Housing In My Backyard:

A Municipal Guide For Responding To NIMBY

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Affordability and Choice Today (ACT) provides practical information and support to help municipalities modify planning and building regulations in ways that can improve housing affordability and choice. The program is funded by Canada Mortgage and Housing Corporation and delivered by the Federation of Canadian Municipalities in collaboration with the Canadian Home Builders' Association and the Canadian Housing and Renewal Association.

The **Federation of Canadian Municipalities (FCM)** has been the national voice of municipal governments since 1901. FCM fosters the development of sustainable communities to improve quality of life by promoting strong, effective, and accountable municipal government.

Canada Mortgage and Housing Corporation (CMHC) is backed by 60 years of experience. CMHC works with community organizations, the private sector, non-profit agencies and all orders of government to help create innovative solutions to today's housing challenges, anticipate tomorrow's needs and improve the quality of life for all Canadians.

The **Canadian Home Builders' Association (CHBA)** is the voice of Canada's residential construction industry. CHBA's membership includes new home builders, renovators, developers, suppliers, trades, manufacturers, lenders and other professionals. Through the voluntary efforts of its members, the CHBA serves both consumers and producers of housing by supporting quality, affordability and choice in housing for all Canadians.

The **Canadian Housing and Renewal Association (CHRA)** is a national non-profit organization representing those who manage and deliver housing programs in communities across Canada. Our mission is to promote access to adequate and affordable housing by influencing housing policies and programs across the country.

Ce document est aussi disponible en français au site www.programmeact.com.

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Note: Information used to produce this Guide was generated from a variety of sources, including web-based research, ACT case studies, academic articles, government documents, affordable housing and other NIMBY-type toolkits, and interviews or conversations with about 30 planners, local politicians, housing developers, advocates and citizens.

To build the case studies, primary source information formed the basis of the stories, with municipal committee reports and local newspaper articles used as supplementary, secondary sources.

At the ACT website (www.actprogram.com) you can find:

• An electronic version of this guide in PDF format

• A customizable PowerPoint presentation, complete with speaking notes, to discuss issues related to NIMBY with your peers and other stakeholders

Introduction

Citizens have sought to engage in decisions affecting their way of life for a long time. The "Not In My Backyard" (NIMBY) phenomenon may not be new, but its more recent expression has become a special challenge in the development process. When change is proposed in a neighbourhood, existing residents may take a skeptical or even hostile approach to new developments. Developers, planners and municipal officials often find themselves in a defensive position, having to prove the benefits of a proposed new apartment, townhouse or supportive housing development.

This document offers ways in which municipalities can prepare themselves for NIMBY opposition, focusing on tools and techniques that have proven successful in gaining community acceptance. However, there will be occasions when residents will not be persuaded of the merits of affordable housing or new infill development, no matter how sound the proposal or how serious the need. When this happens, appeal mechanisms and changes to planning rules themselves may be called for. This is the time for municipal leadership.

ACT Program: NIMBY-related examples

Charlottetown: King's Square Non-Profit Housing

Developed a management strategy to deal with NIMBY opposition to a homeless shelter, based on a study of people's attitudes toward social housing.

District of North Vancouver: Secondary Suites

Gained acceptance for secondary suites in single-family zones based on research related to demographics of future and current residents, analysis of types of complaints/concerns and building code compliance issues.

Toronto: NUC-TUCT Non-Profit Housing

Created an innovative parking plan to address residents' concerns and meet the requirement for ground-level units.

More information on these projects is available at www.actprogram.com.

❯ Why a Guide for municipal officials?

In a survey conducted by Canada Mortgage and Housing Corporation (CMHC) in collaboration with the Federation of Canadian Municipalities (FCM), municipalities of all sizes identified NIMBY as the top regulatory barrier to affordable housing and to infill development.[1] In response, the National Management Committee for the Affordability

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[1] *Survey of Canadian Municipalities: Regulatory measures for Housing Affordability and Choice*, CMHC, Socio-economic Series Issues, 87, 2001. www.cmhc.ca

and Choice Today (ACT) initiative agreed on the need for a guide to help municipalities deal with NIMBY opposition.[2] Furthermore, NIMBY-related issues have surfaced in several projects funded by ACT during the past 15 years or more.

The purpose of this Guide is to assist municipal officials and politicians in gaining community acceptance for sound housing developments, whether in response to residential intensification, secondary suites or publicly sponsored non-profit, supportive, lower-end-of-market or other forms of "affordable housing." It is hoped that users of this Guide, whether municipal politicians or staff, will find strategies and tactics that suit their communities and that will help them in supporting good housing developments, even when community opposition persists.

This Guide is intended to highlight some of the good practices in use by municipalities across Canada, including strategies, practical tips and tools to gain community acceptance for sound, well-planned developments. Short- and long-term strategies are included, grouped thematically for handy reference:

1. Legislative frameworks
2. Planning tools
3. Participation/communication approaches
4. Education tools
5. Monitoring and implementation techniques

Case studies are used to illustrate some of the more effective strategies in use in Canada today; each one tells a story, underscoring the fact that good development can best be achieved through a process involving patience, understanding and engagement of all stakeholders.

❯ What is NIMBY?

NIMBY: Not In My Back Yard, defined as —

"The protectionist attitudes and exclusionary / oppositional tactics used by community groups facing an unwelcome development in their neighbourhood." (*CMHC, "Gaining Community Acceptance of Affordable Housing Projects and Homeless Shelters," 2006.*)

NIMBY stems from concerns about change in the neighbourhood, ranging from expressions about the presumed characteristics of newcomers (often in the case of supportive or affordable housing) through to concerns over neighbourhood impacts such as traffic and building form (typically associated with infill and intensification). NIMBY often occurs when a proposal is perceived to conflict with the lifestyle and investment expectations of residents. While NIMBY typically surfaces in a neighbourhood in response to a local development, it can sometimes be voiced by "single issue" groups, for example, those who oppose introducing high-rise development or non-profit housing anywhere in the city.

