

AGENDA

Committee of the Whole

Wednesday, February 12, 2020

9:00 am

Council Chambers

4th Floor, City Hall

ST. JOHN'S

ST. JOHN'S

Committee of the Whole Agenda

February 12, 2020

9:00 a.m.

Conference Room A, 4th Floor City Hall

Pages

1. **Call to Order**
2. **Approval of the Agenda**
 - 2.1 Adoption of Agenda
3. **Adoption of the Minutes**
 - 3.1 Adoption of Minutes - January 15, 2020 3
4. **Presentations/Delegations**
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6. **Public Works & Sustainability - Councillor Ian Froude**
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 - 6.3 Water Street Heated Sidewalks (Snow Melt System) Study 16
7. **Community Services - Councillor Jamie Korab**
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 - 9.1 Affordable Housing Catalyst Grant Allocations 2020 30

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12.	Governance & Strategic Priorities - Mayor Danny Breen	
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13.1	Text Amendment to Enable Heritage Use as a Discretionary Use in the Institutional (INST) and Institutional Downtown (INST-D) Zones - REZ1900014 - 42 Bannerman Street	98
13.2	Text Amendment to allow a Residential Accessory Dwelling Unit within a Floatplane Hanger in the Rural Zone - REZ1900017 - 360 Paddy's Pond Road	105
14.	Transportation and Regulatory Services - Councillor Sandy Hickman	
15.	Other Business	
16.	Adjournment	

ST. JOHN'S

Minutes of Committee of the Whole - City Council

Council Chambers, 4th Floor, City Hall

January 15, 2020, 9:00 a.m.

Present: Mayor Danny Breen
Councillor Maggie Burton
Councillor Debbie Hanlon
Councillor Deanne Stapleton
Councillor Hope Jamieson
Councillor Jamie Korab
Councillor Ian Froude
Councillor Wally Collins

Regrets: Deputy Mayor Sheilagh O'Leary
Councillor Dave Lane
Councillor Sandy Hickman

Staff: Kevin Breen, City Manager
Derek Coffey, Deputy City Manager of Finance & Administration
Tanya Haywood, Deputy City Manager of Community Services
Jason Sinyard, Deputy City Manager of Planning, Engineering & Regulatory Services
Cheryl Mullett, City Solicitor
Elaine Henley, City Clerk
Ken O'Brien, Chief Municipal Planner
Shanna Fitzgerald, Legislative Assistant
Susan Bonnell, Manager - Communications & Office Services

1. Call to Order

2. Approval of the Agenda**2.1 Adoption of Agenda****Recommendation****Moved By** Councillor Korab**Seconded By** Councillor Stapleton

That the agenda be adopted as presented.

For (8): Mayor Breen, Councillor Burton, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (8 to 0)**3. Adoption of the Minutes****3.1 Adoption of Minutes - December 11, 2019****Recommendation****Moved By** Councillor Froude**Seconded By** Councillor Jamieson

That the minutes of December 11, 2019 be adopted as presented.

For (8): Mayor Breen, Councillor Burton, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (8 to 0)**4. Presentations/Delegations****4.1 Mike Kirkland - Rogers Small Cell Program**

Rogers Communication has proposed a development plan to deploy Small Cell wireless technology to the City. These low radio frequency power non-tower structures have a small footprint and range and are effective both outside and inside of buildings improving coverage and/or increasing capacity in higher populated areas. Mike Kirkland was in attendance on behalf of Rogers Communications to present on Rogers Small Cell Program with the objective to develop a plan with input from the City of St.

John's to deploy Small Cells. Mr. Kirkland's PowerPoint presentation is attached to the agenda for reference.

4.2 Richard Pardy and Paul Chafe - 164 Signal Hill Road

Richard Pardy and Paul Chafe were in attendance to present on the application to build a residence at 164 Signal Hill Road. They referred to the details of their presentation contained in today's agenda.

5. Finance & Administration - Councillor Dave Lane

6. Public Works & Sustainability - Councillor Ian Froude

7. Community Services - Councillor Jamie Korab

7.1 Inclusion Advisory Committee Report - October 30, 2019

1. Accessible Parking in Churchill Square

Recommendation

Moved By Councillor Stapleton

Seconded By Councillor Froude

That the revised parking plan based on feedback from Service NL, noted as Alternative 3, be forwarded to Council for approval.

For (8): Mayor Breen, Councillor Burton, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (8 to 0)

8. Special Events - Councillor Hope Jamieson

9. Housing - Deputy Mayor Sheilagh O'Leary

10. Economic Development - Mayor Danny Breen

11. Tourism & Culture - Councillor Debbie Hanlon

12. Governance & Strategic Priorities - Mayor Danny Breen

13. Planning & Development - Councillor Maggie Burton

13.1 Built Heritage Experts Panel Report - December 11, 2019

1. Door and Garage Door Styles in Heritage Areas

Recommendation**Moved By** Councillor Burton**Seconded By** Councillor Jamieson

That Council proceed in preparing a heritage information sheet dealing with acceptable door and garage door styles in Heritage Areas.

For (8): Mayor Breen, Councillor Burton, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (8 to 0)

13.2 Proposed Small Cell Antenna Installations - Rogers Communications - Various City Structures - INT200001

During discussion it was noted that the draft master agreement will return to Council when complete.

Recommendation**Moved By** Councillor Burton**Seconded By** Councillor Hanlon

That Council approve the use of Small Cell antennas on City buildings where deemed appropriate upon consultation with the appropriate City department. As well, it is recommended to exempt these Small Cell antennas from the City's public notification process in keeping with the protocols of Industry Canada.

For (8): Mayor Breen, Councillor Burton, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (8 to 0)

13.3 Proposed Dwelling - Comprehensive Development Area (CDA) - Signal Hill - 164 Signal Hill Road**Recommendation****Moved By** Councillor Burton**Seconded By** Councillor Hanlon

That the application be referred to the Built Heritage Experts Panel for comment on the size of the building.

For (8): Mayor Breen, Councillor Burton, Councillor Hanlon, Councillor Stapleton, Councillor Jamieson, Councillor Korab, Councillor Froude, and Councillor Collins

MOTION CARRIED (8 to 0)

14. **Transportation & Regulatory Services - Councillor Sandy Hickman**

15. **Other Business**

16. **Adjournment**

There being no further business the meeting adjourned at 9:52 am.

Mayor

DECISION/DIRECTION NOTE

Title: Approval of a Professional Development Allowance for Members of Council

Date: January 28, 2020

Report To: Mayor and Council

Councilor and Role: ALL

Ward: N/A

Decision/Direction Required: Approval of a Professional Development Allowance for Members of Council

Discussion – Background and Current Status:

From time to time members of Council request financial support from the City for attendance at learning events of a professional development nature such as workshops, conferences, seminars. While the City has a policy related to employee training and learning, there is currently no policy that applies to Council in this regard. To ensure fairness and equity in the application of budget for Council professional development, a policy is recommended that would use the following guidelines:

1. Council learning activities should be specific to the role of Council within City activities and functions such as: legislative and governance matters; community leadership, accountability and strategy; evaluation of executive leadership.
2. \$1000 allocation per Councilor annually for a total budget of \$11,000. The fund would not replace budget used for travel to attend conferences and meetings related to City matters.
3. Funds may be used collectively to support learning of Council as a whole.
4. Approval for use of the funds requires the approval of the City Clerk.
5. Reporting of spending as part of quarterly travel report.
6. City Clerk's Office to manage the fund.

Key Considerations/Implications:

1. Budget/Financial Implications

The annual cost proposed is \$11,000 per year. This money will be sourced internally so as not to increase the overall City budget.

2. Partners or Other Stakeholders

N/A

3. Alignment with Strategic Directions/Adopted Plans

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All learning shall be aligned with the City's overall strategy and goals.

4. Legal or Policy Implications

N/A

5. Engagement and Communications Considerations

The amounts spent will be reported in conjunction with the quarterly travel report.

6. Other Implications

N/A

Recommendation:

If Council wishes to avail of this sort of professional development funding staff recommended a professional development allowance of \$1,000 per Councilor per year be established and an associated policy be developed to guide the fund and provide clarity on usage.

Prepared by: Derek Coffey, Deputy City Manager, Department of Finance and Administration

Approved by: Kevin Breen, City Manager

DECISION/DIRECTION NOTE

Title: Riverhead Capital Reserve Fund Expense
Procurement of Replacement Deep Well Bar Screen

Date Prepared: January 16, 2020

Report To: His Worship the Mayor and Members of Council

Ward: Not Ward Specific

Decision/Direction Required:

To seek a decision on proceeding with a purchase from the Capital Reserve Fund to replace the existing deep well bar screen at the Riverhead Wastewater Treatment Facility.

Discussion – Background and Current Status:

The Riverhead Wastewater Treatment Facility (WWTF) Capital Reserve Fund is being requested to be used for the purchase of a replacement deep well bar screen. The existing deep well bar screen must be replaced to provide reliable and continuous operation of the Riverhead WWTF.

The total estimated cost to supply and deliver a new deep well bar screen is \$233,000.00 USD (Taxes Extra).

Key Considerations/Implications:

1. Budget/Financial Implications

The Riverhead WWTF has identified sufficient funds within the Capital Reserve Fund to support this equipment replacement project. A detailed breakdown of contributions less purchases made through this program is provided as follows:

0000-36888 Reserve for Riverhead Wastewater Treatment Facility Equipment

Replacement

2013 Contribution	\$416,398.55
2014 Contribution	\$421,258.92
Less: Conveyor/Compactor	\$(134,575.63)
2015 Contribution	\$423,443.81
Less: Pump Station HRV/SCADA Upgrade	\$(274,925.98)
2016 Contribution	\$423,365.55
2017 Contribution	\$425,071.84

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Less: SCADA Server Replacement	\$(142,530.68)
2018 Contribution	\$441,414.76
2019 Contribution to date	\$25,884.37 ⁽ⁱ⁾
Balance:	\$2,024,805.51 ⁽ⁱⁱ⁾

Notes:

- (i) Remaining 2019 Contribution of \$415,000.00 has yet to be added to the reserve fund and is not reflected in the balance to date above.
- (ii) 2020 Contribution of \$415,000.00 (excluding interest) has yet to be added to the reserve fund and is not reflected in the balance to date above.

2. Partners or Other Stakeholders

N/A

3. Alignment with Strategic Directions/Adopted Plans

- **Strategic Plan Goal: An Effective City**

The Capital Reserve Fund provides the Riverhead WWTF with the ability to replace essential or failed equipment in a timely manner.

4. Legal or Policy Implications

N/A

5. Engagement and Communications Considerations

N/A

6. Human Resource Implications

N/A

7. Procurement Implications

The estimated timeframe for the replacement of the deep well bar screen is approximately 20 weeks.

8. Information Technology Implications

N/A

9. Other Implications

N/A

Recommendation:

The deep well bar screen is essential for reliable and continuous operation of the Riverhead Wastewater Treatment Facility. It is recommended that funding be made available through the Capital Reserve Fund to support the purchase of this equipment.

Prepared by/Signature:

Daniel Martin, P. Eng.
Manager, Regional Facilities

Signature: _____

Approved by/Date/Signature:

Lynnann Winsor, P.Eng., M.A.Sc.
Deputy City Manager, Public Works

Signature: _____

DECISION/DIRECTION NOTE

Title: Windsor Lake Water Treatment Plant Capital Reserve Fund
Replacement of High Zone Pumping Station Emergency Diesel Generator

Date Prepared: January 23, 2020

Report To: Committee of the Whole

Councillor & Role: Councillor Ian Froude, Public Works and Sustainability Lead

Ward: Not ward specific

Decision/Direction Required:

To seek a decision on proceeding with a purchase from the Capital Reserve Fund to replace the existing High Zone Pumping Station Emergency Diesel Generator at the Windsor Lake Water Treatment Plant.

Discussion – Background and Current Status:

The Windsor Lake Water Treatment Plant (WTP) Capital Reserve Fund is being requested to be used for the supply and install of a new High Zone Pumping Station emergency diesel generator along with necessary controls equipment. The existing generator has been in service for over thirty (30) years and was initially designed to provide backup power to the first treatment facility at the site. Major repairs over recent years combined with the fact that spare parts for the generator and control panel are no longer readily available have significantly reduced reliability and warrant the replacement of this unit. This equipment is critical in that it provides emergency backup power to the High Zone Pumping Station which supplies treated water to the Airport Heights service area.

From a climate change consideration, consumption of diesel fuel is anticipated to be lower for a modern and properly sized emergency diesel generator.

The total estimated cost to replace this equipment, including engineering design and installation, is \$500,000.00 + HST.

The High Zone Pumping Station emergency diesel generator was not originally included in the Capital Reserve Fund list of critical equipment developed in 2015. However, this equipment does meet the qualifications of the Fund in that the generator is a critical water treatment asset which exceeds the replacement threshold of \$25,000. It is the intention of the Water & Wastewater Division to review the list of critical equipment included in this Fund every five (5) years to add/remove equipment where necessary, while adjusting for market value at the time. This plan is scheduled to be reviewed again in 2020.



Key Considerations/Implications:

1. Budget/Financial Implications

Funding has been identified within the Windsor Lake WTP Capital Reserve Fund to support this equipment replacement project. A detailed breakdown of 2016-2019 contributions less purchases made through this Program is provided as follows:

0000-36889 Reserve for Windsor Lake WTP Equipment Replacement

2016 Contribution	\$350,000.00
2017 Contribution	\$350,000.00
Less: UPS Replacement	\$(68,920.75)
2018 Contribution	\$350,000.00
Less: Secondary Cell #1 Membrane Modules	\$(88,636.09)
2019 Contribution	\$350,000.00
Less: SCADA Server Upgrades	\$(169,065.55)
Balance	<u>\$1,073,377.61</u>

2. Partners or Other Stakeholders

N/A

3. Alignment with Strategic Directions/Adopted Plans

- **Strategic Plan 2019-2029 Goal: A Sustainable City**

Development of a Capital Reserve Fund at the Windsor Lake WTP provides the ability to replace critical equipment in a timely and appropriate manner, avoiding unplanned maintenance and unexpected costs.

4. Legal or Policy Implications

N/A

5. Engagement and Communications Considerations

N/A

6. Human Resource Implications

N/A

7. Procurement Implications

The estimated timeframe for the replacement emergency diesel generator and controls equipment is approximately 6 months.

8. Information Technology Implications

N/A

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9. Other Implications

N/A

Recommendation:

The High Zone Pumping Station emergency diesel generator is an essential piece of equipment which is necessary to provide redundancy of power availability for the continuous supply of treated water to the Airport Heights service area. It is recommended that funding be made available through the Capital Reserve Fund to support the purchase and installation of this equipment.

Prepared by/Signature:

Shawn Haye, P. Eng.
Manager, Water Treatment

Signature: _____

Approved by/Date/Signature:

Lynnann Winsor, P.Eng., M.A.Sc.
Deputy City Manager, Public Works

Signature: _____

DECISION/DIRECTION NOTE

Title: Water Street Heated Sidewalks (Snow Melt System) Study

Date Prepared: February 5th, 2020

Report To: Committee of the Whole

Councillor and Role: Ian Froude, Public Works Lead

Ward: All

Decision/Direction Required:

Re: Installation of snow melt system as a pilot project for Phase 3 of the Water Street Infrastructure Improvements.

Discussion – Background and Current Status:

Background:

Early in 2019, Council asked if heated sidewalks (snow melt system) could be reviewed for a possible pilot project as part of the Water Street Infrastructure Improvements project. Over the past year, city staff and the engineering consultant for the Water Street project have researched snow melt systems.

Accompanying this decision note is a brief report that includes a general overview of the technologies and cost estimates for those that were most applicable for the location.

Some of the Benefits/Challenges of a snow melt system are noted below:

Benefits:

- Improved sidewalk access (under certain conditions).
- Potential reduction in slips and falls in melted snow (water) can be removed from the sidewalk before the next freeze cycle.
- No equipment on the sidewalk during business hours for snowfall events that do not exceed the capacity of the system.

Challenges:

- Snowstorms may result in the accumulation of snow on sidewalks at a rate that exceeds the melt rate. Snow melt systems are not designed to melt a thick layer of snow. In such cases, snow removals would still be required.
- Snow clearing operations would need to be carried out such that snow from the street is not placed on sidewalks during plowing operations.
- Melted snow or ice (water) must be permitted to freely drain from the sidewalk. Accumulated snow on the roadside of the curb and gutter could result in blocking the drainage of water from the sidewalk. Therefore, snow would need to be removed from the street immediately following a snow fall to ensure that water can freely drain from the sidewalks.
- Any sidewalk damage from external forces or poor construction may result in damage to electric cables or piping system.
- Limited space for electrical/mechanical equipment.
- Excavation of water and sewer services for maintenance purposes would result in having to remove and replace sections of the snow melt system adding to the complexity and cost of the repairs
- Excluding the upfront capital cost of the system, the annual energy costs to operate the system exceeds the existing contract cost to clear the sidewalk by 20 times.

Cost Implications:

In the report only the most practical options for snow melt systems considering the location were looked at into further detail. The cost considers initial capital cost as well as operational (i.e. energy) costs. It does not include maintenance costs. As noted in the attached report, the capital cost to implement snow melt systems is significant.

The operating cost is something that would have to be considered annually if the system is utilized. The unknown at this time would be electrical rates which could increase the operating costs significantly moving forward. Current estimates for the annual operating costs of just this one section of Water Street from Ayre's Cove to Cliff's-Baird's Cove is approximately \$70,000.

Operational/Miscellaneous Concerns:

1. Drainage Requirements – Snow melt systems in ideal conditions provide benefits such as those identified herein. Note that even if the system can melt the snow at the rate of snowfall, there are some concerns about the melt runoff. If there are windrows that are not removed immediately a new drainage system (which is not included in the estimates attached) would be required to remove the runoff. Runoff has the potential to be blocked by the snow accumulated at the face of the curb and gutter. Trapped water has the potential to freeze. To avoid this, the removal of snow in the parking

stalls adjacent to the curb would have to be in line with the optimal functioning of the system.

In addition to this, it is not practical to assume that snow melt systems would eliminate the need for all sidewalk snow removal. Snow events that exceed the capability of the systems would still require the sidewalks to be cleared. Also windrows from plowing the street will have to be removed.

2. **Water and Sewer Lateral Repairs** - The property owner would have to be responsible for repairs to the snow melt system in the case they have to make repairs to their water or sewer laterals beneath the sidewalk. The property owners for commercial properties are responsible for the maintenance of their own laterals and all the associated costs.
3. **Other Downtown areas** - Costs that are provided include the proposed costs to install and maintain the snow melt system for this one section of Water Street from Ayre's Cove to Cliff's-Baird's Cove (Phase 3). For this system to be most beneficial it would have to be expanded throughout Water Street. The City would have to consider other areas in the downtown as well. This introduces further significant capital and operating costs.
4. **Impact on Completion of Phase 3** – To implement the snow melt system, additional capital costs would be required. Furthermore, it would extend the construction period for the Water Street project into the summer tourist season.
5. **Unknowns/Risk** - While there are some examples of successful snow melt systems in North America, our research did not find any with climates or the conditions like the City of St. John's. In the case of Holland Michigan, there is a waste energy heat source that significantly reduced operating costs. In other jurisdictions, such as for downtown Montreal, it was ultimately abandoned due to high capital costs and potential costly breakdowns. Due to the lack of successful case studies, especially with conditions similar to St. John's, there is a significant risk that this funding intensive system will not work as intended.

Key Considerations/Implications:

1. **Budget/Financial Implications**

Additional capital and operating funds would be required to implement the snow melt system. If a decision was made to install a system, a commitment to operating and maintenance costs would have to be budgeted annually. This would increase based on the amount of snow melt system installed and the potential rising cost of electricity. The

annual operating costs would be significantly higher than the current contract cost to plow and salt the sidewalk.

2. Partners or Other Stakeholders

Downtown St. John's and its business subgroup for Water Street project
Utility Companies (NL Power, Bell Aliant, Rogers, Eastlink)
Destination St. John's
Restaurants Association of NL
Board of Trade
Canadian Federation of Independent Business
Retail Council of Canada
Building Owners and Managers Association
All business owners/operators on Water Street
Patrons and visitors to the downtown
City of St. John's Visitor's and Business Centres
Other organizations on Water Street such as Canada Post
Taxpayers

3. Alignment with Strategic Directions/Adopted Plans

A sustainable City – Be financially Responsible and Accountable
A Connected City – Increase and improve opportunities for residents to connect with each other and the city.

4. Legal or Policy Implications

N/A.

5. Engagement and Communications Considerations

The impact on the construction schedule would have to be communicated to the affected businesses and stakeholders.

6. Human Resource Implications

N/A.

7. Procurement Implications

The Public Procurement Act would apply for procurement of materials and installation.

8. Information Technology Implications

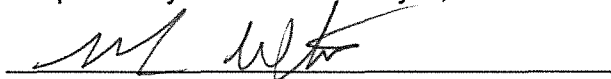
N/A

9. Other Implications
N/A

Recommendation:


Given the additional capital and operating costs, the required changes to other snow clearing on the adjacent street, and the uncertainty of success, it is recommended to not install heated sidewalks in Water Street.

Prepared by/Date: February 5, 2020



Mark White, P. Eng.,
Manager, Construction Engineering - PERS

Reviewed by/Date: February 5, 2020



Scott Winsor, P. Eng.,
Director of Engineering - PERS

Approved by/Date: February 5, 2020



Jason Sinyard, P. Eng., MBA,
DCM - PERS

MW/dm

Attach.



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January 31, 2020

Mark White, P. Eng.
Manager, Construction Engineering
Planning, Development and Engineering
City of St. John's
P.O. Box 908
St. John's, NL A1C 5M2

Dear Mr. White:

*RE: Water Street Infrastructure Improvements, Phase III
Heated Sidewalk Study: Ayre's Cove to Clift's-Baird's Cove
FINAL REPORT*

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St. John's, Newfoundland
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**Solving
today's
problems
with
tomorrow
in mind**

In 2015, CBCL was engaged by the City of St. John's to provide engineering services for the Water Street Infrastructure Improvements Project. To date, two phases of this five-phase project have been completed. Phase III, which is scheduled to be completed in 2020, includes the area from Ayre's Cove to Clift's-Baird's Cove.

