of the committee to the Municipal Planning Commission.
- Fully utilize the mandate of the Municipal Planning Commission to facilitate greater involvement in defining public consultation, attendance at public meetings, undertaking research, hosting public forums, interfacing with the Meewasin Valley Authority Development Review Committee, and providing interim reports to City Council.

- Expand the role of the Municipal Heritage Advisory Committee to have the capacity to bring issues forward to City Council similar to the Environmental Committee or Municipal Planning Commission.

8.5.5 Meewasin Valley Authority Governance

- De-politicize the Meewasin Valley Authority Board of Directors by permitting only one elected representative from each partner organization to reside on the Board.
- Establish Meewasin Valley Authority conflict of interest guidelines to require Board members to be excluded from decisions on development applications made by the organization they represent.
- Publish Meewasin Valley Authority Board of Director and Development Review Committee meeting agendas and minutes and establish searchable electronic archives.
- Revise the River Landing Development Review process to require the Meewasin Valley Authority Board of Directors to consider a development application within the conservation zone before it is considered by City Council.

8.5.6 Legislative Considerations

- Review the Planning and Development Act (2007) to recognize the legislative authority of Meewasin Valley Authority and similar organizations as decision making authorities and that approval of these organizations is sought prior to Council approval.
- Revise the Heritage Property Act (1979) to grant Municipal Heritage Advisory Committees the same status as outlined for Municipal Planning Commissions in the Planning and Development Act (2007) which includes the ability to investigate, study, advise and assist Council with respect to heritage issues.
- Amend the Public Notice Bylaw to require public notice for matters involving Municipal Heritage Properties, properties on the Holding Bylaw and properties on the Community Heritage Register.
- That the expanded role of the Provincial Ombudsman Act (2012) to receive special requests to review certain matters be utilized where procedural practices respecting fairness are called into question.

8.6 Areas of Further Research

There is a need to establish a public participation theory and discipline within academic literature. Research toward this end may include:

- Comparative studies between municipal governments with similar planning issues that utilize similar and different public participation processes to determine the influence over decisions and participant meaning.
- Quantitative studies to determine the relationship of participation in public consultation activities between elections and voter participation.
- Studies on the influence different types of consultation have on government decision making, public trust and satisfaction with governing institutions.
- Analysis of the influence of media and public polling in shaping public opinion and decisions made by municipal councils in land development matters.
- Comparative studies on when and how public involvement affects government decision making and how involvement impacts individual, group and societal meaning.
- Empirical studies that apply the interception of academic theories in understanding how to improve satisfaction with public consultation for individuals and government.

This thesis was about land use planning, land development, democracy and public consultation. The purpose was to examine the types of consultation utilized by the City of Saskatoon in the SDWR between 2000 and 2010; the relationship of these practices to the regulatory framework; the assessment of stakeholder satisfaction with the consultations; and the influence the consultations had on decisions made by City Council. The findings highlight that to address public discontent with the efficacy of public consultations in land use planning and development, civic leaders need to improve the quality of consultations. This thesis offers insight into the theories, models and practices for improving the quality of consultations and enhancing participatory democracy in land use planning and development.

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APPENDIX A

RESEARCH INTERVIEW CONSENT FORM

University of Saskatchewan, Interdisciplinary Studies Master's Degree Candidate

You are invited to participate in research on "Democracy and Land Development: A Case Study of a Waterfront Redevelopment in Saskatoon." This research is being undertaken as part of my requirements to complete a Master's Degree.

Purpose: The purpose of this research is to examine the waterfront redevelopment in Saskatoon from 2000 to 2010 with respect to: (a) the types of citizen engagement practices utilized by the City of Saskatoon; (b) the relationship of these practices to the regulatory and policy frameworks; (c) the level of satisfaction with the public consultations; and (d) the influence that public consultations had on the decisions made by the City regarding the waterfront redevelopment.

