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Siting Homeless Shelters in Calgary: Impacts of the New Land Use Bylaw and the Local Development Process

Author: Kuzmak, Natasha; Muller, Larissa


Abstract: The authors examine how the change from Calgary Land Use Bylaw 2P80 to Calgary Land Use Bylaw 1P2007 will affect the siting of homeless shelters in Calgary. The analysis of barriers and facultative mechanisms to siting shelters under each bylaw was based on a review of the land use bylaws, documents describing approvals and development processes, siting precedents, plus key informant interviews with city planners, local politicians and facility siters, as well as a focus group of community association representatives to provide the viewpoints of major stakeholders in the development process. Under LUB 2P80 human care facilities (e.g., shelters, detoxification centres) were combined under the land use 'special care facility', However, LUB 1P2007 divides the uses under special care facility, incurring many changes to the approvals and development process for shelters. Though siting success is not dependent on the process used to site a facility (i.e., development permit process versus land use amendment process), LUB 1P2007 addresses some problems that developed from LUB 2P80, while creating others. A major recommendation is to recombine many of the land uses formally under special care facility and designate them as discretionary land uses.

Keywords: homeless shelter, siting, land use policy, development process

Résumé
Les auteurs examinent l'impact du changement de réglementation de l'utilisation des terres 2P80 (Land Use Bylaw 1P207) pour le règlement de l'utilisation des terres 1P2007 (Land Use Bylaw t P207) sur la localisation des centres pour les sans-abris. L'analyse des obstacles et des mécanismes facilitant la localisation des centres pour les sans-abris est basée sur les documents décrivant le processus d'approbation et de développement d'un centre pour les sans-abris (passé et présent), une revue des règlements de l'utilisation des terres, des interviews clés avec des planificateurs, des politiciens locaux et un groupe de discussion composé de représentant de la communauté. Selon le règlement 2P80, les établissements pour les soins des sans-abris...
centre d'hébergement ou de désintoxication) sont combinés sous la rubrique "établissement pour les soins spéciaux." Or le nouveau règlement 1P2007 spécifie une séparation en ce qui concerne le type d'utilisation des services de l'établissement pour les soins spéciaux. Cette division des services a conduit à de nombreux changements en ce qui concerne le processus d'approbation et de développement d'un centre pour les sans-abris. Bien que le succès de la localisation d'un centre pour les sans-abris n'est pas dépendant du processus utilisé pour l'aménagement d'un établissement (processus du permit d'aménagement versus le processus de la modification des terres), le règlement IP2007 répond à certaines lacunes du règlement 2P80. Toutefois, le nouveau règlement 1P2007 crée d'autres problèmes. Notre recommandation principale est de recombiner les réglementations de l'utilisation des terrains associées à "l'établissement pour les soins spéciaux" et de les classer sous une réglementation à caractère discrétionnaire.

Mots clés: centre pour sans-abris, localisation, politique et réglementation de l'utilisation des terres

Introduction

L'absence et la pauvreté en villes canadiennes ont augmenté à des vitesses alarmantes. Calgary, la quatrième ville la plus grande au Canada avec plus d'un million de personnes, n'est pas une exception. Selon les résultats de l'enumeration des sans-abris en 2008 de Calgary, le nombre de sans-abris dans la ville était estimé à 46 086 personnes (0.4% du total de la population), une augmentation de 16% par rapport au chiffre de 2006 (Stroick, Hubac et Richter-Salomons 2008). Cela signifie que la population de sans-abris de Calgary croît plus de trois fois plus vite que la population de la ville dans son ensemble, qui a augmenté de 5% sur la même période (The City of Calgary 2008a). Calgary's homeless rates soared in spite of the fact that the city's economy was booming, and unemployment rates were at historical lows (3.4%). The homeless problem was aggravated by a rapid influx of people seeking employment opportunities in Calgary - net migration in Calgary was 30,672 between 2006 and 2008 - in conjunction with decreasing rental stock, which sent rental vacancy rates plummeting below 1% and led to the highest rental prices in the nation ('The City of Calgary 2007; CMHC 2007; Government of Alberta 2009). Although the economic situation has changed significantly since 2008, the homeless trends have not. The housing market has cooled, but growing numbers of residents are out of work, placing greater pressures than ever on the shelter and supporting services system, suggesting that homelessness can grow rapidly in both strong and weak economic times.

One of the main solutions advanced to aid homeless individuals in Canada has been to increase the amount of available shelter space Laird 2007}. However, shelters - along with many other human care facilities such as addiction treatment centres - are controversial land uses: while they are generally recognised as being needed by the community, they encounter opposition at the neighbourhood scale. As such, discretionary approval of facilities, such as homeless shelters, is common in municipalities, as they often breach most residential and commercial zoning codes (Wolch and Dear 1993). While this is almost universally true, it can be more or less challenging to site these facilities in various urban communities depending on the local land use and development frameworks.