Removing snow from sidewalks during the wintertime is operationally challenging, especially in the downtown area. As a supplement to snow removal, sidewalks could be heated such that snow melts and runs away as water from sidewalks as opposed to accumulating. Given that there are commercially available snow melt technologies, the City requested that CBCL assess the feasibility of implementing such a technology along Water Street prior to commencing construction between Ayre's Cove and Clift's-Baird's Cove. CBCL has completed this assessment as part of the Phase III preliminary design work.

CBCL's scope of work includes completing a cursory review of the available technologies, assessing two of these technologies in detail and providing capital and power costs for each technology. Case studies of snow melt applications are discussed. An overview of some of the benefits of snow melt systems is provided. We have also provided comments on the practical challenges associated with installing and maintaining a snow melt system.

Technology Overview

There are predominantly two technologies available for melting snow from walking or driving surfaces:

- Electric heat tracing: Electric cable is embedded in the walking or driving surface. An electric current is applied to the heat tracing cable when snow melting is required.
- Hydronic: Piping is placed in the walking or driving surface. A heated water/glycol (antifreeze) mixture is circulated through the piping when snow melting is required.

Other systems include heated pads and conductive concrete which were not considered in detail for Water Street. Heated pads are temporarily placed on walking surfaces during wintertime. CBCL's research indicates that these systems are commercially available for





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Mark White

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ships and oil platforms; they have also been used for homes and businesses. Conductive concrete, which is concrete with metal shavings in it, is currently being tested as a snow melt technology.

CBCL has reviewed the feasibility of the heat tracing and hydronic systems. For both options, the following is applicable:

- Water Street from Ayre's Cove to Clift's-Baird's Cove is approximately 175 m long.
- The average sidewalk width on the North side of the street is 2.5 m for an approximate surface area of 437.5 m².
- The average sidewalk width on the South side of the street is 3 m for an area of 525 m².
- The total sidewalk surface area is approximately 962.5 m².

The energy required for snow melting varies with air temperature, wind speed, humidity, snow density and the depth of snow. Using historical climate data for St. John's and information provided from manufacturers on the design requirements for snow melt systems, the expected rate of energy consumption, that is, the required snow melt system capacity, can be estimated. For Water Street, the required capacity is estimated to be a maximum of 473 W/m² for a total of 455 kW. For conceptual design, 500 kW was selected as the required capacity.

Heat Tracing

An electric heat tracing system has controllers installed in a building which are powered from an electric utility service. Sensors installed outdoors detect ambient temperature and moisture content in the air. Power cables are installed from the service to junction boxes at the sidewalk surface. The junction boxes allow for power cables to be connected to the heat tracing cables which are routed in the sidewalks. Expansion joints in the sidewalks require underground enclosures which allow the heat tracing cables to transition from one sidewalk section to another. These enclosures protect cables from damage due to the effects of thermal expansion of the concrete throughout the year.

A heat tracing system for the section of Water Street from Ayre's Cove to Clift's-Baird's Cove would require the following:

- Electric service including utility transformer, cabling, switchgear/motor control centre and distribution boards.
- ±6,000 m of mineral insulated heat tracing cables that are placed in centre of concrete sidewalks and are spaced at approximately 150 mm.
- Ground grid and ground cables around heat trace.
- Enclosure with controllers and contactors to control all heat trace circuits.
- Sensors for detecting weather and snow.
- Metal enclosures to be installed below sidewalk for heat trace to transition between expansion gaps in sidewalk.
- Field junction boxes to be mounted around the street to provide connection between power cables and heat trace cables and sensors.
- Power cable for feeding heat trace circuits on the street.
- Control cable and conduit for connection to sensors located on the street.

For the capital cost estimate, it was assumed that a small building would be constructed adjacent to the Law Society Building on Water Street to house the electrical equipment. An





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alternative option is to install a concrete chamber for the equipment in Water Street. This option is mainly limited by the presence of existing infrastructure in Water Street.

Based on historical climate data for St. John’s and Newfoundland Power’s rates for a General Service (110kVA to 1000kVA), the cost to operate the heat tracing system was estimated. This estimate is based on an average number of snow days of 78 and operating for a period of 12 hours per day.

Item	Cost
Heat tracing capital cost	\$1,538,000
Annual power cost	\$69,000

The detailed capital cost estimate is contained in Appendix A and assumes that the snow melt system is constructed independent of the Phase III work.

Hydronic System

The water/glycol mixture in a hydronic system is heated and then pumped through piping in a walking or driving surface to melt snow. The hydronic system is controlled by a digital controls system that uses snow sensors as well as outside air temperature sensors to determine when, and at what capacity, the snowmelt system is required. During operation, a pump is enabled and the fluid is heated to meet the demand. Since the fluid is a water/ glycol mixture, the system can be turned off when not needed.

In the absence of a waste heat source, either boilers or heat pumps are used to heat the fluid. The boiler can be electric- or oil-powered (an alternative fuel such as propane can also be used). An oil-powered boiler adds additional complexity to the system as equipment for fuel storage, fuel delivery, and handling exhaust gases are required. An electric boiler is a simpler option but the associated power costs can be very high. A heat pump would generally give a coefficient of performance (COP) above 2.0 which would save 50% of the power compared to an electric boiler. A combination of heat pumps and an electric boiler is another option if it could be shown that the heat pumps would run most of the time and electric boiler would only be necessary at certain peak times. The hydronic system becomes more cost-effective when there is a source of waste heat available that is used to provide heat to the system. Currently, there is not an adequate source of waste heat to use for Water Street. For the purposes of this study a heat-pump-only system was explored.

A hydronic system for the section of Water Street from Ayre’s Cove to Clift’s-Baird’s Cove would require the following:

- Electric service including utility transformer, cabling, switchgear/motor control centre, and distribution boards.
- ±5,500 m of 19 mm diameter cross-linked polyethylene (PEX) piping spaced at 200 mm and placed in centre of concrete sidewalks; the 19 mm piping is looped to a 150 mm diameter header pipe.
- Heat pump layout, along with a mechanical and electrical building, requires approximately 20 m x 6 m of space.
- Heat pumps proposed are Mitsubishi Zubadan CAHV air-to-water heat; 15 heat pumps are required.
- Mechanical building with a floor area of approximately 9.3 m² containing:
 - One in-line pump with a capacity of 28 L/s.





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Mark White

January 31, 2020

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- Glycol fill and mixing tank.
- Controls and electrical equipment.
- Fluid is a solution of 50% propylene glycol and 50% water.

For the capital cost estimate, it was assumed that an outside area large enough for the heat pumps is available. Again, it was assumed that the land adjacent to the Law Society Building could be used.

Based on historical climate data for St. John’s and Newfoundland Power’s rates for a General Service (110kVA to 1000kVA), the cost to operate the hydronic system was estimated. This estimate is based on an average number of snow days of 78 and operating for a period of 12 hours per day.

Item	Cost
Hydronic system capital cost	\$3,475,000
Hydronic system annual power cost	\$70,000

The detailed capital cost estimate is contained in Appendix A and assumes that the snow melt system is constructed independent of the Phase III work.

For the hydronic system, it is possible to also consider water-to-water heat pumps using the harbour water as a heat source. The location of Water Street in relation to the harbour means that the capital cost for a water-to-water heat pump system would be higher than the air-to-water system due to the additional piping and pumps required to circulate the water from the harbour to Water Street. The efficiency gained in using water-to-water heat pumps, if any, would not offset the additional capital costs.

Case Studies

Our preliminary research indicates that successful implementation of hydronic snow melt systems such as those in Reykjavik, Iceland and Holland, Michigan rely on an inexpensive heat source for the water/glycol mixture. Canadian cities, including Montreal and Saskatoon, have considered snow melt systems, but have not installed them.

Reykjavik, Iceland

Iceland’s National Energy Authority notes on its website (<https://nea.is/geothermal/direct-utilization/snow-melting>) that geothermal water (water heated through tectonic plate and volcanic activity) is used to heat 9 out of 10 homes in Iceland. In downtown Reykjavik, a snow-melting system has been installed under the sidewalks and streets over an area of 50,000 m². This system is designed for a heat output of 180 W/m² of surface area.

Holland, Michigan

According to the City of Holland’s website (<https://www.holland.org/snow-free-holland>), water is heated and circulated through 120 miles (193 km) of plastic tubing underneath the streets and sidewalks by using waste heat from power generation. There are currently 4.9 miles (7.9 km) and 10.5 acres (4.3 ha) of heated streets and sidewalks. With the water heating up to 95 °F (35 °C), the system can melt 1 inch (25 mm) of snow per hour - even at 20 °F (-7 °C) with 10 mile/hr (16 km/hr) winds . Photos are courtesy of the City of Holland’s website.





Hydronic piping

Snow free street and sidewalks

Montreal, Quebec

The City of Montreal had planned to include heated sidewalks in its Ste-Catherine Street revitalization project. However, the City has since decided not to pursue heated sidewalks because it has been judged too expensive, potentially prone to costly breakdowns and could delay the first phase of the infrastructure overhaul.

(<https://montrealgazette.com/news/local-news/montreal-ices-plan-to-heat-ste-catherine-st-sidewalks>).

Saskatoon, Saskatchewan

Waste heat from the National Research Council (NRC) Building in Saskatoon is used to heat sidewalks at the building’s main entranceway. The City of Saskatoon has reviewed the use of snow melt systems in its plans to redevelop the city core, but officials were not pursuing it as of 2017. (<https://toronto.citynews.ca/2019/01/30/a-new-canadian-city-flirts-with-the-dream-heated-downtown-sidewalks/>).

Benefits

While there are significant challenges associated with providing snow free sidewalks along Water Street, there are also benefits, including:

- Improved access to businesses during the wintertime.
- Improved safety through an anticipated reduction in slips and falls.
- Potential to increase tourism by promoting snow free streets to recreational users.
- No equipment on sidewalks for snow fall events that do not exceed the capacity of the snow melt system.

Other Considerations

Some additional challenges associated with implementing a snow melt system for Water Street sidewalks include:

- Snow melt systems are not designed to melt a thick layer of snow. Therefore, snow clearing operations would need to be carried out such that snow is not placed on sidewalks. Also, intense snow storms may result in the accumulation of snow on sidewalks at a rate that exceeds the melt rate; therefore, sidewalk snow clearing would still be required at times.
- It is critical that melted snow or ice (water) be permitted to freely drain from the sidewalk. Accumulated snow on the road side of the curb and gutter could result in blocking the drainage of water from the sidewalk. Therefore, snow would need to



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January 31, 2020

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be removed from the street immediately following a snow fall to ensure that water can freely drain from the sidewalks.

- There is limited space available for the installation of mechanical and electrical equipment.
- Compaction under sidewalks will be critical as concrete cracking may result in damage to electric cables or piping system.
- Excavation of water and sewer services for maintenance purposes would result in having to remove and replace sections of the snow melt system.
- The sidewalks on Water Street are cleared by a contractor. The unit cost for an entire winter season is currently \$10.34/m, HST included. For the section from Ayre's Cove to Clift's-Baird's Cove, the total snow clearing cost for the winter season is \$3,619, HST included.

Yours truly,

CBCL Limited

Greg Sheppard, P. Eng.

Project Manager

Direct: 709-364-8623, ext. 288

E-Mail: gregs@cbcl.ca

Attachments: Appendix A

Project No: 153051.00

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APPENDIX A



Opinion of Probable Construction Costs

City of St. John's
Water Street Infrastructure Improvements, Phase III
Heated Sidewalks Study

DATE: January 27, 2020
CBCL FILE No.: 153051.00
PREPARED BY: John K./Greg S.
EST. DESCRIPTION : Class D

No.	DESCRIPTION	COST	RATIO	
CONSTRUCTION COSTS				
1	Mobilization, Bonds, Insurance, Permits, Pre-Construction Management	\$11,000	1.1%	
2	Site Power Feed Upgrade	\$96,000	9.7%	
3	Electrical Equipment	\$354,000	35.9%	
4	Buried Cables, Control cables, Grounding and Conduit	\$234,000	23.8%	
5	Sidewalk Removal and Reinstatement	\$241,000	24.5%	
6	Asphalt Removal and Reinstatement	\$3,000	0.3%	
7	Excavation and Bedding	\$1,000	0.1%	
8	Site Work	\$5,000	0.5%	
9	Electrical Building	\$40,000	4.1%	
10				
11				
12				
13				
14				
15				
SUB-TOTAL COSTS (Excluding below contingencies, allowance and factors)		\$985,000		
	General Contractor, Fees, Overheads and Profit	0%	\$0	Included
	Escalation / Inflation	0%	\$0	Not Included
	Location Factor	1.00	\$0	N/A
	Construction Contingency	15%	\$147,750	
CONSTRUCTION COSTS (A)		\$1,133,000		
ENGINEERING and OTHER COSTS				
	Engineering	15%	\$169,950	
	Design Development Contingency	20%	\$33,990	
ENGINEERING and OTHER COSTS (B)		\$204,000		
TOTAL PROJECT COST (A + B)		\$1,337,000		
	Taxes	15%	\$200,550	
TOTAL ESTIMATE OF PROBABLE COST		\$1,538,000		
ESTIMATED YEARLY OPERATION COSTS (NOT INCLUDED IN TOTAL)				
	Electric Power Costs		\$69,000	
THIS OPINION OF PROBABLE COSTS IS PRESENTED ON THE BASIS OF EXPERIENCE, QUALIFICATIONS, AND BEST JUDGEMENT. IT HAS BEEN PREPARED IN ACCORDANCE WITH ACCEPTABLE PRINCIPLES AND PRACTICES. MARKET TRENDS, NON-COMPETITIVE BIDDING SITUATIONS, UNFORESEEN LABOUR AND MATERIAL ADJUSTMENTS AND THE LIKE ARE BEYOND THE CONTROL OF CBCL LIMITED. AS SUCH WE CANNOT WARRANT OR GUARANTEE THAT ACTUAL COSTS WILL NOT VARY FROM THE OPINION PROVIDED.				

Form CBCL 035.Rev 1



Opinion of Probable Construction Costs

City of St. John's
Water Street Infrastructure Improvements, Phase III
Heated Sidewalks Study

DATE: January 17, 2020
CBCL FILE No.: 153051.00
PREPARED BY: John K./Chris R./Greg S.
EST. DESCRIPTION : Class D

No.	DESCRIPTION	COST	RATIO	
CONSTRUCTION COSTS				
1	Mobilization, Bonds, Insurance, Permits, Pre-Construction Management	\$28,000	1.3%	
2	Site Power Feed Upgrade	\$96,000	4.3%	
3	Heat Pumps, Glycol System and Piping	\$1,119,000	50.3%	
4	Electrical Equipment	\$319,000	14.3%	
5	Buried Cables, Control cables, Grounding and Conduit	\$329,000	14.8%	
6	Sidewalk Removal and Reinstatement	\$241,000	10.8%	
7	Asphalt Removal and Reinstatement	\$3,000	0.1%	
8	Excavation and Bedding	\$1,000	0.0%	
9	Site Work	\$15,000	0.7%	
10	Mechanical and Electrical Building	\$75,000	3.4%	
11				
12				
13				
14				
15				
SUB-TOTAL COSTS (Excluding below contingencies, allowance and factors)		\$2,226,000		
	General Contractor, Fees, Overheads and Profit	0%	\$0	Included
	Escalation / Inflation	0%	\$0	Not Included
	Location Factor	1.00	\$0	N/A
	Construction Contingency	15%	\$333,900	
CONSTRUCTION COSTS (A)		\$2,560,000		
ENGINEERING and OTHER COSTS				
	Engineering	15%	\$384,000	
	Design Development Contingency	20%	\$76,800	
ENGINEERING and OTHER COSTS (B)		\$461,000		
TOTAL PROJECT COST (A + B)		\$3,021,000		
	Taxes	15%	\$453,150	
TOTAL ESTIMATE OF PROBABLE COST		\$3,475,000		
ESTIMATED YEARLY OPERATION COSTS (NOT INCLUDED IN TOTAL)				
	Electric Power Costs		\$70,000	

THIS OPINION OF PROBABLE COSTS IS PRESENTED ON THE BASIS OF EXPERIENCE, QUALIFICATIONS, AND BEST JUDGEMENT. IT HAS BEEN PREPARED IN ACCORDANCE WITH ACCEPTABLE PRINCIPLES AND PRACTICES. MARKET TRENDS, NON-COMPETITIVE BIDDING SITUATIONS, UNFORESEEN LABOUR AND MATERIAL ADJUSTMENTS AND THE LIKE ARE BEYOND THE CONTROL OF CBCL LIMITED. AS SUCH WE CANNOT WARRANT OR GUARANTEE THAT ACTUAL COSTS WILL NOT VARY FROM THE OPINION PROVIDED.

DECISION/DIRECTION NOTE

Title: Affordable Housing Catalyst Grant Allocations 2020

Date Prepared: January 28th, 2020

Report To: Committee of the Whole

Councillor and Role: Sheilagh O’Leary, Council Lead Housing

Ward: Not ward specific

Decision/Direction Required: Seeking Council approval on 2020 Housing Catalyst Grant allocations

Discussion – Background and Current Status:

The City of St. John’s approved the Affordable Housing Strategy, 2019-2028, in November 2018. The strategy will address the municipality’s housing needs by working in step with partners, stakeholders and residents to create and maintain safe, suitable and affordable housing throughout the city.

Leading innovation is a strategic direction of the new strategy, intended to inspire and facilitate creativity in affordable housing projects. Implementation action 3.1 *Continue to offer the Housing Catalyst Fund grants yearly for affordable housing projects* is found under this direction.

\$50,000 has been approved for the Housing Catalyst Fund for 2020. The Housing Catalyst Fund allows the City to be a catalyst for practical and collaborative projects that produce tangible housing solutions for people. The City’s role through this fund is to work collaboratively with community groups and other stakeholders (Builders, Developers, etc.) to facilitate and plan housing solutions that will enhance the quality for life for individuals and families and build a healthier community.

A Housing Catalyst Grant selection committee was established to review submissions. It included the CMHC Affordable Housing Specialist, NLHC Manager of Affordable Housing programs and the following internal staff: Chief Municipal Planner, Supervisor– Tourism & Events, Manager- Housing and the Affordable Housing and Development Facilitator.

The following matrix was used to evaluate projects:



Housing Catalyst Fund 2020: Selection Criteria		
Item No.	Criteria	Weighting
1	Application is in line with the Affordable Housing Strategy and meets identified priority areas	40%
2	Project idea is solutions focused, action oriented and realistic	20%
3	Project idea will have significant impact on creating, maintaining, and/or supporting local affordable housing	20%
4	Quality of the application	10%
5	Cost Proposal (including whether project may or may not qualify for other funding currently available)	10%

Please note that while our budget is \$50 000 for 2020, there was \$10,000 remaining in the Housing Catalyst grant fund from 2019.

The selection committee is recommending seven applications be approved for funding. They are as follows and brief summaries of each can be found attached.

Organization	Project	Grant Amount
Fundamental Inc	Net Zero Ready Affordable Tiny Home- Prototype Unit	\$10 000
Power Brothers Inc	Design costs to make affordable housing units accessible as part of retrofit build	\$10 000
Stella's Circle Community Services	Consultant costs to expand housing portfolio and maximize current units/land	\$10 000
L'Arche Avalon	Floor plan design for the construction of two l'Arche Avalon homes and a day centre	\$10 000
Connections for Seniors	Supportive Housing Needs Assessment for Older Adults	\$10 000
NL Gray Gays	Housing and care needs assessment for LGBTQI2S community	\$ 5 000
Universal Design Network	Universal Design Education	\$ 5 000

Key Considerations/Implications:

1. Budget/Financial Implications
\$50 000 has been approved for the 2020 Housing Catalyst Fund and \$10 000 remains from the 2019 fund
2. Partners or Other Stakeholders
The above recommendations will support four partners in their affordable housing efforts
3. Alignment with Strategic Directions/Adopted Plans
Affordable Housing Strategy 2019-2028- 3.1 Continue to offer the Housing Catalyst Fund grants yearly for affordable housing projects
4. Legal or Policy Implications
n/a
5. Privacy Implications
n/a
6. Engagement and Communications Considerations
Housing staff will work with Marketing and Communications in releasing information
7. Human Resource Implications
n/a
8. Procurement Implications
n/a
9. Information Technology Implications
n/a
10. Other Implications n/a

Recommendation: Council accept recommended 2020 Housing Catalyst Grant allocations

Prepared by/Date: Simone Lily, Affordable Housing & Development Facilitator January 29th. 2020

Approved by/Date: Judy Tobin, Manager of Housing

Tanya Haywood, Deputy City Manager Community Services

Attachments: Brief Summaries of Recommended Housing Catalyst Projects

ST. JOHN'S

Organization	Project
Fundamental Inc	The team is proposing to build an affordable, net zero ready tiny home unit. They intend to build the tiny home unit using an up-cycled shipping container as the structure, and including fit and finish with non-traditional materials to provide a high quality and affordable final product. This will be a modular demonstration unit showing that a high quality living space can be provided by using innovative design, materials and built form while still meeting the City's affordability targets. They plan to showcase the project for one year after construction and then donate the unit to Choices for Youth to function as an available housing option for an individual in need.
Power Brothers Inc	Design costs to make affordable housing units accessible as part of retrofit build. They commit to having at least 1/3 of the 32 units as affordable and likely 75% accessible. This will address the growing need of people requiring these units.
Stella's Circle Community Services	Stella's Circle owns 79 units of supportive housing in St. John's. From this existing stock, they have identified 13 housing units/property that have potential for expansion, thus adding additional housing units to offer to individuals who require supportive housing. The requested funds will be used for portfolio planning and analyzing assets with the intent to develop a plan that aims to increase their total number of units.
L'Arche Avalon	Funds will be used to offset the cost of floor plan design for the construction of two l'Arche Avalon homes and a day centre. The homes will each house four adults with intellectual disabilities and their assistants.
Connections for Seniors	The requested funds will be used to conduct research that studies senior-specific housing and support services needs in St. John's and the Metro area. The research will specifically examine existing housing models, existing support services for older adults, and will extensively investigate supportive housing needs based on a needs assessment of the chosen demographic and community.
NL Gray Gays	Housing and care needs assessment for LGBTQI2S community. The result of this research would provide NL Gray Gays with an assessment of the needs of the LGBTQI2S* community for the next 20 years. It will provide invaluable information about the situation facing LGBTQI2* Elders and may be used to form the basis of funding proposals to the federal and provincial governments and any other foundations or agencies. It is intended to identify the planning and design of facilities that meet the emerging needs of this emerging demographic, as well as if there are gaps in service provider awareness.
Universal Design Network	To develop and distribute educational materials to engage stakeholders regarding the flexibility of use and cost saving properties of universal design in building. For the purpose of this project, stakeholders will include municipalities, developers, contractors, new and existing enterprises and individuals.

