

Organizational Behavioural Obstructions between Planners and  
Implementing the Development Permit System

MRP Research Report

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Joe Nethery  
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### Abstract

The Development Permit System (DPS) is a new and alternative mechanism in Ontario for granting approvals to land use planning development applications. Since the Province extended the use of DPS to all municipalities effective January 1, 2007, only three municipalities have adopted a Development Permit By-law. Given the initial excitement and lobbying efforts of land use planners for its powers, the lack of uptake is interesting and warrants investigation. A survey of 303 senior planning administrators in Ontario was undertaken to evaluate eight organizational behavioural hypotheses that could explain this occurrence – the natural conservatism of Ontarians; Council desire to maintain power; a catalyst event having or not having occurred; activist theory criticisms on curtailed public comment; lack of knowledge of DPS; satisfaction with a current framework for approvals; and time or cost concerns; plus certain demographic or municipal structural concerns – and whether or not DPS was seriously considered by the municipality. A total of 131 usable responses were received. The survey found that 26.0% of respondents (34) had considered DPS, and of those approximately half (17) gave it more than personal consideration.

A case study of Ontario's first DPS municipality (Carleton Place) shows that a municipality can achieve some benefits by switching to DPS, primarily from a time savings perspective but also, to an extent, in improving the quality of development and associated amenities obtained. Implementation appears to be hindered by a lack of knowledge and awareness among land use planners of the system, the lack of a widespread number of challenging development proposals and contexts, and the high number of municipalities with a small population and small planning function is limiting its spread.

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Lastly, this project could never have been completed without my support network of friends, be they here in London or elsewhere, as well my family: my father, Tom, and my mother, Carrie, in Guelph, and my brother, Paul, currently completing his Master's degree in Gold Coast, Australia. Their insights and moral support helped carry me through this year-long adventure.

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## Organizational Behavioural Obstructions between Planners and Implementing the Development Permit System

For the municipal corporation to grow and prosper, measured and appropriate change is necessary. Programs need to be updated, staff trained or replaced, and infrastructure maintained as the community grows and matures. It is accepted that culture change is difficult in local government. A number of authors have opined as to why it is difficult for a government organization to take such larger steps toward culture change. Goss (2001) concludes that the multiple sources of power in public sector organizations complicate where the source of change is coming from, and in what direction it is supposed to occur. Mills and Helms Mills (2007, 434-437) detail how it took a Royal Commission (the Abella Commission) to begin to break down barriers for women in the Federal civil service. Change requires empowerment of both organizations and individuals.

Many Ontario municipalities have claimed that they lack the powers and tools to adequately respond to new challenges. This situation was partially remedied between 2003 and 2007, when municipal reform lobbying efforts resulted in significant legislative reforms first for the City of Toronto and quickly extended province-wide (Horak, 2008). One tool extended is the Development Permit System (DPS), an alternative regulatory mechanism for planning approvals. The Province enabled the use of DPS in all municipalities effective January 1, 2007. In those four years, only three municipalities have implemented a DPS: the Township of Lake of Bays in Ontario's cottage country; the Town of Carleton Place, west of Ottawa; and the Town of Gananoque, on the St. Lawrence River. With the benefits offered, the lack of uptake of DPS by municipalities over the past three years requires investigation. This study examines the reasons why municipalities in Ontario are not implementing DPS. This shall be measured by a survey of senior planning administrators investigating these hypotheses and changing municipal practices, as well as an investigation of the system's performance in the Province's first DPS-only municipality: the Town of Carleton Place.

## 1.0 About the Development Permit System

## 1.1 Powers and procedures

DPS is an alternative regulatory mechanism for the approval of development applications in land use planning. The design of Ontario's DPS is a variant on programs used elsewhere in North America. DPS combines the three traditional, decades-old development planning applications – Zoning By-law Amendments, Minor Variances, and Site Plan Approval – into one application (Township of Lake of Bays 2006; Ministry of Municipal Affairs and Housing [MMAH] 2008) by replacing the applicable Zoning By-law with a Development Permit By-law. Table 1 summarizes the regulatory intents, Ontario Municipal Board (OMB) appeal rights, and application processing timelines applicable to each application process.

Table 1. Mechanisms and Timing for Various Planning Applications

	<b>Zoning By-law Amendment</b>	<b>Minor Variance</b>	<b>Site Plan Application</b>	<b>Development Permit<sup>a</sup></b>
<b>Mechanisms covered by application</b>	<ul style="list-style-type: none"> <li>• Use proposed is not permitted</li> <li>• Change in class of use proposed (i.e. residential to commercial)</li> <li>• Large variation from standards proposed</li> </ul>	<ul style="list-style-type: none"> <li>• Small variation in standards proposed (usually only one standard)</li> </ul>	<ul style="list-style-type: none"> <li>• Placement of building(s) on a lot</li> <li>• Securing appropriate landscaping</li> <li>• Where policy permits, securing public amenities (i.e. streetscape improvements)</li> <li>• Consideration of urban design criteria</li> </ul>	<ul style="list-style-type: none"> <li>• Approve a use requiring permission</li> <li>• Approve variation in standards</li> <li>• Placement of building on a lot</li> <li>• Securing appropriate landscaping</li> <li>• Securing public amenities (i.e. streetscape improvements)</li> <li>• Implement urban design criteria</li> </ul>
<b>Result of Application</b>	Change in By-law (exception, rezoning)	Note in property file	Development agreement registered on title	Change in By-law (exception, rezoning); permit issued; development agreement registered on title (if applicable)
<b>Appeal Rights to OMB</b>	Any participant	Any participant	Only applicant	Only applicant; anybody on adoption or major amendment
<b>Maximum Review Time<sup>b</sup></b>	120 days	30 days	30 days	45 days

<sup>a</sup> Ministry of Municipal Affairs and Housing [MMAH], *Development Permit System: A Handbook for Municipal Implementation* (Toronto: Queen's Printer for Ontario, 2008).