Municipalities use a range of policies to facilitate siting shelters and address the problem of homelessness. Inclusionary zoning has become increasingly prevalent in both American (Whcaton 2009) and Canadian cities (Ranasinghe and Val verde 2006). This method integrates affordable housing, and more recently homeless shelters, into communities by providing incentives to developers to incorporate affordable housing units into multi-dwelling buildings (California Coalition for Rural Housing 2003; Rifkin 2009).

Interaction with mainstream society was found to be essential to effectively reintegrate people experiencing homelessness, and to promote opportunities to access permanent housing, employment options, community affiliation, and social networks (Hartnett and Harding 2005). However, not every community setting is necessarily a suitable location for people in need of affordable housing or shelter services. Many sub-populations of shelter facility users and low-income households need to be located near regular transit service or other necessary social services (Shier, Walsh and Graham 2007; Green 2005). A limitation therefore, of
relying extensively on inclusionary zoning within new developments for affordable housing and shelter provision, is that the developments tend to be located in outer urban areas, away from these types of services.

Another increasingly popular method used by municipalities to address the problem of chronic homelessness is Housing First, a model that was developed by Tsemberis, Gulcur, and Nakae (2004) to provide chronically homeless people housing. The rationale behind this support is that it lessens homeless people’s dependence on expensive emergency care services, enabling them to better address other issues such as mental health or addiction problems. Kertesz and Weiner (2009) argue that for Housing First to be effective as a tool to reduce the demand on emergency services by homeless people, sub-populations must be clearly identified, as different sub-populations experience different problems. As such, an array of solutions is needed to address the problems of different sub-populations of homeless, each solution dependent upon the issues faced by the sub-population. While the Housing First approach can be part of the solution to address homelessness, it will not entirely replace the need for municipal emergency and temporary shelters, although it will reduce the length of stays and the overall demand for additional shelter capacity.

Calgary presents an interesting case study in land use and facility siting because the municipal government is pursuing policies that take a different tact from some of those prescribed above. In the context of a growing homeless population, Calgary is moving towards more exclusionary zoning, and both the municipal authorities and social service agencies are increasingly seeking to site shelter facility in industrial zones.

On June 1st 2008 The City of Calgary (The City) adopted a new Land Use Bylaw (LUB) 1P2007 which changed some of the current practices of siting homeless shelters in communities. In this paper we examine these recent changes to the land use bylaw as they impact the siting of special care facilities (SCFs) in Calgary, with a focus on temporary and emergency homeless shelters. We present the rationale behind the changes as well as the immediate and longer term implications of these decisions. In the second part of the paper we discuss some key facultative mechanisms and barriers to SCF siting that form part of Calgary’s informal development framework, which has carried over to Calgary’s new land use system. We conclude by discussing the wider implications and lessons for urban planning and policy, and highlight ways the new Calgary LUB, approvals and development processes, and general city policy can be modified to address key areas of concern raised by our analysis. The recommendations are designed to improve shelter siting and, by extension, better address the needs of the growing homeless population in Calgary and in other municipalities racing similar challenges.

Methodology

A case study approach was adopted to empirically investigate how siting was impacted by changes in the Calgary land use and development context. Key sources of data were based on document collection, key informant interviews, and a focus group. We obtained ethics approval to conduct the interviews and focus group from the University of Calgary’s Conjoint Faculties Research Ethics Board. Public documents and records, primarily from The City, provided information on the two LUBs, the formal development processes, and SCF siting hearings and decisions that had occurred in the last five years. All of the facility siting cases occurred under the former LUB, LUB 2P80, and include two temporary shelters, one addiction treatment facility, one halfway house, and one apartment for supported and assisted living. They provided a baseline and insight into the major siting issues under LUB 2P80.

Seventeen key informant interviews, ranging from 45 minutes to one hour and 15 minutes, were conducted from June 2008 to April 2009. Questions focused on: 1) the perceptions of major stakeholders in the development process about their and other stakeholders’ roles; 2) barriers and facultative mechanisms regarding the approvals and development process, land use policy, and public consultation in the facility siting process; and 3) anticipated changes under the new LUB. Key informants were selected using purposive and snowball sampling methods. Based on the document review, prospective informants who were knowledgeable about one or more aspects of the research were contacted, and after completing an interview they provided referrals to other expert stakeholders. Interviews were conducted until saturation was reached - once key informants did not
suggest new informants and no new information arose from the interviews. Interviews were conducted with eight professionals employed with The City of Calgary from the departments of Development & Building Approvals (DBA), Community & Neighbourhood Services, Corporate Properties & Buildings, and Land Use Planning & Policy; three Calgary aldermen, each of whom has had recent experiences with facility sitings in their wards; and six representatives of social agencies, of which four were employed by agencies that site facilities directly and two were employed by an agency that assists agencies in siting facilities. The agencies included The Calgary Homeless Foundation, The Mustard Seed, The Salvation Army Centre of Hope, and Discovery House.

