The sweeping changes to Ontario’s renewable energy policy regime in the past few years have spawned a highly charged public debate. Much of the controversy focuses on the public payments offered to wind and solar developers, and there has been an accompanying backlash from dissenting neighbours and other critics against the proliferation of turbines and solar panels in rural areas. But that noisy clash obscures a deeper and more dangerous tendency in the province’s approach to new energy projects: an approval framework that sees the public as inherently selfish, prone to irrational opposition and incapable of considering the greater public interest. This policy approach reflects the bureaucracy’s mistrust of the ability of the Ontario public to make wise energy choices.

The belief that individual selfishness prevails over a sense of the common good inhibits good energy policy and is unhealthy for the province’s democracy. It springs from a conviction of the power of NIMBYism. NIMBY, of course, is the catchy acronym coined in the 1980s for the “not in my backyard” phenomenon that expresses individuals’ desire to protect their own turf from new building or development, despite broad societal agreement that the development is necessary. The concept holds that while most citizens might agree on the need for a new road, landfill, prison or wind generator, few want to live next to one.

Framed this way, the NIMBY question is a variation of the free-rider problem in economic theory: how to avoid everyone freely benefiting from a service without paying their share. Traditionally, this has been dealt with by having a planning authority compel or compensate citizens to host these facilities for the greater good. But recently there has been a growing acknowledgement of the public’s readiness to appreciate trade-offs and participate more fully in planning decisions. Public policy practitioners and researchers alike recognize that decisions about where to build new developments are messy and highly political, and frequently involve trade-offs and multiple changes to original plans. If conflict is to be minimized and decisions given greater legitimacy, the public must be involved in the process.

Unfortunately, Ontario’s approach to building wind generators and other renewable energy projects has ignored this tenet. Instead of more public participation, there has been less. In 2009, a dozen pieces of legislation were
amended to create uniform provincial standards, streamlining the patchwork of local rules that had grown up around the province’s first wind projects on matters such as setbacks (the distance a facility must be from dwellings, roads, rivers and other places that need protection), noise bylaws and community benefit arrangements. Any requirement for lower-tier government approval was erased and a stringent legal test was put in place in case of appeals against wind project approvals. The approach was designed in the conviction that Ontario’s citizens were not to be trusted, and that anyone opposing wind energy was simply in the grip of NIMBYism.

This is a flawed premise. As early as 2000, Dutch researcher Maarten Wolsink showed that only a small minority of people living next to proposed and existing wind farms fit the classic profile of a NIMBY. Research published in 2013 by Jamie Baxter and colleagues from the University of Western Ontario showed a similar phenomenon. In a study that surveyed Ontario communities with and without turbines, they showed that only 9 percent of residents fit the NIMBY profile. Instead, their research revealed that Ontarians are much more likely to either oppose the installation of wind turbines altogether (not in anybody’s backyard, or NIABY) or, if they favour renewables, agree to have them built in their communities (yes in my backyard, or YIMBY).

My research into public attitudes to renewable energy projects backs this up. I have looked at the process for approving wind projects both before and after the rule changes to the 2009 Ontario Green Energy Act, and I found that the YIMBY constituency is effectively sidelined by the lack of a process for discussing and debating projects at the local level, including the failure to require municipal authority approval for projects.

The lack of a process to involve citizens in decisions at the local level means those who support new renewable energy development projects have less incentive — and little opportunity — to meaningfully influence project approval. The feeling among YIMBYs is that the province is the only authority that matters under the current rules, so why engage in potentially unpleasant arguments and debates with neighbours? Furthermore, as Trent University’s Stephen Hill and James Knott point out in their 2010 article in the journal Renewable Energy Law and Policy, local planners are sidelined from the process of approving new renewable energy projects, removing a vital cog in lending legitimacy to projects. Local planners are the skilled and trusted actors normally designated to shepherd controversial developments to completion.