Most of the time, citizen engagement is a very positive and healthy sign of local democracy. Sometimes, a housing proposal is just wrong for the neighbourhood — it's out of scale, violates heritage character or has inadequate infrastructure or support services.

The focus of this Guide is on how to promote a non-confrontational approach to community opposition and gain acceptance for well-planned housing developments.

> " NIMBY stems from concerns about change in the neighbourhood, ranging from expressions about the presumed characteristics of newcomers through to concerns over neighbourhood impacts such as traffic and building form."

Common Concerns

… And How to Respond

Over the years, proponents of affordable housing and residential intensification have encountered a predictable set of objections arising from the affected community. A well-prepared municipal official or politician will anticipate some of these concerns and should be ready to respond to them with as much evidence-based information as possible.

The following is a catalogue of some of the most common concerns, with suggestions for ways to address them. They are listed in no particular order.

British Columbia

Crime and Property Values

In all seven cases, the appraisers found no evidence that the presence of the townhouse development or special needs group home negatively affected the sale prices of homes in the impact area…. there were markedly similar patterns in each of the communities. House prices in the vicinity of the non-market project increased as much — and in some cases, more than— nearby areas of similar housing types and ages. There was no evidence of panic selling or extraordinary length of time on the market between the dates of listing and sale.

> **– "Toward More Inclusive Neighbourhoods"**
> www.housing.gov.bc.ca

Our property values will go down

This is perhaps the most commonly expressed objection to an affordable housing proposal or higher-density development. This issue has been studied in Canada and the United States across a variety of neighbourhoods and development proposals. Twenty-five studies of affordable housing (including some supportive housing) concluded that there was no impact on property values; a 26th study was inconclusive.[3] The province of British Columbia published a series of guides about NIMBY, including one that addressed the issue of property values. Seven case studies were undertaken, and in no community did property values decrease; in fact, property value increases were reported in some cases.

Increasing density in our neighbourhood will cause too much traffic

There is nothing to suggest that residential intensification will necessarily lead to congestion on neighbourhood streets. Like any new development, a higher density or infill-housing proposal must meet the municipality's planning and engineering standards. Furthermore, multiple-family dwellings near quality transit services are likely to attract residents with lower levels of car ownership, as are dwellings oriented to seniors and lower-income families.

Increasing density in our neighbourhood will strain public services and infrastructure

Generally, higher-density housing requires less extensive infrastructure than greenfield development — for piped water and sewer services, for schools, for roads, etc. Furthermore, higher-density housing and infill provide a concentration of passengers for public transit as well as other neighbourhood services in a more compact area. Infill development can also be a smart way to take advantage of underutilized infrastructure, particularly in central areas of cities where families have left for the suburbs.

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[3] Ontario HomeComing Coalition, *Yes, In My Back Yard — A Guide for Ontario Supportive Housing Providers*, 2005, p. 27.

The new residents won't fit into our neighbourhood

No one has to ask permission to live in a neighbourhood. Legislation from planning acts to human rights codes prevent "people zoning," and municipal staff and politicians should do all they can to respond clearly to any comments along these lines.

Often, the future occupants of new affordable housing already live in the neighbourhood. They are people who are sharing an apartment with other family members or friends, or they are struggling to pay market rents by giving up meals or choosing to walk instead of paying bus fares.

And yes, of course, there will be new people moving into the neighbourhood. Some are just moving across town, others are newcomers from other Canadian cities or from places around the world. Canadians generally pride themselves on being welcoming. It's important that this begins with the neighbourhood.

Affordable housing and/or higher density housing spoils the character of the neighbourhood

Affordable housing is not affordable because it's built with cheap or shabby materials; rather, it is affordable because innovative developers with or without government funding have contributed to keeping the constructions and/or operating costs low. Bear in mind that, as a rule of thumb, affordable just means that housing should cost no more than 30% of a household's income.

Affordable housing must comply with the same building restrictions and design standards as market-rate housing; as such, it will be designed to fit in with the character of the neighbourhood. When it is funded with public money, additional restrictions and higher standards are sometimes required.

Higher density doesn't have to mean high-rise. There are many ways to develop housing that enhances, rather than detracts from, the neighbourhood. Good design is important for a successful project.

> ### Density Through Design
>
> Examples of effective techniques to provide for greater density within a neighbourhood context:
>
> - Building setbacks
> - Height limits and step-backs
> - Variations in the façade
> - Street-level uses reflecting nearby storefronts or entrances
> - Locating taller sections where they're not as visible from public rights-of-way
> - Architecturally compatible design
>
> **Institute for Local Government**
> "Building Public Support for Affordable Housing", 2007

Affordable or high-density housing in the neighbourhood will mean more crime

The highly acclaimed architect and author Oscar Newman, known for Defensible Space theory, concluded that the design and use of public spaces — and particularly the sense of control and ownership that residents have over these areas — have far more significant effects on crime than density or income levels.[4]

Ontario studies have shown that neighbours of residents in supportive housing have few complaints about safety. This has been backed up by work done in Vancouver, following neighbourhoods where supportive housing has been built.

> "In 25 years of experience with supported housing in Vancouver, there is no evidence that there has been an increase in crime in areas around these buildings. There are 16 apartment buildings outside the Downtown Core ranging in size from 9 to 34 units that are located in apartment zoned residential neighbourhoods. A review of the complaints filed with the city's Licences and Inspection Department and Vancouver Police Department show few calls have been made by neighbours of supportive housing projects. In fact, the calls that have been received are often calls about activities near the address but unrelated to the tenants in the supported housing."
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> — "Supportive Housing Strategy for Vancouver Coastal Health," June 2007 www.vancouver.ca

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[4] California Department of Housing & Community Development, *Myths and Facts About Affordable Housing & High Density.* p 6.