A single focus group, which was approximately two and a half hours in length, was arranged by eight community association representatives who represented affected residents, landowners, and businesses in the approvals and development process. Participants were recruited through an email distributed by the Federation of Calgary Communities. Participation was on a voluntary basis. Seven of the focus group participants had either previous personal or professional experience with at least one aspect of siting social care facilities, primarily community consultation. The discussion in the focus group centered on the role of the community association in the siting of facilities, public consultation, and their perspectives on the approvals and development process.

Interview and focus group transcripts were analysed using ATLAS.ti 5.0, a qualitative data analysis package. We employed a reiterative process of studying the emerging data and then reviewing the texts in two main phases: an initial phase to code the words, lines, and segments of the text and a selective phase to sort, synthesise, integrate, and organize the data for themes and issues (Stake 1995). The information was reviewed for contradictions and corroborations between all of the informants and focus group members: in particular the views of the different stakeholders were compared. Findings from transcripts were triangulated with information from documents relating to the approval and development processes, LUBs 2P80 and LP2007 and SCF hearings and decisions.

**Calgary Land Use Bylaw 2P80**

Calgary's land use bylaws, like those used in many Canadian communities, use a hybrid system to organize land use. Land use district designations in Calgary are generally comprised of a combination of 'permitted' land uses, which is akin to zoning, and 'discretionary' land uses, which is akin to development control (Ham 2007). Under the Calgary LUB 2P80, which was in effect from November 1980 to June 2008, halfway houses, nursing homes, geriatric centres, and group homes, including homeless shelters, were combined under the land use 'special care facility'1 (The City of Calgary 1980). Although special care facilities were not permitted land uses in the land use bylaw they were included as discretionary land uses in many residential and commercial districts (Figure 1).

**Discretionary Permit Process**

Discretionary land uses are those that may be developed as a right of "administrative discretion" by a municipality’s development authority (DA) Laux 1998, 2-20). Applications for these land uses must fulfill all development requirements for the specific district as well as meet any additional criteria deemed appropriate by the DA. According to Ham (2007), "it is not uncommon in Calgary that the conditions imposed upon a discretionary use are such as to render it incapable of being implemented [...] Hence, there is uncertainty both as to whether a [discretionary] use may be approved and what the conditions might be". The Calgary discretionary development permit process is similar to the process elsewhere in Canada (Hodge 2003). Throughout this process, much of the deliberative and technical work that decides the development permit (i.e., how the facility will be developed and operated in a community) take place informally between City planners, the facility sitter, the host community, and the ward alderman (Hodge 2003). "The facility sitter often informally engages the host community, attempting to at least notify the community and explain the facility operations. During more thorough consultation programs siters may solicit community concerns, engage in dialogue, and address the concerns that are deemed reasonable (i.e., solutions to the concerns that are not to the detriment
of the facility operations). As was determined through the interviews, City planners and staff highly recommend community engagement and addressing community concerns through the operational protocols of the development permit. This eases the decision of the DA. How and when to engage is often not prescribed, in spite of studies showing that early engagement can reduce opposition by developing trust with the community and reducing concerns regarding the siting process (Wynne-Edwards 2003).

Since homeless shelters are such controversial facilities, development permit decisions for these facilities are often appealed to the Subdivision and Development Appeal Board (SDAB). They can be appealed either by the applicant or by "any person affected by any order, decision or development permit made or issued by a development authority " (The Province or Alberta 2008, MGA, Section 685 (2)). Examples of appellants being sufficiently affected include property owners who own property that is located close enough to a proposed development where "the development might adversely affect the use, enjoyment or amenities of the property" (Laux 1998, ChIO pp 13-14); hence DA decisions to grant an SCF development permit are often appealed by community members.

During DA appeals appellants and those opposed to the appeal present their cases in front of the SDAB, which then decides to uphold the decision of the DA or reverse it; the SDAB can apply conditions in both cases. During development permit appeals, public involvement becomes a formalized aspect of the development permit process.