<sup>b</sup> Planning Act, R.S.O. 1990, c.P.13, as amended; *Ontario Regulation 608/06: Development Permits*, as amended.



A Development Permit By-law is, in structural and content terms, similar to a Zoning By-law. It contains use permissions and building and structure location, and size standards while using maps to indicate the land use designation applying to each property in the By-law area. However, a Development Permit By-law is allowed to contain or regulate beyond the scope of a Zoning By-law. Specifically:

- Use permissions can be conditional, allowing for their establishment without first obtaining a planning approval provided certain criteria are satisfactorily met;
- Building and structural locations can allow for flexibility on location or size as-of-right, again provided certain criteria are satisfactorily met;
- Environmental performance standards can be built into the By-law, better allowing for minimum planting requirements, energy production or consumption, and ecological monitoring standards to be applied; and,
- Likewise, urban design standards and requirements can be included governing all types construction and built heritage conservation (MMAH, 2008).

The four DPS By-laws prepared in Ontario have used DPS for three different purposes. In Lake of Bays, DPS is used to protect and enhance the natural environment of its shoreline residential areas and waterways (Township of Lake of Bays, 2006, p. 2). In Brampton, DPS will be used to preserve and enhance the historic nature of a particular neighbourhood (City of Brampton, 2011). In Carleton Place and Gananoque, DPS is used in the place of traditional zoning to enable Staff to more strictly enforce the Official Plan, offering the streamlined approval process as an incentive to outside developers (Young, 2011; Developer Interview #1, 2011).

### *1.2 Timeline and discussion of DPS in Ontario*

DPS was launched as a pilot project in 2001, when the Province of Ontario adopted Regulation 246/01 (O.Reg 608/06, §17). The regulation outlined four important issues: how the Development Permit By-law would be structured, the matters the By-law could regulate, five

municipalities authorized to pilot the system, and the process those municipalities were expected to follow in creating and administering the By-law. It received cautious endorsement from the organization representing land use planners in Ontario (Ontario Professional Planners Institute, 2004). The Township of Lake of Bays, the first – and ultimately only -- pilot municipality to take advantage of the tool, adopted their Development Permit By-law, in 2004 (Township of Lake of Bays, 2006).

As planners began to study the system, it quickly became a much discussed item in professional literature. Much of that content was generated by Staff from the District of Muskoka and the Township of Lake of Bays, detailing their experiences with preparing DPS. Another large contribution came from Paul Bedford, the former Director of Planning for the City of Toronto. In multiple articles, he recommended DPS as a solution to various civic design issues. He described zoning as, “A cumbersome vehicle to encourage city-building, as it is actually designed to do the opposite” (Bedford, 2005a). At its outset, industry practitioners were sold on the potential for DPS to alleviate many policy implementation concerns. In a search of the online archives of the Ontario Planning Journal, seven articles detailing DPS have been published since 2004. The November/December edition of the Journal featured two articles promoting DPS. The first, written by Robert Lehman, FCIP<sup>1</sup>, RPP, promoted DPS as a mechanism for implementing the qualitative policy requirements of the Province’s *Greenbelt Plan* (Lehman, 2004). The second was written by Samantha Hastings, MCIP, RPP. It was a response piece to an earlier article on creative application of zoning to solve planning issues. She recommended the DPS approach (at the time, the Lake of Bays By-law was being written) as the solution for such challenging problems, and recognized the need for education and training to make the system successful (Hastings, 2004). In 2005, two articles were published in consecutive issues by the

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<sup>1</sup> Acronyms used in this Section are as follows: FCIP: Fellow, Canadian Institute of Planners (recipients of the Institute’s highest honour). MCIP: Member, Canadian Institute of Planners. RPP: Registered Professional Planner (Ontario).

former Director of Planning for the City of Toronto, Paul Bedford, FCIP, RPP. The first article defined DPS as a tool for city building, with zoning having the opposite effect. “Why must we rely on the baggage of yesterday to solve the problems of tomorrow?” he challenged readers to consider (Bedford, 2005a). He followed up this piece with a case study of planning in Vancouver, where Council has effectively delegated the “management” of development approvals to Staff through the use of DPS (Bedford, 2005b). From there, however, discussion of DPS disappears for four years. A 2009 article summarizing an urban design practitioner workshop mentions DPS as an option for implementing design goals into regulations (Bell, 2009). In Spring 2010, Bedford published another case study. In summarizing program advances in Miami, Florida, Bedford again recommends DPS as a mechanism providing the “fine tuning” of development that implements the detailed vision spelled out in policy documents (Bedford, 2010). Lastly, the summary of the pre-test for this study was published in Spring 2011 (Nethery, 2011). This is summarized in detail in Chapter 3.1. Four additional articles simply mention the existence of DPS, without providing any editorial commentary on the tool. A similar review of other academic and professional literature turned up no articles on the topic of DPS in Ontario.

There was considerable chatter in the months leading up to the official launch of DPS in Ontario. The volume of articles clearly slowed down as time progressed. The topic has also been discussed three times at annual conferences of land use planners in Ontario: the 2004 joint Provincial/National conference in Toronto, the 2006 Provincial conference in Alliston, and the 2011 Provincial conference in Ottawa<sup>2</sup>. Lake of Bays’ Director of Planning, Stefan Szczerbak, was involved in the 2006 and 2011 presentations. The 2004 presentation was delivered by the then-Co-Director of Planning for the City of Vancouver, Larry Beasley (Young, 2011). There, he discussed the importance of their DPS in attracting and securing private sector interest in redeveloping their waterfront (Young, 2011). The regulatory incentive provided to developers, as

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<sup>2</sup> At the time of writing, this was an upcoming conference. It was held October 12-14, 2011 in Ottawa.

well as the innate streamlining their tool created, inspired planners to lobby the Province to extend DPS to all municipalities (Young, 2011).