INFORMATION NOTE

Title: NIMBY Toolkit Update

Date of Meeting: February 12th, 2020

Report To: Committee of the Whole

Councillor and Role: Deputy City Mayor Sheilagh O'Leary

Ward: All Wards

Issue: NIMBY toolkit Update

Discussion – Background and Current Status:

The Not-In-My- Backyard (NIMBY) Toolkit contains valuable information that aims to equip “housing proponents” - developers, municipalities and community-based service providers - with comprehensive and proactive approaches to address the NIMBY phenomena. The toolkit was published in 2013 by the Canadian Home Builders' Association of Newfoundland and Labrador (CHBANL). It was funded by the City of St. John's through the Government of Canada's Homelessness Partnering Strategy.

The Affordable Housing Working Group determined there was value in updating the NIMBY toolkit to include new case studies, an updated contact list and a revised CSJ planning process chart. The updates are now complete. The new revised document has been uploaded on the CHBANL website and is linked on the City of St. John's website under publications> housing. A workshop on the NIMBY toolkit and a relaunch event are being planned for May 2020.

Key Considerations/Implications:

1. Budget/Financial Implications:
Funding is already allocated for 2020 affordable housing objectives.
2. Partners or Other Stakeholders:
The City's Affordable Housing Strategy was built upon public and strategic stakeholder engagement, and the implementation continues to be guided and shaped by multi-stakeholder partnerships and processes.
3. Alignment with Strategic Directions/Adopted Plans:
The Affordable Housing Strategy aligns with the Strategic Plan's vision and directions. Affordable Housing implementations actions work in tandem with the Municipal Plan and Development Regulations.

4. Legal or Policy Implications:

ST. JOHN'S

No legal implications.

5. Privacy Implications:

None anticipated at this time.

6. Engagement and Communications Considerations

The City's Communications and OPS departments are aware, involved and supportive of the work being completed under the Affordable Housing Strategy. Communications completed the layout of the NIMBY toolkit update.

7. Human Resource Implications

None anticipated at this time.

8. Procurement Implications

None anticipated at this time.

9. Information Technology Implications

None anticipated at this time.

10. Other Implications

None anticipated at this time.

Conclusion/Next Steps: The updated NIMBY toolkit has been uploaded and a workshop and relaunch event are being planned for May.

Prepared by/Date: Simone Lilly, Affordable Housing and Development Facilitator, January 2020

Approved by/Date: Judy Tobin, Manager Housing
Tanya Haywood, Deputy City Manager Community Services

Attachments: NIMBY Toolkit Update

BUILDING "YES"

*A Not-In-My-Backyard
(NIMBY) Toolkit*



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Acknowledgements

The authors would like to thank the many people who made this Toolkit possible, including the Not-In My- Backyard (NIMBY) toolkit advisory committee, the people who contributed feedback for the NL specific case studies and the Government of Canada's Homelessness Partnering Strategy, who funded this Toolkit.

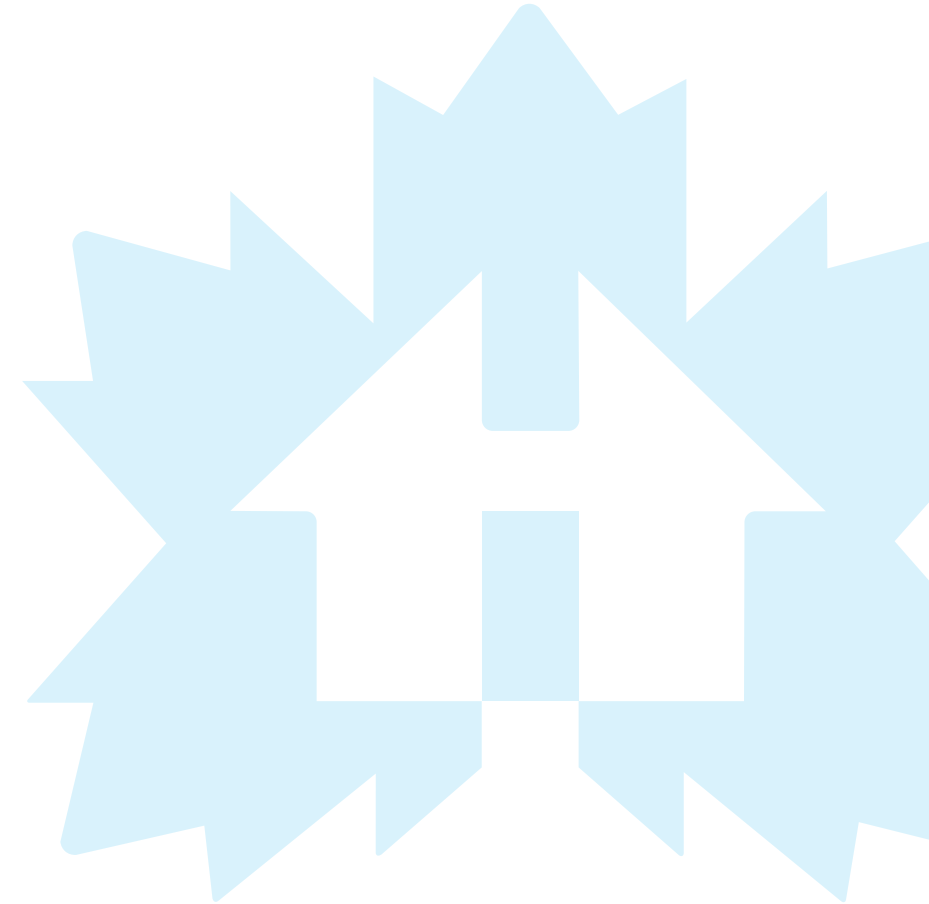
We thank them for sharing their expertise and note that errors in this publication are our responsibility.

PERMISSION TO USE:

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www.chbanl.ca

October, 2013



Welcome Message

As the Chair of the Advisory Committee, made possible by federal funding from Human Resources and Skills Development Canada, I am pleased to welcome you to this Toolkit.

In gathering this information, staff from the City of St. John's, the Canadian Home Builders' Association - Newfoundland and Labrador, Canada Mortgage and Housing Corporation, the Newfoundland and Labrador Housing & Homelessness Network, and the St. John's Community Advisory Committee on Homelessness came together for a common purpose - to help stakeholders involved in housing to navigate the development process and to assist them in building inclusive communities.

As someone intimately involved in housing myself, I can identify with the need for improved coordination between those who aim to offer housing choice for everyone. These stakeholders include builders and developers, municipalities, community organizations, businesses and residents living in communities all across our province.

Sometimes residents are hesitant about the effect a specific building project may have on the quality of their neighbourhood and it was our goal to understand these concerns, determine how to meaningfully engage local residents; offer successful approaches, and present opportunities to combine efforts in support of the long-term development of our provincial communities, both large and small.

We have attempted to pull together best practices originating from other jurisdictions in Canada, as well as specific, recent experiences from here in

Newfoundland and Labrador. On behalf of the Committee, we hope this material provides you with practical information and user-friendly advice that will support your work.

Sincerely,



Jim Ford,
Advisory Committee Chair



Acronyms

Canadian Home Builders' Association - Newfoundland and Labrador	CHBA-NL
Canada Mortgage and Housing Corporation	CMHC
Canada Mortgage Housing Corporation's Affordable Housing Program	CMHC AHP
Mokami Status of Women Council	MSWC
Newfoundland and Labrador Housing Corporation	NLHC
Newfoundland and Labrador Housing & Homelessness Network	NLHHN
Not-In-My-Backyard	NIMBY

Building “Yes” - Current Takes on Combating NIMBY

The Canadian Observatory on Homelessness expresses NIMBY succinctly on its Homelessness Hub: “NIMBY...describes the phenomenon in which residents of a neighbourhood designate a new development (e.g. shelter, affordable housing, group home) or change in occupancy of an existing development as inappropriate or unwanted for their local area.”

In the Summer of 2019, the City of St. John’s Affordable Housing Working Group decided the case studies in this Not-In-My-Backyard (NIMBY) toolkit would benefit from updating. This toolkit contains valuable information that aims to equip “housing proponents” - developers, municipalities and community-based service providers - with comprehensive and proactive approaches to addressing the NIMBY phenomena.

The working group is chaired by the City of St. John’s Housing Division, with representation from St. John’s City Council, Choices for Youth, Canada’s Mortgage and Housing Corporation, Stella’s Circle, End Homelessness

St. John’s, First Light, Newfoundland and Labrador Housing Corporation, the Canadian Homebuilder’s Association- Newfoundland and Labrador, and Government of Newfoundland and Labrador’s Poverty Reduction and Well-Being Division.

The Affordable Housing Working Group is primarily responsible for the development and implementation of the City of St. John’s 10-year Affordable Housing Strategy. In implementing the strategy, the Working Group considers relevant City policies and activities which impact the strategy and ensure communication with the appropriate parties.

This toolkit is designed to be a relevant document to educate and inform approaches combating NIMBY, ultimately leading to successful affordable housing projects. More recent case studies have been added to inspire housing proponents. It is the Working Group’s hope that the updated case studies will illustrate what is possible when NIMBY is removed from the housing equation. For reference, the original case studies have been appended to the toolkit. While the original version of this toolkit contained contact information for local stakeholders, it was

decided that a list of helpful stakeholder links would be more appropriate, to help the toolkit remain current.

It is the position of the Working Group and its members that affordable housing is vital to the health of individuals and communities and should never be designated as inappropriate or unwanted. It is our hope that this toolkit continues to assist housing proponents in their work, and that the case studies and information herein, continue to inspire.

The City of St. John’s Affordable Housing Working Group
November 2019

Executive Summary

This practical Toolkit, designed for use by stakeholders in Newfoundland and Labrador, provides best practices to support development proposals that offer different housing options through community engagement and education. Housing options may include, but are not limited to, affordable housing, mixed-used development, higher-density housing and other supportive housing initiatives.

For the purposes of this Toolkit, “housing proponent” refers to anyone in this province involved in building homes and meeting the needs to growing communities, including builders, developers, municipalities, and community-based service providers. This material is intended to give you the tools and guidance to help you along the way.

One of the most important, and often overlooked, tools at your disposal is pre-planning. Pre-planning means identifying potential issues and gaps in knowledge, understanding and discussing challenges, coming up with solutions, neutralizing concerns

and communicating key messages in advance of beginning your development.

We understand this is a lengthy document and not everything here will apply, so please refer to the [Table of Contents](#) to point you in the right direction.

The Toolkit is divided into a number of parts, following our [Focus Group Results](#) and [NL-Specific Case Studies](#), which form the foundation for the Toolkit. It covers [Responding to Concerns](#) frequently brought up by residents and how to effectively respond, as well as the myriad of [Approaches for Housing Proponents](#) to consider and prepare for.

These include [Preliminary Research and Due Diligence](#), how to [Analyze the Zoning Process](#), and understanding the [Development Planning Process](#); capitalizing on [A Community Strengths, Building a Case for Development](#) and [Identifying Supporters](#). Interwoven with these topics is thoughtfully designing a [Successful Community Campaign](#) and [Meaningful Engagement with the Media](#).

In the section, [Approaches for Municipalities](#), there are [Planning Tools](#), [Public Education](#) opportunities and [Implementation and Monitoring Techniques](#) to help navigate the process. Finally, in the [Appendices](#) there are useful web links, meeting facilitation tips and a directory of contact names and email addresses to call on the expertise of individuals in the province who have had direct experience in Not-In-My-Backyard challenges.

Introduction

This Toolkit was designed to equip “housing proponents” - developers, municipalities and community-based service providers - with comprehensive and proactive approaches to addressing the Not-In-My-Backyard (NIMBY) syndrome and the resulting barriers it creates to housing options.

It is anticipated this material will not only pave the way for the creation of innovative affordable housing solutions across Newfoundland and Labrador, including a mix of affordable rental properties, increased housing density, and supportive housing and mixed income communities, but also strategies that are collaborative and coordinated.

NIMBY has been clearly identified by a broad range of stakeholders as a major barrier to the development of more affordable housing options. In the absence of informed dialogue, individuals and communities often react unfavourably to inventive housing solutions. These responses can incur high economic, political and social costs for a range of populations in need of these options.

Likewise, responding to NIMBY attitudes on a project-by-project basis is extremely difficult, time-consuming, uncoordinated and, therefore, often unsuccessful. A more practical tactic is required to make inroads and getting familiar with this Toolkit is the first step.

Background

The Canadian Home Builders’ Association - Newfoundland and Labrador (CHBA-NL) embraces housing options and supports the building of homes that everyone can afford. Choice and affordability, however, are at risk due to the unintended consequences of the rapidly expanding provincial economy and the rising costs associated with home building.

NIMBY was brought forward as an area of concern at the Housing Our Community Together forum, hosted by the City of St. John’s in November 2011, and these sentiments were echoed by other developers and community groups, which opened up this important dialogue.

As the voice of the residential construction industry, the CHBA-NL represents over 200 member firms comprised of new home builders, renovators, land developers, subcontractors, suppliers, and service providers. Members have a wide range of expertise and are active in weighing in on matters of importance to the community and the province. As a result, the CHBA-NL aims to develop innovative partnerships and collective approaches with stakeholders to solve community challenges through engagement.

Meaningful “engagement” means involving stakeholders in the decision-making process, rather than simply consulting or soliciting feedback. This includes engaging local residents and adjacent neighbours in vicinities where housing projects are proposed.

In partnership, the CHBA-NL, the City of St. John's, Canada Mortgage and Housing Corporation (CMHC), the Newfoundland and Labrador Homelessness & Housing Network (NLHHN), and the St. John's Community Advisory Committee on Homelessness have combined efforts to achieve a common goal - to devise effective solutions for creating sustainable, well-planned communities in Newfoundland and Labrador.

Definition

In the broadest sense, the "Not-In-My-Backyard" syndrome or "NIMBY" is the term used to describe the desire of residents in a neighbourhood to prevent certain land uses near their homes or communities. It has also been defined as "opposition to housing projects that are based on stereotypes or prejudice towards the people who will live in them. It can refer to discriminatory attitudes as well as actions, laws or policies that have the effect of creating barriers for people."¹

Some of the examples of discriminatory practices cited in the policy include:

- Requiring fences or walls around the property to separate it from other neighbourhood homes because of the intended residents;
- Arbitrary caps on the numbers of residents allowed;
- Adding visual buffering or removing balconies, so tenants cannot look out on their neighbours; and
- Requiring residents to sign contracts with neighbours as a condition of occupying the building.

Community apprehension reflects residents' concerns that their lives will change for the worse. Sometimes

these anxieties are concrete and focused on measurable impacts to a neighbourhood. In other instances, they may be based on stereotypes or new and unfamiliar residents.

Newfoundland and Labrador is no exception to these challenges, though the way these developments are approached in this province can help foster understanding and preserve harmony, while moving forward with proposals that are critical to the social and economic needs of a rapidly growing urban landscape.

Here is a list of housing developments that have experienced NIMBY:

- Affordable housing
- Transition and group homes
- Homeless, youth and women's shelters
- Nursing homes and long-term care facilities
- Student housing and dormitories
- Mental health treatment facilities
- Drug and alcohol rehabilitation centres
- Condominiums and townhouses
- Higher-density housing and mixed-use residential development

¹ Ontario Human Rights Code (OHRC), *Policy on Human Rights and Rental Housing*, p. 50.

These are other projects that have not always been welcomed:

- Day cares, schools, colleges, hospitals
- Shopping centres and strip malls
- Correctional facilities
- Industrial and commercial projects like power plants, airports and factories
- Landfills and hazardous waste facilities

In short, any collective action taken against a proposed physical or social change to the local environment reflects NIMBY. Physical changes are characterized by new housing construction, renovations to existing buildings, landscaping or altered traffic patterns; social changes refer to demographic, ethnic, racial or economic changes to a neighbourhood.

Addressing NIMBY requires an understanding of the underlying discomfort regarding new developments, applying the skills to discern and effectively address valid concerns, and creating the means to engage all stakeholders impacted by a proposal in the planning process.

Human Rights Framework

While some municipalities have developed their own anti-discrimination policies that uphold the rights of social housing residents, many jurisdictions have taken a broad approach to the types of residential accommodation covered by human rights legislation whereby protections are typically restricted to “self-contained dwelling units”.

Newfoundland and Labrador’s Human Rights Code defines a “self-contained dwelling unit” as a “dwelling house, apartment or other similar place of residence that is used or occupied or is intended, arranged or designed to be used or occupied as separate accommodation for sleeping and eating.”²

The City of St. John’s Affordable Housing Charter, for instance, states that affordable housing is, amongst other things, a human right enshrined in the Universal Declaration of Human Rights and a foundation for a safe, prosperous and healthy community.³ Notably, Canada is also a signatory to, and co-author of, the Universal Declaration of Human Rights.⁴

Likewise, the Charter of the NLHHN, a provincial group of community-based service providers, municipal, provincial and federal departments and agencies, and representatives of persons at risk of homelessness, declares an intent to ensure choice and safe options suited to the needs of individuals and families, and that social inclusion is fundamental to creating these options.⁵

² Human Rights Code, RSNL 1990, Chapter H-14.

³ Mayor’s Advisory Committee on Affordable Housing. Solid Foundation, Long View: Affordable Housing Charter and Action Plan 2011-13, City of St. John’s. St. John’s City Council, February 28, 2011. P. 7.

⁴ The Universal Declaration of Human Rights (UDHR) is a declaration adopted by the United Nations General Assembly on 10 December, 1948, at Palais de Chaillot, Paris. The Declaration arose directly from the experience of the Second World War and represents the first global expression of rights to which all human beings are inherently entitled.

⁵ Housing and Homelessness Network. Charter: Housing and Homelessness Network. March 2007. P. 3.

Focus Group Results

The CHBA-NL hosted a forum at the City of St. John's in January 2013, bringing together thirty-five stakeholders with direct experience in navigating the NIMBY experience to discuss and identify trends.

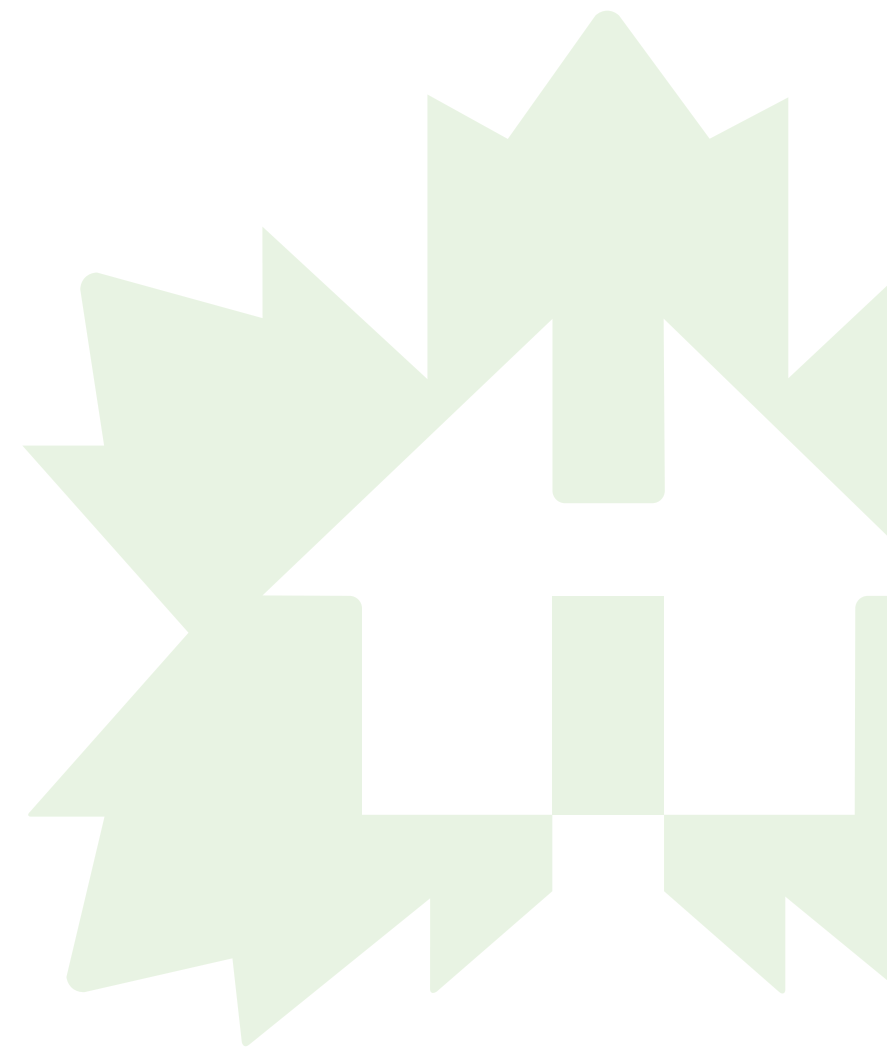
Participants included builders and developers, City Councillors, and the media; those working in the fields of affordable and supportive housing, mental health, social work, homelessness, and community development; representatives working directly with youth, women and released offenders; in addition to residents belonging to community associations who have actively been involved in conversations relating to development proposals.

It was identified that the discomfort felt by individuals and communities predominantly stemmed from:

- **Prejudice** – aimed against occupants or tenants of a proposal
- **Presage** – the perceived impacts of a proposal by local residents and neighbours

- **Process** – a lack of community engagement with local residents and neighbours
- **Protocol** – land use regulations or zoning conflicts
- **Pretext** – a prior negative development experience that impacted residents and neighbours

Regardless of the underlying cause, the findings of the Focus Group overwhelmingly pointed towards increasing communication strategies and improving meaningful engagement with local residents throughout all stages of the development planning process.⁶ Putting into practice effective strategies like these, more often than not, creates an atmosphere of partnership and respect for the views of all stakeholders involved.