Of the five SCF siting cases in the last five years, two were discretionary uses requiring development permits only, and both were appealed to the SDAB by the concerned community associations after being granted the development permits. Only one of these facilities was successfully sited. In the successful siting case the facility sitter, The City, and the local politician used informal open houses and a consultation meeting to inform and engage the host community regarding the facility development and operations. In this case, though the community association supported the facility siting, they appealed the permit decision to the SDAB to ensure that agreed upon mechanisms to address their concerns were formally incorporated into the permit conditions.

In the unsuccessful case, the community association argued the facility was an unsuitable land use for their community. The SDAB upheld the appeal and overturned the DA's decision to grant the development permit (Subdivision and Development Appeal Board 2007), arguing that the facility sitter had not adequately addressed some valid concerns raised by the community.

Land Use Amendment Process

"The Calgary land use amendment process is similar to that of the Canadian process described by Hodge (2003). However, specifically in Calgary, in cases where an applicant wishes to develop a shelter in a district where the land use is neither permitted nor discretionary, they may apply to change a parcel of land in the district to a Direct Control (DC) district for their specific land use, thus amending the land use.

Similar to the development permit process, much the land use amendment process is informal. However, given the political and contentious nature of the land use, and the public's formalized role in the decision process, the extent of informal discussions between the local alderman, the host community, the facility sitter, and City planners and staff tends to be much greater. Facility siters generally initiate informal community consultation early in the land use amendment process, and engage more extensively, in an attempt to develop community support prior to the public hearing. Commimicicy support in advance of a hearing not only increases the likelihood that the City Council will decide in favor of the land use amendment, it can increase facility integration into a community, resulting in more effective service provision to the facility users (Shier, Walsh and Graham 2007).

The remaining three facility cases underwent the land use amendment process and all were successfully sited as facilities in DC districts. Two of these facilities were sited in industrial districts and one was sited in a commercial district. Each of the facility siters conducted extensive community engagement programs including informing, educating, and developing dialogue with the host communities. Discussions with key informants familiar with the cases indicated that this was important to the siting successes of the facilities.
Key Differences between the Processes

As the five cases show, the process does not determine the outcome. Being a discretionary use is no more a guarantee of a successful siting than the land use amendment is a disadvantage; facilities were sited using either process. But it masks two important differences: the impact of different decision-making bodies and the riming and extensiveness of public involvement.

A major difference between the development permit and the land use amendment processes is the body responsible for deciding land uses. Assuming an appeal to the SDAB during the development permit process, two planning bodies make permit decisions: the DA and then the SDAB. During land use amendments, the City Council is the decision maker, using the recommendations of the Calgary Planning Commission. As a result, contentious land use decisions, such as facility siting, may be less focused on planning principles and become more politicized. Local politicians are sensitive to the opposition of constituents living near contentious developments, and occasionally make land use decisions based on some technical issue even though the development may largely adhere to planning requirements (Elliot 2008). Thus, in principle, facility siters interviewed preferred that these decisions be made by ostensibly non-political bodies, such as the DA and the SDAB.

Another difference concerns the public involvement in two processes. In the discretionary development permit process, a public hearing is only held if there is an appeal, which occurs only after the permit decision is issued by the DA. In the case of a land use amendment, a public hearing is held in advance of a City Council decision, thus the affected public is formally involved at a much earlier stage in the process. In anticipation of the public hearing, facility siters in Calgary typically engage the community informally well ahead of the hearing date. By reducing community opposition and gaining community support for a facility, City Council is more likely to decide in favour for the land use amendment (Wynne-Edwards 2003). Although nothing prohibits early and extensive community engagement under the discretionary development permit process, the shorter processing time reduces the time available to engage the community, and the lack of guidelines on informal consultation leads to wide variation in when and how community engagement is done by different siters. Communities often complain about receiving too little information too late in the siting process (Weisburg 1993).

Time and costs are another key difference. Compared to the development permit process, land use amendments have higher application fees ($4500-59000 versus $500); make more extensive use of consulting studies, expert testimony and legal representation; and take longer to process (ten months to over two years versus five to six months).

Key Issues under WR 2P80

Two key issues developed under LUB 2P80 that affected homeless shelter siting. First, any SCF could swap into a parcel of land once it was designated as such. As a result, community opposition to special care facilities began to increase, as communities feared that more contentious facilities would supersede those perceived as being less innocuous, (e.g., halfway house facilities could swap into a parcel of land previously used as a geriatric centre), if a SCF was located in their community. Consequently, general opposition to all special care facilities developed. This led to an informal practice of issuing development permits for specific uses, thus preventing other special care facilities from using the parcel of land in the future without obtaining another development permit.