Procedure: The interview will be conducted one-on-one with the researcher. The interview will take place at a public or work place location jointly agreed by the interviewee and researcher. The interview will take between 60 and 90 minutes. The interview will be conducted in one of three ways depending on your choice (please choose one):

- ☐ The interview will be digitally recorded
- ☐ The interview will be handwritten
- ☐ The interview will not be digitally recorded or handwritten

At any time, you may withdraw from the interview or ask that recording cease. You may refuse to answer any questions. If at any time you feel uncomfortable, please let the researcher know and you can break or end the interview.

Risk and Benefits: This interview involves no known risk to you. However, your participation in this research will contribute to an understanding of the strengths and limitations of public consultations in land development and how improvements can be made in the future.

Storage of Data: In accordance with university guidelines, digital recordings, notes and transcripts will be stored securely and separate from consent forms for a minimum period of five years. Any transcripts prepared by the researcher will be not released. The enclosed Transcription Confidentiality Agreement binds the researcher to protect the confidentiality of your transcriptions.

Use of Information: This information will be used to inform a thesis paper that will be submitted to the College of Graduate Studies and Research. The findings may also be used for future conference presentations or for publication in academic journals.

Confidentiality: Participants are being drawn from a relatively small population and may be known to each other and identifiable based on the perspectives provided in the interview. Every effort will be made to ensure confidentiality. Information from your interview, including direct quotations, may be used in the written documents. However, such

information will not be attributed to you directly unless your prior consent has been received. No identifying information will be included with the digital recording, transcripts or notes.

Right to Withdraw: You have the right to withdraw from the research. Your right to withdraw data from the study will apply until the data has been aggregated and analyzed. After this it is possible that some form of research dissemination will have already occurred and it may not be possible to withdraw your data. Upon your withdrawal, all information that you have contributed will be deleted.

Questions: At any time, you may ask the interviewer any questions that you may have.

This study was approved by the University of Saskatchewan Behavioural Research Ethics Board on August 9, 2010. If you have any questions about your rights as a participant, please contact the Research Ethics Office at 966-2084.

This research is supervised by Dr. Joe Garcea. Dr. Garcea can be reached at 966-5222.

Thesis: You will have access to the completed thesis through the University of Saskatchewan library. You will be notified when the thesis is available.

I have read and understand the description provided above. I have been provided with an opportunity to ask questions and my questions have been answered satisfactorily. I consent to participate in the research described above, and I understand that I may withdraw my consent at any time. I have received a copy of this consent form for my records.

(Name of Participant)

(Date)

(Signature of Participant)

(Signature of Researcher)

APPENDIX B
PUBLIC CONSULTATION SUMMARY PROMPT

Matter	Date	Purpose
Adaptive Re-Use Assessment Gathercole Building	2002	With key stakeholders and community leaders discuss issues surrounding the future of the Gathercole Building
South Downtown Concept Plan Public Input	2004	Seek public input on the preliminary concept plan for the South Downtown
Riverfront Waterfront Master Plan (Phase I)	2004	Design plan for waterfront
DCD1 Amendments (Multiple)	2000-10	Provide land use and zoning regulatory framework for the South Downtown Waterfront Redevelopment
South Downtown Local Area Design Plan – ACD Overlay District	2004	Prepare specific architectural controls to guide developers in creating a strong sense of identify and place
River Landing Phase II Riverfront Design Report	2005	To create a connection along the river, between backshore lands and the river by enhancing access to the riverbank, and establishing a focal point for riverbank activities; to integrate with and provide an identity complementary to Phase I which firmly establishes a sense of place along the River Landing riverfront
River Landing Interpretative Plan	2005	Interpretive plan to inform the ongoing streetscape and waterfront development. Focused on how to tell the stories and enhance the sense of place
Farmers' Market, Business Incubator and Riversdale Square DCD1	2006	Concept plans for the Farmers' Market, Business Incubator and Riversdale Square
River Landing Phase 2 Riverfront Master Plan	2006	Concept Plan with respect to Phase 2 Riverfront Development
Meewasin Valley Centre Concept Plan	2007	Facilitate a visioning workshop for the new Meewasin Valley Centre to inform a concept plan that will guide the exhibit design for the new centre
Destination Centre Options	2008	Development of a preferred concept for the Destination Centre
A.L. Cole Pumphouse Design	2008	Consider options for adaptive reuse of the A.L. Cole Power Station Pumphouse as part of River Landing Phase 2
Functional Program Art Gallery of Saskatchewan at River Landing	2010	Preparation of "Functional Program Art Gallery of Saskatchewan at River Landing Saskatoon"
Needs Assessment and Functional Planning Study of the Traffic Bridge	2010	Develop options for the future of the Traffic Bridge