⁶ See Appendix B for a complete summary of the Focus Group results.

NL Specific Case Studies

COMMUNITY MENTAL HEALTH INITIATIVE

Corner Brook and Pasadena, NL (2012-2018)

Two different experiences when constructing housing for supportive living in Corner Brook and Pasadena.

Corner Brook, NL

Summit Place in Corner Brook is a two-story, 10-unit housing complex that provides supportive living for people with mental health issues. It opened its doors in 2012 but planning began three years prior.

According to municipal development regulations and guidelines, the land was zoned for commercial use and it needed to be re-zoned for residential use. "That was the biggest obstacle," says Jade Kearley, the Interagency Coordinator with the Community Mental Health Initiative.

Re-zoning meant a public meeting was required, and reaction was mixed, with some people speaking in favour of the project and some against it. Kearley and the Community Mental Health Initiative took the opportunity to explain

the project to the public.

"We made the point that there are already folks living in our neighbourhood with mental health issues and what we are doing is ensuring a safe affordable place for people to live."

The re-zoning process took almost one year but was successful. The opportunities to speak to the public continued. The modular construction drew the attention of neighbours, as cranes lifted the pieces into place.

"People would come over to the site to see what was happening and we had good discussions with people when they came out to watch."

Conversations began to tip toward supporting

those with mental illness.

"People would say they had a friend or family member who had mental health and addictions issues, or even themselves. We saw a positive change with the neighbours. They started to talk about how lovely the new apartments are."

Kearley admits that re-zoning can be a challenge, but it also opens up the door for conversations.



Pasadena, NL

The community mental health initiative's housing project in Pasadena moved faster because no re-zoning was required. The land where the two duplexes comprising of four housing units now sit was purchased in 2016, and was already zoned residential.

There was no requirement for a public meeting, and Kearley says the group struggled with how to inform the community about what the project was.

Knowing many projects increase their success by going door-to-door in a neighbourhood to engage the public, Kearley says it was a difficult decision.

"We struggled with going door-to-door. We thought, if we go door-to-door, are we putting

a label on those folks (who would be living in the housing) by doing that? We decided not to do it."

Instead, the group did a fact sheet for town councilors so they could answer questions from their constituents about the development.

"We wanted people to understand we weren't just putting people there and walking away. It is supportive living – we have a tenant relations worker and programs like gardening, community kitchen, and life skills to help support people who live there."

In both cases, finding the right way to communicate with the public were key to success and acceptance in the community.



CONNECTIONS FOR SENIORS

St. John's, NL, 2017-2018

Providing supportive & housing services to seniors at risk of or experiencing homelessness, crises, or who require help to maintain their well-being

The property at 58 Prince of Wales Street in St. John's doesn't stand out from its neighbourhood. But when you look closely, there are clues that it differs from the single family homes around it. A long ramp, its newness still apparent in the colour of the wood, leads from the sidewalk to the doorway. Several older gentlemen chat out front, coming and going from two open doors in the duplex. A delicate slate sign is fixed to the ramp: "Connections for Seniors".

Established in January of 2018, Connections for Seniors works to provide supports and make the experience of homelessness less traumatizing, for vulnerable seniors.

Its mandate is: "To empower seniors to overcome barriers to safe and affordable housing and provide support services that help reduce risks to well-being and promote quality of life.

We believe that all seniors have the right to feel safe, to feel healthy, and to make choices about their own lives.”

The properties on Prince of Wales Street were purchased in November 2017 with the vision to provide emergency housing for seniors who become homeless. They began taking guests in January 2018.

Connections for Seniors Executive Director, Mohamed Abdallah explains it was important to ensure the emergency shelter was accepted by the neighbourhood. Staff and volunteers took to the street armed with fliers explaining Connections for Seniors and its programming.

Open communication with the community was vital.

“We let them know we were open to

questions,” says Abdallah. “We explained that we are emergency housing and used examples of how people could become homeless that everyone could related to; like, for example, something happens and you can’t pay the bills.” This approach, of making homelessness relatable, lead to more support.

Overall 33 neighbours were engaged on the doorstep and flyers were left for 15 other households.

Connections for Seniors has dedicated a seat on its board of directors for a neighborhood representative.

Abdallah says it is important the shelter be seen a part of the neighborhood. “We wanted the neighbours to feel like they were part of something that was happening, not that something was happening to them.”

7 GARRISON HILL, ST. JOHN’S (2018)

St. John’s, NL, 2017-2018

A place to call home

Located on Garrison Hill, in downtown St. John’s, Garrison Place is a 10-unit affordable housing complex. It officially opened its doors in 2018 for individuals facing complex barriers to housing. It is open to individuals 18 years and older who are referred through Coordinated Access with End Homelessness St. John’s.

At the Garrison Place, adults who have barriers to community living, including those with addictions, mental illness and involvement with the criminal justice system, have an opportunity to overcome challenges and achieve personal life goals in a respectful and supportive environment.

In collaboration with the Housing Support Worker, services offered can include, but are not limited to, assistance with developing life skills, rehabilitative goals (educational and Vocational), money management, social skills and activities conducive to pro-social living, informal counselling and connect with other community supports.



Before beginning development of Garrison Place, the John Howard Society of Newfoundland and Labrador ensured a proactive approach to combating community insecurities - the Society utilized tools from the NIMBY toolkit to ensure support for the project.

Before construction began, the Society developed a pamphlet about the project describing what the program was and who would be living in the new affordable housing complex. They then knocked on doors, speaking with residents in the area, and made sure they took the time to answer questions. For a personal touch, they also left hand-written notes on pamphlets encouraging people to get in contact if they had any questions or concerns.

The John Howard Society were quick to respond to any inquiries that came in. This helped give community members as much information as possible to understand the project and what it achieves.



HABITAT FOR HUMANITY OF NEWFOUNDLAND AND LABRADOR

A familiar brand can sometimes help increase success

As Executive Director of Habitat for Humanity, Newfoundland and Labrador, Sandra Whiffen is no stranger to affordable housing projects. Incorporated as a charitable non-profit organization in Newfoundland and Labrador, Habitat for Humanity NL helps families with who are working, and living in, low income achieve home ownership by facilitating partnerships with local communities, volunteers, businesses, material suppliers and financial resources.

While there is occasional opposition to Habitat builds, Whiffen credits in part, Habitat for Humanity's respected and well-known brand for the support its projects receive. Most of the opposition the organization faces from neighbours is often extinguished by educating the public about how Habitat for Humanity works.

"Some people will complain if a new development is going in their neighbourhood,



but the Habitat for Humanity name globally plays a role. Once we explain that what we do is home ownership – that the people moving into the units are taking responsibility for owning their own home, and that they will be making mortgage payments, that education really plays a part in gaining support."

This shows how conversations and education can help promote understanding of the value of affordable housing.

To that end, Whiffen advises: "When people come over to the building site and ask what's going on during construction of a project, we chat with them and show them diagrams. One on-one conversations with neighbours always seems to help."

NEW LIFE COMMUNITY CHURCH

Clarendville, NL, 2018

Supportive community partners lead to success

When a call for proposals was issued by the Newfoundland and Labrador Housing Corporation, the New Life Community Church in Clarendville submitted a funding proposal to build housing for people with complex needs.

The Clarendville town council assisted the project by providing the land for construction. The project went ahead with few hiccups and was constructed in 2018. There are three buildings with four units each. Ten of the units are currently occupied with plans for the final two units to be completed and ready for occupancy in the near future.

Wayne Chard, Chair of the New Life Living Committee says he believes the community was supportive of the housing project because the work of his church is well-known in the area. "We are engaged in community and are always reaching out and working with people who are less fortunate," says Chard. "When this supportive housing project came up we made

application to see if we could make lives better for some people."

Volunteers help residents arrange day-to-day items like doctor appointments, and transportation. They also help the residents participate in community activities and provide occasional meals to help out. They hope to be able to hire a staff person to help with supportive living in the future.

"We can help provide a roof over someone's head and help them with a safe place to live. But we also need to look beyond that try to find a way to help people integrate into society," Chard says, noting there is still need in Clarendville for affordable and supportive housing. The group has

heard of many who are couch surfing and who need a safe place to live.

Chard credits the success of the project in part to good community partnerships.

"In any community, you have to have support of partners. I'm confident that it's an advantage when you have all the players onside."



TINY HOMES

2018-2019

Tiny homes growing popularity, but still face challenges

The tiny home movement has been sweeping across North America, with builders and homeowners both enjoying success and facing challenges. Tiny Homes are beginning to be a part of the landscape in Newfoundland and Labrador as well.

Small Point-Adam's Cove-Black Head-Broad Cove

The sign outside Wanda Crocker's Small Point General Store in Small Point-Adam's Cove-Black Head-Broad Cove, Conception Bay, reads "Let's talk about Tiny Homes." Crocker says she has been trying for many years to get municipal council approval to build a tiny home in the community.

"Everyone needs a place that is not only comfortable to live in, but also comfortable for their budget and income and a tiny home can solve that for many individuals in the province," says Crocker.

She believes her situation is an example of

NIMBY where people may be resistant to change and new developments in the community. She refuses to give up, and at her store people will find a petition to sign, in support of tiny home development.

Stephenville

Breaking ground in the spring of 2018, Hickey's Tiny Home Subdivision was the first of its kind in the province. The 13-lot subdivision is the product of Sean Hickey, who first proposed the idea to the town of Stephenville in 2016. Hickey's hope was to offer affordable smaller homes to students and seniors.

The town council did not approve the development at first, but instead requested Hickey bring a detailed business plan that carefully illustrated what he was trying to achieve and how it was going to be built. Hickey believes the business plan was the main reason why the project became a reality, as it helped people to better understand the concept of tiny homes.

A bylaw in the town also needed to be changed. The bylaw stated a residence could not be less than 750 square feet. Most of the tiny homes range from 400-500 square feet. Successful collaboration with the Town of Stephenville and the Department of Municipal Affairs and

Environment led to an amendment, changing the bylaw from 750 to 380 square feet.

Before construction began, Hickey went door-to-door to talk to people about the tiny home subdivision. His approach was to communicate in an open, friendly manner, answer questions, and thoroughly explain his plan.



Responding to Concerns

As developers, municipalities, social service providers and other housing proponents strive to build affordable housing, address density issues, and explore housing options for everyone, they sometimes run into objections from the community where a different form of housing is proposed.

At the same time, proponents have a responsibility to respect the legitimate concerns of the local community, in addition to the rights of current and prospective residents. They are also obligated to conduct development in a way that will advance the prospects of future proposals intended to benefit the entire community, rather than simply concentrating on pushing the proposal at hand forward.

Alternate housing options may bring up concerns that sound like these:

- It will lower property values;
- Crime rates will increase;
- There will be too much traffic;
- The character of the neighbourhood will change;
- It is badly designed, cheaply built and will be unattractive;
- It will contribute to overcrowding of public schools
- and increase taxes.

Though these concerns may be unsubstantiated, it is important to identify them, understand where the apprehension originates and to respond in a timely manner with true and accurate information.

Property Values

Home ownership is considered by many to be a milestone. For most, their home is their most important asset and they rely on it to provide for their children's education and for their

own retirement. Home owners are understandably concerned when a changing neighbourhood threatens this investment. A reduction in property values is perhaps the most commonly expressed objection to a housing proposal or higher-density development.

Contrary to these widely held views a substantial body of research, dating back to the early 1970s, has established that affordable housing and residential intensification has no detrimental effect on property values or on the time that homes spend on the market. Studied in Canada and the United States across a variety of neighbourhoods and development proposals, twenty-five reports of affordable and supportive housing have concluded that there were no adverse impacts on property values.⁷

In British Columbia, the province commissioned a number of guides about NIMBY and among the seven case studies examined, there were none in which property values decreased. In fact, value increases were reported, substantiating positive impacts on properties in proximity to housing developments.⁸

In addition to the facts, it is important to know how to respond to concerns:

- Provide residents with the most relevant studies;
- Obtain testimony from an informed realtor or appraiser;
- Present the property maintenance budget and

7 Affordable Housing and Choice Today (ACT). Housing In My Backyard: A Municipal Guide for Responding to NIMBY. 2009, p. 4.

8 Affordable Housing and Choice Today (ACT). Housing In My Backyard: A Municipal Guide for Responding to NIMBY. 2009, p. 4.

- management plan;
- Conduct a new property value study tailored to the community;
- Designate a trusted spokesperson to speak on the housing proponent's behalf; and
- Conduct a housing tour of similar builds with an opportunity to speak with neighbours.⁹

Crime & Safety

The development of different housing options in many communities may be the first opportunity for existing residents to live near people with mental illness, disabilities, those of a different ethnic background or income level. Anxiety about new neighbours sometimes gives rise to allegations that they will cause the crime rate to increase.¹⁰ Studies of affordable housing, group homes and emergency shelters have concluded, however, that crime rates are no higher in proximity to those units than in comparison sites.¹¹

The design and use of public spaces, 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. Likewise, there is no significant evidence to demonstrate that affordable or supportive housing leads to increased rates

of reported violent, property, criminal mischief, or disorderly conduct criminality. In fact, affordable housing often has a stabilizing effect on a neighbourhood by enabling people to stay in their communities.

As with property values, it is essential to share research data to set the record straight about allegations that affordable housing breeds crime and insecurity.¹² Proponents should emphasize that good management and security are priorities, and that measures will be in place to ensure both standards are met.

Most affordable housing residents want nothing more than to become part of the quiet, peaceful life of the surrounding community. They have sought out affordable housing, so that they can live independent, self-sufficient lives.

- Offer correct factual information debunking the myth that crime rates will increase;
- Recruit supporters trusted by the community to interact with local residents;
- Create opportunities for current neighbours and new residents to meet;
- Reassure neighbours regarding the process for identifying and, as required, supporting occupants;

- Enlist the support and knowledge of key community stakeholders, like law enforcement;
- Provide concrete evidence of how residential property standards will be enforced; and
- Showcase other builds that demonstrate no increase in crime rates.

Increase in 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.¹³

Building Design

Neighbours concerned about the development of housing options or other facilities often fear the worst in terms of design and its impact on the navigability and aesthetics of the neighbourhood.

People sometimes assume that affordable housing or other housing types will result in

9 Sara Pratt and Michael Allen. Addressing Community Opposition To Affordable Housing Development: A Fair Housing Toolkit. Housing Alliance of Pennsylvania: Inclusive Communities Working Group, 2003. P. 8.

10 Sara Pratt and Michael Allen. Addressing Community Opposition To Affordable Housing Development: A Fair Housing Toolkit. Housing Alliance of Pennsylvania: Inclusive Communities Working Group, 2003. P. 9.

11 Affordable Housing and Choice Today (ACT). Housing In My Backyard: A Municipal Guide for Responding to NIMBY. 2009. Pp. 5-6.

12 Vancouver Sun. Studies don't support fears of social housing: Crime will go up. Property values will fall. Traffic and noise will increase. My neighbourhood will be less desirable. April 5, 2008.

13 Affordable Housing and Choice Today (ACT). Housing In My Backyard: A Municipal Guide for Responding to NIMBY. 2009. P. 4.

unsightly buildings and poor design, fed by a public image of a low-cost, no-frills approach. Architects, planners and design consultants have learned from these mistakes and now thoughtfully take into account building and site design, as well as the design process, to address local concerns while preserving the vision of a proposal. Appropriate, neighbourhood-sensitive design has become an effective means of responding to fears and should be carefully considered by developers, municipalities and all housing proponents.¹⁴

Affordable housing, for instance, is not affordable because it has been built with cheap or shabby materials. Rather, it is affordable because innovative developers, with or without government funding, have contributed to keeping the construction and operating costs low. As a rule of thumb, housing is “affordable” when it costs no more than 30% of a household’s income.

It is important to point out that all housing options must comply with the same building restrictions and design standards as market-rate housing. As a result, it will be designed to fit in with the character of the neighbourhood. When funded with public money, additional restrictions

and higher standards are sometimes required. Similarly, “higher-density” does not have to mean “high-rise” or cluttered. There are many ways to develop housing that enhances, rather than detracts, from the neighbourhood.

Strain on Public Services & Infrastructure

Generally, higher-density housing requires less extensive infrastructure than planned communities on previously undeveloped land with respect to piped water and sewerage, for schools, roads and other services. Likewise, higher-density housing provides a concentration of passengers for public transit, it improves efficiency of other neighbourhood services in a more compact area, and it can also be a smart way to take advantage of underutilized infrastructure.¹⁵

Impact on Character of the Neighbourhood

Local residents may feel apprehension about how the character of their neighbourhood will change in a negative way.

A primary aim of zoning laws is to manage change and to mitigate its effect on existing uses of land,

especially in residential areas. Such laws, however, cannot be imposed in a manner that violates sound community planning policies. If a housing project, for instance, can be built on a particular parcel of land, the anxiety of neighbours should not create an obstacle to such a use.

If variances are routinely granted for other uses but withheld for housing that offers choice, such practices might be challenged. Often the existing zoning code provides for sufficient flexibility to absorb new affordable units without changing the character of a neighbourhood.¹⁶

Integration of New Residents

Often, prospective occupants already live in or near the neighbourhood where a housing development is proposed. They are people who share 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.

No one is required to ask permission to live in a neighbourhood and legislation, from planning acts and human rights codes, are in place to prevent “people zoning”. People zoning through

¹⁴ Sara Pratt and Michael Allen. Addressing Community Opposition To Affordable Housing Development: A Fair Housing Toolkit. Housing Alliance of Pennsylvania: Inclusive Communities Working Group, 2003. Pp. 10-11.

¹⁵ Affordable Housing and Choice Today (ACT). Housing In My Backyard: A Municipal Guide for Responding to NIMBY. 2009. P. 4.

¹⁶ Affordable Housing and Choice Today (ACT). Housing In My Backyard: A Municipal Guide for Responding to NIMBY. 2009. P. 5.

by-laws that define the use of land by reference to personal characteristics have been held to be invalid. Likewise, by-laws that restrict affordable housing development in certain areas, such as lodging or rooming houses, while allowing other establishments of a similar scale can also be viewed as discriminatory.¹⁷

Politicians should highlight the advantages and importance of integrating new residents to pre-empt comments of this nature and, if they do arise, municipal staff should do all they can to respond plainly and swiftly to any comments made along these lines.

Affordable Housing Already Exists in the Neighbourhood

It is against the law to discriminate against people because of their ethnicity, religion, skin color, physical or mental abilities, or because they are indigent. Municipalities, with the aid of a comprehensive housing or community development plan, can address this by demonstrating that social housing, supportive housing and residential options that offer affordable housing are planned in a variety of neighbourhoods in a way that complements the broader quality of life goals for a city.¹⁸

Approaches for Housing Proponents

Smart developers and housing proponents plan a strategy in advance through financing, design, and scheduling, but they also develop a campaign to bolster community support for their development. Effective planning means doing the preparation to ensure the successful integration of a development into the community.

Some plan their strategic operations to avoid local resistance by working only in familiar jurisdictions, using only land that has the necessary approvals already, proposing only politically acceptable developments, or making significant concessions as soon as considerable opposition increases. In many areas, the market for these kinds of housing is already saturated or the need and demand for other kinds of housing (which may attract more community opposition) is much higher.

Others seek to develop housing where the existing neighbourhood already has many

“[People] often oppose a thing merely because they have had no agency in planning it”

—Alexander Hamilton

low income residents or minority populations, which may or may not have resulted from past exclusionary zoning policies. Development in these areas tends to increase or perpetuate segregation by race and income, limit opportunities, and run into other forms of opposition.¹⁹

Every development and every community is different but each requires a plan to bring basic pieces of factual information together with likely allies and coordinate efforts toward ultimate approval of the development. A proposal cannot succeed if the housing proponent waits until opposition arises before developing a plan that includes all these elements.

17 Ontario Human Rights Commission (OHRC). Comment of the Ontario Human Rights Commission on the City of Toronto's Proposed By-Law. September 25, 2009.

Online: <http://www.ohrc.on.ca/en/comment-ontario-human-rights-commission-city-torontos-proposed-zoning-law>

18 Affordable Housing and Choice Today (ACT). Housing In My Backyard: A Municipal Guide for Responding to NIMBY, 2009, P. 6.

19 Sara Pratt and Michael Allen. Addressing Community Opposition To Affordable Housing Development: A Fair Housing Toolkit. Housing Alliance of Pennsylvania: Inclusive Communities Working Group, 2003. P. 29.

Preliminary Research & Due Diligence

Planning for approval requires a developer or housing proponent, as part of their due diligence, to collect and synthesize information about the community in which the development will be built, and to determine the extent of existing support for the development.

In some cases, this assessment will also suggest areas of weakness or possible areas of contention, so a strategy can be developed in advance that anticipates likely areas of community concern and suggests solutions. Here is a shortlist of questions that any new proposal should consider:

1. The Community Zoning Process

- What approvals are likely to be needed for this project?
- What is the usual process for approvals?
- Who will review the application?
- Who will make the decisions?
- What are the criteria for decisions?
- What is the likely timeline?
- Who are the real decision-makers?
- What do other developers say?

2. The Neighbourhood Around the Proposed Build Site

- What is the surrounding neighbourhood like?
- What types of housing are already in the neighbourhood?
- Who are the local neighbourhood leaders?
- Is there a neighbourhood association?
- Has the neighbourhood been the site of other developments and what was its reaction?
- What are the neighbourhood needs and concerns?
- What are the neighbourhood's organizational, geographical, and resource-based assets?
- What is the ethnic and economic makeup of the neighbourhood?

3. The Community as a Whole

- What kinds of housing needs are there in the community?
- Will the proposed project meet those needs in some way?
- What history do building proposals have in the community?
- Which advocacy groups and community service organizations are active in the community?

- What recent housing and neighbourhood issues have been in the news?
- What positions have local media taken on housing development projects?
- What has local government said and done about these development types?
- How can we integrate community and local knowledge into a beneficial strategy?

4. Local Supporters

- Who are they?
- What activities have they recently been engaged in that relates to the proposal?
- What are their linkages to local government decision-makers?

5. Legal Issues

- What are the weak spots in the proposal?
- What needs to be done to correct any weak spots in the proposal?
- Are there any zoning issues that might be raised?
- Are the zoning issues discriminatory in any way?