Secondly, in trying to address community opposition to the siting of more controversial facilities in residential districts, both through imposed conditions and negotiated mechanisms, some facility siters felt they were sacrificing too many qualities and aspects of the facility operations that were integral to the service they were trying to provide. As a result, siters of the more controversial facilities began seeking out non-residential districts where they perceived there to be less opposition. Consequently, in the last two and a half years of LUB2P80, two Calgary facilities, an addiction treatment facility and a temporary shelter, were sited in industrial districts for the first time. Industrial zones had previously been considered inappropriate for special care facilities because
industrial activities are viewed as incompatible with residential activities, and the location would cut off facility
users from interaction with mainstream society. Further alienating people experiencing homelessness may in
turn foster their dependence on the shelter system (Hartnett and Harding 2005). It is telling, therefore, that some
facility siters prefer to move to locations that are suboptimal for facility users in these respects, in order to avoid
burdensome impositions by community residents. Alternatively, the sub-optimality of an industrial zone is
considered to be less than that of the resulting environment created by community imposed conditions in a
residential zone; both environments can be equally isolating for facility users.

Calgary Land Use Bylaw 1P2007

"The Calgary LUB 1P2007 was instituted June 1, 2008. As a result of increasing difficulties using LUB 2P80,
because of changing planning trends, such as the development of higher density developments to promote
sustainability, The City determined that it was necessary to create a new LUB (The City of Calgary 2009a). "The
review of LUB 2P80 led to several changes, including the treatment of special care facilities.

Under LUB 1P2007 the land use ‘special care facility’ was divided into several separate land uses including
addiction treatment, custodial care, residential care, emergency shelter, and temporary shelter (The City of
Calgary 2008c). Addiction treatment and residential care facilities are treated similarly to SCFs under LUB
2P80, where they are discretionary land uses in many residential and commercial districts, but with two key
differences. First, size restrictions were added - the facility size is dependent on the district density. Because
there are many low density residential districts in Calgary, this restriction has the effect of greatly reducing the
number of districts in which larger facilities can be sited without a land use change. Although these conditions
may be relaxed at the discretion of the DA (Ham 2007), they set an expectation and a basis for appeal.

Secondly, dividing special care facilities into individual uses prevents facility swapping; it is no longer left to the
discretion of the DA to restrict the use as a condition of receiving the permit, "the ban on facility swapping will
likely help to reduce community opposition during facility siting; communities can better anticipate land use
impacts the more restricted the potential uses are for a parcel of land. However, siting specific land uses, such
as addiction treatment facilities, inherently lends itself to siting land ‘users’ and not ‘uses’. In planning terms, this
is problematic: though "people zoning” is not completely forbidden, it is legally suspect and subject to
constitutional challenges as municipalities are to govern uses and not people (Ranasinghe and Valverde
2006).

Lastly, LUB 1P2007 singles out temporary and emergency shelters for different treatment. Emergency shelters
are defined as facilities that provide transitional housing for people in need of shelter. They may provide
additional services such as health, education, and other programs, as well as food preparation. These facilities
are used by people experiencing emergencies seeking short-term shelter. Examples of existing emergency
shelters in Calgary include the Salvation Army Centre of Hope and the Calgary Drop-In and Rehab Centre.

Under LUB 1P2007 emergency shelters can only be sited on parcels of land that receive a DC designation with
the specific land use of ‘emergency shelter’. A DC designation requires applying for a land use change for every
new emergency shelter site - no location in the city is designated as such in advance of a siting application. So
while the DC designation has the benefit of not geographically restricting potential emergency shelter locations,
under the new bylaw, no locations in the city are deemed suitable for emergency shelters from the outset. In
requiring a DC land use designation, The City is now giving emergency shelters the type of location treatment
reserved for highly contentious and high risk uses such as fertilizer plants and tire recycling facilities (The City of
Calgary 2008c). By removing emergency shelters as a discretionary use in residential and commercial districts,
this policy suggests that these districts may not be suitable or appropriate for hosting emergency shelters, which
sends a negative signal to potential host communities, thereby increasing opposition and possibly forcing these
uses into industrial or more remote locations. In-so-doing, the new bylaw will likely reinforce a negative trend
that was already emerging under 2P80. This policy runs contrary to studies which have found that isolating
homeless people from society not only reinforces their dependency on the system, but the public’s perception
that the homeless are deviants and feared members of society (Hartnett and Harding 2005; Kennedy and Fitzpatrick 2001). In addition, forcing new emergency shelters to go through the land use amendment process increases the time delay from conception to operation, which reduces the ability of The City to quickly respond to unexpected growth in demand for homeless shelters, and thus increases the risk of a crisis.