APPENDIX C

INTERVIEW QUESTIONS

1. What regulatory and policy frameworks governed public consultation in the south downtown waterfront redevelopment?

1. Are you aware of the regulatory framework or policy governing public consultation in the south downtown waterfront redevelopment (SDWR)?
2. How aware are you of the regulatory framework or policy?

2. What types of public consultation was utilized by the City of Saskatoon in the South Downtown Waterfront Redevelopment?

3. What types of public consultations did the City of Saskatoon use to plan the SDWR?
4. Did you participate in any SDWR consultations?
5. In which consultations were you a participant?
6. What was your role?

3. What is the assessment of stakeholders and informed observers regarding the consonance between what was required pursuant to the regulations and policies versus the consultation that were actually undertaken.

7. In your view, to what extent did the City comply with the regulatory framework or policy on public consultation?
8. What should the regulatory or policy framework be regarding the responsibility of the City to consult with the public prior to making land development decisions?

4. What is the assessment of stakeholders and informed observers regarding their level of satisfaction with the public consultations?

9. Overall, what types of public consultation do you think were most influential and why?
10. Overall, what types of public consultation do you think were least influential and why?
11. How satisfied were you with the public consultations?

5. What was the assessment of stakeholders and informed observers regarding the influence/impact public consultations had on the south downtown waterfront redevelopment?

12. What influence/impact did the public consultations have on the SDWR?
13. Do you have any suggestions for other individuals to interview?
14. Other....

APPENDIX D
DIRECT CONTROL DISTRICT 1 AMENDMENTS, 1988-2010

Date	Amendment	Bylaw No.	Newspaper Dates	MPC	Letters	Public Presentations	Comments
October 17, 1988	Create DCD1 Bylaw	6955	September October *exact dates uncertain	n/a – format did not exist.	1 community 2 public	1 community 3 public	Amendment to Policy Plan Map 1 from Central Business District to Direct Control District. Further amendments occurred a few weeks later to include: width of public linkages and reduced distance from the river; building ground coverage not to exceed 65%; amendments of ground coverage were permitted if green space was transferred to another site.
June 7, 2004	Proposed Development Plan Amendment DCD1 Guidelines CBD and Riversdale Neighbourhood	8316	May 15 and 22	Approve – letter of support	2 community	5 community 1 business	Approval of Concept Plan and DCD1 amendments expanding the boundary to include area bounded by 19 th Street, the river and Avenue C. Block 146 is removed. 1) 5M setback, above 8 stories along Spadina Cres. Where 20 storeys is permitted be provided; 2) that the density be reduced from FSR 5:1 to FSR 4:1 on the hotel/housing and cultural blocks and the Princeton block; 3) that the density be reduced from FSR 5:1 to FSR 3:1 on the blocks designated 14 storeys adjacent and including the AT&T Building in Southeast Riversdale; 4) that all landmarks be exempt from any height restrictions.

Date	Amendment	Bylaw No.	Newspaper Dates	MPC	Letters	Public Presentations	Comments
June 7, 2004	Proposed Zoning Amendment DCD1 Guidelines, CBD and Riversdale Neighbourhood	8317	May 15 and 22	Approve – letter of support	No letters were received regarding the zoning.	n/a	
June 21, 2004	South Downtown Concept Plan Introduced proposed amendments to DCD1	N/A	N/A	N/A	No letters were received.	n/a	Administration recommended that the DCD1 Guidelines adopted by CC on June 7 be amended. All guideline amendments carried except motion for density reduction from FSR 5:1 to FSR 3:1 on blocks designated 14 storey was lost. Note: notice required for adoption of South Downtown Concept Plan.
July 19, 2004	Proposed Development Plan Amendment Block 146 – DCD1 Parcel CC, Plan 00SA33273 redesignate Block 146 from DCD1 to “Downtown” - CBD	8319	June 19 and 26	Approve – letter of support	1 business	n/a	This amendment allowed the Galaxy Theatre to be constructed