A study of 146 supportive housing sites in Denver concluded that "there was no statistically significant evidence that supportive housing led to increased rates of reported violent, property, criminal mischief, disorderly conduct or total crimes."[5] Moreover, affordable housing often has a stabilizing effect on a neighbourhood by enabling people to stay in their communities.

It is also true that residents may not be calmed by studies conducted elsewhere. Fears about crime can also be addressed by a meeting with local police with experience in another similar housing development or neighbourhood.

"People should not have to ask permission from anyone, including prospective neighbours, before moving in just because of stereotypes relating to grounds under the *Ontario Human Rights Code*. Concerns about affordable housing projects should be legitimately anchored in planning issues rather than stereotypical assumptions about the people who will be housed."

Ontario Human Rights Commission, July 2008

Our neighbourhood already has its "fair share" of affordable housing

It is against the law to discriminate against people because of their ethnicity, religion, skin colour or physical/mental abilities, or just because they are poor.

Municipalities with a comprehensive housing plan can address this by demonstrating that social housing, supportive housing and below-market housing are planned in a variety of neighbourhoods in ways that complement the broader quality of life goals of our city.

" Generally, higher-density housing requires less extensive infrastructure than greenfield development — for piped water and sewer services, for schools, for roads, etc.

Furthermore, higher-density housing and infill provide a concentration of passengers for public transit as well as other neighbourhood services in a more compact area."

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[5] George Galster, Kathryn Pettit, Anna Santiago and Peter Tatian, "The Impact of Supportive Housing on Neighbourhood Crime Rates," Wayne State University and HUD, 2002.

Let's Build Communities: Strategies to Gain Acceptance

Gaining community acceptance is a process built on both short- and long-term strategies, requiring municipal staff and politicians to be patient, nimble, diplomatic and most of all, well prepared. Achieving affordable housing or new infill development can only happen through a collaborative process — engaging the neighbourhood, of course, but first of all working together with the developer to ensure the best possible proposal is brought forward to the community.

This section highlights a wide range of tools currently in use in Canada, including solutions related to supportive housing, non-profit and affordable housing and higher-density development. Seven case studies describe how some municipalities are achieving success in gaining community acceptance for unpopular housing. Each tells a story with lessons learned. In some instances, municipal housing and growth strategies are highlighted to demonstrate how comprehensive community-wide approaches can change the environment in which NIMBY flourishes. In other examples, site-specific approaches describe how development approvals were obtained in the face of neighbourhood opposition.

❯ Apply the law: Legislative frameworks

Like every municipal activity, housing development takes place within a legislative framework set by the provincial/territorial government. Municipal acts, planning acts, building codes and environmental assessment acts are the laws most commonly associated with community developments. Within this framework, municipalities adopt their own by-laws and regulations to ensure the well-being of all their citizens.

Although planning acts describe municipal powers related to land use and do not support "people zoning," instances of discriminatory practices can still be found across Canada despite national laws prohibiting discrimination. Furthermore, Canada is a signatory to the international convention on the right to adequate housing, which in turn is bound by the principle of non-discrimination.[6] In Ontario, the Human Rights Commission has come out explicitly against NIMBY-ism where it interferes with a person's right to housing.

With specific regard to non-profit (social) or supportive (special needs) housing, there will also be provincial legislation governing how public funds may be used in the building and operation of such housing. These requirements may help to identify and support certain sites within the municipality. And in some provinces, where rent supplements or housing allowances are possible, low-income people or people with disabilities may be housed in vacant apartment units, thereby avoiding NIMBY entirely.

Good Practices:

As a municipal politician or staff, you can use the laws to support proposals for affordable housing or intensification by stressing that:

- The proposed development must meet all legislative requirements. This means that housing construction must meet the standards of the building code to safeguard against poor quality construction, and development must comply with good planning practices established by the province and the municipality.

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[6] UN Office of the High Commissioner for Human Rights, CECSR,
"The Right to Adequate Housing" Article 11(1), December 13, 1991.

- Provincial legislation requires municipalities to pursue smart growth options by accommodating future populations through intensifying or infilling in existing neighbourhoods (where applicable, as in Ontario and BC).

- Where appropriate, provincial funding regimes and requirements for much-needed *affordable*, non-profit or supportive housing limit the number of locations where development is economically feasible.

- Objections to the housing proposal rooted in discrimination violate human rights legislation.

- Only respectful comments will be heard, with no tolerance for discriminatory remarks.

The City of Toronto has taken a strong stand against discrimination, with the newly-released *Toronto Housing Charter — Opportunity for All*.[7]

City of Toronto

Innovation in Fighting Discrimination

The *Toronto Housing Charter— Opportunity for All* affirms the city's commitment to supporting the housing rights of all its residents. Approved in August 2009, the Housing Charter is designed to guide city council and staff in their efforts to assist those who face challenges finding affordable housing, from newcomers and single parents to seniors and those with disabilities. The Charter is contained in Toronto's new 10-year plan "Housing Opportunities Toronto" that provides a housing roadmap for city, provincial and federal investments, as well as public and private-sector actions.

The Charter proclaims, among other things:

- All residents should have a safe, secure, affordable and well-maintained home from which to realize their potential.

- All residents should be able to live in their neighbourhood of choice without discrimination.

- All residents have the right to equal treatment in housing without discrimination as provided by the Ontario Human Rights Code, and to be protected from discriminatory practices which limit their housing opportunities.