Temporary shelters are defined as those that are sited in existing buildings for a limited time with the purpose of providing temporary sleeping accommodation to address a city emergency or unexpected shortage. Examples include temporary shelter for residents displaced from the homes by a natural calamity such as flood or fire, to seasonal extra beds for the homeless. Aside from shower or laundry facilities, no other services can be provided. Under the new bylaw, these facilities can only be sited by The City in Special Purpose - City &Regional Infrastructure (S-CRI) districts in municipally or provindally owned buildings. They are permitted uses, thus so long as the land use conditions are met, approval and development permits are automatic; the host community is not involved in the process, and the decision cannot he appealed (The City of Calgary 20USa). The rationale behind this new land use designation was that The City is responsible tor these facilities and in a true emergency will need to site these facilities in an expedited manner. As S-CRI districts tend to be situated in industrial areas, the City hopes to avoid negatively affecting communities and residents. Figure 2 illustrates where temporary shelters can be sited in S-CRI districts. Comparing this map with Figure 1 shows that the area that is eligible for facility siting without a land use amendment has been drastically reduced from the previous LUB, and is limited co predominantly industrial locations.

Though siting these facilities will be expedited, backlashes may result from host communities as they will not be included in the approvals and development process. Furthermore, siting these facilities in industrial districts does not consider the needs of the facilities users, which include being located near other necessary services, transit, and in communities (Shier, Walsh and Graham 2007).

In both cases, The City of Calgary is sending a strong message that temporary shelters especially, but also emergency shelters, should not be sited in residential areas, in spite of shelter users’ needs. Citizens of Calgary wUl begin to expect that temporary shelters be sited in industrial districts and that emergency shelters are inappropriate for residential and commercial areas. With time, members of Calgary staff and planners, the DA, and the CPC might also begin to treat emergency and temporary shelters as adverse land uses, thus not belonging in communities. In so doing. The City risks creating and perpetuating an ethos of exclusion.

Other Barriers and Facultative Mechanisms

Aside from land use policy, there are several other facultative mechanisms and barriers in the siting process that affect siting success. These pertain to both the old and new land use policy. Key among the facultative mechanisms are several effective approaches commonly adopted by facility siters in Calgary (one or more was used in all of the four successful facility siting cases) to address community concerns and thereby reduce opposition. These form part oí the informal development framework and include:

* Involvement of host communities in the development of the operating protocols for the facilities which are included in the development permits. This usually requires that the Facility sitter engage the community early in the development application process, although the protocols can also be revised through the appeal process,
* The creation of post-siting community councils to ensure facility sitter accountability to the host community. Any concerns community residents might have after the facility starts operating can be brought before the council. These councils are generally composed of representatives from the facility operator, the community association, as well as professionals working in fields related to facility operations, such as police services, bylaw services, or emergency medical services, which can help to develop mechanisms to address community concerns.
* Good Neighbour Agreements to ensure accountability to a host community: this is a legal document between the facility operator and the community association outlining the agreed upon operational conditions or other mechanisms to address community concerns to which the facility operator promises to adhere.

The main barriers that were encountered during the siting process relate to misunderstandings by stakeholders
the roles of the other stakeholders in the approval and development process, and of the process itself. City planners and staff are not always as involved as they could or would like to be in the siting process. Respondents in certain City departments consider it their responsibility to assist social agencies through the development process, specifically to assist with creating operating protocols in the development permit to address the concerns of community residents. In spite of this, some social agencies purportedly are not inclined to utilise the expertise of City staff assistance in the siting process or are unaware that City staff are a resource. In other cases City staff, possibly due to staffing shortages, fail to adequately assist the social agency. According to respondents, City staff have to walk a fine line in addressing problems of homelessness because it is not a municipal mandate but a provincial one, and the City does not want the provincial government of Alberta to abdicate their responsibilities to the municipality to deal with this issue. As a result, the City avoids assuming the role of developer except in the case of temporary shelter development, in spite of growing public pressure to address the growing homeless issue. One informant stated:

We have a [homeless] policy because, quite frankly, citizens of Calgary are of the view that citizens of Calgary, homeless or not, are citizens of Calgary and that their closest level of government, i.e., the municipality, the City of Calgary, ought to have some role in the provision of homeless services.

As is the case in other Canadian communities (Hodge 2003), a significant problem that local politicians encounter in their role in the development process is reconciling representation of their ward constituents with the wider needs of all people living in Calgary. Although the aldermen interviewed recognised that homelessness was a problem in Calgary that needed to be addressed, each stated that they must consider the risk of potentially losing their seat in local government as a consequence of supporting the siting of facilities in their own community. Thus, while aldermen often provide leadership in addressing homelessness problems at the local scale, and particularly for non-location specific issues, they may not be able to provide the same level of support when it comes to siting new facilities in their wards.