Analyze the Zoning Process

The developer or housing proponent's preliminary research should look at the zoning process itself and the criteria for decision-making to determine what zoning approvals will be needed. If rezoning, variances or waivers are needed for the development to be approved, the relevant ordinance, procedures and decision criteria need to be collected:

- Identify time frames for the process;
- Discern preliminary from final decision-makers;
- Determine whether the process requires or permits a hearing.

Even more important is identifying who the decision-makers are and those who influence the decision-making process:

- Identify who will be the opinion leaders;
- Discover what reliance is given to staff recommendations;
- Establish what role various elected and appointed officials typically play in the approvals process.

It goes without saying that a sound proposal is the most critical success factor but it is also important to know your audience. If staff recommendations are accepted in the majority of cases, an approval strategy should be aimed at staff. If a municipal planning commission makes the final decisions, however, then the strategy should be directed at that body. Likewise, if the mayor or a council member is a key influencer, a housing proponent should find that out and plan accordingly.

One way to find out municipal procedures and how the real process works is to talk to other developers who have recently been through the it. Ask them whether or not their developments raised concerns, solicit their advice and find out what lessons they learned. A developer who has gone through a recent struggle over a commercial development might also be helpful. Other possible resources are provincial or local advocacy groups, such as affordable housing providers, private housing groups, housing finance agency staff or local lawyers who

specialize in planning and zoning law. Lawyers with this speciality should be asked whether or not they represent local governments before a detailed discussion occurs due to an inherent conflict of interest.²⁰

“Planning is bringing the future into the present so that you can do something about it now.”

Below are examples of the development planning and zoning processes with stakeholders in the City of St. John's in Newfoundland and the Town of Happy Valley-Goose Bay in Labrador. Both are included in this Toolkit to represent the spectrum of complexity involved in securing an approval in different municipalities across the province, from more intense to less.

CHART: City of St. John's Development Planning Process with Key Stakeholders

STEP	HOUSING PROPONENT	MUNICIPALITY	COMMUNITY & LOCAL RESIDENTS
1	The housing proponent submits a proposal to build to the municipality.		
2	The housing proponent and City's Development Team discuss the proposal.		
3	The application to build is approved. OR		
4	The housing proponent applies for rezoning. The Planning Division gathers information and refers the application to other departments for consideration, maintaining written contact with the housing proponent.		
5	The Planning Division submits a report to Council's Committee of the Whole, and the housing proponent may request to present to the Committee of the Whole.		
6	The Committee of the Whole presents recommendations to the Regular Meeting of Council, who determines whether to accept them and consider the application.		
7		If Council decides to consider the application, the City publishes a notice of the proposed amendment in a local newspaper. Notices are also mailed to property owners and tenants within a 150 meter radius of the subject property.	
8		A Public Meeting is set up. The housing proponent is asked to attend and present information about their application. The general public is invited to attend the Public Meeting, organized by City staff and chaired by an independent facilitator. It is advertised in the newspaper at least fourteen days prior and notices are mailed fourteen days in advance. City staff remain available to discuss the proposed amendment.	

STEP	HOUSING PROPONENT	MUNICIPALITY	COMMUNITY & LOCAL RESIDENTS
9		<p>The minutes of the Public Meeting are forwarded to Council for consideration and if Council agrees to proceed, they will adopt the amendments and forward them to the NL Department of Municipal Affairs and Environment for registration and Gazette.</p> <p>If an application requires a Municipal Plan amendment, Council will consider the application. If Council agrees to proceed, they will adopt in principle and forward it to NL Department of Municipal Affairs and Environment for review.</p>	
10		<p>When Municipal Affairs confirms that there is no Provincial interest involved, amendments are released, and Council officially adopts. The City will appoint an independent Commissioner to convene a Public Hearing, as required by the Urban and Rural Planning Act.</p>	
11		<p>The general public is invited to attend the Public Hearing. It is advertised in a local newspaper and by mail-out notice at least fourteen days beforehand. The applicant will be asked to attend and present information on the application; City staff will also be present.</p>	
12		<p>Commissioner Report is submitted within thirty days (if a hearing is required). Council then considers recommendation. If accepted, Council will approve and amendments are sent to Department of Municipal Affairs and Environment for registration and gazette.</p>	

Updated in 2019

CHART: Town of Happy Valley-Goose Bay Development Planning Process with Key Stakeholders

STEP	HOUSING PROPONENT	MUNICIPALITY	COMMUNITY & LOCAL RESIDENTS
1	The housing proponent submits a proposal to build to the municipality.		
2	The housing proponent and Town's Development Team discuss the proposal.		
3	The housing proponent submits an application to develop.		
4	The application to build is approved OR The status of the application is pending based on a variance required by the municipal Development Regulations.		
5	The housing proponent submits a variance application and the Municipal Services Committee gathers information.		
6		A public notification to property owners located in the vicinity of the property under application is sent out. The notice is written and distributed by Town staff and a set waiting period is in effect to allow those notified an opportunity to respond.	
7		A recommendation is provided to Council from the Municipal Services Committee, who considers whether to approve or reject the variance. If rejected, the decision can be appealed within fourteen days.	
8	With approval, the housing proponent can now commence development.		

It is obvious from these charts that authentic community engagement is minimal, at best. It only really occurs at later stages in the development planning process or, in a very nominal way, if rezoning or a variance applies. As a result, ample opportunity exists to improve on these minimum obligations.

Likewise, rezoning issues can provide the impetus for community consultation by way of meetings that enable local residents and community associations to see and comment on building plans.

Discriminatory Zoning & Land Use

Despite laws prohibiting discrimination many jurisdictions still engage in discriminatory zoning and land use practices, however implicit it may be, to define and maintain the character of urban, suburban and rural communities.

Municipalities may continue to enact zoning ordinances to:

- Create single-family districts;
- Preserve open space;
- Prevent overcrowding;
- Promote adequate access to public utilities;
- Ensure adequate parking;
- Prevent congestion and mitigate the effects of traffic;
- Enforce and protect health and safety regulations; and
- Retain historic character and attributes of the housing stock.

Historically, local governments have had broad latitude in adopting and enforcing local zoning ordinances. Laws themselves are prohibited

from expressing illegal discrimination, on their face or in operation, because of race, colour, religion, origin, gender, sexual orientation, familial status or disability. However, when zoning laws and practices discriminate against a protected class, they may be successfully challenged.

Local zoning ordinances may be disputed if they effectively discriminate against people of protected groups or if they have a harsher impact on those groups. Whether intentionally or unintentionally, zoning ordinances may contain provisions that treat affordable housing, supportive housing or group homes for people with disabilities or mental illness differently. When such different treatment is based on race, origin, disability or other protected class membership, it violates the law.²¹

Adverse Zoning Action & Indications of Legal Violations

Direct Evidence of Discrimination

- Decision-makers, whether elected or appointed, make discriminatory statements; or
- Elected officials appear to base their decisions on illegal, discriminatory sentiments.

In these instances, the adverse zoning action will affect significant numbers of potential residents who are among the groups protected against discrimination and who are expected to live in the housing if it is developed. The reasons given for this type of adverse zoning action seem to be code words for illegal discrimination in the sense that information about the prospective residents of the housing is of more interest than more typical zoning questions.

A Pattern of Segregation

- Data shows that the decision will continue a pattern of segregation;
- For example, affordable housing that will likely house immigrants is rejected in a neighbourhood that is historically homogenous.

The Historical Background

- The historical background demonstrates that the zoning patterns or decisions came from discriminatory origins;
- Prior applications have been rejected with evidence of discriminatory motivations; or
- There has been a history of refusals to permit low-income housing, rental housing or other social service provision in a particular area.

Timing of Decision-Making

- The timing and sequence of events are unusual or suspicious;
- For example, a week after an application for zoning approval is filed for multi-family housing constructed with three stories, planned to house primarily foreign workers, the zoning authorities recommends an amendment to the zoning ordinance that would only permit two-story multi-family units.

Departures from Procedure

- When procedural steps and regular protocol are conveniently abandoned or bypassed;

- For example, a hearing is scheduled when normally there is none; the planning process is amended or not followed when it normally is.

Deviations in Approval Process

- The usual reasons for accepting or denying similar approvals are not applied;
- New reasons or additional requirements are imposed after community opposition arises or a particular application is submitted;
- Issues that appear to be valid concerns are raised that have never been discussed before; or
- The reasons given for rejecting a development are untrue or they are not applicable to this development.

Legislative or Administrative History

- The legislative or administrative history of the zoning decisions are unusual or contain evidence of discrimination;
- For example, elected officials make statements in correspondence, meetings or to the media

- that indicate discriminatory reasons; or
- There is extensive public commentary or controversy with discriminatory overtones that surrounds the decision-making.

Non-Discriminatory or Origin-Neutral Reasons

- Reasons relating to traffic, safety, crime rates, impact on public services or the like are cited without any comprehensive study of their content;
- The rationale is either inapplicable, the particular study is inaccurate, or the veracity of comments cannot be supported.

Comparative Builds in the Municipality or Region

- Other similar housing or social service provision in the municipality is not viewed with the same exacting scrutiny as projects that will have a significant minority population, a number of families with children, or people with mental illness or disabilities.

The Surrounding Neighbourhood

Developers and housing proponents routinely examine a proposed site for development with great care. Equal attention should be taken in evaluating the neighbourhood surrounding the proposed site. Consideration of a neighbourhood's recent history, both positive and negative, in planning a strategy should be made. A recently approved application for a similar type of housing may not necessarily indicate that a new development will be welcome.

Examine the record of the approval, understand how it is similar or different from the current proposal, and assess if and why the proposed development is still needed. A prior rejection of a proposal is not necessarily a sign that a new development should not be considered. Examination of a past proposal and the reasons for its rejection may be instructive in identifying pitfalls to avoid in a future application and it may even suggest positive opportunities for another development.

Moreover, evidence of adverse action against other developments can be useful evidence if the proposed development is rejected for illegal discriminatory reasons. Likewise, evidence of procedures applied

to developments that were approved may be used to show that municipal officials departed from customary procedures in rejecting a specific proposal.

Here are some questions to consider:

1. What is the character of the neighbourhood?
2. What is the vacancy rate?
3. What are the housing rental costs in this neighbourhood?
4. Has the neighbourhood lost affordable housing units?
5. Will the development provide housing for people who live there now?
6. Will the development change the neighbourhood in particular ways?
7. Will it enhance it in positive ways?
8. If there are particular community needs identified, can the proposed development meet them in some way?

- If a community lacks nearby childcare, development plans might include an on-site day care operation;
- The absence of a local park, walking trails or playground might suggest that something like this could be part of a proposed development;
- If there is no community meeting space nearby, a development might offer a community center space, cafe, shops or other services as part of its plans; or
- A new development can replace vacant lots, dilapidated buildings, or provide a buffer to ameliorate traffic noise.

A Community's Strengths

Be cognizant that a community's strengths can also suggest support for a particular development. If the neighbourhood is predominantly older single-family housing in good repair, a new development might enhance property values. A new multi-family housing development could provide housing for sons and daughters or grandparents of current property owners.

Likewise, never underestimate the importance of local history and the experience of longstanding residents within a neighbourhood. An active member of a neighbourhood association in St. John's expertly pointed out that even the term "NIMBY" is divisive. Instead, she suggested the acronym, "TALK: Take Advantage of Local Knowledge" as a starting point in how housing proponents relate to, approach and engage communities in the development process.

Neighbourhood Ethnicity & Socio-Economic Status

Areas that are predominantly or completely homogenous may have some resistance to housing in one area but might readily accept a mixed income rental property in another. A neighbourhood that is already somewhat integrated racially or ethnically

might accept a homeownership development more readily than a rental development or have no significant objection to affordable housing units.

Every neighbourhood will be different. Generally, a development that will help integrate a neighbourhood ethnically and/or economically is likely to be considered to further fair housing principles. At the same time, a development that will bring significantly higher levels of diversity to a neighbourhood may be more likely to encounter resistance from existing neighbours.²²

The Needs of the Community

A realistic strategy will also address the needs of the community as a whole. If a community has no affordable housing or has lost affordable housing due to higher rents, it is likely to need some. If a community is located near jobs, larger cities, or a large population of people with low or moderate incomes, it is likely to need housing options.

The community's history in responding to development proposals is also important:

- Have approvals already been granted?
- Were they a matter of course or a matter of controversy?
- Did the project ultimately fail or succeed?
- Has the community gone on record in support of or opposed to, low-income housing, affordable housing, multi-family housing, higher-density developments, or other housing options?

Concurrently, housing proponents are advised to become active in on-going community-wide strategies to improve the general climate for housing options. This may mean attending meetings and becoming engaged in activities that housing advocates are conducting, participating in the development of housing policies, attending public hearings on issues other than those for a particular development, participating in the CHBA's efforts to raise awareness about the importance of housing options, and promoting the enforcement of fair housing laws in general.

In terms of supporters, there are many potential sources. Housing and homelessness groups already active in the community are particularly good resources because they are likely to

understand the scope of the challenge. While it is unwise to assume a natural kinship, it makes sense to draw on the expertise and experience of proponents to better understand the community, its housing dynamics, and to anticipate any areas of community concern.

Natural Supporters to the Developer or Housing Proponent

- Housing advocates;
- Advocates for people who are homeless or who have complex needs;
- Faith-based groups (particularly those with members who would be beneficiaries);
- Other developers with like-minded objectives and experience;
- Housing finance agencies and lenders;
- Fair housing groups and enforcement agencies;
- Non-governmental, non-profit and civic organizations;
- Local businesses and business associations who would benefit from new residents;
- Planners interested in solid community development;
- Environmental organizations;
- Unions who back projects that offer jobs to their workers;
- Previous community leaders, project endorsers, and

their networks;

- Past and present elected officials.²³

A developer or housing proponent should expect to make an effective presentation on behalf of the proposed development to these potential allies and to show how the proposed development might ease burdens.

Building a Case for a Development Proposal

Support for a particular development does not always come easily or without hard work. Early in the process it is important to develop a set of talking points and key messages about why this specific development is the right project for this neighbourhood and this community at this point in time.

Key Messaging

While this will have much to do with the positive attributes of the particular community, it also describes the concrete linkages between the proposed development and the community - it answers the question: "Why is the development so important here and now?".

In the beginning, a fact sheet with key messages may be as simple including:

23 See [Appendix D - Directory of Contacts and Community Organizations](#) for potential supporters and other housing proponents.

- Size of the development proposal;
- Location of the development;
- Stakeholders involved in championing the proposal;
- Anticipated residents;
- Benefits to the neighbourhood;
- Benefits to the community;
- Consistency with community goals in areas like design, size, and meeting needs;
- Consistency with municipal goals for planned community development;
- Contact information; and
- An image of the building design.

Such a list might also anticipate and respond generally to an identified area of potential concern. If, in prior applications, the quality of the housing construction has been a subject of discussion or rejection, the shortlist of positives might include references to the developer's prize-winning design and construction of a development in another location.

In short, housing proponents must design a message that will build public support. This message should be repeated, expanded, and amplified as a campaign continues. As meetings

are initiated with supporters and with public officials, the message will be adjusted as necessary to answer questions that come up with frequency.

Multimedia Campaign Materials

As the message and the information become more specific, housing proponents should prepare multimedia materials that can be used and distributed in a variety of forums to educate various segments of the community about the development. The types of materials that will be needed will vary based on the kinds of issues brought forward and whether or not serious opposition has developed.

However, basic materials should be created regardless of whether or not opposition has galvanized. These are useful in gaining support, many are relatively easy and inexpensive ways to educate the community and decision-makers, and they all will have the advantage of keeping the positive aspects of the development in the public eye.

"Success depends upon previous preparation, and without such preparation there is sure to be failure."

—Confucius

Essential Materials for Campaigns

- Survey or poll questions for canvassing and assessing reactions
- Fact sheets to distribute to local residents
- A brief history of the housing proponent's successes
- A multi-purpose PowerPoint or slideshow presentation
- Enlarged images of the proposed development
- A website or blog to publicly track progress and improve transparency

Other Relevant Campaign Materials

- Brochures, flyers, postcards, posters
- Newsletter and or E-newsletters for regular updates
- Advertisements for print, television and radio
- Enlarged photos of similar successful developments
- A promotional video for web and e-mail promotion
- A Facebook Page, if there is a designated moderator

Identify Supporters to Inform & Seek Endorsement

Developers and housing proponents should work towards obtaining and maintaining support for their proposal:

- Key players and critical opinion-shapers should be identified early;
- Follow all meetings up with a “thank-you” call or email, including contact information; and
- Address issues that are raised immediately and with consistent messaging.

Areas of concern should be appropriately responded to through education and awareness, historical background information, statistical data in support of plans and any other suitable means. The goal during meetings is not just to present the housing proponent’s position, but to listen for, identify, and resolve genuine concerns. As legitimate concerns are addressed, only unreasonable ones, such as discrimination, stated and unstated, will remain.

Potential Supporters

Proponents will vary in different communities but may include the following:

- Planning, development, and zoning staff;
- City councillors and other key decision-makers;
- Elected and appointed officials whether or not they are decision-makers;
- News media, including editors of local newspapers and radio hosts;
- Community opinion-shapers, clergy, and informal leaders;

- Neighbourhood associations, community leaders;
- Individual residents in the neighbourhood of a proposed development; and
- People who live near other builds and who have overcome their initial concerns about the impact on the neighbourhood.

Supporters may include people whose business it is to decide situations on the facts, like planning and zoning staff. Likewise, proponents may include elected or appointed officials who are not directly involved in decision-making but who are able

to support the need for a particular type of development in a community without becoming embroiled in controversy.

Members of legislative bodies, mayors, and others who do not decide zoning issues may be willing to back a proposal because they understand the needs of the community as a whole. Informal community opinion leaders, like clergy or neighbourhood association representatives may be aware of strong reasons for community support, like the benefits of housing options. These supporters may also be able to provide stories that can illustrate why, for instance, affordable housing is essential to the community.

Support from neighbourhood associations can be pivotal. Sometimes an early educational meeting that focuses on how the proposed development will benefit the neighbourhood is key to the ultimate success of the project. Finally, developers and housing proponents should seek to identify individuals from the neighbourhood who are willing to support the development. Nothing is more effective than a neighbourhood resident who is articulate and objective when asserting why a particular proposal should be developed in his or her own neighbourhood.

Know the Law

Early in the process, after identification of any likely zoning or land use issues, and certainly as soon as any opposition based on illegal discrimination is identified, housing proponents should prepare a legal strategy. The nature of the strategy will vary depending on the type of opposition and the kinds of issues that are being raised.

While litigation may not be necessary and should be avoided, it is essential to have an accurate assessment of rights as early in the process as possible. The strength or weakness of those rights will have a profound effect on other parts of the development strategy.

Prepare the Key Elements of a Legal Strategy

Collect information of how other similar applications have been treated;

- If discriminatory statements are made, document them; collect fliers, newspaper articles, petitions and other information that express discriminatory sentiments;
- Record the dates and names of people who are making the discriminatory statements;
- If public meetings are held, ask that they be recorded; if they are not, arrange to record them, with notification and permission of the group;
- Document the likely impact of an adverse decision on a protected class or classes;
- Be prepared to work with legal counsel or housing allies to educate government lawyers, government decision-makers, or planning staff about fair housing principles;
- Involve people knowledgeable in the law in planning meetings, public hearings and strategic planning;
- Develop materials that deals with and resolves legitimate concerns; and
- Get legal assistance from lawyers who have the experience to manage these issues.

A SUCCESSFUL COMMUNITY CAMPAIGN

A strategy that looks comprehensive and effective three weeks before an application is submitted can quickly become outdated as a result of emerging events - unexpected reasons for opposition develop, planning staff asks for concessions, or an expected supporter changes his or her mind.

Before, during and after an application, communication is necessary to make the strategy effective. Frequent meetings with allies, supporters, and others should be routine. New materials must be developed to respond to budding issues and flexibility in how to carry out the strategy will be essential.

For a campaign to be successful, constant attention is needed to ensure that a housing proponent's team provides positive education and outreach to the community, as well as resolves legitimate objections promptly and reasonably. It is up to those supporting the development to create an effective and knowledgeable presence in support of the proposal.