Fighting discrimination in housing is not new to the City of Toronto. For a number of years, the city's Affordable Housing Committee has made clear their zero-tolerance policy when it comes to discriminatory comments at community public meetings. The Chair of the Committee begins each meeting with the same scripted remarks:

"This Committee and City Council are dedicated to enhancing the social and economic well-being of Toronto through the creation and preservation of affordable housing. To that end, we support an individual's fundamental right to housing without discrimination as protected under Ontario's Human Rights Code.

I would ask any deputants to stick to the facts as they relate to the substance of the proposal, as I will not entertain comments which are based on prejudices or discrimination against future residents.

This committee is determined to confront NIMBY-ism whenever and wherever it arises. We will not allow ignorance or prejudice to block the right of individuals and families to live in affordable housing in any corner of our great City."

Check out Toronto's Housing Opportunities at www.toronto.ca/affordablehousing.

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[7] City of Toronto, "Toronto Housing Charter – Opportunity for All", May 2009 at www.toronto.ca

Open the toolbox: Planning tools

Municipal officials use all the tools at their disposal to try to create more liveable communities, starting with comprehensive, long-range planning to establish future growth patterns down to site-specific zoning and design guidelines. When it comes to affordable housing or infill and intensification, planning tools can be used strategically to facilitate broader acceptance of controversial proposals and at the same time, remove barriers to new development.

In choosing the right planning tools and developing housing strategies, municipal officials should work closely with developers who will build housing and with people or agencies who will benefit most from such housing. As a municipal official, you should view these planning tools through the lens of a supportive or affordable housing provider, or infill developer and consider some of the following good practices.

Comprehensive Housing Action Plan

Canmore, Alberta

In 2008, the City of Canmore drew up a list of priority actions to create perpetually affordable housing (PAH). Among them:

1. **Employee Housing Linkage Program**

   Develop and implement an amendment to the Land Use Bylaw that requires the developers of commercial properties to provide employee housing at the same time as the commercial space is developed. There is an acute need to apply this program to the redevelopment potential of existing commercial areas.

2. **Density Bonus Incentives**

   Develop and implement municipal policy or regulations that provide incentives to builders and developers to provide PAH units, through variances to regulations and standards, or possibly through tax breaks or deferrals for the PAH units provided.

City of Canmore. "Comprehensive Housing Action Plan," 2008. www.canmore.ca

Good Practices:

- Create an overall housing strategy for the municipality, addressing the need and demand for different types of housing, such as lower-end market, social and special needs housing.

- Develop a policy for affordable and/or supportive housing throughout the municipality in all neighbourhoods.

- Establish as-of-right zoning to implement strategies for housing affordability throughout the municipality.

- Identify residential areas, based on planning guidelines, to permit as-of-right zoning for supportive housing and/ or higher-density housing.

- Carry out long-term planning (Official Plans, Official Community Plans, Master Community Plans) in an integrated fashion, making effective links between infrastructure and land use, and in particular the links between greater density and public transit.

- Establish policies for infill and intensification with design guidelines to ensure the integration of new development with the existing urban form as well as the enhancement of the public realm.

A number of municipalities have undertaken planning and/ or housing strategies that address specific housing and development needs in their community, while establishing a solid basis for rational conversations with the general public. These are showcased on the following pages.

STORY 1: City of Montréal Strategy for the Inclusion of Affordable Housing in New Residential Projects

"Finally, this Strategy will offer greater social equity. In addition to dramatically improving the quality of life of targeted households, the inclusion of affordable housing in new residential projects will reinforce the fabric of our neighbourhoods and preserve the high level of social mix that is one of Montréal's hallmarks."
— Mayor Gérald Tremblay

In 2005, the City of Montréal released its strategy for the inclusion of affordable housing in new residential projects. Apart from relying on housing subsidy programs and use of municipally owned land, the strategy also emphasizes the need to realize the full potential of planning and regulatory tools. For example, one action calls for re-examining parking requirements for social housing, citing car-ownership statistics confirming that social housing tenants have a far lower rate of vehicle ownership.

A central pillar of the strategy encourages social mix within neighbourhoods. In advocating this strategy, Montréal draws upon research conducted by INRS-Urbanisation where four factors for successful cohabitation are identified:

- Maintain a relatively homogenous population at the individual building level.

- Preserve privacy: avoid elements that may be perceived as forced socialization.

- Aim for architectural uniformity within the project.

- Ensure adequate space for public and semi-public areas, with clear boundaries.

The city set a target of 15,000 new affordable housing units between 2006 and 2009: 10,000 market and 5,000 social housing units. As of April 2009, the target for market housing has been surpassed; 75 per cent of the target for social housing has been met with units built or under construction. The city has acknowledged the role NIMBY can play in preventing the full realization of these policies and targets, and has identified a set of lessons learned in confronting NIMBY.

Lessons:

- Good design is important: avoid architectural styles that stigmatize social housing.

- Bring together all stakeholders to establish a common view on the goals of the housing project and the roles of each partner.

- Determine which aspects of the project are open to change and negotiation and which are not.

- Anticipate opposition and identify potential opponents to the project.

- Design a consultation process that is best suited to the project (e.g. Montréal's policy of not requiring an official public meeting for rezoning to allow social housing).

- Develop a communication strategy, and ensure you have the proper communication tools.

- Be open-minded and ready to integrate as many of the citizen's comments as possible.

- Establish an ongoing evaluation of the processes step by step in order to adjust the strategy in collaboration with stakeholders, as appropriate.