After a review of the Lake of Bays DPS, the Province did just that, enabling the use of DPS in all municipalities effective January 1, 2007. To date, only three municipalities have implemented a DPS: Lake of Bays, the Town of Carleton Place (2008) west of Ottawa, and the Town of Gananoque (2010), on the St. Lawrence River. In reviewing the ages of Zoning By-laws in 121 municipalities in Ontario, it was found that 30 of those had completed a Zoning By-law Review between 2008 and the end of 2010. Of those 30, only Carleton Place and Gananoque made the switch to DPS.

### *1.3 About Carleton Place*

Carleton Place is a historic milling town, located approximately 50 kilometres and a 40 minute drive west of Ottawa in eastern Ontario. It has experienced similar challenges to other small, industry-reliant communities across the country. The mills and other old factories have largely closed, leaving a legacy of stately buildings with few to no tenants. Some buildings have been demolished, leaving contaminated lands (“brownfields” in planning terminology) with limited redevelopment potential. The historic main street, lined with three- and four-storey brick buildings, is experiencing a stressful period of high vacancies. The retail heart of the community has shifted to a new format retail centre (“power centre” or “big box stores”) to the south, along the Highway 7 Bypass. Despite these challenges, the Town continued to grow at a rate of 0.8% per year between 2001 and 2006, reaching a population today of approximately 9,500 (Statistics Canada, 2007). While below the Ontario average, it is not a sign of stagnation, as new homes continue to be built within the Town’s boundaries – and the adjacent rural municipalities attempting to generate adjacent spin-off development (Young, 2011). Carleton Place is in the midst of a transition toward a new *raison d’être*, with a complementary and appropriate service sector to support its population.

In June 2008, the Town of Carleton Place adopted Development Permit By-law 2008-50. In doing so, they became the first municipality to completely do away with a Zoning By-law in favour of DPS. The decision to make the switch to DPS came out of a crisis of sorts. A controversial development – replacement of a heritage building on the Town’s main street with a conventional format, single storey restaurant – was permitted under the zoning framework with limited controls over architecture and design considerations (Young, 2011). Council was unsatisfied with the process and its outcome, and sought out alternatives to prevent uncharacteristic development from occurring again (Young, 2011). At first, a zoning update was considered, but it could not possibly address issues of urban design to their satisfaction (Young, 2011). Ultimately, Staff recommended a Development Permit By-law for the historic main street, but soon decided to extend it Town-wide as the structure of the DPS was quickly taking the form of a Zoning By-law (Young, 2011). After an extensive consultation exercise, the Town of Carleton Place adopted its Development Permit By-law.

Carleton Place defined five objectives their DPS should achieve:

- Streamlining development approvals, and including built-in flexibility for variation from permitted uses and performance standards;
- Preservation of small-town design character including built heritage;
- Improved commercial and employment opportunities;
- Provision of recreational facilities; and,
- Preservation of a “healthy Mississippi River” (Town of Carleton Place, 2008, §1.0).

To date, no comprehensive evaluation of Carleton Place is DPS has been undertaken. Other municipalities and development professionals are watching Carleton Place to see how the system works, with an eye toward considering the Development Permit System (DPS) as an ideal tool for implementing a community's design agenda.

#### 1.4 *Advantages of DPS over traditional zoning*

Theoretically, DPS offers five main benefits to all stakeholders: Council, Staff, the development industry, and the public. First, the DPS provides *more up-front regulatory certainty on development issues* to applicants and residents, with most relevant information being contained in one document constituting applicable law -- the Development Permit By-law -- rather than in multiple documents or policy “guidelines.” The enabling regulation allows for more fields of influence to be regulated in a Development Permit By-law than under a Zoning By-law. These include vegetation retention, stricter urban design guidelines, and conditional use permissions subject to meeting specified criteria (Township of Lake of Bays 2006; MMAH 2008; Almond 2009). Having specific standards leaves less room for *ad hoc* interpretation of generally generic policies. Second, *development approvals tend to be completed quicker*, as mandated by the *Planning Act* and created by the inherent structure of the system (MMAH 2008). The relative speed of the development permit process -- maximum legislated review time of 45 days -- versus a zoning-based framework -- maximum legislated review time of 120 days for zoning, plus 30 days for a Minor Variance and 30 days for Site Plan Approval -- offers significant, quantifiable time advantages to developers and growth-sensitive municipalities (MMAH 2008; Szczerbak 2010). Third, *only one application is required to obtain all planning approvals*. Up to three applications (but more commonly, two) are required to satisfy planning concerns under a zoning-based framework. Fourth, the enabling regulation *allows as-of-right approvals where the development proposed varies* from the maximum permitted or minimum required standards to be delegated to a staff level approval. Both Carleton Place (2008) and Lake of Bays (2010) have delegated some approvals in this fashion. Finally, *DPS limits OMB appeal rights on applications within the permitted variances in the By-law* to the applicant(s) only (MMAH 2008; Almond 2009). The significance of this innovation is that if a development application falls within the range of flexibility permitted in the Development Permit By-law, only the applicant can appeal a refusal of or non-decision on the application, or the conditions attached to an approval (O.Reg

608/06, §12). Significant applications, including amendments to land use designations or proposals having variations larger than the maximum range contemplated would still maintain a public right to appeal.

### *1.5 Disadvantages of DPS over traditional zoning*

There are no written sources discussing the disadvantages of DPS in the Ontario context. During the pre-test of the survey component of this study, one respondent commented that DPS was insufficiently flexible, requiring “regulations that make the process more nimble (comparable to the Niagara Escarpment Commission)” and supporting resources to make it “worth the effort” (Pre-test Respondent #4, 2010). Given the dearth of literature on DPS, this constitutes the most comprehensive dissention available. Other disadvantages further detailed in Chapter 2 are:

- Appeal rights on development permit applications where the proposal meets some standard built into the By-law are limited to the applicant only (2.4);
- The learning curve associated with a new approvals process (2.5); and,
- Cost concerns, as the visioning component of the planning policy review may need to be more detailed than in other projects (2.7).

