“Don’t Jam Jarvis”  
Consultation and Governance in Urban Design

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Abstract
This paper is a case study of the Jarvis Streetscape Improvement Plan. It looks specifically at how a revitalization effort, which intended to widen sidewalks and improve the public realm, turned into a pitched battle between drivers and cyclists. The paper examines issues of public consultation, civic engagement, and municipal governance and concludes by recommending a new model for public participation at the City of Toronto.

Introduction
“There’s no secret about it. There’s a war on the cars in this city. It’s as obvious as the days are long.” (Ford 2009)

“If we replay today’s discussion by all the councillors 50 years later and the tape was seen by our grandchildren, our great grandchildren, most of them will say: ‘what a stupid council they were.’ We’re talking about quality of life of people driving big cars: Mercedes Benz, BMW, etc. ‘Did they ever care about the future of our world 50 years later?’ It’s really surprising how narrow-minded we see.” (Cho 2009)

The council debate on the Jarvis Street Environmental Assessment (the EA) lasted eight hours. Councillors questioned whether or not to accept the EA, which recommended that the reversible centre lane on Jarvis Street be replaced by two dedicated cycling lanes. Several times, the Speaker had to stop the discussion to remind the audience, split between cycling activists wearing helmets and drivers wearing yellow shirts that read “Don’t Jam Jarvis,” not to applaud or otherwise interact with the councillors. All the major newspapers had reporters there to cover the conflict over who should control the streets of Toronto: cars or bikes. But the EA project team had supported a different vision. With the support of the immediate neighbourhood, they recommended removing the centre...
lane and installing wider sidewalks and planting trees.

The purpose of the EA's recommendations was “to improve the Jarvis Street streetscape to complement development and enhance the pedestrian environment” (City of Toronto 2009, 1). This purpose guided the project team's initial recommendation to widen the sidewalks and improve the public realm. Several public meetings were held, a community advisory group was struck, and a Facebook group was created. The impetus for political confrontation came from the advocacy coalitions for both the commuters, who used Jarvis to drive downtown, and the cyclists, who wanted dedicated lanes. They were not satisfied with the consultative process in place, so they lobbied politicians, attended meetings, and framed the issue as a conflict between cars and cyclists rather than as a neighbourhood revitalization effort.

This paper will examine how the EA project team attempted to involve the community and interest groups in consultations, why those attempts failed to satisfy both the car lobby and the bike lobby, and how these lobby groups worked outside the consultative framework to change policy. It will track the progress of the EA from the initial proposal and community meetings to the Works committee’s decision to insist on bicycle lanes to the final decision at council.

As governments increasingly move towards a model of consultation and governance, project managers should encourage participation from all interested parties. In the Jarvis EA, participation did not create consensus. Advocates for drivers and cyclists engaged with the consultation process, but found greater success through traditional lobbying. Council's ultimate decision confirmed the amendment proposed in the Works committee: the middle lane would be replaced by two dedicated bicycling lanes. Despite the benefits of cycling lanes—including slowing traffic, quiet transportation, and less air pollution—Jarvis remains a transportation corridor rather than a neighbourhood. This paper will conclude by discussing improvements to the consultative model employed by the City of Toronto.
The Consultative Process

The EA was conducted over five years (timeline in appendix) with the purpose of removing the reversible centre lane in order to improve the pedestrian environment and the public realm. A traffic feasibility study conducted in 2005 concluded that Jarvis Street could be reduced from five lanes to four with only minor impacts on traffic flow (City of Toronto 2005, 45). This allowed the City to consider several alternatives to improve the public realm along Jarvis. The project focused on improvements to the pedestrian environment, including widening sidewalks to bring them up to accessibility standards, planting trees, and installing public art projects. These improvements would help to “revitalize the urban streetscape” while recognizing the street’s historical and cultural importance (City of Toronto 2009, 1). The study team continually returned to these goals throughout the consultation process.