Date	Amendment	Bylaw No.	Newspaper Dates	MPC	Letters	Public Presentations	Comments
July 19, 2004	Proposed Zoning Bylaw Amendment Block 146 DCD1 to B6 Parcel CC, Plan 00SA33273-CBD	8320	June 19 and 26	Approve – letter of support	1 community	n/a	3 rd reading occurred August 16.
August 16, 2004	Proposed Development Plan Amendment – DCD1 Central Business District	8332	July 17 and 24	Approve – letter of support	1 business	n/a	1) Add 5M setback above 8 storeys along Spadina where 20 storeys is permitted 2) Reduce the density (FSR) for the land illustrated on map 3) Add a height exemption for landmarks
August 16, 2004	Proposed Amendments to the Zoning Bylaw Architectural Control District Overlay for the DCD1 South Downtown Neighbourhood	8339	July 24 and 31	Approve – letter of support	1 community 1 business	1 community 1 business	Resulting from South Downtown Local Area Design Plan

Date	Amendment	Bylaw No.	Newspaper Dates	MPC	Letters	Public Presentations	Comments
October 4, 2004	Proposed Text Amendments to the Architectural Control District Overlay for the DCD1 South Downtown	8348	September 11 and 18	Approve – letter of support	No letters were received	n/a	Identified COS/MVA will work to harmonize the ACD and LADP
April 7, 2008	Proposed Development Plan Amendment DCD1 – Removal of Reference to Storeys CBD-DCD1	8661/ 8662	March 8 and 15	Approve – letter of support	No letters were received	n/a	
June 23, 2008	Proposed Development Plan Amendment DCD1 – Text Amendment to Section 19.2	No. 8687	May 24 and 31	Approve – letter of support	2 community 1 business	1 community 2 business	Amend section 1) 19.2.3.1 to permit 30% office space use on each site in the DCD1 Up to a max. 100,000ft ² 2) Amend Section 19.2.3.3 (Building Height Map No. 2) – to permit a max. Building height of 42 M at the corner of 2 nd Ave. S and Spadina Cres. 3) Amend Section 19.2.3.5c to permit direct access to the underground parking garage from Spadina

Date	Amendment	Bylaw No.	Newspaper Dates	MPC	Letters	Public Presentations	Comments
February 17, 2009	Proposed Development Plan Amendment DCD1 – Section 19.2.3.1 – Linkage and Land Use	8738	January 24 and 31	Approve – letter of support	2 business	1 business	Modified DCD1 Guidelines to allow more flexibility when considering mixed use proposals which include office use as a component
Sept. 10, 2010	Propose Zoning Text Amendment to DCD1 Section 13.1.3.3(b)(i) – Building Form and Massing	8871	August 28 and Sept. 5	Approve – letter of support	No letters received	1 business	All building elevations adjacent to a public street must provide a setback between the fourth and sixth storey which is appropriate to the scale of the building and the nature of the adjacent street and which provides appropriate sunlight penetration and wind effect protection.

APPENDIX E
SUMMARY OF PUBLIC CONSULTATION PURPOSE, METHOD, PARTICIPANTS AND DECISIONS

Event	Date	Purpose	Public Consultation Method	Participants (#)	Decision
Moriyama 100 Year Concept Plan ³⁷	1979	Create a conceptual master development plan for the South Saskatchewan River within Saskatoon and the region	Policy (Steering) Committee Technical Working Group Interviews Written submissions	4 – Public sector 14 – Not documented Not documented Not documented	Formation of the MVA and Moriyama 100 Year Concept Plan to enhance the river valley. Forms the base of the MVA Development Plan. Establishes initial concept for the SDWR.
Mayor's Task Force	1989	Establish a formal structure and strategy under which an integrated redevelopment of the South Downtown can be pursued	Task Force Business Advisory Committee Planning Advisory Committee Work Paper Committee	9 – Public sector 13 – Public sector (7), business (4), community (2) 11 – Public sector (9), business (1), community (1) 13 – Partially documented public sector (6),	Report including conceptual drawings and recommendations approved. South Downtown boundary and policies for the site through Direct Control District Guidelines.