Community association representatives consider it their responsibility to disseminate information to their communities. However, the focus group participants complained of a lack of information regarding the siting of the facility in a timely manner that would allow for meaningful public consultation with the community. Too short notice may prevent community association members from completing their responsibilities and developing cooperative relationships with other stakeholders.

A comparison of stakeholders’ perceptions of the responsibilities of other stakeholders indicated that a stakeholder’s perceptions of his/her own role is dissimilar to what is expected of him/her by other stakeholders. Some discrepancies between actual and expected responsibilities coming out of the interviews and focus groups include the following:

* City staff and planners consider themselves experts on community consultation, while community association representatives find the City’s performance inferior to that of social agencies.
* Social agencies consider themselves to be very transparent during the siting process, whereas community leaders do not think that they are truthful about the performance of the facility type for which they are advocating.
* Communities insist that they just want their concerns addressed, but the City considers many concerns to be purely NIMBY (not-in-my-backyard) sentiments rather than legitimate planning concerns.
* Members of City staff disagree on their roles in the siting process of shelters: whether their role is to 1) advocate for the siting of the shelters within the City and to the Province; 2) actively facilitate the process including direct involvement in community engagement; or 3) merely provide advice and guidance to applicants.

One of the major concerns raised by two community focus group participants was that the City was not "directing the orchestra" in regards to homeless shelter siting; in other words, there was no organised process to determine where to site shelters in the city. The development permit and land use amendment process only
address whether the facility being sited is ‘suitable’ (in planning terms) to the potential host community. But several focus group participants were frustrated that the decision did not take into account whether or not there were “more appropriate” locations elsewhere in the city. A LOCUS group participant explained it as follows:

I mean the first thing that has to take place, there has to be a critical assessment of what every neighborhood and every community can support. [...]. As they [homeless shelters] become increasingly necessary to integrate into the community, you have to understand what the community can support, how it can be done and then you have to create sort of a list of these agencies and these uses can fit to these spatial environments and then you have to say, okay, these are the receiving areas, just by de facto, that’s what the environment can support.

Hence, some community participants presuppose that there are certain criteria that can and should be used to determine where to site facilities.

While such criteria may be desirable from a community standpoint, it is questionable whether it is either feasible or desirable from a planning perspective. Jilecková Sherrington (2008) has argued against applying a rational comprehensive planning model based on scientific evaluation of lands to determine locations for special care facilities. Locations of human care facilities cannot be determined only by measurable variables based on police data, income figures, and socio-demographic indicators within communities, etc., as there are many other considerations that are necessary to determine if a location for a facility is suitable or not (Jileckova Sherrington 2008). As described by Jilecková Sherrington (2008), each facility provides very specific services and its needs and operations can differ greatly from one another. Thus, it is difficult, if not impossible, to develop quantifiable criteria to predetermine appropriate locations for all possible special care facilities. Under such circumstances, case-by-case decision-making is most appropriate.

Conclusions & Recommendations

The Calgary case illustrates the concerns and challenges facing municipal politicians and staff with regard to balancing the needs and wants of housed and homeless residents, and the difficult trade-offs facing social service agencies on how to approach applications for land use change. This situation has triggered a growing interest on the part of both municipal authorities and social service agencies to site homeless shelters in industrial areas to avoid conflict with residential communities, overly constraining conditions of their operations, and in the case of temporary shelters, to speed up the process, in spite of the negative implications of this trend for access to services for shelter residents. The case also highlights how the desire of City administrations to reduce the number and streamline the approval of discretionary uses in the LUB - a growing trend among Canadian municipalities - may result in the outright removal of the most contentious uses, including shelter facilities, and stronger limitations on those remaining. The negative implications of formalizing these emerging trends into the LUB are significant, if not immediately obvious. Below we suggest some modifications to address the most serious issues. The recommendations are directed specifically to the City of Calgary, but are equally applicable to other municipalities who have adopted, or are considering adopting, similar approaches to deal with homeless shelter facilities.

Land Use Bylaw 2P80 addressed SCF siting on a case-by-case basis and attempted to locate facilities in communities where the SCFs were a discretionary use. To appease strong community opposition, however, facility siters often had to give up aspects of facility operations that were integral to the facility when seeking a discretionary development permit. To retain these aspects, facility siters began locating more contentious facilities in industrial districts, where they faced less resident opposition, even though it required using the more involved land use amendment process. Regardless of the process used, most attempts to site SCFs in Calgary have been successful. Given this trend, the LUE 1P2007 will not significantly change the processes or locations of most SCFs - the frequently quoted statistic by City staff and alderman is that 90% of the facilities will be sited as before. The exceptions are:

* Larger facilities, which will be harder to site given new size restrictions;
* Temporary shelters, which will have a streamlined approval process but will be restricted to industrial utility areas, and

* Emergency shelters, which now must all undergo the lengthier land use amendment route, and although in practice the trend was moving in that direction under 2P80 anyway, formalizing it constrains The City's ability to respond in a timely way to rising homeless numbers.