## 2.0 Hypotheses to be Tested

While a DPS planning framework appears similar in nature to a zoning-based framework, it represents a significant change in the operational culture of a planning department. Three main DPS-instigated changes illustrating this shift include the delegation of decisions to staff from the Council level, the introduction of discretionary or conditional permissions, and the removal of appeal rights from non-applicant parties. DPS could be of much benefit to governments, the development industry, and the civic minded, but may be greeted with skepticism by other members of the public.<sup>3</sup> That municipalities clamoured for additional legislative capability to

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<sup>3</sup> Interviews with staff in both Lake of Bays and Carleton Place suggest otherwise, that the public is supportive of DPS where they apply. A more comprehensive investigation of the public would be required to confirm these claims.

tackle problems such as urban design and environmental regulation in the development process but have not turned to a DPS-based approach to planning approvals is of interest to researchers. If reasons behind this hesitance can be obtained, an appropriate response can be tailored to encourage more uptake of DPS.

Given the relative newness of DPS in Ontario, there is virtually no literature available on the system and the experiences of the two municipalities in adopting and maintaining these By-laws. Therefore, it falls to theories of organizational behaviour, framed within the context of public administration, to explain any issues or obstacles related to the lack of DPS uptake. It is accepted that western-style liberal democratic government is not normally a venue for revolutionary programming. The necessity of considering multiple inputs in decision-making leads decision-makers to the most agreeable policy, not necessarily the best policy (Lindblom, 2001). Conversely, the push toward New Public Management (NPM) philosophy in Ontario municipalities sought to inject “innovation” and “risk” in the pursuit of “efficiency.” The Harris government were major champions of NPM, trying to reform the structure and purpose of government to encourage autonomy and service delivery in municipalities (Siegel, 2004; Pal, 2010, pp. 85-87). In an overall sense, the rhetoric of the past few years indicates a desire for change in how municipalities conduct business. DPS is such a tool that represents a fundamental change in how development approvals are granted, but with an operating framework based upon three existing planning tools. It could represent the perfect blend of incrementalism and service improvement. So why aren't municipalities adopting DPS By-laws with the same clamour used in the past decade to pursue these powers? This study considers the following eight hypotheses as reasons why planners are not promoting DPS as a policy alternative.

### *2.1 The natural conservatism of land use planners*

The first hypothesis is that relevant stakeholders (staff, Council, and the development industry) are *naturally conservative and averse to change*, and not as ready to accept risk as their language suggests. This classical view of risk aversion is an inherent part of the political culture



of Ontario. Evidence of this can be found extending back 100 years in academic literature (Wickett, 1900; Crawford, 1940; Curtis, 1942; MacDonald, 1994). The economic post-war boom in industrial Ontario was governed by an effectively unbroken Progressive Conservative dynasty. The nine majority governments won by the party are indicative of and reinforce Ontario's history of minimal intervention, consensus governance, and equitable development across Ontario (MacDermid & Albo, 2001). *Municipal Act* reform, extensions of grants and infrastructure funding from senior governments, and other related policy amendments are all part of a neoliberal shift toward municipal autonomy within the small sphere of influence under municipal control (Siegel, 2009). On the issue of land use planning, however, this is not translating into effective action by municipalities. Perhaps talk on autonomy is actually trumped by the historically cautious nature of politics in Ontario, and that there is little actual appetite for change in the area of land use planning.

## 2.2 *Council desire to maintain power*

The second hypothesis is that municipal *Councils are reluctant to delegate power to staff*. The accepted framework for Council-staff relations is that Council forms the policy and makes decisions on matters, while administrators provide advice to Council on the development and implementation of policy (Tindal & Tindal, 2009). Legislation and custom normally, in fact, ensure that elected officials are the ones making the decisions (Gildenhuis, 2004). There is a special sensitivity to this in the Greater Toronto Area. Policies such as the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan reinforce the Province's ability to control planning matters (Pond, 2009). Many municipalities have not appreciated what, from their perspective, is “officious” treatment of their interests. While the DPS regulation under the *Planning Act* allows for delegation of authority, it may be that Council is unwilling to release some of its powers to staff for any number of reasons. Kernaghan, Marson and Borins (2005, pp. 175-177) note that such delegation of decision-making on discretionary matters may run

counter to the notion of accountability of politicians. DPS could alter this power dynamic greatly in favour of planning staff.

### 2.3 *Presence of a catalyst event*

The third hypothesis is that the municipality has experienced some sort of *event that has resulted in a review of process options*. As noted, Carleton Place began to consider DPS when an undesirable development triggered a review of their existing zoning framework (Young, 2011). Organizational difficulty can manifest itself in many different ways (Anderson & Ackerman Anderson, 2001, pp. 39-42). It is acknowledge that public administrators are excellent at implementing incremental change (Lindblom, 2001). However, DPS does not represent incremental change. It is highly transformative, responding to environmental threats to the operating environment of the municipality (Anderson & Ackerman Anderson, 2001, pp. 39-42). The logic follows that if the approvals process is broken, it would not provide the quality of development desired by the municipality. Once manifested and observed by political forces, staff would be shocked into action. It should be investigated if there is a link between consideration of DPS and one of these wake-up calls occurring, in the form of a political or development incident. As a subset of this question, the 2010 municipal election should be investigated as one such event.