More information: Habiter Montréal, "Strategy for the Inclusion of Affordable Housing in New Residential Projects," 2005. www.ville.montreal.qc.ca

STORY 2: City of Vancouver Supportive Housing Strategy

"Great plan. We really need more housing… I'm giving you support for providing supportive housing in my neighbourhood." — Comments from public meetings

The City of Vancouver's Supportive Housing Strategy,[8] approved in June 2007, implements one of the key recommendations of the 2005 Homelessness Action Plan; namely, how to create supportive housing for persons with mental illnesses and/or substance issues (additional strategies have been designed to deal with other special needs populations).

The centerpiece of the Strategy is its emphasis on "geographic balance" or the need for city-wide distribution. With the approval of the Plan, the city identified twelve municipally owned sites distributed throughout Vancouver, allowing for the development of 1,200 new social and supportive housing units in accordance with a Memorandum of Understanding between the city and the province.

One of the sites (shown above) will feature a 51-unit apartment, with ground-floor retail targeted to low-income people, people with disabilities and people with mental

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[8] City of Vancouver, "Supportive Housing Strategy for Vancouver Coastal Health's, Mental Health and Addictions Supportive Housing Framework," June 2007, www.vancouver.ca

health issues who currently live in Port Grey, Kitsilano or Dunbar areas. It recently received provincial funding to allow the development to get underway. This project is located in a neighbourhood with no social housing to date, prompting an initial outburst of NIMBY concern. However, excellent outreach by the city and the proposed developer (The Coast Mental Health Foundation), along with a commitment to LEED Gold guidelines, defused many concerns.

Lessons:

- Council approval of a city-wide strategy has been the key to defusing opposition, along with evidence base showing the need for such housing.

- The Strategy has effectively reduced the need to go to council on a site-by-site basis.

- Feedback from the public reinforced the following as particularly useful:

  - The video featuring personal stories of individuals and families dealing with the challenges of a mental illness and/or an addiction gave people a better understanding of who might live in supportive housing.

  - Examples of existing supportive housing in Vancouver showed successful integration into the neighbourhood.

  - Information about benefits to the public health system of supportive housing showed that emergency room usage and hospital stays would be reduced.

  - Statistics showed no evidence that crime would increase (Denver study).

  - The establishment of a community advisory committee was reassuring.

More Information: www.vancouver.ca

STORY 3: Richmond Hill Intensification in the Suburbs

"Vacant or underutilized buildings or sites provide opportunities for generating new activity and amenity into a neighbourhood." — Richmond Hill Housing and Intensification Study Workbook, 2009.

The Town of Richmond Hill (pop 182,000) is a fast-growing suburb north of Toronto. To comply with Ontario's Places to Grow Act, the municipality must aim for a minimum of 40 per cent of all growth to come through intensification and infill. In a city where residents typically voice concerns about building heights, shadowing and neighbourhood character, municipal officials face a number of challenges in meeting this provincial requirement.

But since 2007, staff have engaged residents of this community in a wide range of visioning and planning processes. The Strategic Plan was approved in April 2009, and work on the Official Plan is well underway. From the outset, people were encouraged to think about change and imagine themselves, their children and maybe their parents 30 years hence: What will Richmond Hill look like? Will you have a suitable place to live?

In light of the compelling evidence that growth will only occur through intensification, municipal officials went to the public prepared — equipped with good data, good visuals and a variety of communication tools. The use of 3-D modelling was particularly effective in helping people visualize different types of built forms and densities.

Lessons:

Municipal staff are positive about the potential lasting effects of this planning process, but also realistic in acknowledging that they haven't cured NIMBY. The following are lessons learned:

- An emphasis on transit was helpful in putting forward the basis for intensification. Residents' experience with the regional bus system (York Region VIVA) has been positive, and they are looking forward to the introduction of LRT.

- Emphasizing the importance of the public realm and place making was also useful, rather than focusing simply on buildings and density.

- The inclusive and diverse processes allowed for maximum participation of all stakeholders: residents, developers, school boards, other public agencies, etc.

- A wide range of tools and techniques were used, allowing for individuals and agencies to choose the format most suited to their needs and schedules (use of workshops, charrettes, open houses, an interactive website and online polling).

- Attention was paid to communicating with this ethnically diverse community (how, when, where).

- Visual materials were used extensively, including 3-D modelling.

- Drawing connections to the past helped to remind residents of the nature of change.

More Information: Department of Planning and Development, *Urban Structure Study* Town of Richmond Hill, Jan 2009. www.town.richmond-hill.on.ca

❯ Listen: Community engagement and communication strategies

There is probably no more singly important thing a municipal official can do to gain community acceptance than listening to the public. Yet, one of the most common complaints expressed by residents is lack of awareness of a new housing proposal or lack of good information.[9]

"A turning point in the meeting came when one neighbour extended a welcome, citing the positive impact of past developments by the organization in improving properties and safety in their neighbourhoods.

Then the flower shop across the street from the development offered to provide flowers regularly for the café planned for an adjacent Stella Bury (SBCS) development.

By the end of the meeting, a number of those originally opposed to the project were expressing their support."

— Stella Bury Community Services, St. John's, Newfoundland & Labrador

Libraries and resource centres in cities and towns across Canada and the U.S are littered with public participation guidebooks. Nonetheless, some of the big lessons bear repeating, particularly in regard to engaging the community on controversial housing developments in their neighbourhood.

What can make public participation so challenging for affordable housing or infill proponents is the difficulty in ensuring that future occupants in need of the housing have a voice. Most are not yet in the neighbourhood and hence are unavailable to support the proposal. The objective, therefore, is to find those who can speak as proxies for the future residents, or advocates for affordable or higher-density housing.

Based on nearly 50 case studies nation-wide, Canada Mortgage and Housing Corporation (CMHC) and Human Resources and Social Development Canada (HRSDC) identified a series of strategies aimed at community acceptance.[10] A clear emphasis is put on communication, with recommendations related to community engagement (open, early, frequent, clear and accurate) and use of the media to drive positive messages.