³⁷ The Moriyama 100 Year Concept Plan and Mayor's Task Force consultations are not included in the analysis as these events fell outside the 2000-2010 study period. They are provided to set a historical context on the approaches taken to consult with the public.

Event	Date	Purpose	Public Consultation Method	Participants (#)	Decision
			Interviews	Not documented	
			Written submissions	Not documented	
Assessment on the Adaptive Re-use of Gathercole Building	2002	Conduct an adaptive re-use assessment and vision of the Gathercole building and economic feasibility reusing all or part of the structure	Steering Committee Vision session Public proposal presentations Focus groups (3)	Partially documented- Public sector 43 (invited) ³⁸ – public sector (12), business (23), community (8) 10 (open) ³⁹ – business (2), community (8) 43 (invited) – public sector (6), business (24), community (13)	Concluded building was structurally sound and could be adaptively reused with public investment. Council voted to retain all or part of the Gathercole and issued a proposal call process.
Expression of Interest for Gathercole Building and Site	2003	Obtain submissions on the development or redevelopment of the Gathercole building and/or site	Community-led Vision Session Community-led Design Workshop Expressions of Interest	25 (open) – not documented 50 (open) – not documented 11 – (open)	Agreement in principle to form a CDC and approach the provincial and federal governments as partners to develop a master plan for the Gathercole site and adjacent lands.

³⁸ “Invited” indicates that attendance was only by invitation.

³⁹ “Open” indicates that attendance was open to the public.

Event	Date	Purpose	Public Consultation Method	Participants (#)	Decision
			submitted	business (4), community (7)	
			Informal petition	514	
			Community-led public meetings (3)	88 (open) – not document	
			City Council meeting (June 16)	184 letters – Public sector (1), business (3), community (180)	
				18 presenters – public sector (1), business (7), community (10)	
Civic Election	2003	Council meeting to review previous decisions on Gathercole building and site	City Council meeting (December 8)	113 letters – public sector (2), business (3), community (109)	Decision to extend 2 nd Avenue to Spadina Crescent and demolition the west portion of the Gathercole Building.
			Community-led rally	34 presenters – public sector (2), business (6), community (26)	
				300 (open)	

Event	Date	Purpose	Public Consultation Method	Participants (#)	Decision
			MVA Board meeting	11 presenters	
			Community-led public forum (1)	55	
			Community-led comment form	25	
			Petition	5226 signatures	
DCD1 Guidelines ⁴⁰	2004	Review and modify the existing development guidelines for the South Downtown	Technical Committee	4 – public sector	Amended DCD1 Guidelines to expand the boundary to include area bounded by 19 th Street, the river and Avenue C. Block 146 is removed. Modifications to height restrictions, setbacks, FSR and landmark regulations.
			Public Forums (4)	143 (open)	
			Comment forms	29 (open)	
			City Council meeting (7) (April 5, May 3, June 7, 21, July 19, Aug.16, Oct.4)	7 letters – business (3), community (4)	
				8 presenters – business (2), community (6)	
			City Council meeting (June 23)	3 letters – business (1), community (2)	
				3 presenters – business (2),	

⁴⁰ For a full list of amendments see Appendix D. Direct Control District 1 Amendments, 1988-2010..

Event	Date	Purpose	Public Consultation Method	Participants (#)	Decision
				community (1)	
South Downtown Concept Plan Public Input	2004	Preparation of a South Downtown Concept Plan	Steering Committee Vision Workshop Open House (2) Comment forms City Council meeting (April 5) City Council meeting (June 21) Community-led public meeting	6 – public sector (4), business (2) Invited –not documented 507 (open) 364 (open) 0 letters 14 presenters – public sector (2), business (8), community (4) 1 letter – community 2 presenters – business (1), community (1) Not documented	Concept Plan to guide the principles, theme and land use for the South Downtown is approved.
Riverfront Master Plan (Phase I) ⁴¹	2002	Seek public ideas for designing the riverfront park	Steering Committee	6 – public sector (4), business (2)	Detailed design plan for the development of the Riverfront Phase 1.