SEE THE FOLLOWING CHART >

CHART: Designing a Community Relations Strategy

STEP	ACTION	TARGET & IMPLEMENTATION
1	Designate a spokesperson to represent the face of the proposal	a. An individual with integrity, excellent communication skills and, preferably, known to the community, will be selected to present key messages in the media
2	Identify and recruit credible supporters and secure their commitment to back the proposal in writing from individuals or from organizations	<ul style="list-style-type: none"> a. Local residents and adjacent neighbours who see value in the build b. Businesses and business associations who will benefit from the proposal c. Community leaders and associations with influence d. City Councillors and trusted, former public officials e. Non-profit and faith-based organizations who support infrastructure for social groups f. Prospective occupants of the proposal g. Beneficiaries like construction workers, suppliers and property owners h. Realtors and appraisers who can dispel myths about risks to property values i. Homebuilders who support projects that lead to housing construction j. Unions who back projects that offer jobs to their workers k. Law enforcement and public safety officials who can put security concerns to rest l. Previous project endorsers and their network of like-minded people
3	Develop key messages and a brochure or fact sheet to distribute to local residents to introduce them to the proposal	<ul style="list-style-type: none"> a. Stakeholders (builder/developer, municipal representatives, community-based service providers) will collaborate to design key messages that incorporate the perspectives of each, including prospective occupants b. A common purpose should be devised, who the proposal serves, its benefits, how they align with broader community and policy objectives, and the means by which the community will be engaged

STEP	ACTION	TARGET & IMPLEMENTATION
4	Develop an Internet strategy for presenting information on an on-going basis, including a website and/or blog, in addition to creating a Facebook Page and Twitter account to actively promote the build, post images and discuss the project with the public	<ul style="list-style-type: none"> a. One or more credible supporters from Step 3, with the appropriate skills and experience, will be responsible for pulling these together and will take direction from the lead proponents identified in Step 1 b. The web strategy will include an outline of the proposal, provide a forum for discussion, showcase support from multiple sectors, as well as act as a storehouse of information from the proposal inception, completion, and monitoring and evaluation c. It will also be used to notify the public of events such as hearings, public meetings, site tours and other proposal-related activities d. The individual dedicated to the online strategy will add content, post regularly, moderate comments and report back to the lead proponents
5	Undertake a preliminary community assessment to determine attitudes and solicit feedback from local residents and adjacent neighbours by presenting information and asking a few targeted questions	<ul style="list-style-type: none"> a. A core group of volunteers from Step 3, selected by the lead proponents, will be enlisted to carry out the assessment and distribute information by way of brochures or fact sheets b. These volunteers will be responsible for canvassing the neighbourhood door-to-door to provide information regarding the proposal, where the community can find more information online and to conduct an informal survey to determine initial reactions
6	Refine key messages, based on the results of the preliminary community assessment, to address concerns, taking into account residents' feedback	<ul style="list-style-type: none"> a. Lead proponents will work in tandem to flesh out the most effective messages, sound bites and talking points, with consistency and overall benefits in mind b. These will be used for the purpose of a broad range of marketing and communication activities, including the online strategy, hearings, public meetings and media interviews
7	Develop a range of <u>marketing and promotional materials</u> , using the refined key messages, designed for different audiences	<ul style="list-style-type: none"> a. With the input of the lead proponents and other supporters, determine the scope of the campaign, which may include: newsletters (print or email), one-page fact sheets, advertisements (print, radio, television), promotional videos for online strategy (website, blog, Facebook), audio-visual presentations (PowerPoint) b. The lead proponents will prioritize which marketing materials will be created, determine how each will be financed, and select those responsible for creating elements of the campaign under a specific timeline

STEP	ACTION	TARGET & IMPLEMENTATION
8	Bring stakeholders together by considering a variety of methods for local residents, adjacent neighbours, the wider community, the media and proponents to meet as a group to discuss	<ul style="list-style-type: none"> a. Based on an assessment of the feedback from the community and their main positions, a meeting will be organized, taking the form of a workshop (input on building design, community needs) or public meeting (presenting information, addressing concerns) b. The lead proponents will seek out one or more independent facilitators to lead the public forum c. Invitees will be selected and informed of the event; presentations by the housing proponents will be made, anticipating and addressing controversy and questions before they arise d. Time will be available at the end for Q&A (see Appendix C - How to Effectively Facilitate Public Meetings for a complete checklist to prepare)
9	Schedule a tour of a similar, successful build in the municipality, which can be organized and customized for local residents to view	<ul style="list-style-type: none"> a. A suitable build will be identified that would be comparable to the one proposed, considering proximity, community make-up, socio-economic status and demographics b. Arrangements will need to be made with the owner or operator of the build for an open house and organized tour, including date, time, transportation, parking and publicizing the tour c. Opportunities to meet and hear from local residents of that build will be incredibly valuable to counter concerns related to property values, traffic congestion, safety and security, occupants and how new residents have integrated d. This also provides a chance to hear not only about what has not gone wrong, but also all of the benefits to the local community that have resulted and may not have been anticipated, such as advantages of having new services, increases in business activity, improvements in the character of the neighbourhood and more
10	Plan to conduct a walk-through of the new build, if it goes forward, at a particular stage of the construction process	<ul style="list-style-type: none"> a. If there is value in it, lead proponents will arrange to conduct a viewing of the build with local representatives of community associations, business owners, and the like, keeping residents informed and up-to-date on progress, building design, how standards are being met and more
11	Hold a grand opening and ribbon-cutting, and invite local residents, the community, and the media to attend and celebrate the achievement	<ul style="list-style-type: none"> a. If the proposal moves forward with development, the coordinated partners will organize a celebratory event to inaugurate the new build and welcome it and its new occupants to the community in which it is located b. This initiative will include a press release, an organized tour of the site, invitations, parking arrangements, catering and brief formalities

Public Input in the Process

At times, the process of requesting public input, in advance of a municipality making a determination on rezoning, can be cumbersome. In some cases, doing so may shift responsibility for making the decision from government officials to members of the community who feel strongly enough about the proposed housing to become active participants in the zoning and land use process.

As a result, many significant and socially beneficial developments never move beyond the drawing board. Whether such action is a violation of the law will depend on if it discriminates against a protected class and whether the decision to seek public input is consistent with the municipality's practices with respect to other applicants.

In virtually every jurisdiction, public hearings have been used to inform residents of proposed changes in their neighbourhoods and to give them an opportunity to articulate and share their concerns with local authorities. Both of these goals - education and community participation - are appropriate and important. However, mandatory notification and public hearing requirements may violate procedure and undermine the attempt by public officials to make fact-based assessments concerning the impact of a new building proposal.

Public Hearings & Alternative Engagement Strategies

A public hearing can provide a forum for large numbers of residents to express anger and fear at the prospect of having unwanted neighbours in their midst. Responsible public policy requires a mechanism for distinguishing legitimate from illegitimate objections, giving voice to the former, and ensuring that the latter does not influence the process.

It is within a housing proponent's rights to request that a municipality employ alternatives to widespread notification and mass meetings by way of:

- Door-to-door outreach by housing proponents and other supporters to provide information, solicit feedback and answer community concerns;
- Small meetings with elected officials and the leadership of neighbourhood and business associations to respond to community concerns in a controlled atmosphere; and
- Designating a city agency to conduct mediation between housing proponents and concerned citizens to seek common ground.

Planning for a Public Hearing

If the municipality decides to have a hearing or must have a hearing because the ordinance requires one, there are a number of key issues that should be considered as part of planning for the event.

A public hearing need not be a free-for-all or an unstructured debate. It can become an unpleasant experience or a positive turning point toward community acceptance, depending on how it is handled. Efforts should be made to suggest tactics that will enable a hearing to be conducted in a courteous and respectful manner:

1. Hearing time - the municipality should establish a maximum period of time for the hearing to last (start and end time) and a time limitation announcement, for example, that a hearing will convene at 6:30 pm and end no later than 9:00 pm.
2. Attendee sign-in - a hearing should have an official sign-in sheet, with name, address, telephone number, political subdivision and any other relevant information as a useful way to recognize and maintain a record of speakers.
3. Speaker sign-in - for some hearings, a speaker sign-in sheet may be used

simply to order the speakers, so they have an opportunity to be heard in the order that they signed in

4. Speaker time limit - Announce in advance, and enforce, a rule that each speaker has three minutes to make their statement. This strategy upholds attendees rights to be heard while helping to ensure that the discussion does not get out of hand.

5. Commencement announcement - the facilitator of the hearing may be requested to call on all speakers and the audience, to hear each other respectfully and thoughtfully, reminding speakers of the time limits, and to notify if the hearing will be recorded.

6. Discriminatory remarks - if any speaker makes a remark that expresses discriminatory content, the facilitator of the hearing should advise the audience that those types of remarks could be considered discriminatory and that discriminatory comments will not be considered by the decision-makers because the evaluation will be made on reliable facts made on the record, not on opinions.

7. Profanity or threats - if a speaker makes a profane or foul remark, the facilitator should stop the speaker and caution them and the audience against making objectionable comments before letting the speaker continue. A speaker who makes a direct threat of a criminal act should be sternly cautioned.

8. Development proposal presentation - the proponent should be permitted to conduct a presentation that is not subject to the speaker time limit required of the general audience.

9. Municipality's role - municipal officials should set out positions, relevant information and concerns. These reservations should be communicated to the developer or housing proponent in advance, so an informed response can be prepared.

In very rare situations, the developer or housing proponent may request that a

hearing be halted or continued on another date if audience members repeatedly interrupt, make repeated discriminatory remarks, or if repeated cautions does not permit a reasoned discussion. At some hearings, decision-making takes place at the end of the hearing, in which case and in exceptional circumstances, a decision-making action may be postponed.

“Before anything else,
preparation is the key to success.”

—Alexander Graham Bell

A developer or housing proponent may ask for additional time to provide a response to comments or to provide supplementary information. A “cooling off” period may reduce negative response or hostility and permit additional time for further action to avoid a negative decision.

The Developer or Housing Proponent's Role in a Public Hearing

A well-prepared and planned strategy should include consideration of all likely concerns. New issues should be the subject of quick research, letters informing the deciding officials of the solution or response to the issue, and, if necessary, making the response available to the public through media outreach:

- Design a comprehensive plan - this plan should include enlisting individuals with the skills, expertise and time to assist in carrying out each step of the strategy in a coordinated way;
- Select the public face of the proposal - the person selected to make presentations should be well equipped to handle any questions that might be raised and capable of making prompt responses;
- Designate a note-taker - this individual will be responsible for recording

comments and feedback at public meetings, hearings and maintaining an on-going record;

- Enlist credible supporters - these allies must be willing to speak on behalf of the project and contacted well in advance of the hearing and invited to attend to speak in support; they are also enlisted to contact appropriate government officials to vocalize support of the proposal;
- Develop a thoughtful and orderly presentation - this audiovisual presentation should educate and inform, as well as anticipate questions before they arise, so it can be demonstrated how concerns do not factor or how they will be mitigated;
- Prepare for legitimate objections - if objections are raised on grounds that can be evaluated, addressed or rejected, studies and analyses of the data should be mentioned, and copies provided;
- Design print material - these include fact sheets and other information that reacts to actual or possible objections, which can be distributed door-to-door, at hearings and public meetings;
- Undertake a media strategy - this strategy should be proactive and pre-empt concerns before they flare up;
- Ensure hearings and meetings are recorded - if the municipality does not do this as a matter of course, the developer or housing proponent should ensure the necessary approvals are organized in advance;
- Be confident in responding to credible challenges - decision-makers should base their conclusions on the record and on a developer's or housing proponent's ability to anticipate the key issues and respond to them on a factual basis at the hearing or immediately after;
- Solicit direct professional assistance - this help would come from housing experts or legal counsel and, depending on the kinds of issues that are likely to be raised and their connection to housing litigation, case law may exist that suggests certain strategies or responses by developers and that also might be

raised in the hearing or in correspondence to decision-makers.

Hosting a Community or Public Meeting

Besides preparing for public hearings, which are generally organized and administered by municipalities and local governments, it is likely that an independent meeting with local residents, leaders from community and business associations, and the bringing together of other key stakeholders will be necessary.

In this circumstance it is not only advisable to engage 1-2 independent facilitators to conduct the proceedings, it is essential that all parties prepare presentations, anticipate questions, and ensure the meeting itself is organized, smooth and logistically seamless.

See [Appendix A - Online resources for potential and experienced delegates](#) for steps, guidelines and tips on how to effectively conduct public meetings from notification to follow-up.

Meaningful Engagement with the Media

There are two choices for a media strategy:

1. Affirmatively seek out the media and make the case for a proposed development; or
2. Prepare to respond to media coverage if and when it is publicized.

In some cases, where neighbourhood concern is anticipated, it may be best to seek media coverage early to shape the message.

In other situations, a strategic assessment may conclude that a low profile is more conducive to ultimate approval.

- Make several efforts to meet with key players including editorial boards;
- Send the appropriate factual information to several sources within a particular news market;
- Look for ways to reach out to other media, such as newspapers, radio or television; and
- Expand the area of news coverage to nearby media markets.

In either instance, media contact should communicate the benefits of the development and a supporter or ally should be designated as the spokesperson, having been prepared to communicate messages clearly and consistently (see [Appendix D - Directory of Contacts and Community Organizations](#) for potential and experienced delegates):

- Planning, development and municipal housing staff;
- Key decision-makers such as Councillors;
- Elected and appointed officials, whether or not they are decision-makers;
- Non-governmental, non-profit and civic organizations;
- Community opinion-shapers, such as clergy (non-denominational or otherwise);
- Neighbourhood and business associations;
- Advocates for people who are homeless or who have complex needs;
- Faith-based groups, particularly those with members who would benefit;
- Other developers with like-minded objectives and experience;
- Housing finance agencies and lenders;

- Fair housing groups and enforcement agencies;
- Residents from the neighbourhood of the proposed development; and
- Those living near similar developments and who have overcome their initial fear about the impact on their neighbourhood.

Working with media will likely require seeking positive features or news coverage by reporters and seeking editorial support for the development proposal. In smaller communities, it is the local editor of the newspaper to whom a media campaign should be addressed, since support from the editor effectively means support in reporting as well. In larger communities, the two functions are separate and both should be addressed.

An early meeting with editorial staff to discuss the development and ask for support is useful as part of an affirmative strategy. Reporters will want and should be provided with resources that enable them to be objective:

- Brief factual summaries of information;
- Quotations from spokespeople;
- Pithy responses to statements from those who are concerned;
- Tours of comparable properties;
- Interviews with key supporters; and
- Provide recent, local success stories.

Press Releases & Consistency in Key Messaging

While support from local media outlets can be important to the approval and continued success of a project, key messages from the overall strategy should be reinforced and highlighted in press releases.

These messages should reflect some of the most positive aspects of the project, for instance:

- New rental housing for families in the community;
- Housing for seniors that was previously lacking;
- High quality design, management and maintenance;
- Responsibly meeting the needs of different social groups;
- Compatibility with the existing housing stock; and
- Improvements in access and affordability.

Whether a press release, press conference or other special outreach is needed will depend on the particular situation. A press release in advance of a hearing can help ensure that news media fair will attend and cover the hearing. Following a hearing, a press release may provide material for a follow-up story that responds to concerns raised for the first time at a hearing.

A press conference, especially in conjunction with other community supporters can help inform the public of the breadth of community support and the objectively positive reasons for the development.

Freedom of Speech & Criminal Conduct

In rare instances, community and individual opposition may result in criminal action in response to a development proposal. Whether criminal conduct results from a threat, vandalism, trespass, arson or other actual or threatened harm, speedy involvement of law enforcement officials is critical.

The municipality and government officials should be encouraged to quickly and publicly oppose these kinds of crimes and they, along with community groups, should call for a prompt and thorough investigation. Efforts to involve residents in carrying out a strong community-wide response to these kinds of crimes should be made, including unified expressions of concern, responses from community and religious leaders, and a show of leadership in opposing crimes by seeking judicial and legal remedies.

Approaches for Municipalities

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, new higher-density development or other housing options can only occur through a collaborative process of engaging the residents and the neighbourhood.

First, however, is working in tandem with the developer or housing proponent to ensure the best possible proposal is brought forward to the community. Likewise, if the municipality is genuinely in favour of a proposal, they should take a stand on the project and publicly state their position with clear reasons why it fits into the municipality's long-term community planning agenda.

Legislative Frameworks

Like every municipal activity, housing development takes place within a legislative framework set by the provincial or territorial government. Municipal, planning and environmental assessment acts, in addition to building codes, make up 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.

With specific regard to non-profit, social or supportive 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. Canada is also a signatory to the international convention on the right to adequate housing, which in turn is bound by the principle of non-discrimination.

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

1. The proposed development must meet all legislative requirements in 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;
2. Provincial legislation requires municipalities to pursue smart growth options by accommodating future populations through intensifying or infilling in existing neighbourhoods;
3. 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;
4. Objections to the housing proposal rooted in discrimination violate human rights legislation; and

"I feel that luck is preparation meeting opportunity."

—Oprah Winfrey

5. Only respectful comments will be heard, with zero tolerance for discriminatory remarks.²⁴

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 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, housing proponents and with people or agencies who will benefit most from such housing by following 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 housing for complex needs;
- Develop a policy for affordable and supportive housing throughout the municipality in all neighbourhoods;

- Establish as-of-right zoning that complies with all applicable zoning regulations and does not require any discretionary action by the City to implement strategies for housing affordability throughout the municipality;
- Identify residential areas to permit as-of-right zoning, based on planning guidelines, for supportive housing and higher-density housing;
- Carry out long-term planning in an integrated manner, making effective links between infrastructure and land use, and in particular, the links between greater density and public transit; and
- 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.

Community Engagement & 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.

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 are therefore unavailable to support the proposal. The objective, therefore, is to find those who can speak as proxies for future residents, or advocates for affordable or higher-density housing. A clear emphasis should be placed on communication, with recommendations related to community engagement (open, early, frequent, clear and accurate) and use of the media to drive positive messages.

Each municipality has its own personality and its own way of doing things but there are practices that can be adapted to suit each community and every unique housing proposal:

- Have a defined strategy for engaging the public;
- Use a variety of techniques and forums to engage the public directly, like community meetings and webinars, as well as indirectly, such as websites and mail outs;
- Be sensitive to the language of communication, particularly in an area with many newcomers;
- In addressing the public, emphasize the positive, like community benefits for affordable, higher-density or mixed-use housing;

- Communicate how the proposal meets the municipality’s vision for the community, its strategic objectives, its official plan, and emphasize how it can meet multiple city objectives, like economic prosperity, attracting workers, and sustainability;
- Be well prepared before community meetings by knowing the facts, anticipating objections, and understanding the neighbourhood’s development history;
- At public meetings, establish rules of behaviour from the outset, for example, no comments contrary to the Human Rights Code will be accepted, as the focus will be on community planning components;
- Do not 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 because 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 is critical for their workforce, so take time to canvas their support; and

- Supply the media with up-to-date accurate information, while stressing the importance of the proposed development in meeting municipal goals.

“Spectacular achievement is always preceded by unspectacular preparation.”

—Robert H. Schuller

Online Municipal Engagement

Municipal engagement with the community is key to ensuring residents are better informed about housing-related activities, including public participation in planning, City standing committees and keeping up-to-date on Council agendas. This represents an excellent opportunity for the public to understand and to get involved in the development process.

The City of Toronto, for instance, is a model for online municipal engagement. Its website offers E-newsletter updates and RSS feeds on a variety

of topics for the public to sign up for, including past and upcoming Council and Committee agendas, reports and minutes. Municipalities may consider a similar strategy when attempting to reach out to the public on housing topics and proposals.

Making a point of identifying Committees’ roles and functions, the City of Toronto provides names of each Committee member, as well as agendas, minutes and reports, which are downloadable. Its website also has a link to “Request to speak”, and tips on how an individual can go about doing this.

Moreover, the City of Toronto invites residents to learn about City government - to find out how decisions are made, what is behind the numbers and news, who is responsible for what, and how everyday folks can make a difference. Some of the topics they school citizens on include civics, demystifying local planning, the stages of Council decision-making, the City’s fiscal framework, elections, and leadership.

Public Education

Educational tools can be deployed in at least two ways:

1. In a general context through courses or workshops on planning issues unrelated to a specific development proposal; or
2. In the communication of information related to a specific development proposal.

In the first instance, 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 and if done well, it can be an enjoyable and engaging event.

In the second 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. This information must be up to date, easily accessed and communicated simply:

- Educational materials - prepare using a variety of formats (illustration, text, charts, maps), as this will help communicate information to an audience with diverse learning experiences;
- Draft simple fact sheets - draft in advance of a public meeting on a specific proposal, summarizing development details and how they meet municipal or provincial policies;
- Work with proponents on educational materials - work collaboratively with developers and housing advocates to amass a compendium of information on building practices, development processes and housing needs in the community;
- Engage local architects and urban designers - create 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 - use old photos to demonstrate how communities change and draw connections to the past to help remind residents of the nature of change;
- Use educational materials in different forums - from generic community-based courses to community meetings on site-specific proposals;
- Emphasize transit - this can be helpful in putting forward the basis for intensification;
- Bring in technical experts - solicit professionals to develop educational materials and communicate concepts to the public, including lawyers, engineers, heritage preservationists, ecologists, foresters, and others;
- Take the learning outside of the classroom - request developers, housing proponents and housing managers to conduct tours;
- Organize a tour - tour an attractive higher-density or mixed-use neighbourhood;
- Establish an ongoing evaluation of the processes - create steps in order to adjust the strategy in collaboration with stakeholders, as appropriate;
- Seek Council approval of a city-wide strategy - this has been the key to defusing opposition, along with evidence showing the need for such housing;
- Putting a human touch on proposals - use video, for instance, to feature the personal stories of individuals and families dealing with the challenges of a mental illness or an addiction;
- Examples of success - present existing housing that demonstrates successful integration into the neighbourhood;
- Public health system benefits - indicate, if you can, that emergency room usage and hospital

- stays would be reduced; and
- Statistical evidence - use facts and specifics to show that crime is unlikely to increase.

Implementation & 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. For instance, it would be useful to learn whether any of the community's worries have come to pass and how new residents have contributed to the neighbourhood.

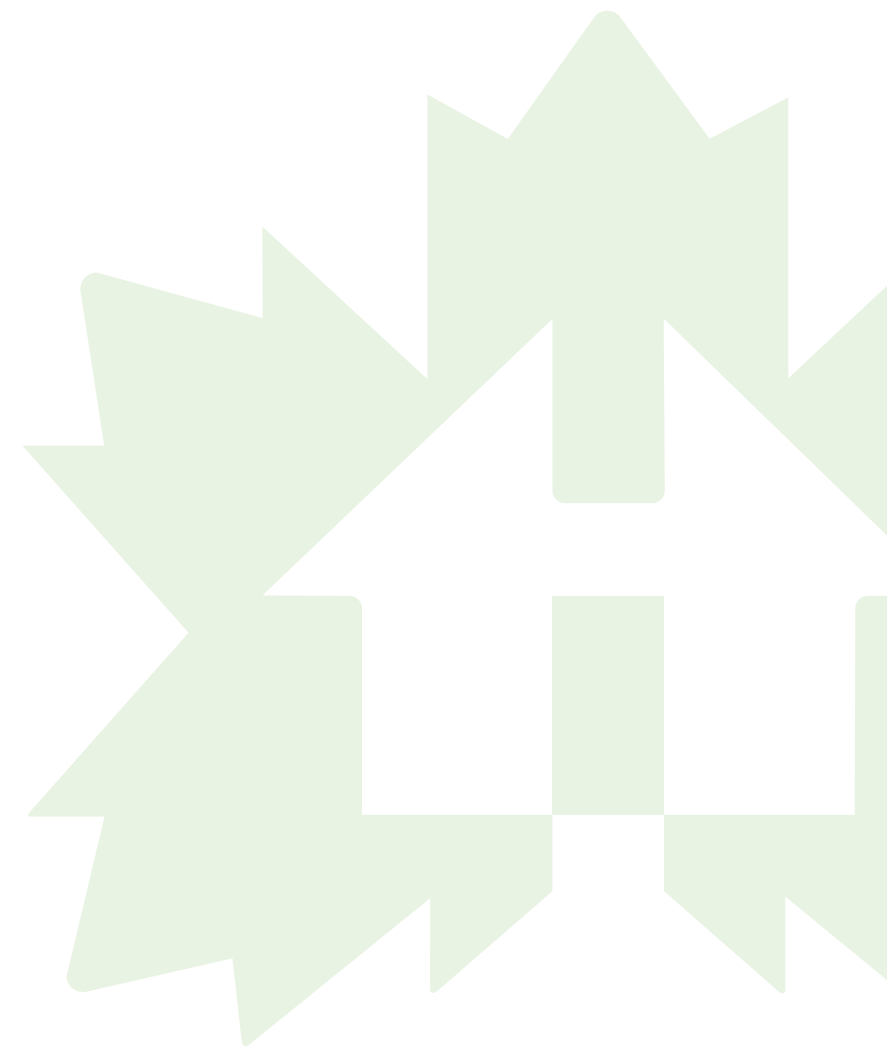
A decisive element in successful strategies to counter anxieties is through presenting evidence drawn from thriving integrated housing developments within a community. Affordable housing developments or mid-rise apartments that blend into the neighbourhood and enhance, rather than depress, property values can be a major selling point when trying to gain community acceptance. Similarly, data that shows no increase in the incidence of crime in a neighbourhood can be constructive in combating

one of the biggest myths around social or supported housing.