Everyone can point to experiences with the media as either friend of foe. What municipal leader wouldn't prefer to read *"New development to be garden of creative delights"* instead of *"A chorus of experts sounds the alarm on cost to society"*? Local officials need to supply the media with up-to-date accurate information, while stressing the importance of the proposed development in meeting municipal goals (for affordable housing, for curbing sprawl, etc.).

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[9] CMHC, "Gaining Community Acceptance of Affordable Housing Projects and Homeless Shelters," 2006, p.2.

[10] Ibid.

Designing a good communication strategy can be the first positive step toward gaining community acceptance. Each municipality has its own personality, its own way of doing things that respects the diversity of its residents. Nonetheless, the following good practices can be adapted to suit each community and each unique housing proposal.

Good Practices:

- Have a strategy for engaging the public. Don't try to "wing it."

- Use a variety of techniques and forums to engage the public directly (e.g. community meetings, webinars) and indirectly (e.g. websites, mailings) and be sensitive to the language of communication, particularly in an area with a lot of newcomers.

- In addressing the public, emphasize the positive: community benefits for affordable, higher-density or mixed-use housing, for example.

- Communicate how the proposal meets the municipality's vision for the community, its strategic objectives, its official/master plan, etc. and emphasize how it can meet multiple city objectives (e.g. economic prosperity, greening).

- Be well prepared before community meetings:

  - Know your facts.

  - Anticipate objections.

  - Know the neighbourhood's development history: has a similar proposal been brought forward recently? Has the developer ever had a bad experience in the area?

- At public meetings, establish rules of behaviour from the outset, for example, no comments contrary to Human Rights Code(s) will be listened to, the focus will be on community planning components. Don't hesitate to respond vigorously to inappropriate comments, but equally important, acknowledge and reinforce constructive comments.

- Identify members of the public who are interested in knowing the facts, including potential allies. Champions from within the community are also likely to be highly regarded as good neighbours. Housing advocates and developers are proxies for future occupants who may not yet live in the community. Business owners understand the importance of affordable housing as it's critical for their workforce.

- Work collaboratively and coordinate presentations with the housing developer, whether market housing or non-profit.

- To enhance the communication of information, bring in subject experts to speak to the community about certain findings; for example, if crime is a concern, ask a representative from the Police Department to present the information and speak about his/her experiences in neighbourhoods with a lot of affordable or supportive housing.

- Develop a strong and effective media strategy, and prepare key messages and information kits ahead of time.

- Where proposals are large scale or particularly controversial, consider setting up a voluntary advisory committee, including municipal staff and representatives of all stakeholders (community, future residents, local business, related agencies) to facilitate resolution of planning issues.

STORY 4: City of Montréal Saint-Eugène Seniors Residence

Résidence Saint-Eugène, developed by the Montréal Housing Society, is a non-profit housing development with 156 units for low-income seniors (75% in core need). It includes new construction and the adaptive reuse of the church and presbytery. The neighbourhood is characterized by a mix of low- and medium-density housing, including an existing senior's apartment managed by the Municipal Housing Office. Residents in the area are low to moderate income.

The Montréal charter allows for rezoning of social housing without public consultation, but the city routinely organizes information meetings, as it did in the fall of 2003. The extent and nature of NIMBY concerns voiced at the meeting had been largely unanticipated, particularly because the housing was targeted to seniors. However, more than 70 people came out to oppose the development, citing concerns over height, density, scale, traffic, loss of trees, building materials and obstruction of views. Opposition was so strong that members of the community wrote a letter to the councillor in the local newspaper. This prompted the Montréal Housing Office to assign a staff member to be responsible solely for community liaison and to organize a second public information meeting.

Support from the local councillor was strong from the outset. Municipal officials stressed the need for more social housing, drawing on the city's new housing strategy with a goal of building 5,000 new social housing projects. Résidence Saint-Eugène was part of the strategy. Following the second information meeting, media coverage was more positive, and 900 interested seniors put their names on the waiting list.

As a result of the public engagement, city officials agreed that overall, the project improved through incorporating community concerns. Changes to the development included building height reduction from six to four stories, reduction/relocation of parking spaces, more trees saved, enhanced landscaping and the addition of seven more units. Nonetheless, zoning approval was delayed six months, and the costs associated with property acquisition and development rose by $500,000. The development has subsequently been recognized as an outstanding example of preservation and has received a heritage award for its successful incorporation of the church.

Lessons:

- Underestimating the nature and extent of community concern was costly.

- Assuming no one would oppose seniors' housing was a big mistake.

- Engaging with the community should have begun much earlier in the process.

- Addressing some of the residents' concerns generated an improved project.

- Realizing that although Montréal's strategy of not requiring an official public meeting for rezoning to allow social housing is a progressive step, it did not prevent community opposition.

More Information: City of Montréal, Habiter Montréal. www.ville.montreal.qc.ca

STORY 5: Toronto Wychwood Barns

TTC Car Barn, before redevelopment
Photo: Ayako Kita

TTC Car Barns redevelopment, 2008

A community initiative led by Artscape[11] has transformed five 95-year-old Toronto Transit Commission (TTC) car barns into a treasured neighbourhood asset, complete with a park, artists' live–work spaces, a farmer's market, and a year-round greenhouse. The heritage-designated property had become dilapidated through 25 years of disuse. At the heart of the mixed-use redevelopment are 26 live–work studios for artists, who are housed from Toronto's social housing waiting list (Housing Connections).