### 2.4 *Criticism from activist planning theory*

The fourth hypothesis rests on *activist planning theory* and a critique of the removal of *public input on certain development applications* in a DPS. A DPS can be structured to limit public input on certain approvals delegated to the staff level (Township of Lake of Bays, 2006; Town of Carleton Place, 2008), and appeals by the public are available only at the point of adoption of, or an amendment to, the Development Permit By-law (MMAH, 2008) or major applications such as a redesignation. The history of public involvement in contemporary planning exercises stems from the planning exercises of the post-war period. Many decisions about growth between the 1950s and 1970s were technocratically driven. This ‘scientific’

approach to planning extended inordinate influence to non-elected officials, whose plans were ‘rubber-stamped’ by the Councils of the day: expressway plans, downtown redevelopment plans, suburban master plans, and more (Sewell, 1995; Bocking, 2006). Best personified by the struggle over the Spadina Expressway, planning proposals from the public sector have long been distrusted as unrepresentative of the communities they are to represent (Sewell, 1995). The chief concern in activist planning, to this day, is that Staff and Council are too cozy with the interests of the development industry (McAllister, 2004). The activist response was to ensure a public say on any such decision, and to minimize the influence of technocratic elements in municipalities. The public expect the opportunity to comment on development projects, and appreciate that an appeal route to the OMB exists if they believe good planning practice has not occurred.<sup>4</sup>

#### 2.5 *Institutional lack of knowledge about DPS*

Fifth, it cannot be discounted that there is a lack of awareness of how DPS works, given its newness. Planners may not understand how it works – or even if they can use it, given the original launch of DPS in 2001 was limited to five municipalities in a pilot project (MMAH, 2008) and quietly extended to all municipalities six years later. Survey pre-testing suggested that individuals were curious in knowing the experiences of Lake of Bays and Carleton Place with DPS, but were unable to locate information on their own.

#### 2.6 *Satisfaction with current approvals framework*

The sixth hypothesis proposed is of the persuasive variety. As identified in the November 2010 pre-test, it may be that the municipality *is not convinced of the benefits of DPS, or that traditional zoning is a fundamentally better approach than DPS*. For example, the adoption and application approval processes may be viewed as more cumbersome than existing processes. Simply put, the respondent may believe that ‘if it ain't broke, don't fix it.’ This is

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<sup>4</sup> A municipality can, if it so chooses, structure its DPS to require public comment on any Development Permit application. Based on the Lake of Bays and Carleton Place experiences, it is assumed that any DPS would incorporate some Staff-level decision-making.

valid, given that the most significant literature on DPS prepared by the Province provides only descriptive paragraphs and flow charts to indicate how the system works, not evidence of how the system works (MMAH, 2008). If this hypothesis proves to be significant, it would suggest that an issue exists in how DPS functions that limits its usefulness outside of very site-specific contexts. As an aside, individuals who considered DPS but decided against it are of particular research interest from a qualitative perspective. They will offer critical insight into suggesting improvements to the DPS framework that would make it a more desirable option than zoning.

### 2.7 *Time or cost concerns*

The seventh hypothesis is that implementing a DPS is *too time consuming or too cost-prohibitive* a project to be undertaken. Preparing a new Zoning By-law is an expensive undertaking, routinely exceeding \$100,000 even in small municipalities -- and up to \$400,000 in larger municipalities (Town of Oakville, 2008). Workload forecasting is done using a ten-year timeframe, in order to justify the development charges collected in support of these projects. Oakville forecasts their zoning money being spent over three years: 2009 to 2011. In Lake of Bays, the DPS process initiated in 2001 was completed in 2004 (Township of Lake of Bays, 2006). Other zoning projects often take two years to complete, and are complicated undertakings in their own right. These are expensive projects, and a municipality may deem it impossible to accommodate a DPS implementation project outside of its forecasted work program.

### 2.8 *Various demographic or municipal structural factors*

The last hypothesis involves *demographic realities* of planning departments and respondent municipalities. There are any number of structural factors that can influence the structure of decision making. For example, it may be that larger departments are more opposed to change – personified by DPS – than smaller departments, if Lindblom's branch theory is applied (Lindblom, 2001). Likewise, it may be that more recent graduates from an academic program are more likely to consider the ambitious DPS program as opposed to those longer out of school. It is

proposed to use information about the municipalities surveyed to identify any potential links between the following factors, listed in Table 2, and how seriously DPS was considered:

Table 2. Indicators Proposed for the Demographic Hypothesis

Variable	Indicator	Reason for Measuring
Education level attained by respondent	Highest schooling achieved, from a list	To investigate if further or additional schooling affects the hypotheses
	Last year spent in school	To investigate if more recent schooling affects the hypotheses; can be grouped for analysis
Gender of respondent	Male/female	To investigate if gender affects the hypotheses
Age of respondent	Age, in years	To investigate if age affects the hypotheses; to be grouped
Length of respondent's career	Tenure as Director, in years	To investigate if the length of time a Director has been in the position affects the hypotheses; can be grouped for analysis
	Total career, in years	To investigate if the length of time a planner has been in the profession affects the hypotheses; can be grouped for analysis
Size of planning department	Number of Registered Professional Planners (RPPs) on staff	To investigate if the size of a planning department affects the hypotheses; can be grouped for analysis
Municipal population	Population in 2006	To investigate if the size of a municipality affects the hypotheses; can be grouped for analysis

### 3.0 Project Methodology

This Study was undertaken in three parts: a survey pre-test, the full survey, and a program evaluation from the case municipality, Carleton Place.

#### 3.1 Survey pre-test;

The first version of this study proposed to test six hypotheses. A two-question survey was circulated to one senior planning administrator in each of 15 municipalities across Ontario. One administrator's e-mail server would not accept the invitation to participate, and a replacement municipality was selected to maintain a sample of 15 administrators. The sample was composed of mostly medium-sized municipalities<sup>5</sup> in the hope that smaller departments

<sup>5</sup> The smallest municipality surveyed has a population of 16,390, according to the 2006 Census of Canada. The largest has a population of 504,559. The median population in the sample was 82,184. The mean was 144,888.

would be more likely to complete the survey. A reminder e-mail was sent one week later. The survey asked respondents to complete two parts:

1. Respondents were told that their municipality had been selected for this survey based upon the author's knowledge of recent policy approvals of new development lands (residential, employment, or both), significant redevelopment-supportive land use plans (such as a Secondary Plan) or community reinvestment schemes. The reason for choosing such municipalities is that regulatory implementation of these policies has either recently finished or will be occurring shortly. In discussions on implementation, had they considered using a Development Permit By-law?
2. A list of 64 phrases was then presented to respondents, capturing some first impressions around implementing and administering a Development Permit By-law, or planning work in general. Respondents were asked to select as many of those phrases that, in their opinion, applied to their municipality.