Yes, requiring local approval and getting local politicians and planners onsite takes time. And the need for deeper support at the local level may mean that some projects with excellent technical and economic foundations may not get built. But in the long run, trust and social licence are assets that need to be nurtured during this transition to a greater reliance on green energy. Wind, solar and other renewables are a type of resource that is different from more centralized energy systems like nuclear and coal power plants. Wind and solar resources are disparate and spread out across communities and landscapes. The change to a low-carbon energy system thus involves new actors and new winners and losers. Ontario needs to implement more, not fewer, meaningful opportunities for local residents to impact project decisions.

A high rate of project appeals in Ontario is associated with another policy problem: poor communication of the health risks involved in wind power generation. The potential for producing serious harm to human health is one of only two bases for appeals under the Ontario legislation (the other is serious and irreversible harm to plant and animal life). Fear of ill-health effects has become a mantra of the wind opposition movement in the province. Testimonials of negative health impacts are thus raised in the adversarial setting of a legal process, instead of in a more open environment where the health issues could be discussed openly by citizens and experts alike. The health discourse has become polarized, with wind developers on one side labelling the alleged ill-health impacts as “quack science” while critics raise the spectre of alarming risks to public health if wind turbines are built. This turns legitimate discussion of health risks into fevered tribal warfare.

It is not even clear that Ontario’s streamlined approval regime has provided the stable environment for investment in wind energy that was a primary goal of the legislation. In reaction to an absence of democratic process, local protests against what is seen as provincial heavy-handedness have grown into a well-organized and effective anti-wind movement. Industry watchers note that every single wind project approved under the new Ontario rules has been appealed. The legal delays forced the province earlier this year to extend the contractual deadlines for approved power projects to account for these delays. By comparison, Quebec has had far fewer appeals for roughly the same production level of installed wind projects.

One reason for Quebec’s lower level of community conflict over wind power generation may lie with the province’s ability to successfully establish a sense of community ownership of some wind projects. There is wide agreement among experts that wind energy success in jurisdictions like Germany and Denmark is partially due to high levels of community ownership of projects. Hydro-Québec has signed agreements for a dozen wind projects in which community interests have a 50 percent ownership stake. These ownership groups include regional municipal governments and First Nations. The arrangements vary, but typically wind revenue is returned to general coffers or earmarked to a special fund.

Ontario’s framework for supporting community ownership of wind projects, on the other hand, has been an utter
failure. Instead of setting aside a guaranteed portion of the province’s wind power purchases to come from projects with community ownership as was done in Quebec, Ontario offered to pay a premium price for a particular type of community ownership arrangement. Local renewable energy co-ops first had to be established, and then these entities had to partner with developers with at least a 15 percent ownership stake in order to capture the premium price. Five years after the law was passed, no wind projects with co-op ownership have emerged in the province.

Policy-makers should have recognized the lack of uptake in Ontario earlier and experimented with different options, such as lower percentage thresholds for the premium. A more equitable sharing of the financial benefits from wind projects is part of the answer to host-community conflicts. Typically, only the wind company and a select number of landowners with turbines on their properties receive compensation for the energy produced. Other models such as the community ownership arrangements in Quebec or compensation for all landowners in close proximity to turbines could help. The more actors that are receiving even modest financial benefits to offset the costs of having a wind project in their backyard, the better.

Thankfully, there are signs that the province is getting the message that it cannot override local democracy if its orchestrated transition to greater renewable energy use is to succeed. Earlier this year, provincial civil servants were directed to revamp community engagement requirements for large wind procurement contracts. Early proposals are that wind development companies would have to show community involvement through equity interest or an agreement to comply with local site control processes.

However, the reality is that there is a legacy of dozens of wind projects approved under the old rules that have yet to be built and will continue to create unnecessary community conflict for years to come. One area in which to monitor the Wynne government’s commitment to more citizen involvement is a planned move to more decentralized energy planning. This would see regional-level input into selecting a mix of energy sources appropriate to the energy needs of regions.

The litmus test is who gets invited to participate and agrees to join in these deliberations. Will it be only energy utilities and government departments, or will community groups and landowners also be involved? To truly succeed, policy-makers must realize that not all citizens are selfish NIMBYs. If the transition to renewables is to work by consent, people must be consulted at a local level. The diktat approach is destined to fail. ■