In 2001, the site in this predominantly residential neighbourhood was designated for open space in the city's Official Plan. Not surprisingly, there was a huge public outcry about converting parkland, prompting a new community newsletter, "Neighbours for 100% Green Park." Other typical NIMBY concerns also came forward: inadequate notification of meetings, garbage, noise, traffic, "busloads of school children," crowds of people coming to the performances and galleries, etc. "People" concerns also came to light, with nearby residents concerned about "those people (i.e. artists) with cars held together with duct tape — cars that might be parked on our streets."

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[11] Artscape is a not-for-profit, urban development organization that revitalizes buildings, neighbourhoods, and cities through the arts.

Affordability and Choice Today (ACT)

The project was seven years in the making, but was driven forward through the commitment of Artscape and the vision of the local councillor and the support of Toronto City Council. Despite the need for an Official Plan amendment and other approvals, only modest changes were made to the original proposal. Within months of opening, Wychwood Barns has become a community hub. The councillor was pleased to report a number of residents have gone out of their way to praise the redevelopment and apologize for their previous strenuous opposition.

Lessons:

- Identify allies early on and galvanize people in support of the proposal, finding as many as possible from within the neighbourhood.

- Be prepared for a long process with ups and downs, especially when rezoning is required. Every project has its difficulties.

- Listen carefully to all the comments: don't be afraid to reject the bad ones and to reinforce the good ones.

- Present the redevelopment or status quo options to the community, describe the trade-offs and ask them what they would do.

- Be prepared to compromise and gain an understanding of how much change the neighbourhood can absorb.

- Be prepared to adjust project budgets and raise extra funds when long delays add to overall costs.

- Understand that not everyone can visualize the end result. Many people need to see, touch, hear and smell in order to appreciate a new development.

More information: www.torontoartscape.on.ca

STORY 6: West Vancouver Community Dialogue on Neighbourhood Character and Housing

"Overall, the combination of approaches demonstrated that long-entrenched planning challenges can be overcome when residents believe that their voices are truly heard and the public process can earn the trust and confidence of the community," said PIBC President Lindsay Chase on the 2009 Planning Institute of BC Award of Excellence to West Vancouver.

West Vancouver's Official Community Plan (OCP) identifies housing and neighbourhood character as central issues in the community. Some people are concerned about housing choice and affordability, both for seniors and younger households. Others are concerned about the changing character of their neighbourhoods, as older houses are replaced with new, larger ones.

The Community Dialogue on Neighbourhood Character and Housing took place over the course of one year, and was a true dialogue. Information exchange was a two-way flow:

- District staff provided background information on demographic changes in the community as the basis for understanding the challenges facing the municipality.

- Residents shared their concerns about housing and neighbourhood character and their ideas for addressing these issues.

- The working group facilitated an open, inclusive discussion and listened to the community.

A common theme that emerged during the community dialogue was the intense desire by residents to protect the distinctive characteristics that made West Vancouver such a unique community. At the same time, residents acknowledged that doing nothing would not achieve this objective.

Twenty recommendations came out of this process, including the need to expand housing choice including more affordable housing, the need to legitimize secondary suites, the importance of ongoing public education about neighbourhood character, the need for pilot projects and the need to be environmentally sustainable.

Lessons:

In this reasonably homogeneous, upper-middle-class community, municipal officials carried out a community engagement process that led to an environment of mutual trust.

- Residents felt they were listened to.

- Residents had an opportunity for frank discussion.

- Residents came to a better understanding of the choices and decisions facing the local council.

- The opportunity to exchange ideas was not limited to face-to-face meetings, but also included workshops, web-based dialogue, and community newsletters.

- Residents supported the need to legitimize secondary suites.

More Information: www.westvancouver.ca

❯ Learn: Educational tools

People sometimes cringe at municipal officials who purport to "educate" them on matters related to development in their neighbourhood. And indeed, education is a two-way street: municipal officials can learn best about local issues from people who live there and residents can learn about planning processes and local decision making from municipal officials.

Educational tools can be deployed in at least two ways: in a general context through courses or workshops on planning issues unrelated to a specific development proposal or in the communication of information related to a specific proposal. In the case of the former, residents have the opportunity to learn more about planning and housing development in a conflict-free environment. Such approaches also enable municipal staff to elaborate on relevant provincial and municipal policies, and to describe the inter-connectedness of decision making at the local council table. The atmosphere in the room (or the virtual room, if a webinar) is less fraught; if done well, it can even be fun.

In the latter instance, strategies to gain community acceptance on a site-specific development will be most successful when everyone involved has access to the same reliable information. It must be up to date, easily accessed and simply communicated.

Good Practices:

- Prepare educational materials using a variety of formats (illustration, text, charts, maps, etc.). This will help communicate information to an audience with diverse learning experiences.

- In advance of a public meeting on a specific proposal, draft simple fact sheets summarizing development details and how they meet municipal or provincial policies. These can be handy reference checks for all interested participants (including the media).

- In establishing general educational materials:

  - Work collaboratively with developers and housing advocates to build up a compendium of information on building practices, development processes and housing needs in the community.

  - Engage local architects and urban designers to assist in creating a catalogue of visual images illustrating various housing types, the meaning of various densities and the relationship of housing and the public realm.

  - Draw on local historical information, including old photos, to demonstrate how communities change.

- Use these educational materials in as many different forums as possible from generic community-based courses to community meetings on site-specific proposals. Choose the tools to suit the occasion.

- Bring in technical experts and other professionals, as needed, to develop educational materials and/or communicate concepts to the public. They may be lawyers, engineers, heritage preservationists, ecologists, foresters, etc.

- Take the learning outside the classroom. Request developers/housing managers to conduct tours of affordable housing; or organize a tour of an attractive higher density or mixed-use neighbourhood.