Jarvis was an especially appealing target for neighbourhood revitalization because of its historic significance and ongoing redevelopment. In the nineteenth century, Jarvis Street was home to some of the wealthiest families in Toronto. The tree-lined boulevard became Toronto’s first paved street in 1845 and was referred to as Toronto’s Champs Élysées (Thompson 1980, 162). By the mid-twentieth century, however, its narrow road was connected to Mount Pleasant Road. Shawn Micallef argues that Jarvis was “reverse-gentrified and turned into a fat arterial traffic pipe between North Toronto and downtown” (Micallef 2009). The street’s reputation declined and it became known for its high concentration of prostitutes south of Carlton (Micallef 2009). In 1946, The Globe and Mail reported on Jarvis Street’s decline:

“Long past its prime and stripped of its youthful grandeur, Jarvis St. is in the process of losing one of its few remaining adornments, the tall, stately trees which line the too narrow roadway. When the operation is completed, the thoroughfare of checkered history will be widened as part of a new north-south traffic artery. …Jarvis St. will never be the same again, but, it has never been the same for more than two succeeding decades” (Globe and Mail 1946, 5).

More recently, Jarvis Street has been undergoing redevelopment and the streetscape improvement recommendations were designed to assist in rehabilitating the
With these goals in mind, the EA study team began holding public meetings with community members interested in the streetscape improvement and neighbourhood revitalization plans. The consultative process involved three important ways to interact with the study team: public meetings, a community advisory group, and online through the project website and a Facebook group. This process allowed all interested parties to get involved, but generally favoured the local community who supported the EA’s preliminary recommendations.

The first public meeting was held on March 13, 2008, in order to introduce the project and the EA’s recommendations. At the meeting, 168 registered participants expressed their concerns about the project, which was reported to consist of “trees, consistent and nice light fixtures, and bike lanes” (CAG 2008a, 2). By the second public meeting on January 22, 2009, the Toronto Cyclists Union (TCU) and the Moore Park and North Rosedale Residents’ Associations had mobilized significant delegations to attend the event. As the final report notes, the overwhelming majority of concerns were with the lack of on-street bike lanes and the traffic congestion that might be caused by removing the centre lane (City of Toronto 2009, 15). Despite the increasing importance of these interest groups, the consultative process continued to call for removing the centre lane and widening the sidewalks. The only minor change made in the final report was to include wider curb lanes to allow more space for cyclists in a shared lane.

The project team also struck a Community Advisory Group (CAG) made up of interested parties from the Jarvis Street neighbourhood. This group was focused on residents from the neighbourhood and, therefore, did not include significant representation from the cycling and driving communities affected by the EA’s recommendations. As evident in the CAG’s meeting minutes, the main concerns of this group were with the improvements to the public realm. In fact, the minutes of their first meeting in February 2008 made no mention of cycling lanes at all (CAG 2008). The project team also acknowledged their important role in listening to feedback from the community. The project consultant, Ray Bacquie, responded to a question about a design option being put aside by saying “we
are here for your input” (CAG 2008, 4). At the CAG’s second meeting in November 2008, cycling lanes had become an issue and the project team reported that they were working with the TCU. The community members were not happy with this development. Chris Crane, from the Upper Jarvis Neighbourhood Association, complained that single issue groups should not control the process: “It has to be made clear that this project takes a balanced approach within the constraints of available space and the role of Jarvis as a key North/South artery (for all vehicles including bicycles)” (CAG 2008a, 6). The second meeting was also attended by Norm Mierins from the North Rosedale Residents’ Association, but he was only there as an observer. Drivers and cyclists were not included in the CAG; instead, the project team limited feedback to those in the community.

Interested parties could also communicate with the project team through a website and Facebook group. These e-consultations were very successful in engaging with people who may not have attended the public meetings. The website provides updates on the status of the project and contact information for the project team, while the Facebook group allows users to discuss issues with City staff and each other. The overwhelming response of Facebook users was in favour of dedicated bike lanes (Logan 2008). As a result, the project team responded by posting an open letter to the cycling community:

“The bicycle lane alternative does not provide an opportunity to substantially improve the pedestrian realm and, therefore, it does not fully meet the objectives of the Jarvis Street EA. Although bicycle lanes are not being proposed on Jarvis Street, the EA study team recognizes the importance of improving the cycling environment on Jarvis Street” (Davis 2008).

Throughout the EA process, the project team seemed unwilling to address the concerns of interest groups.