The 64 phrases developed flow from and address one of the six hypotheses outlined above. Each hypothesis had 12 phrases (except for one, which had only four negative phrases produced), phrased positively or negatively and randomized to mitigate against design bias and trending. The number of times each phrase was selected produced an absolute count of each time an administrator has considered an aspect of DPS. By tallying one positive point per positive phrase mentioned and subtracting one negative point per negative phrase mentioned, an inventory of positive and negative indexes was created. These findings tested the magnitude of each hypothesis being polarizing. The study concluded that implementation of DPS appeared to be hindered by cost and timing concerns, Council desiring control over planning decisions, and a need for training and education opportunities specific to DPS (Nethery, 2011).

### 3.2 *Full survey*

A revised survey was prepared and circulated in June and July 2011. All municipalities in Ontario are required to have a development planning framework, which makes all

municipalities relevant for this study. However, not all municipalities have a dedicated staff person assigned to planning matters. In many small municipalities, it is the Clerk who handles this role. Given that there are 415 single- or lower-tier municipalities in Ontario (MMAH, 2011), only municipalities having over 1400 permanent residents were first chosen to participate – a total of 315 municipalities, or a cull of 100 municipalities. To ensure that municipalities with a significant recreation-based component were included in the survey<sup>6</sup>, municipalities also having over 1000 residences were also included, adding 8 municipalities to the sample. In total, 323 municipalities were selected to participate in the survey. The survey would be sent to one Staff member in each municipality, selected in the following preferential order:

- A sub-manager in the Planning Department, such as the Manager/Director of Policy Planning or Manager/Director of Development Planning;
- The Director of Planning, the one individual solely in charge of land use planning;
- The Manager of Planning/Building/Development Services, the individual in charge of growth-related matters;
- A planning consultant identified as the chief land use planner for the municipality;
- The Planning Administrator, being the Staff member named as the primary contact for land use planning inquiries; or finally,
- The Clerk, CAO, Treasurer, or Deputy Clerk in small municipalities without an identified planning function.

Some invited municipalities share planning services with other municipalities. There are three circumstances where this occurs: a consultant works in multiple municipalities, the municipality is part of a Planning Board covering several municipalities, or the upper-tier municipality provides planning services and assigns a planner to multiple municipalities. After eliminating these duplicates, the survey distribution list was set at 303 recipients. In order to

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<sup>6</sup> Statistics Canada does not recognize individuals owning recreational properties in the population of that municipality, but does include those households in the total count.

obtain sufficient cases to ensure that the study results are statistically significant to within 5%, 19 times out of 20, a total of 169 responses would be required to generalize to the survey population, and 200 responses to generalize across Ontario (O'Sullivan, Rassel, & Berner, 2008, pp. 156-157, 170). This difficult, 50% standard could not be achieved. However, 131 usable responses were received, representing a response rate of 43.2%<sup>7</sup>.

The survey started by asking respondents if they had considered DPS as a mechanism for planning approvals. Those answering “yes” were asked how seriously, on a scale of 1 – representing personal consideration – to 10 – representing a Council-level discussion – DPS was considered by the municipality. The survey followed with a number of demographic-related questions about the municipality and its planning activities:

- Of the municipality: its size;
- Of the respondent: gender, age, length of tenure in the position, highest level of education attained, and last year in formal education; and,
- Of the planning department or function: number of Registered Professional Planners (RPPs), and an estimate of the number of applications of all types processed in a typical month.

Demographic statistics, all consisting of categorical or numerical options, are collapsed into nominal categories based upon like values to facilitate statistical analysis. The categories are explained within Chapter 4.8. All respondents completed this portion of the survey.

After gathering this data, the survey asked respondents to evaluate 22 phrases, based upon how strongly they agree or disagree with the phrase. The phrases are grouped into one of the seven organizational behavioural hypotheses (one phrase for the lack of institutional knowledge hypothesis; six phrases being part of the catalyst event hypothesis, three being generic

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<sup>7</sup> This figure includes 126 complete surveys (96.2% of all responses), and 5 partial responses (3.8%) with sufficient information for analysis. Seven additional responses were discarded due to insufficient number of questions answered to be useful for analysis.



and three being specific to electoral politics; and three for all others). The majority of phrases are framed in the same direction regarding support for, or resistance against, DPS. These hypotheses include Council maintenance of power (Chapter 4.4); both catalyst event questions (Chapter 4.5); and satisfaction with the current framework (Chapter 4.8). The time or cost concerns hypothesis (Chapter 4.9) has one phrase whose direction is reversed for testing purposes in order to align direction. Upon review, one phrase under the conservatism of planners hypothesis (Chapter 4.3) was determined to be not *prima facie* related to the hypothesis, and was not included in the relationship testing. For the same reason, only one phrase was created and used for the institutional lack of knowledge hypothesis (Chapter 4.7). The criticism of activist planning theory (Chapter 4.6) contains three diverse phrases, with each being tested independently. This portion of the survey was completed by 126 respondents (96.2% of total respondents).

A nine-tier, Likert-type scale is used for responses, ranked from strongly disagree (1) through neutral (5) to strongly agree (9). For ease of analysis, these responses are grouped to create three equally weighted categories of responses: disagree (1-3), neutral (4-6), and agree (7-9). The total number of responses is averaged to create a grouped number of responses per category, with decimals rounded up or down to the nearest whole number. These categories support hypothesis testing to evaluate the level of statistical significance between each proposed organizational behavioural hypothesis and a respondent's consideration of DPS – the ultimate purpose of this study. By using cross-tabulation, the chi-square test establishes if the relationship between the two variables is statistically significant (Meier, Brudney, & Bohte, 2009, pp. 261-266). If so, the second step calculates the strength of that relationship, primarily using Cramér's *V* (Meier, Brudney, & Bohte, 2009, pp. 278-279). A copy of the survey and all responses received is attached as Appendix 'A' to this study.