⁴¹ The environmental regulations governing waterfront and brownfield redevelopment require significant consideration to public engagement. These regulations and subsequent consultation processes are not considered in this study.

Event	Date	Purpose	Public Consultation Method	Participants (#)	Decision
			Technical Committee	5 – public sector	
			Stakeholder interviews	Invited – not documented	
			Public Forum	52 (open) 6 presentations	
			Questionnaire	38 (invited)	
			Vision Workshop	24 (invited)	
			Open House	Not documented (open)	
			Questionnaire	49 (open)	
River Landing Phase II Riverfront Design Report	2006	Concept Plan with respect to Phase 2 Riverfront Development	Steering Committee	8 – public-sector (5), business (2), community (1)	Detailed design plan for the development of the Riverfront Phase 2.
			Technical Committee	8 – public-sector (7), community (1)	
			Stakeholder interviews	52 (invited)	
			Public Forum	40 (open & invited)	
			Visioning Workshop	24 (invited)	

Event	Date	Purpose	Public Consultation Method	Participants (#)	Decision
			Mini-vision Workshop	Not documented (invited)	
			Open House	Not documented	
			Comment Forms	54 (open)	
River Landing Interpretative Plan	2005	Interpretive plan to inform the ongoing streetscape and waterfront development. Focused on how to tell the stories and enhance the sense of place	Core Group	7 – public sector (6), business (1)	Interpretive plan approved.
			Visioning Session	20 (invited) – public sector (7), business (7), community (6)	
			Design Charrette	7 (invited) - public sector and business	
			Stakeholder Interviews	28 (invited)	
			Stakeholder Meeting (2) (focus group)	Invited - not documented	
Riversdale Square Preliminary Master Plan	2006	Concept plans for the Farmers' Market, Business Incubator and Riversdale Square	Steering Committee	8 – public sector (5), business (2), community (1)	Master Plan for Riversdale Square approved allowing Farmers' Market and Ideas Inc. to be located in former Electrical Building.
			Open House	60 (open)	
Destination Centre Options	2008	City Council approved a consultation process to facilitate the	Steering Committee	12 – public sector (3), business (4), community (5)	Mendel Art Gallery approved as Destination Centre anchor and expansion to Persephone Theatre.

Event	Date	Purpose	Public Consultation Method	Participants (#)	Decision
		development of a potential preferred concept for the Destination Centre	Public proposals submitted Petition (paper) Petition (electronic) City Council meeting (November 30)	10 37 signatures 1027 signatures 63 letters 4 presenters – public sector (1), community (3)	
Traffic Bridge	2005 2010	Develop options for the future of the Traffic Bridge	City Council meeting (November 14 & 28) Open House (3) Comment Form Online Form City Council meeting (December 6)	19 letters 3 presentations – community (3) 850 (open) 580 (open) 1200 28 letters 8 presenters – business (1), community (7)	Approval to replace the Traffic Bridge with a modern steel truss bridge that can accommodate emergency vehicles and transit.
Sale Parcel Y	2005	Sale of Parcel Y to private developer	City Council meeting (June 27, 2005)	30 letters 10 presenters – business (3), community (7)	Parcel Y was sold on three separate occasions, with conditions, to develop a hotel, spa, offices and

Event	Date	Purpose	Public Consultation Method	Participants (#)	Decision
	2007		Expressions of Interest	2	residential development.
			Comment Forms	13 (open)	
			City Council meeting (September 17, 2007)	16 letters 1 presenter - community	
			Expressions of Interest	2	
			Comment Forms	77 (open)	
			City Council meeting (June 23, 2008)	3 letters 3 presenters – business (2), community (1)	
	2010		City Council meeting (June 14, 2010)	103 letters 13 presenters – business (12), community (1)	