The consultative approach employed by the project team successfully engaged with community members in order to hear their concerns about the EA. Through public meetings, a community advisory group, and e-consultations, interested parties were able to express their opinions and interact directly with the project team. While the project team certainly listened to these opinions, they made only modest changes to their report
and recommendations. They rejected the drivers’ plea for the status quo and the cyclists’ request for dedicated bicycle lanes because neither proposal met the goals of the project. Instead, the project team proposed widened curb lanes to create a shared space for cyclists and drivers. The project team was likely justified in upholding the objectives of the project and respecting the wishes of the neighbourhood rather than the interests of those who use Jarvis as a traffic corridor; however, this resulted in drivers from the area North of Jarvis Street and cyclists from around downtown using direct lobbying methods instead of the preferred consultative approach.

Failure of the Consultative Approach

Based on some of the principles of governance theory and public consultation, it is not surprising that the project team did not modify its plans to suit cyclists. The public consultation model used on the Jarvis Streetscape Improvement Study was significantly flawed because of the late stage at which public participation occurred. The project team’s attempts to remain impartial also meant that their opinions, and by extension, the opinions of the local community, were marginalized through direct political lobbying.

By the time the project team began consulting with the public, a preliminary decision had already been made. At the first public meeting, the project team made a presentation on:

“The need and justification of improvements to Jarvis, the alternative solutions being considered, the evaluation criteria for assessing the alternative solutions, the evaluation of the alternative solutions, the selection of Preliminary Preferred Alternative Solution, and the next steps for the study” (City of Toronto 2009, 10).

By pre-selecting the goals, evaluation criteria, and a preferred solution, the project team ensured that the solution they sought would be the only acceptable solution. Consider their response to the request for dedicated cycling lanes: the project team stated that they did not meet the goals of the project. Since those goals were set before any consultation could occur, only marginal changes were possible through participation.

In his study of public participation in Europe, James Barlow (1995) argues that late stage consultation is ineffective. His research found that planners had a great influence on participation when they decided the stage in the process at which the public becomes
involved. This limited effective public participation because “planners were seeking a reaction to a completed draft plan, their views were by this stage so crystallised they were hard to change” (Barlow 1995, 1-2). He also found that when change did occur in late stage consultation, “it was usually the result of the local authority’s reaction to public pressure, rather than public involvement in the formative stages of a plan” (Barlow 1995, 2). Barlow’s research suggests that by setting the terms of the project before incorporating public consultation, the project team limited the effectiveness of participation and pushed interest groups toward political lobbying.

Despite influencing the extent of consultation by setting the goals of the project before the first public meeting, the project team attempted to remain impartial in dealing with interest groups. The project team should have asked the local community members in the CAG to speak up for the key benefits of the project: a revitalized street and an improved neighbourhood. At the Works committee, where the preferred design was replaced by bike lanes, only 4 of over 50 speakers and submissions were from members of the CAG. The project team, and the original plan for neighbourhood improvement, would have benefited greatly from the CAG’s presence during the lobbying process.

The consultative process failed because the project team refused to completely relinquish control of their project, but also refused to actively campaign against the lobbyists. Despite the project team’s tight control of the consultative process, they did not want to appear partial. A shift away from the consultation towards lobbying left the project team and the community members powerless. The consultation process itself became marginalized. Deeper consultation models, which might have been more effective in producing interest group buy-in, will be discussed in more depth at the conclusion of this paper.

**Lobbying for the Jarvis Expressway**

After being generally marginalized or ignored in the consultative process, the drivers who use Jarvis Street to commute downtown turned to direct lobbying. Represented by the Moore Park Residents’ Association (MPRA) and the North Rosedale Ratepayers’ Association (NRRA), commuters made presentations at the Works Committee, spoke out through sympathetic media, and convinced many North Toronto councillors to vote
against removing the centre lane. These tactics successfully presented a conflict between cyclists and drivers, which left the Jarvis community completely out of the discussion. Not only did it become a choice between cyclists and drivers, the drivers attempted to depict themselves as underdogs: victims of an evil ‘war on cars’ waged by Toronto’s left-wing councillors.