### 3.3 *Program evaluation*

The survey approach leaves program performance, a key aspect of the staff-policy dynamic, unexplored. Program performance adds additional weight and commentary to the

hypothesis testing by evaluating just how well – or how poorly – DPS works. One week was spent working alongside Town Staff in Carleton Place. A review of five years of development application files was undertaken, to quantify a number of indicators about how DPS is performing in Carleton Place. The five-year timeframe was bisected by the adoption date of Carleton Place’s DPS in June 2008. From the objectives mentioned in Chapter 1.3 – streamlined development approval including built-in flexibility for variation from permitted uses and performance standards, preservation of small-town design character including built heritage, improved commercial and employment opportunities, provision of recreational facilities, and preservation of a “healthy Mississippi River” (Town of Carleton Place, 2008, §1.0) – a series of indicators can be derived to answer whether or not the DPS-based planning program is performing better than the previous zoning-based framework. A tally of each indicator was created around both sides of June 2008 to calculate pre- and post-DPS statistics. These are summarized in Table 3:

Table 3. Indicators Evaluated in Carleton Place

Indicator and Value	Question to be Answered	Unit of Measurement
Number of applications approved (Development application review a core function of planning departments)	Has the number of applications approved changed since the adoption of DPS?	<ul style="list-style-type: none"> <li>• <b>Number of applications received within review timeframe (classified by Type I, II or III per By-law), less refusals</b></li> <li>• Compare against number of applications for ZBA<sup>b</sup>, MV<sup>b</sup>, Site Plan Control pre-DPS</li> <li>• Observations likely influenced by the economic downturn</li> </ul>
Length of time of review (Identified intent in both Lake of Bays and Carleton Place DPS)	Are applications being reviewed faster?	<ul style="list-style-type: none"> <li>• <b>Average number of days per application spent in review</b></li> <li>• In Carleton Place, time period is defined as between the date of the application being accepted as complete and the date of the final decision OR adoption of a site-specific Site Plan Control By-law (pre-2007) OR the date of execution of a development agreement</li> </ul>
Number of applications needing Council approval (Carleton Place DPS delegates Type I and II applications to Staff – with ‘bump-up’ option for Council review of Type II)	How many applications were filed, sorted by Type, as defined in §2.17 of By-law 2008-50?	<ul style="list-style-type: none"> <li>• <b>Number of DPS applications proceeding to Council or the Committee of Adjustment for a decision, versus remaining with Staff</b></li> <li>• Compare against pre-DPS number of applications requiring Council or Committee of Adjustment approval</li> </ul>

Indicator and Value	Question to be Answered	Unit of Measurement
Number of “Community Amenities” obtained (DPS theoretically enables municipality to secure better amenities than zoning process) <sup>a</sup>	How many community amenities were secured through approvals?	<ul style="list-style-type: none"> <li>• <b>Number of community amenities obtained through planning approvals (to be defined with Town Staff)</b></li> <li>• Compare against pre-2008 count of such amenities contained in development agreements (Site Plan process)</li> <li>• Amenities could include benches, improved architecture or street plantings</li> </ul>
Number of appeals of planning applications to Ontario Municipal Board (Streamlined process includes spending less time and money on legal matters)	How many applications were appealed to the OMB?	<ul style="list-style-type: none"> <li>• <b>Number of applications appealed to the OMB<sup>b</sup></b></li> <li>• Compare pre- and post-2008 counts of appeals to the OMB</li> </ul>

<sup>a</sup> The number of applications and their nature did not allow for a more diverse range of amenity criteria to be investigated. This shall be discussed in Chapter 4.

<sup>b</sup> MV: Minor variance. ZBA: Zoning By-law Amendment. OMB: Ontario Municipal Board.

A quick comparison of the data allows for general conclusions about the performance of DPS. It does not, however, attempt to account for external influences or broader trends at play in Carleton Place. For example, the economic recession of 2008-2010 falls within the evaluation period, and entirely during the period where DPS applied. This slowed development activity in Carleton Place. Likewise, the beginning of the evaluation period captures the tail end of a large commercial centre development in the Town, increasing the number of development applications. No statistical analysis was undertaken with the data, meaning that it should only provide contextual applicability to the reader. A summary copy of all data collected, with biographical identifiers removed, is attached as Appendix ‘B’ to this study.

Three interviews were conducted with development industry stakeholders in order to capture their experiences in obtaining development approvals in Carleton Place that may not otherwise be reflected in the data. Town Staff provided contact information for a number of private sector developers who had applied for a Development Permit. In the end, two developers (Developer Interview #1, 2011; Developer Interview #2, 2011) agreed to be interviewed, on the condition of anonymity in this report. The interviews lasted a half hour each and started with one question: “What was your experience obtaining a planning approval in Carleton Place?” Any

subsequent questions asked sought clarification on points raised in the first question. The content of the interviews has been used for adding context or elaboration to the survey results and evaluation findings. A copy of the question list is attached as Appendix 'C' to this report.