It is always 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. In developing and using a monitoring system, municipal officials should:

- Identify data and information that is easy to collect and easy to track, such as data on property values, which is easy to collect and 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; and
- Supplement technical information and data with photographs, videos and audio recordings from successful neighbourhoods and interviews with new and old residents.



Rights & Obligations

Property Owners

Like other property owners, social housing providers are obligated to maintain “good neighbour” standards, and though they may vary between municipality, they can include the duty to:

- Maintain the building to the standards set out in the Building, Fire and other Codes;
- Properly store and remove garbage;
- Keep walkways, driveways and parking areas in good repair and cleared of snow and debris;
- Maintain occupancy standards related to the number of residents;
- Keep the property free of rodents, vermin, insects and other pests, and from conditions that may encourage infestations
- Keep the property free of garbage, junk, dilapidated structures, wrecked or inoperable vehicles, or any health, fire or safety hazard;
- Ensure grass is cut, yards are free of undergrowth, trees are pruned of unsafe branches, and hedges and shrubs do not

obstruct views, streets or sidewalks;

- Provide buffering to prevent lights shining into dwellings, wind-blown waste from littering nearby properties, or to minimize other nuisances;
- Protect vacant buildings against the risk of fire, accident or other danger; and
- Cooperate with municipal licensing and standards officers.
- These are the same requirements as other landlords and housing providers cannot be asked to meet a higher standard than neighbours are expected to meet.²⁵

Occupants

Under the Residential Tenancies Act, all tenants must keep their unit clean, and repair or pay for any damage caused by themselves or their guests. They can be evicted for illegal activity, impairing the safety of others, disturbing the enjoyment of other tenants or harassing the landlord, and allowing too many people to live in the unit.²⁶

Municipal property standards can also place obligations on tenants to keep their homes in a clean and sanitary condition; keep all exits clear and unobstructed; cooperate with the landlord in upholding property standards; limit the number of occupants to the maximum permitted; and take immediate action to eliminate any unsafe conditions.

Landlords are not responsible for their tenant’s actions, however, there is no law against:

- Sitting in the front yard, steps, decks or common areas;
- Smoking outdoors, provided it does not violate municipal by-laws;
- Talking, laughing, drinking or hosting parties on one’s own property, provided municipal noise by-laws are not violated;
- Receiving visitors in one’s own home;
- Leaving the lights on;
- Entering or leaving the building late at night;
- Using taxis;

²⁵ HomeComing Community Choice Coalition. Beyond the back yard fence: A guide for Ontario supportive and affordable housing providers. October 2011. Pp. 6 - 7.

²⁶ Residential Tenancies Act, SNL2000, Chapter R-14.1.

- Receiving help from emergency services, including ambulances, fire trucks or the police;
- Being ill or dying in one's home.²⁷

Anticipating Irritants

By taking a dispassionate view of the property, housing providers can identify potential irritants before they give rise to disputes:

- Garbage and recycling - ensure outdoor bins are protected and that occupants understand the rules for removal; provide space for occupants to dispose of furnishings without creating eyesores;
- Balconies and porches - if these spaces are being used for garbage or storage, help find alternate storage space to avoid hazards;
- Shared driveways - exchange phone numbers with those using the driveway to settle any disputes quickly;
- Smoking - if tenants smoke on a patio or deck, ensure they are positioned to prevent smoke from blowing into neighbours' windows and sheltered from wind and prying eyes; and
- Snow clearing and yard maintenance - ensure occupants are supplied with the tools and training to do a good job, if they are responsible for this type of work.²⁸



²⁷ Municipal standards vary across the province. Check your municipality's website for the standards that apply in your area.

²⁸ HomeComing Community Choice Coalition. Beyond the back yard fence: A guide for Ontario supportive and affordable housing providers. October 2011. P. 11.

APPENDIX A • Online Resources

Canada Mortgage and Housing Corporation (CMHC)	https://www.cmhc-schl.gc.ca
Canadian Home Builders' Association Newfoundland & Labrador (CHBA-NL)	www.chbanl.ca
Canadian Home Builders' Association (CHBA)	www.chba.ca
Canadian Housing & Renewal Association (CHRA)	www.chra-achru.ca
Choices for Youth	https://www.choicesforyouth.ca
City of St. John's	http://www.stjohns.ca
City of St. John's 10-Year Affordable Housing Strategy	http://stjohns.ca/publications/affordable-housing-strategy-2019-2028
Community Mental Health Initiative Inc.	http://www.envision.ca/webs/cmhi
Connections for Seniors	https://www.connectionsforseniors.ca
End Homelessness	https://wecanendit.com
Federation of Canadian Municipalities (FCM)	www.fcm.ca
First Light – The St. John's Native Friendship Centre	https://firstlightnl.ca
Habitat for Humanity Newfoundland and Labrador	https://www.habitatnl.ca
John Howard Society of Newfoundland and Labrador	http://johnhowardnl.ca
Mokami Status of Women Council	www.mokamiwomen.ca
Municipal Affairs and Environment	https://www.mae.gov.nl.ca
Newfoundland and Labrador Housing Corporation	https://www.nlhc.nl.ca
Newfoundland and Labrador Housing & Homelessness Network (NLHHN)	www.nlhhn.org
Newfoundland and Labrador Human Rights Commission	www.justice.gov.nl.ca
Newfoundland and Labrador Municipal Directory	https://www.mae.gov.nl.ca/municipal_directory
Seniors NL	http://www.seniorsnl.ca
Stella's Circle	https://stellascircle.ca
Thrive	https://www.thrivecyn.ca/

APPENDIX B • Focus Group Results

Below is a summary of the responses provided by the 35 participant stakeholders who attended a January 2013 Focus Group at City Hall in St. John's, NL to identify and discuss trends.

Types of proposals that have typically attracted NIMBY-related concerns in NL

- Homeless and youth shelters
- Mental health facilities
- Drug and alcohol rehabilitation centers
- Transition homes
- Affordable housing units

Housing occupants perceived as threatening to communities and local residents in NL

- Individuals with addictions who are in treatment
- Individuals who have mental illness
- People who are at risk of or who are experiencing homelessness
- Individuals with criminal justice history
- Individuals living on low income

Primary stakeholders who are active in expressing their unease or discomfort with a

proposal

- Neighbours and local residents located in proximity to a proposal
- Schools or parent-teacher associations
- Businesses or business associations

Primary stakeholders who are perceived as responsible for addressing the NIMBY-related concerns

- Municipalities
- Builders and developers
- Social service providers (if applicable)

Primary ways in which NIMBY attitudes are identified and introduced as a concern

- Negative media attention
- Public meetings
- Campaigns or demonstrations
- Phone calls and emails
- Petitions

Main categories of concern felt by stakeholders who are uneasy about a proposal

- **Prejudice** – aimed at occupants/tenants of proposed build
- **Presage** – perceived impacts of build
- **Process** – lack of community engagement

- **Protocol** – land use regulations or zoning
- **Pretext** – prior adverse development experience

Main reasons cited by stakeholders for unease or discomfort involving a proposal

- Lack of information or misperception
- Fear of crime or insecurity
- Perceived property devaluation
- Prejudice or racism
- Opposed to higher-density housing, changes in zoning

Most effective strategies cited by stakeholders to address concerns related to land use and zoning

- Planning concerns of public taken into account
- Coordination of partners
- Proposal is fully supported by all decision-makers

Most effective strategies cited by stakeholders to address a lack of community participation

- Coordination of partners
- Engaging community through community relations strategy

- Planning concerns of public taken into account

Most effective strategies cited by stakeholders to address concerns regarding proposal design

- Planners and architects worked with community
- Engaging community through community relations strategy
- Proposal improves property

Most effective strategies cited by stakeholders to address concerns of perceived impacts of a proposal

- Conducting a community assessment to determine attitudes and solicit feedback
- Comprehensive community relations strategy
- Engaging community leaders and opposition through education and meetings

Most effective strategies cited by stakeholders to address concerns relating to a prior adverse development experience

- Engaging community leaders and opposition through education and meetings
- Conducting a community assessment to determine attitudes and solicit feedback
- Planning concerns of public taken into account

Most effective strategies cited by stakeholders to address prejudice towards prospective occupants

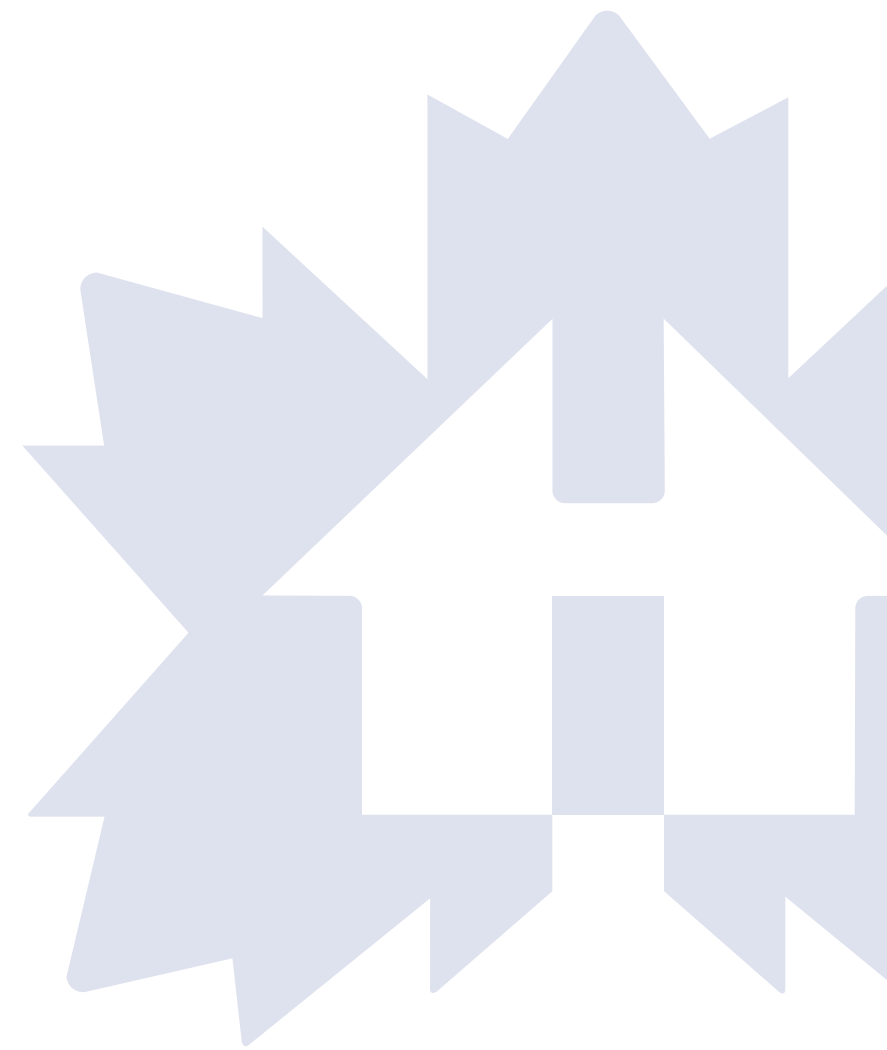
- Conducting a community assessment to determine attitudes and solicit feedback
- Engaging community leaders and opposition through education and meetings
- Comprehensive community relations strategy

Tools and techniques cited by stakeholders as successful in mitigating NIMBY-related concerns

- Maintaining on-going relationships with local residents
- Designating a community facilitator
- Enlisting the support of a trusted spokesperson
- Focus group sessions with local residents and neighbours
- Public education workshops
- Distributing regular newsletters and factsheets
- Open houses and tours of similar builds
- Public service announcements and positive key messaging
- Promotional websites and videos
- Implementing Good Neighbour Agreements

Housing proponents perceived by stakeholders as responsible for carrying out success strategies

- Municipalities, planners and local councillors
- Local residents and neighbours
- Builders and developers
- Social service providers



APPENDIX C • How to Effectively Facilitate Public Meetings

Create the Agenda

- State the start and end times, along with the time limits for each topic
- Ask stakeholders for topic suggestions that have may have been overlooked

Send Meeting Invitations

- Select the best method for distribution to the right audience - email, newspaper ad, in local residents' mailboxes
- Include an RSVP deadline, which ensures you have enough materials for all attendees

Select a Venue

- Book the space in advance and ensure there are sufficient tables, chairs, accessibility and parking
- Ensure adequate audio-visual equipment is available, including podium and microphone

Catering

- Determine whether and what food and beverages will be available, including options for those with food restrictions
- Book catering in advance and follow-up 48 hours before the scheduled event

Set Up the Meeting Space

- **Lecture** - chairs in rows - establishes the speaker as the main focus and works well when the main purpose is imparting information
- **Theatre** - a table at the front of the room - allows a panel of speakers or experts to sit up front with attendees sitting in rows like those in the lecture format
- **Classroom** - tables in front of rows of chairs - allows attendees to take notes while the speaker remains the focus of the meeting
- **Roundtables** - choose this option if you want your participants to function as teams or to foster sharing amongst the group
- **U-Shape or boardroom set up** - for meetings where you want the participants to see each other and interact with one another
- **Chair circle** - with the facilitator in the centre - this is for meetings intended as open and participatory
- Remember to leave space for your beverage and snack station
- Consider arrangements such as temperature, ability to hear and see, and special needs

Provide Tools and Materials

- Provide pens, notepads, workbooks, handouts and all else required for the meeting, such as flipcharts, etc.
- Create a 'parking lot' for questions, either in the form of a flipchart or white board, which attendees can write their question, or a specified location in the room where questions can be posted in sticky notes
- Provide participants with beverage or snack stations (for longer meetings) or water pitchers or water bottles and snacks on each table (for shorter meetings)

Prepare an Evaluation Form or Survey

- Hand out a survey at the meeting and leave time at the end for them to fill them out
- Ensure volunteers are on hand to collect them at the door or have a box where they can be deposited as attendees exit the venue
- Surveys or evaluation forms provide you with feedback to see how the meeting was received

Send Meeting Reminders

- These should go out a day or two before the meeting's RSVP deadline
- Request for anyone whose plans have changed email their regrets

Doorkeeper

- Designate a doorkeeper to welcome attendees and assist late comers by bringing them up to speed with what has been covered, the housekeeping details, how to ask questions, and directing them to a seat
- The doorkeeper can also assist with collecting evaluation surveys at the end of the meeting

Note-Takers

- Designate at least two note-takers to record the conversation for future reference

Start the Meeting on Time

- Attendees who arrive late can catch up - it is rude to those who were prompt to wait for late-comers
- Set boundaries, explain the agenda and make housekeeping announcements, including information about break times, restroom locations, an explanation about the 'parking lot', and turning cell phones off as courtesy to everyone

- Designate a timekeeper to keep track of the time and schedule to stay on track

Neutrality and Facilitation

- Establish common ground and the coming together because of a shared vision to prevent small conflicts from escalating
- Co-facilitators can be supportive by relieving one another through taking turns
- Maintain energy, attention, understanding, confidence, assertiveness, and respect
- In tense and tiring situations try humour, affirming what has been achieved and taking breaks

Vibe-Watcher

- Someone not actively facilitating can pay more attention to the emotional climate of the meeting and watch out for individuals being affected, particularly through body language
- In situations of conflict, this designate can intervene by taking the role of intermediary, by taking time out with someone to listen to their concerns, or suggest breaks and tools to improve the atmosphere

Staying on Topic

- The facilitator's job is to keep all meeting attendees and speakers on topic, as allowing off-target tangents will derail the schedule

- Stick to appointed break times
- Encourage the expression of multiple viewpoints
- Hold people to speaking on behalf of themselves and not of the entire group
- Keep looking out for and highlighting minor points of agreement and state them
- Sum up the outcomes of the meeting for clarity at the end

Disruptive Behaviour

- Address speakers who dominate the conversation
- Introduce a go-around where each person has the opportunity to speak in turn if they choose
- Remind participants to let everyone contribute equally
- Pro-actively ask others for their opinion

Answering Questions

- Take questions from your participants or from the 'parking lot', and allow enough time to address everyone's questions
- Be accessible to the participants by staying after the meeting for anyone who does not want to address the group but needs to ask a specific question one-on-one
- Remind your attendees to complete their surveys and thank them for attending

CAREW LODGE

St. John's, NL (2001, 2012)

Housing for Individuals with Mental Illness & Recently Released Offenders

In 1997, Carew Lodge was a private boarding house known for the violence, alcohol and drug abuse that plagued its surroundings. Not only was the building run down, but the police and fire department were regular visitors. That being the case, neighbours were delighted when Stella's Circle purchased the property.

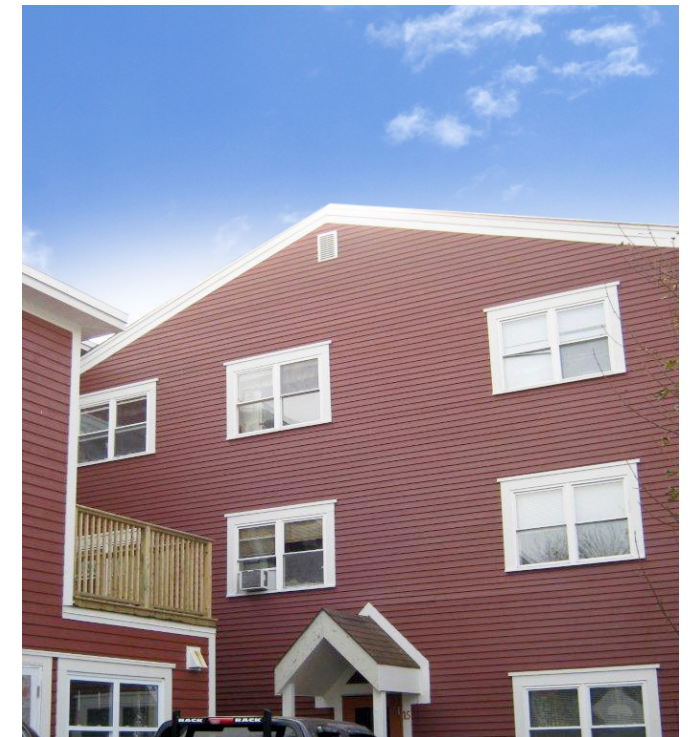
A current tenant and caretaker at that time made a point of canvassing the neighbourhood to introduce herself and to talk about Carew Lodge, resulting in positive feedback and articles in The Telegram. Recognizing its potential was first in this building's remarkable transformation to becoming a model for affordable and supportive housing for people living with mental illness and recently released former inmates. With twenty-four new and refurbished units,

proponents cite early engagement with the neighbourhood as pivotal to its success. This took the form of talking with school representatives, knocking on doors and hosting multiple public consultations. Proponents collaborated with the City to identify mutual needs - in this case, housing the hard-to-house. A community development worker was hired to dedicate their time championing the project and to act as a contact point for stakeholders.

Fast forward to the most recent renovation in 2012: The neighbouring Bishop Field Elementary School was not in favour of the extension, citing density concerns and anxiety over having too many individuals with the same challenges being housed in the same building. With windows facing the school, would tenants "be watching" kids and why didn't Stella's Circle have mixed housing?

Past and current tenants spoke out at a meeting to allay fears and address questions, and as a result, people genuinely felt differently about it. Transparency was key, as was being up front with neighbours about the project. Other strategies like

inviting the neighbourhood to a summer BBQ to mingle, were also a success. Having a staff presence at the building adds to the sense of organization and security that both tenants and residents feel, in addition to promptly returning calls and ensuring that concerns are addressed.



THE ULTIMATE GOAL RETIREMENT VILLAGE

Lewisporte, NL (2009)

Housing For Seniors

This housing complex was designed and built for seniors, consisting of eighteen units. As Bert Twyne, the visionary housing proponent behind the Village puts it, "One of the most important things to remember when providing housing for Seniors is that it is 'for Seniors,' so it should be 'about Seniors'."

Eight units are funded by the Newfoundland and Labrador Housing Corporation (NLHC) and the Canada Mortgage Housing Corporation's Affordable Housing Program (CMHC AHP), regulated by the AHP criteria. Ten units are financed by the "Life Rent" method and open

to any senior regardless of social or financial status. All eighteen units consist implement below market rent, however, the proponent has been very careful to refrain from segregating people with low or fixed income because the Village is fundamentally about a quality standard of living for any senior.

Proponents did not experience opposition from neighbours, credited to the amount of information provided to the community. Bert stated that, "This development is literally in my back yard, so we were careful to not put anything in someone else's back yard that I did not want in mine. I think that is a good guideline to follow no matter where a project is located." Bert understands that the design should be pleasing - open space, good views, and a move away from the perception of "row housing". The proponent deliberately avoided using the term "affordable housing", which often comes with a host of negative preconceived notions. Instead, they used terms like "diversified housing", presented two

methods of financing and offered residents the freedom to choose the one that best suited their circumstance. They even went so far as to avoid any institutional terminology like "Complex", in favour of "Village", which they believe enhances a sense of belonging.

Bert went on to say, "We are considering the addition of fourteen more units and we have already begun to inform the community of what we propose to put in their backyard. We are also asking for their input relative to items that would make the project more pleasing to them. I have to apply to the Town for a zoning variance and, because of the communication of information, we are not expecting any opposition."