The commuters did not succeed in meeting any of their goals during the consultative process. The Traffic Feasibility Study (City of Toronto 2005) established that the impact of removing the centre lane would have some minimal traffic impacts, including increasing the maximum commuting time from Bloor to Queen by two minutes (from 8 to 10). However, the project team decided that the benefits of improving the pedestrian and public realm were worth the minor delay for commuters (City of Toronto 2005, 45). The complaints raised by the MPRA and NRRA were mostly ignored in the CAG discussion and by the local councillor. In their second meeting, traffic and commuter inconvenience were not discussed as “issues” (CAG 2008a, 5-6). Councillor Kyle Rae summarized the opinion of the local neighbourhood at the first CAG meeting: “the people who live in Moore Park and North Rosedale are not here. They do not live here. They see our neighbourhood as their freeway” (CAG 2008, 6). While Councillor Rae’s ward also includes Moore Park and North Rosedale, he does not appear to have tried to integrate these residents’ concerns into the consultative process. As a result of their marginalization through the consultation process, commuters were forced to move to lobbying to have their opinions heard.

The drivers argued that removing the centre lane on Jarvis would cause significant traffic delays and increase congestion downtown because of a lack of reasonable alternatives (Costigan 2009). Lobbying efforts focused on delaying the removal of the fifth lane so that more traffic studies could be commissioned. Baumgartner et al (2009) argue that in most cases of lobbying, there are two sides: “one side seeking some particular type of change to the existing policy and another side seeking to protect the status quo” (Baumgartner 2009, 7). The drivers, seeking to maintain the status quo, preferred to frame a conflict between cars and bikes while ignoring the consultative process. This set the stage for the ‘war on cars.’
At the Works committee, the MPRA and NRRA organized a strong resistance to the bike lane plan that had been endorsed several months earlier by Councillor Rae. They arranged for their supporters to attend wearing bright yellow t-shirts that said “Don’t Jam Jarvis!” Media reports indicate that several dozen supporters wearing the shirts attended the committee meeting (Dotan 2009). At the committee meeting, Ellen Greenwood of the MPRA argued that the fifth lane on Jarvis was a national engine of productivity: “The downtown is for all of Toronto and the GTA. We want to be a strong leader for Ontario and nationally. Don’t make it impossible for people to get in and out of the city” (Yuen 2009). These appeals were not successful in persuading the committee; however, after the official recommendation of bike lanes on Jarvis, the wealthy commuters were able to argue that they were the victims of ‘the war on cars.’

Newspapers loved using the ‘war on cars’ rhetoric and much of what was written about Jarvis Street included the term and quotes from the MPRA and NRRA. Writing for the National Post, Kelly McParland suggested that Mayor David Miller and his allies were waging a “guerrilla war on drivers” (McParland 2009). McParland argued that this was part of a straightforward strategy:

“Wherever possible, impede the flow of traffic, add to the difficulty of driving, and destroy the hope of getting anywhere in a reasonable time. Dress it up as local improvement, ignore the cries of business owners and pretend there’s a constituency out there that thinks it’s a great idea.”

(McParland 2009)

Councillor Denzil Minnan-Wong also used similar rhetoric in his opinion piece for the Toronto Star. In it, he argued that the City’s “undeclared, but very active war on cars” was really a war on suburban drivers who didn’t have any other option (Minnan-Wong 2009). He also criticized the consultation process, as being only open to community members: “Road users and suburbanites do not have an effective say on the use of an important arterial road—one that was intended to be used precisely by people who do not live nearby” (Minnan-Wong 2009). While drivers’ complaints about closing the centre lane were well represented in the mainstream media, the MPRA and NRRA were unable to garner enough council support to overturn the committee’s decision.
The MPRA and NRRA did succeed in convincing a strong minority to speak out on their behalf on the council floor. During the eight hour debate, five councillors moved motions to delay or review the decision to remove the centre lane. The 16 councillors who voted against the item were strongly opposed to it and often used language supportive of the commuters. Councillors Stintz, Parker, and Lindsay Luby all questioned where the cycling lanes had come from and how they related to the goals of the project. Councillors Holyday, Thompson, and Minnan-Wong suggested that there needed to be significantly more public consultation with people who use the road. Councillor David Shiner said “people are calling my office saying their right to use a street in the downtown area has been taken away” (Shiner 2009). These arguments echo the complaints of motorists: the consultation process was exclusionary, there is a war against cars and drivers being waged by councillors who support cyclists, and motorists are being victimized.