Arguably, though, the most significant difference between LUB 2P80 and LUB 1P2007 is the message that is sent by The City of Calgary regarding where facilities should be located. By removing emergency and temporary shelters as a discretionary use from all residential and commercial districts, The City is suggesting that these uses are inappropriate. This message is detrimental to facility users. Calgarians in general, and professionals and politicians responsible for land use decisions. Over time, this is expected to result in increased difficulties to get a DO land use amendment for siting emergency shelters in particular, and thus aggravate the homeless problem in Calgary.

To provide opportunities for people experiencing homelessness to gain employment and access housing it is important to promote inclusivity. Residential care, addiction treatment, custodial care, and emergency shelter land uses should be recombined under the land use ‘special care facility’, which should be designated as a discretionary land use in many residential and commercial districts. A similar outcome can be achieved by adding emergency shelters to the list of discretionary uses in these residential and commercial districts, giving it the same land use treatment as these other facilities. This will help provide opportunities to site these facilities into communities and recognize that these facilities are suited for communities. To prevent cases of swapping facilities in parcels of land without public consultation each succeeding facility should obtain a new development permit.

Temporary shelters should be divided into shelters for extreme emergencies (e.g., flooding) as permitted land uses and winter response shelters as discretionary land uses. Hence, in true emergencies, facilities ought to be sited expeditiously. In the case of winter response facilities, ‘the City ought to be able to assess the need sufficiently in advance to undergo the discretionary development permit process; including finding a suitable location that considers the needs of the facility users, and engaging the host community throughout the process, informally in advance of the development permit decision, and if necessary, formally at the appeal stage. Thus lands available to site these facilities should include all municipally and provincially owned lands, not just those in S-CRI districts.

The City should promote flexibility in the L, UB when determining where homeless shelters should be sited. Hard and fast rules, namely the use of the rational comprehensive planning model and its embodiment in the new treatment of the temporary shelter use, should not be used to dictate appropriate locations for shelters. Reasons include the political nature of siting facilities, differences between facilities of the same use, complexity of location considerations for facilities to operate effectively (e.g., proximity to transit and other services), and the effectiveness of stakeholder dialogue in improving siting outcomes.

Two sets of siting guidelines should be created. Facility site need guidelines to understand the formal and informal aspects of the siting process to better anticipate potential problems in the siting process and to develop effective and timely community consultation programs. Secondly, general siting guidelines should be created for City staff and planners, ward aldermen, and communities and their associations, “this would dispel confusion and incorrect expectations that stakeholders maintain, which can lead to misunderstandings and greater opposition.

To develop all ethos of inclusivity, The City should promote public awareness campaigns in support of SCFs which could be hosted by The City as well as social agencies, to dispel stigmas and stereotypes held by many Calgarians. In addition to explaining aspects of homelessness, awareness campaigns can inform people about the effects of facilities in communities. Research indicates that after living in the vicinity of facilities, people’s initial negative impressions of facilities diminishes and they develop less negative impressions of facilities (Dear
Likewise, some findings indicate that exposure to homelessness may result in people having less fear and a more sympathetic perspective on the problem (Lee et al. 2004). If the public becomes more aware of how low the risks actually are to the community, opposition to facility sitings may become less fierce, enhancing the likelihood of a successful facility siting in districts where shelters are discretionary land uses. This study points to the need for additional research in several areas. It would be valuable to assess whether it is easier to site addiction treatment, custodial care, and residential care facilities in Calgary now that emergency and temporary shelters and detoxification centres have been separated from the land use SCF. More peer-reviewed studies of the impacts of facilities on community crime rate changes, property value changes, etc., is needed to challenge/change public misperceptions, and to better inform facility design and the development of operating protocols in the development permit.

Finally, additional research into the efficacy of the Housing First model to address homelessness is needed. This promising approach, which is currently being implemented by social agencies in Calgary (e.g., The Calgary Homeless Foundation), has the additional benefit that designated housing units qualify as permitted uses in residential communities, avoiding all of the siting issues and community opposition of emergency and temporary shelters. Although this approach will not eliminate the need for the shelter facilities, it will help to reduce both the total number of facilities needed, and the length of individual stays (e.g., seven days instead of several months). The latter may attenuate some of concerns for users of more isolated facility locations.

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References


Author Affiliation
Natasha Kuzmak
Larissa Müller
Faculty of Environmental Design
University of Calgary