Language, especially when it comes to re-zoning issues and land use changes, influenced public perception and had the power of helping or hindering community buy-in of a development proposal. "Our Village is more than just a place to live - it also offers a social aspect. We have not used all the space with buildings. We have a central patio where seniors can gather and enjoy each other's company. The Village also holds an annual Christmas Dinner and an annual BBQ. These are for all residents of the Village no matter their financial status."



SUMMIT PLACE

Corner Brook, NL (2012)

Housing for Individuals With Complex Needs

Summit Place provides ten affordable and safe housing units for people with mental health needs. Collaborating with the City proved crucial to the proposal, particularly since the property needed to be rezoned. The rezoning process alone lasted one year but that was not the only challenge proponents faced.

The proponent disclosed that more targeted communication with residents of the neighbourhood was necessary, as the initial public consultation did not go well. In hindsight, door-to-door canvassing prior to the first public forum to answer individual concerns would have yielded better results. The second public consultation was far more effective because those taking the lead were prepared and a number of individuals having personal experience with mental health issues were in attendance.

Housing for individuals with complex needs is a tough sell - local residents and the wider community at large can have very fixed ideas

about what “mental illness” means and the stigma associated is serious, though unwarranted. Education and awareness regarding mental illness and personalizing the stories of those affected is a key component to alleviating distress.

Providing a forum for the community to learn more about these issues and to discuss the experiences of friends and family suffering from mental illness humanized the prospective occupants and brought a level of understanding that was missing from the equation.

In all, the proponent took away some key practices:

- Survey the public, in the beginning, to determine their understanding of mental illness (or whatever the concern may be) and what their unease stems from;

- Present the facts and a clear message about what the project is.
- For instance, housing for individuals with complex needs versus a psychiatric institution;
- Be prepared to undertake education about mental health issues and the supports available;
- Include individuals from the neighbourhood on the project development committee;
- Aim strongly for buy-in from a City Councillor to support the proposal;
- Make sure to canvas door-to-door to offer information, materials and to answer questions;
- Make use of the media wisely by maintaining open communication versus a “no comment” attitude; and
- Use designs plans and large signage during construction to advertise the build with a “Coming Soon” display.



MOKAMI STATUS OF WOMEN COUNCIL CENTRE & LIBRA HOUSE_

Happy Valley-Goose Bay, NL (2013)

Affordable Housing and Emergency Crisis Shelter for Women & Children Experiencing Abuse

This narrative demonstrates unique challenges, leading to immense opportunities, based on the experience of a women - a housing proponent - who was uniquely involved with both the Mokami Status of Women Council Centre and Libra House, which are separate and distinct organizations.

The Mokami Status of Women Council (MSWC), in this instance, owned a property in a residential area, zoned as both business and residential. The housing proponent working for the MSWC assumed local residents would not be bothered by the organization's plan to build a women's centre, including eight affordable housing units, as their building was already located there. That was until she received a court order, prohibiting them from moving forward, from an unhappy neighbour.

The situation escalated until it ended up in court, where the judge ruled that the best course of action would be to file two restraining orders prohibiting either owner from going on the other's property.

In the meantime, the housing proponent was conflicted, recognizing that it was in the organization's best interest to be more open and public about what they were trying to accomplish. Fortunately, a contractor who owned another property, which was distanced from other houses, offered to trade land with them, effectively resolving the issue. The new affordable housing units were then nicely situated in proximity to a hostel, a Friendship Centre, a church and a handful of other businesses.

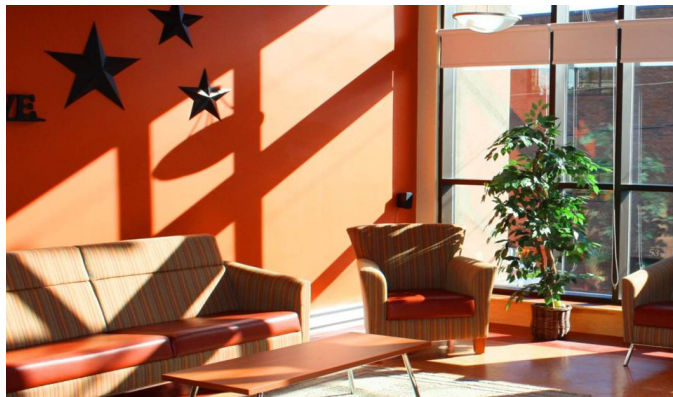
With this experience fresh in her mind, the housing proponent, now working on behalf a different organization, embarked on another build - Libra House. This proposal was for an emergency crisis shelter for women and children experiencing violence and abuse. The shelter was moving from its twenty-five year old home to another location in a new area of town and, based on the prior circumstance, the proponent knew to prepare differently.

To maintain transparency, the housing proponent and her team appeared on the radio and called the newspaper to do a story; held a series of creative fundraisers, sought out support from local politicians, and organized tours of the location to achieve buy-in before they even broke ground.



Early preparation included engaging Town Council, as well as enlisting the endorsements of CMHC, if necessary, and the RCMP to confirm that calls are not received regarding issues at the shelter. The housing proponent even put an ad in the newspaper calling on citizens to write directly to the Town in the event that they had concerns. The Town, however, received nothing but positive feedback and after completion, the proponent made a point of sending “thank-you” notes and appreciation to everyone for their support.

It is her belief that the ease and success of the shelter is due in large part to stakeholders feeling included in the project, coupled with the organization having been a mainstay in the community for twenty-five years without incident. “We prepared for the worst and hoped for the best, and that’s exactly what happened.”



THE LILLY

St. John’s, NL (2010)

Housing for Youth At Risk of Homelessness

For male and female youth with complex needs and facing homelessness, The Lilly offers two-bedroom and single bedroom units. Its realization resulted from community consultation, which involved talking to residents, listening to feedback and casting young people in a positive light.

Information was presented quickly and questions were answered honestly, in collaboration with interviews provided to the media. This included an appearance on the local Morning Show to discuss how every individual, the community’s sons and daughters, need and deserve adequate housing. Rather than allowing the proposal to be sensationalized by fears of crime and insecurity, proponents held informal meetings with local residents to discuss potential concerns and how they will be addressed.

Highlighting the revitalization of the community through refurbishing a derelict building, coupled with an accurate anticipated increase in property values and tours of the site, calmed residents’ fears and generated support.

Best practices resulting from proponents of The Lilly included:

- Documenting everything, including every time someone knocked on a door, when media was engaged, or when a call or letter was received (positive and negative);
- Incorporating a response mechanism for each instance where the process was criticized, so those comments could be swiftly recognized and responded to;
- Going beyond the City’s requirements when providing information to the neighbourhood to ensure everyone with an interest is captured;
- Reinforcing clear messages and partnering with natural allies;
- Inviting immediate neighbours and representatives from condo boards to participate in the design process;
- Steering away from making promises that may be impossible to keep regarding, among other things, who will live there; and
- Connecting with City Council to find out what they need in terms of process and for suggestions on who to talk to in the neighbourhood, but not for lobbying purposes.

MARGUERITE'S PLACE

St. John's, NL (2011)

Affordable & Supportive Housing for Women

This women-centred environment includes three units in downtown St. John's and eight units of supportive housing. In this instance, the housing proponent did not encounter community resistance to the development since it was entering into an NL Housing Community.



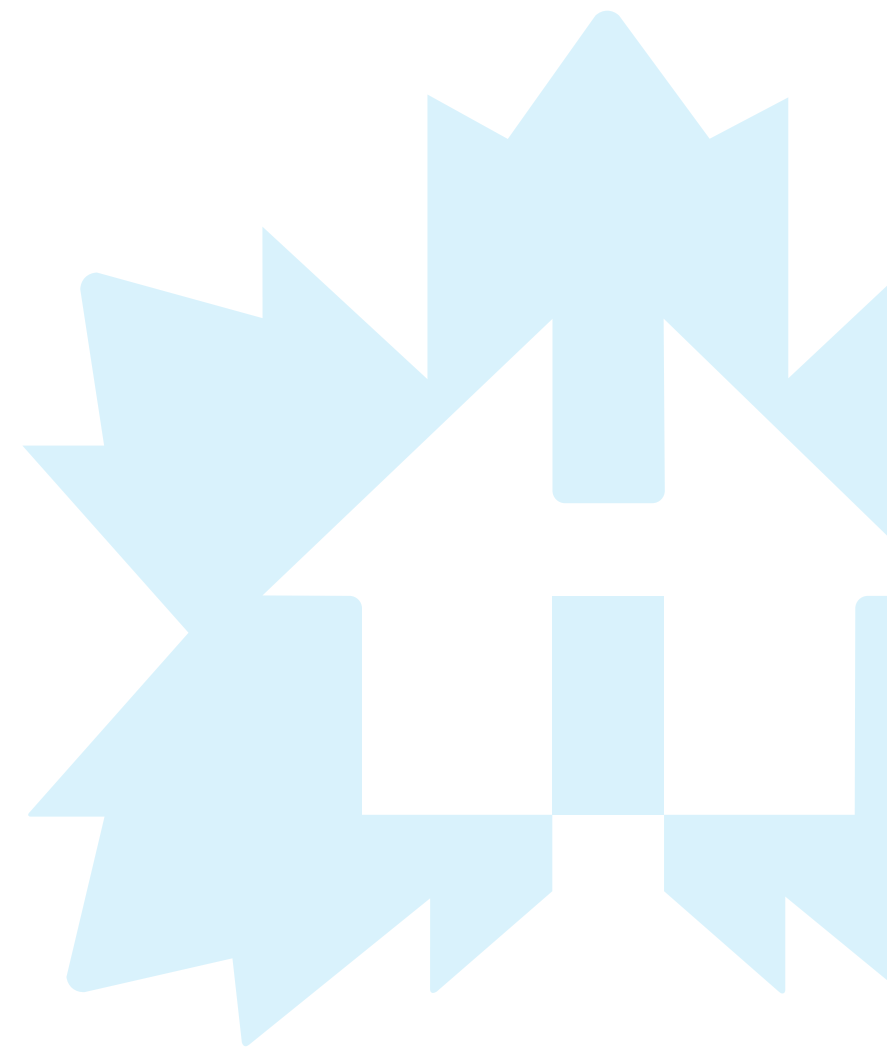
The primary reasons earning acceptance was the repetition of key messages and early, direct engagement with the community, which were critical factors in dispelling myths. Likewise, opening the space up to be used by community members helped with its integration and was welcomed by local residents.

In taking a proactive approach to media engagement, stakeholders assert that the onus sits on the shoulders of housing proponents to ensure that positive stories are reported by the media and that successes are communicated to the public through all means available.

Key to achieving effective communication is hiring one or more experienced facilitators, rather than relying on existing staff, who have their own responsibilities. If this is not feasible, then frontline staff or designated supporters must be adequately trained to manage this role.

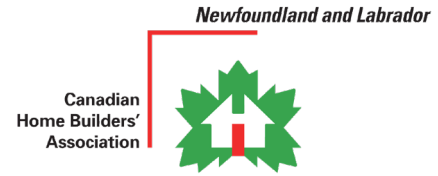
An important message from the housing proponent of this development is that, in many cases, it is not always possible to please everyone in the surrounding area - some people will be offended no matter what measures are taken. Realistically, only

time will change some people's minds, others may have personal opinions that cannot be altered, and sometimes it's necessary to plunge ahead in the face of pockets of opposition for the greater good.



Appendix E - Directory of Municipalities

Town of Bay Roberts	709.786.2126
Town of Conception Bay South (CBS)	709.834.6500
Town of Clarenville	709.466.7937
City of Corner Brook	709.637.1500
Town of Gander	709.651.2930
Town of Grand Falls-Windsor	709.489.0407
Town of Happy Valley-Goose Bay	709.896.3321
Town of Labrador City	709.944.2621
Town of Logy Bay-Middle Cove-Outer Cove	709.726.7930
City of Mount Pearl	709.748.1000
Town of Paradise	709.782.1400
Town of Portugal Cove-St. Philip's.....	709.895.8000
City of St. John's	709.576.8106
Town of Torbay	709.437.6532



www.chbanl.ca

DECISION/DIRECTION NOTE

Title: Text Amendment to Enable Heritage Use as a Discretionary Use in the Institutional (INST) and Institutional Downtown (INST-D) Zones REZ1900014
42 Bannerman Street

Date Prepared: February 4, 2020

Report To: Committee of the Whole

Councillor & Role: Councillor Maggie Burton, Planning and Development Lead

Ward: 2

Decision/Direction Required:

To consider a text amendment to the St. John's Development Regulations to allow Council to consider Heritage Use in the Institutional (INST) and Institutional Downtown (INST-D) Zones.

Discussion – Background and Current Status:

The City has received an application from First Light St. John's Friendship Centre requesting that Heritage Use be considered as an acceptable use within the Institutional (INST) Zone. In January 2019, First Light entered into a formal partnership with Cochrane Centre, located at 42 Bannerman Street, to take on its operations. It is their belief that the current INST zoning regulations do not support the innovative venture that is underway at this site and that the addition of the Heritage Use could provide flexibility. A Municipal Plan amendment would not be required.

The subject property is located in Heritage Area 1, the Institutional District of the St. John's Municipal Plan and is zoned Institutional (INST). Cochrane Street United Church, which now includes Cochrane Centre and First Light, is designated by Council as a Heritage Building.

From the St. John's Development Regulations, Heritage Use means the Discretionary Use of a Heritage Building for two or more Dwelling Units; a Boarding or Lodging House; an Office; a Bed and Breakfast; a Handcraft Use; a Restaurant; and/or other uses, which are, in Council's opinion, compatible with adjoining Residential Uses. Under the draft Envision Development Regulations, adopted-in-principle by Council, Heritage Use is defined as any use of a Designated Heritage Building which is, in Council's opinion, compatible with the adjoining uses. If Council is going to consider adding Heritage Use to the INST and INST-D Zones, it is also recommended to update the definition in the current regulations.

By adding Heritage Use to the INST and INST-D Zones, Council could permit Designated Heritage Buildings to have additional uses not normally found in these zones allowing for more flexibility and adaptive reuse of Heritage Buildings. The addition of the Heritage Use to the



INST and INST-D Zones would be appropriate as many of the designated churches and similar buildings within the City are in the INST Zone.

At this time, First Light St. John's Friendship Centre would like Council to consider food preparation (commercial and community-based) within the Heritage Use. The existing commercial kitchen would be used for this purpose and would be used 24 hours, Monday to Sunday.

Additionally, food preparation or similar uses like Bakery are not listed in the General Parking Requirements of the Development Regulations. Therefore, the parking requirements are to be determined by Council. As the kitchen will often be used at a time that does not conflict with other uses within the building (evenings or early mornings), it is recommended that Council exempt the parking requirements as per Section 9.1.2(4) of the Development Regulations.

The City has received complaints regarding noise from the fan associated with the commercial kitchen. The exhaust was installed as part of the recent upgrades to the building and has been inspected by the City. There is no violation with the National Building Code or the St. John's Noise By-law

Should Council consider the text amendment, it is also recommended to advertise Heritage Use as a Discretionary Use in the City's public notification process for public review and comment.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders:
Neighbouring residents and property owners.
3. Alignment with Strategic Directions/Adopted Plans:
A Sustainable City – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications:
A text amendment to the St. John's Development Regulations is required.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations:
Public advertisement of the proposed amendment and Discretionary Use.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.

9. Information Technology Implications: Not applicable.

10. Other Implications: Not applicable.

Recommendation:

It is recommended that the application for a text amendment to the Development Regulations to enable Heritage Use as a Discretionary Use be considered.

It is recommended that the Text Amendment and Discretionary Use be advertised for public review and comment. The application would then be referred to a regular meeting of Council for consideration of adoption.

Prepared by/Signature:

Ann-Marie Cashin, MCIP – Planner III, Urban Design and Heritage

Signature: _____

Approved by/Date/Signature:

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

AMC/dlm

Attachments:

Zoning Map

Zoning Table



INST

8



MILITARY RD

SUBJECT PROPERTY

COCHRANE ST

STEWART AVE

BANNERMAN ST

COLONIAL ST

BOND ST

INST

RD

RD

RD

RD

RD

RD

RD

10.32 INSTITUTIONAL (INST) ZONE

(See Section 5.1.4 - Development Above the 190 Metre Contour Elevation)

10.32.1 Permitted Uses

Residential:

- (a) Accessory Dwelling Unit
- (b) Seniors' Apartment Building (subject to Section 7.18) **(1995-06-09)**

Public:

- (c) Administrative Buildings for Government Offices and Non-profit Organizations
- (d) Adult Day Care Facility (subject to Section 7.2)
- (e) Church
- (f) Clinic
- (g) Commercial School **(1996-03-22)**
- (h) Cultural Center
- (i) Day Care Center (subject to Section 7.6)
- (j) Hospital
- (k) Home for the Aged
- (l) Institution
- (m) Library
- (n) Parish Hall or Center
- (o) Place of Assembly
- (p) Public Use
- (q) Public Utility
- (r) School
- (s) Undertaker's Establishment
- (t) University or other Institution of Higher Learning

Recreation:

- (u) Park

10.32.2 Discretionary Uses

- (a) Uses complementary to a Seniors' Apartment Building (subject to Section 7.18) **(2007-02-09)**
- (b) Office **(2010-02-12)**
- (c) Private Park **(2007-10-05)**
- (d) Small Scale Wind Turbine **(2012-06-01)**

10.32.3 Zone Requirements

The following requirements shall apply to all Permitted Uses except those at Civic Number 9-11 Carew Street where Council shall determine the requirements:

- (a) Lot Area (minimum) 900 square metres
- (b) Lot Frontage (minimum) 30 metres

INST

(c)	Lot Coverage (maximum)	50%	
(d)	Floor Area Ratio (maximum)	1.0, (subject to a Land Use Impact Assessment Report the F.A.R. may be increased to 2.0)	
(e)	Building Height (maximum)	3 storeys (Subject to a Land Use Assessment Report, may be increased to 10 storeys; and for property located at 50 Tiffany Lane (“Tiffany Village”)), may be increased to 16 storeys.	(2015-05-15)
(f)	Building Line (minimum)	6 metres	
(g)	Side Yards (minimum)	1 metre per Storey with a maximum of 6 metres	
(h)	Side Yards on Flanking Road (min)	6 metres	
(i)	Rear Yard (minimum)	6 metres	
(j)	Landscaping of Lot (minimum)	20%	(2010-07-02)

INST

10.32(A).1 Permitted Uses

Residential:

- (a) Accessory Dwelling Unit
- (b) Seniors' Apartment Building (subject to Section 7.18)

Public:

- (c) Administrative Buildings for Government Offices and Non-profit Organizations
- (d) Adult Day Care Facility (subject to Section 7.2)
- (e) Church
- (f) Clinic
- (g) Commercial School
- (h) Cultural Center
- (i) Day Care Center (subject to Section 7.6)
- (j) Hospital
- (k) Home for the Aged
- (l) Institution
- (m) Library
- (n) Parish Hall or Center
- (o) Place of Assembly
- (p) Public Use
- (q) Public Utility
- (r) School
- (s) Undertaker's Establishment
- (t) University or other Institution of Higher Learning

Recreation:

- (u) Park

10.32(A).2 Discretionary Uses

- (a) Uses Complementary to a Seniors' Apartment Building (subject to Section 7.18)
- (b) Office
- (c) Private Park

10.32(A).3 Zone Requirements

- (a) Floor Area Ratio (maximum) 2.0
- (b) Building Height (maximum) 5 storeys subject to a Land Use Assessment Report

INST-D

DECISION/DIRECTION NOTE

Title: Text Amendment to allow a Residential Accessory Dwelling Unit within a Floatplane Hanger in the Rural Zone
REZ1900017
360 Paddy's Pond Road

Date Prepared: February 3, 2020

Report To: Committee of the Whole

Councillor & Role: Councillor Maggie Burton, Planning and Development Lead

Ward: 5

Decision/Direction Required:

To consider a text amendment to the Rural (R) Zone to allow a Residential Accessory Dwelling Unit within a Floatplane Hanger.

Discussion – Background and Current Status:

The City has received an application at 360 Paddy's Pond Road for a text amendment to the Rural Zone. The applicant is proposing to add a Residential Accessory Dwelling Unit within an existing Floatplane Hanger in order to provide space for flight crew(s) to rest, prepare food and have washroom facilities. Floatplane operations are currently a Discretionary Use within the Rural Zone and have special requirements for their use.

Floatplane lots in the Paddy's Pond Road area were originally created by the Province along with the private road used to access the area. Crown Land grants for these lots do not allow subdivision, nor do they allow any lot to be used for any purpose other than an aircraft hanger. In 1995 an amendment was made to the St. John's Development Regulations adding Floatplane operations as a Discretionary Use in the Rural Zone, along with specific requirements for the Use. The Development Regulations require that Floatplane operations and related activities on a private access road have Transport Canada approval. They are subject to Section 7.24 which requires that the Floatplane Hangar building be designed and used solely for the storage of a floatplane and may not be used for residential occupancy. Section 8.1.2 of the Development Regulations also does not allow development unless the Lot has frontage on a Public Street.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders:
Provincial Government, neighbouring residents and property owners.



3. Alignment with Strategic Directions/Adopted Plans: Not applicable.
4. Legal or Policy Implications: Not applicable.
5. Engagement and Communications Considerations: Not applicable.
6. Human Resource Implications: Not applicable.
7. Procurement Implications: Not applicable.
8. Information Technology Implications: Not applicable.
9. Other Implications: Not applicable.

Recommendation:

It is recommended that Council refuse the application for a text amendment to allow a Residential Accessory Dwelling Unit within a Floatplane Hanger in the Rural Zone at 360 Paddy's Pond Road. The proposal does not meet the intent of the Crown Land Grant requirements, as well, the City does not allow Floatplane Hangers to be used for residential occupancy and the Lot does not have frontage on a Public Street.

Prepared by/Signature:

Lindsay Lyghtle Brushett, MCIP – Planner III

Signature: _____

Approved by/Date/Signature:

Ken O'Brien, MCIP – Chief Municipal Planner

Signature: _____

LLB/dlm

Attachments:

Zoning Map



SUBJECT PROPERTY



PADDY'S POND RD