The final vote saw 28 in favour of bike lanes on Jarvis, 16 against, and 1 absent. The distribution of votes shows that those councillors representing downtown supported the cyclists, while those representing commuter wards north of Jarvis were strongly opposed. It should also be noted that Toronto’s downtown is relatively flat and easy to cycle, while the northern half of the city is significantly higher with more hills. Figure 1 shows the distribution of votes across Toronto, with YES votes shown in green and NO votes shown in red.
With Toronto’s constituency-based ridings and lack of political parties, there is a fair amount of fluctuation in voting tendencies. It is possible that some of the voting distribution shown in Figure 1 is indicative of a split between the Mayor and his allies and those who oppose them. However, several of the central Toronto wards (16, 22, 25, 26) are referred to as the “mushy middle” and in this case, they all voted against the bike lanes. It is likely that demands from motorists who use Jarvis influenced the voting tendencies of councillors from North York and northwest Scarborough.

The MPRA and NRRA were successful in gaining support from councillors and the media, but they still lost the vote. The commuters’ influence increased significantly when they started focusing more attention on direct lobbying and garnering media attention rather than the consultative process. Barlow argues that in urban development processes “the protection of existing ‘use values’ was the primary force behind participation” (Barlow 2009, 51). Despite the advantages given to the status quo (see Baumgartner), the motorists were unable to prevent the cyclists from getting their dedicated bike lanes.

**Lobbying for Bike Lanes on Jarvis**

Like the motorists who lived north of Jarvis Street, cyclists quickly became discouraged by the public consultation process. Dedicated cycling lanes were a major issue mentioned at all public meetings and through the Facebook group, but the project team refused to bring forward a design that included bike lanes. As a result, the cycling community, through the Toronto Cyclists Union (TCU), moved away from the consultative process toward direct appeals to the politicians who would make the final decision.

Through positive accounts in the media, support from politicians, and a bit of confusion about what streetscape improvements could be completed despite the inclusion of bike lanes, the TCU garnered enough support on council to get bike lanes on Jarvis.

When the first Jarvis Street public consultation occurred in March 2008, the TCU had not yet officially launched. The organization launched in May 2008 and a year later got all the votes they needed to have dedicated cycling lanes installed on Jarvis. The TCU argues that by organizing the diverse cycling community and advocating with one voice at City Hall and in the media, they are able to effectively influence decisions: “the more names
and emails we have of individuals in the bike union, the stronger we become when working with politicians and other interested parties in the city” (Toronto Cyclists Union 2008). As Sabatier and Weible argue as part of their analysis of the foundations of the Advocacy Coalition Framework, there is a conviction that “the best way to deal with the multiplicity of actors in a subsystem is to aggregate them into ‘advocacy coalitions’” (Sabatier and Weible 2007, 192). The TCU has been very successful at achieving this aggregation in a very short timeframe. At the union’s formation, Councillor Adrian Heaps, Chair of the Cycling Committee, commented that “most other interest groups have managed to galvanize their interests under one umbrella. They come to meetings and it’s coherent. With cycling, for some reason, we seem to get people saying the same thing five times” (Krashinsky 2008). The TCU’s ability to speak on behalf of over 700 members allowed them to have greater influence when talking to the politicians who could make the final decision.

At the first public meeting, before the TCU’s official launch, cycling was listed as the fourth most important public concern after urban design, traffic, and pedestrians (City of Toronto 2009, 10-11). The project team responded by citing the inclusion of wider curb lanes in their preferred design, but the newly-formed TCU was not satisfied with this solution. Instead, the TCU prepared a policy document to present to councillors and city staff outlining the feasibility of dedicated bicycle lanes along with modest streetscape improvements (Toronto Cyclists Union 2009). According to the project team’s report, the TCU argued that wider curb lanes “may be even more dangerous” than the status quo due to higher traffic speeds in wider lanes (City of Toronto 2009, 17). The project team agreed to consider additional visual cues for drivers and eventually included an alternative design with dedicated cycling lanes, but these were not recommended because they did not adhere to the study’s objectives (City of Toronto 2009, 97). After initial attempts to work through the public consultation system, the TCU increasingly focused on more direct ways of lobbying and gaining support.