STORY 7: City of Ottawa Planning Primer Program

The City of Ottawa offers the Planning Primer program to help residents become more aware of, and more involved in, the land-use planning process. The program is a series of free half-day courses, including two core courses and two elective courses.

The program aims to:

- Build and maintain a strong working relationship and understanding between the City of Ottawa and communities.

- Provide resources and teach skills to aid residents participating in the land-use planning process.

The core courses, called Primer I and Primer II, describe the legislative and policy basis under which land-use planning decisions are made, the way policy documents are amended and how to make a development application. Specialized issues are addressed in elective courses and address topics such as transit planning, the Ontario Municipal Board, urban design and heritage planning.

To enhance residents' understanding of planning issues, particularly as it relates to growth strategies, the city website includes a 15-minute video on intensification. It explains intensification as a key plank in the Official Plan review and describes the financial and environmental consequences of continuing sprawl, that is, what happens

if the city does not rely on high intensification targets to meet anticipated growth.

The program has become so popular that residents seeking to participate often find themselves on waiting lists. The enthusiastic endorsement of one participant interviewed is reflected not only in his comments ("they are great: a really good place to have a conversation about cities and communities") but also in his actions (he has already completed five courses).

Lessons:

- The City of Ottawa Planning Primer is viewed as a "necessary" but not "necessarily sufficient" requirement for residents to broaden their perspective beyond the "neighbourhood-first" point of view.

- Municipalities can create educational opportunities in a neutral, advocacy-free way, creating forums for information exchanges outside the context of a planning application or specific growth strategy.

- Using municipal planners and other subject experts to teach courses establishes a professional environment.

- Emphasizing facts, with a focus on the *what* and the *how* helps to level the playing field between experts and citizens.

- Through such citizen-friendly planning courses, residents gain an appreciation of the inter-connectedness of municipal planning decisions.

More Information: City of Ottawa Infrastructure Services and Community Development Department. www.ottawa.ca

❯ Follow up: Implementation and monitoring techniques

Once a development is approved, the municipality will make sure it is built according to appropriate planning and building regulations. Keeping track of the effects in the community after the housing is built and residents have moved in can be helpful. Have any of the community's worries come to pass? How have the new residents contributed to the neighbourhood?

Time and again, studies reveal that a key element in successful counter-NIMBY strategies is the presentation of evidence drawn from successfully integrated housing developments within a community. Affordable housing developments or mid-rise apartments that blend into the neighbourhood and enhance, rather than depress, property values can be a big selling point when trying to gain community acceptance. Similarly, data that shows no increase in the incidence of crime in the neighbourhood can be useful in combatting one of the big myths around social or supported housing.

It will always be preferable to use examples from within the local area, whenever possible. Residents will be quick to criticize comparisons with other cities or towns, no matter how similar their socio-demographics.

All of this points to the need for a monitoring system as a good practice in helping build a local information base to facilitate future developments.

Good Practices:

In developing and using a monitoring system, municipal officials should:

- Identify data and information that is easy to collect and easy to track. Keep it simple. For instance, data on property values is easy to collect and as shown by many municipalities, useful in defusing a frequently expressed concern.

- Link in with whatever monitoring programs may already exist in the municipality, for example, measures for affordable housing or intensification.

- Supplement technical information and data with photographs, videos and audio recordings from successful neighbourhoods. Interview new and old residents.

- In subsequently using the information drawn from monitoring local housing success stories, municipal officials should use whatever is relevant, in keeping with the anticipated site-specific NIMBY concerns for a new proposal.

" Educational tools can be deployed in at least two ways: in a general context through courses or workshops on planning issues unrelated to a specific development proposal or in the communication of information related to a specific proposal. In the case of the former, residents have the opportunity to learn more about planning and housing development in a conflict-free environment."

Resources

These organizations offer valuable information, tools, guidance and assistance. Readers are also encouraged to seek out other organizations in their community, region or province.

Affordability and Choice Today (ACT)
www.actprogram.com

• ACT grants

• Awards for best practice in regulatory reform

• Solutions and case studies for projects supported by ACT grants

Canada Mortgage and Housing Corporation (CMHC)
www.cmhc.ca

• Guidance for industry professionals and other audiences

• Extensive research, best practices, case studies and tools on sustainable community planning

Canadian Home Builders' Association (CHBA)
www.chba.ca

• Guidance for home builders and buyers

• Guidelines for environmentally responsible development

• News, research, resources and links

Canadian Housing and Renewal Association (CHRA)
www.chra-achru.ca

• Affordable housing research, news, events, advocacy, capacity building and library of resources

In addition, the following resources will be useful to municipal officials interested in other case studies and toolkits on NIMBYism and housing. This list does not include all the individual reports from municipalities across Canada. There are simply too many to mention; however, the most relevant material drawn from cities and towns has been documented in this Guide through footnotes, as appropriate.

Alberta Urban Municipalities Association (AUMA), "Affordable Housing Toolkit" at www.auma.ca.

British Columbia Local Government Tools to Counter NIMBY at http://www.housing.gov.bc.ca/housing/nimby/index.htm.

British Columbia Ministry of Housing, Recreation and Consumer Services (1995), "Guides to Combat NIMBY" at: www.housing.gov.bc.ca/.

Housing Policy.Org, "On-line guide to state and local housing policy," at: www.housingpolicy.org

HUD, Regulatory Barriers Clearinghouse, http://www.huduser.org/rbc/newsletter/vol7iss2more.html.

Institute for Local Government, "Building Public Support for Affordable Housing: A Toolbox for California Officials," July 2007 at: www.cacities.org.

Ontario Homecoming Coalition, NIMBY guide and other references at www.homecomingcoalition.com.

Urban Land Institute, publications at www.uli.org/ResearchandPublications.

Notes

Affordability and Choice Today (ACT)

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