The TCU actively engaged with all forms of media in order to push for dedicated cycling lanes on Jarvis. In an article posted on the Torontoist’s website after the committee meeting, Yvonne Bambrick, Executive Director of the TCU, argued that cycling lanes
constituted a public space improvement, as they “help to slow the speed of car traffic, and add a ‘friendly’ buffer between pedestrians and cars. They attract physically active, healthy people to the area and provide a positive example of alternatives to the automobile” (Dotan 2009). The day before the council vote, an article in the Toronto Star about the ‘war on cars’ also quoted Bambrick, who argued that drivers were jealous of the freedom enjoyed by cyclists: “They’re trapped and frustrated…. Cars are not freedom. They’re like a ball and chain around your ankle. A bike is real freedom. You’re on your own schedule and it costs hardly anything” (Kalinowski 2009). Bambrick also commented directly on the difficulty of the city’s slow decision making: “It’s absolutely excruciating that it takes us this long to make such a clearly positive decision for our city that benefits all of our citizens…. If this is how council moves forward on issues, it’s no wonder people complain nothing gets done” (Moloney and Vincent 2009). It is unclear, though likely, that this comment was directed specifically at council’s 8-hour debate. It might have applied just as well to the TCU’s attitude towards the public consultation process in general. The slow and deliberative process, where cyclists did not feel that their issues were being dealt with, pushed the TCU toward more direct forms of campaigning.

These lobbying efforts began to succeed when local councillor Kyle Rae, who had previously championed streetscape improvements, declared his support for the bike lane plan at the second public meeting in January. Dylan Reid, co-chair of the Toronto Pedestrian Committee and a founding member of the Toronto Coalition for Active Transportation, called Rae’s decision “curious” because the bike lane alternative “would not in fact narrow the roadway or create a widened sidewalk boulevard, would not enable the planting of new trees, and would allow for few of the proposed enhancements to the pedestrian realm” (Reid 2009). Councillor Rae announced his decision to support the TCU proposal at the last public consultation. After that, there were no more CAG meetings where those most interested in the neighbourhood revitalization aspect could express their opinions and there was no pro-pedestrian feedback on the project’s Facebook group.

Gaining Councillor Rae’s support was a turning point for the TCU. As Reid pointed out after the announcement, council is generally deferential to the wishes of the local
The TCU also seemed to recognize the importance of Councillor Rae’s support. In a Weblog post celebrating their victory, the TCU thanked Councillor Rae for championing their plan: “this would not have been possible without his strong support and tireless work behind the scenes to secure the vote” (Toronto Cyclists Union 2009). As Baumgartner argues in his study of lobbying, “these [elected] officials are rarely neutral, but rather are advocates themselves, actively using their influence to affect the terms of the debate and lobbying others” (Baumgartner 2009, 25). By gaining the support of the local councillor, the TCU greatly increased the probability that bike lanes would end up on Jarvis street.

As more councillors came to support the proposal, there was a fair amount of confusion about what streetscape improvements could be included along with bike lanes. In an article in the Globe and Mail, Councillor Rae declared: “It will be two lanes north, two lanes south, bicycle lanes and a widened sidewalk on the east for pedestrians” (Barber 2009). But that is not true. According to the project team’s final report, “this alternative represents no change to the existing road pavement width,” (City of Toronto 2009, 92) and, therefore, no widened sidewalk. The report also states that without changes to the existing road width, the pedestrian clearway will not be wide enough to meet the City of Toronto’s Accessibility Design Guidelines (City of Toronto 2009, 97).

Despite the clarity in the report, councillors and newspaper reports were confused. In a comment on Spacing’s weblog, Councillor Adam Vaughan wrote that council had voted for bike lanes and wider sidewalks: “Currently the lanes are all 3.1m, the centre lane becomes 3.0m, the curb lanes 3.6 (including the bike lanes) and the east bound sidewalk grows too” (Vaughan 2009). That is a very accurate description of the project team’s original recommendation. Unfortunately, the councillor did not vote for it. The 3.6 metre curb lanes proposed by staff were to be shared between cyclists and cars; they were not dedicated bicycle lanes. Similarly, the National Post referred to a proposal to “give over more space to cyclists, pedestrians and trees along a thoroughfare that has evolved into an urban neighbourhood” (Hanes 2009) and the Toronto Star said that in the plan “Sidewalks would be widened, trees would be planted, and there would be a bike lane”
(Toronto Star 2009). These reports reflected confusion about what the bicycling lanes meant for the potential improvements to the pedestrian realm.

With councillors thinking they were getting everything, the debate at council focused too little on the conflict between cyclists and pedestrians. The TCU called on its members to attend the council meeting to show their support for dedicated bicycle lanes on Jarvis (Toronto Cyclists Union 2009a). The cyclists, wearing their helmets, greatly outnumbered the yellow shirted motorists. The councillors in favour of bicycle lanes said they had done enough public consultation to hear from both sides (De Baeremaeker 2009) and that it had been “a model process” (Perks 2009). Their main focus, however, was on reclaiming the street from the tyranny of the car. Councillor Rae said that in the 1950s “we violated Jarvis Street…. There was nothing in Toronto that came anywhere near what Jarvis Street was and then it was handed over to one use: to the car driver. One use” (Rae 2009).

The TCU played a major role in successfully lobbying for dedicated lanes rather than shared curb lanes. After being excluded from many parts of the consultative process, the TCU began directly lobbying city councillors and bringing alternative proposals forward. These proposals were not debated by the CAG or neighbourhood associations, which were generally resistant to any ideas coming from single issue groups. While the councillors debated the ‘war on cars,’ Jarvis Street’s rehabilitation and renewal was sacrificed. After the vote, Jarvis Street remained a transportation corridor; though shared between drivers and cyclists, it did not become any more like a neighbourhood.

Conclusion: A Better Process?

While Councillor Perks said the public consultation was a “model process,” could it have been better? Relying on lobbying and political activism by groups is not inherently bad, especially when they represent large numbers of interested parties. However, when the confrontational dynamics of the two sides overwhelm the consultative process, there must be a better way. The project team could have avoided the marginalization of the Jarvis Street community by using a different model based on greater participation by all interested parties at the earliest stages of policy development.
Governance theory suggests that participation and inclusion, if properly executed, should make government decisions more effective (see Fung 2006; Barlow 1995), but this did not happen with Jarvis. Anne Mette Kjaer (2009) criticizes governance theory by pointing out that “participation is thus, in a sense, assumed to automatically create consensus” (Kjaer 2009, 142). Consensus will not necessarily follow from earlier participation, but it is more likely. The conflicts between the community, the cyclists, and the motorists might have been worked out in more deliberative forums and smaller groups. The current public consultation model, as employed on Jarvis Street, does not work. As Dylan Reid said after the Public Works Committee meeting: “the outcome suggests that the whole formal EA public consultation process is something of a marginal exercise that cannot actually shift the bureaucratic momentum of the internal direction of a project” (Reid 2009). The cyclists and motorists consistently stuck to their positions; the project team and community groups became marginalized when they refused to completely relinquish control and limited comment by interested parties. These design flaws led to confrontational lobbying and an intractable battle that went all the way to council.

The City of Toronto should consider two significant changes to their consultative framework. First, interested parties should be included from the earliest stages of the policy design. In the Jarvis Street study, the project team should have included drivers and cyclists in the discussion before the project’s key goals and designs were set. These interest groups should have also been included in the community advisory group or some other deliberative forum. As Peter John argues, these forums are essential to good governance: “citizen governance is not just about individual representation, but gathers together the users and other affected interests in decision-making forums” (John 2009, 495). Had all interested parties been able to discuss the project’s details during its inception, a more consensual approach might have been possible.

But success might also have depended on a second change to the consultative process: city staff should have a more active role in advocating for the positions they support. In the Jarvis Street study, the project team clearly wished to advocate for improvements to the pedestrian realm and neighbourhood revitalization. This opinion is implicit in their
letter to cyclists, their refusal to include the popular option of dedicated bicycling lanes, and their limited engagement with cyclists and drivers. But, in the interest of maintaining the neutrality of the public service, they would not explicitly advocate for their recommendation at council. As a result, they were marginalized by the more direct lobbying efforts of the drivers and cyclists.

These two changes must be taken together in order to be effective. The project team should be free to advocate the best result for the city as a whole, but they should not set the initial terms of the project. There is a risk that, in ceding control of the process, those interested will shape policy in a direction that may not be in the best interest of the city as a whole. But who is to judge what is best for Toronto? The project team’s role should not be to decide, but to advocate and teach through consultation. The consensus of the deliberative forum, which has worked through its issues over many meetings, should shape the policy.

References


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