### 3.4 *Study validity*

To ensure that events outside of the study hypotheses are not influencing a municipality's consideration of DPS, this study has broadened the range hypotheses (and associated variables) for investigation, resulting in a robust data set suitable for hypothesis testing and basic statistical analysis. Positive and negative phrases are used to try and even out any stimuli generated by the implicit use of those opposite opinions. The questionnaire and sample design (surveying all municipalities in Ontario) is designed to create group mean scores analyzing barriers to organizational behaviour. The balanced, ordinal scale for evaluating responses to phrases (1 to 9) eliminates the potential for outlier cases. Experimental mortality and instrumentation issues are considered to be low, as 96.2% of respondents completed the entire survey. While respondents may consult with other respondents (land use planning being a small fraternity), the discussion would in fact be beneficial as the intent of this study is to further discussion on DPS. There is potential for respondents to delegate or forward the survey to another member of the department. The survey was addressed to the identified respondent, but was otherwise structured so that any individual competent with a municipality's planning process could respond. Indeed, some respondents advised they had forwarded the invitation to another individual who dealt more closely with planning approvals. The emailed survey was hard coded to only allow for one response per email invitation, ensuring no duplicate responses. The lessons learned from this study can potentially be applied to municipal programs in general, given the wide range of hypotheses being considered.

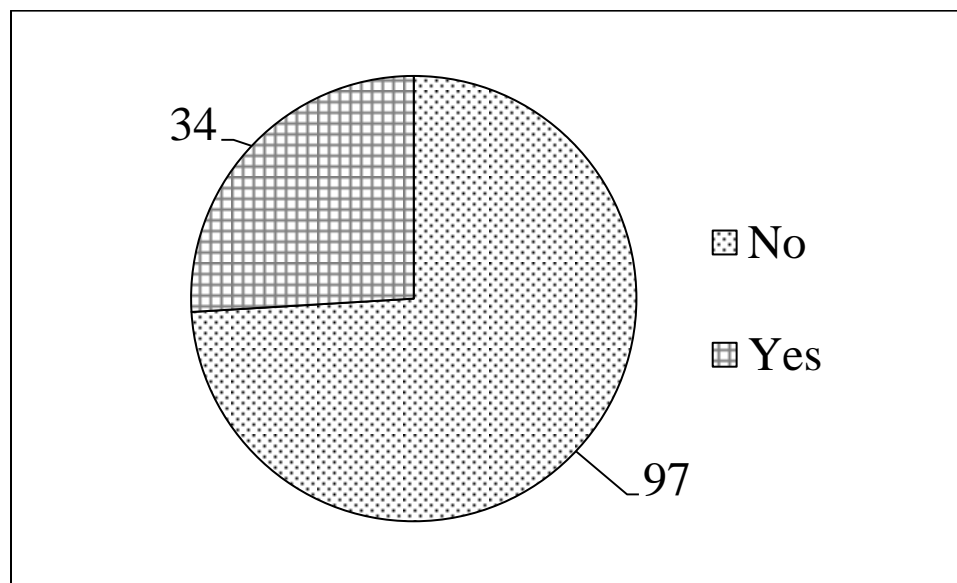
#### 4.0 Analysis

In trying to identify what relationships exist between organizational behaviours and the consideration of DPS, this study shall undertake a number of relationship tests. The strong response rate allows for considerable hypothesis testing. The analysis is sorted by each hypothesis, with an introductory section summarizing the overall findings of the survey.

##### 4.1 Overall consideration of DPS

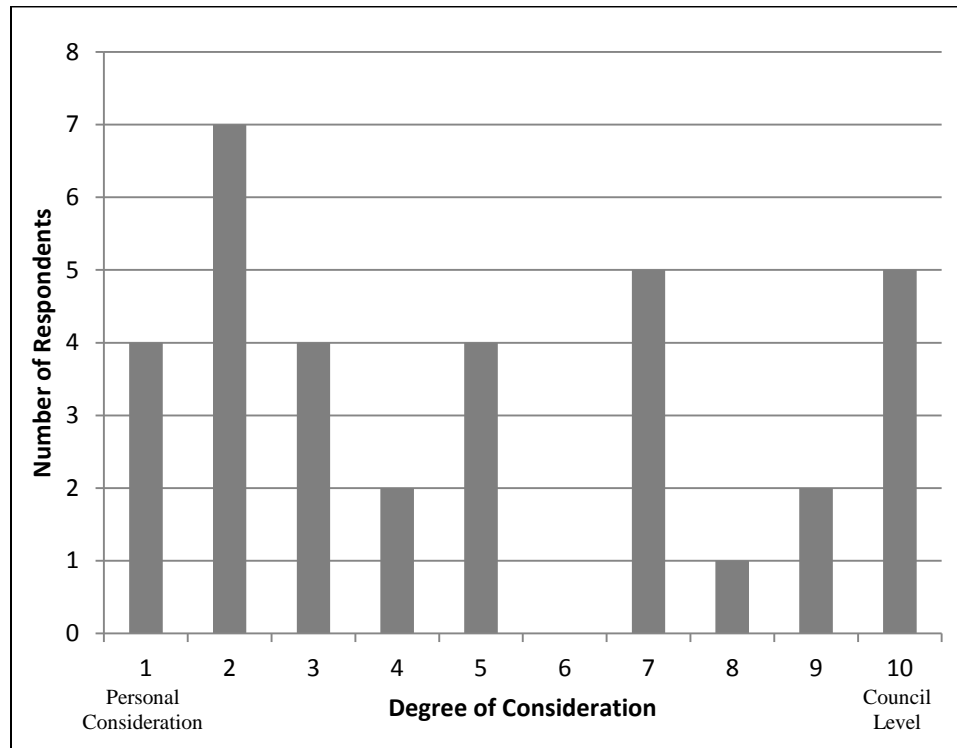
The first survey question collected information on the survey's most critical question: did the respondent ever, at any time, consider DPS for planning approvals in their municipality? One-quarter of respondents answered in the affirmative, as summarized in Figure 1.

Figure 1. Respondents who had Considered DPS to Any Degree (n = 131)



Respondents who answered in the affirmative were given a second question. Each was asked to state, on a scale of 1 (being personal consideration only) to 10 (Council-level discussion), how seriously they or their municipality had considered DPS. The number of responses is shown in Figure 2.

Figure 2. Degree to which DPS was Considered (n = 34)



If the midpoint of this scale is deemed to be the division between “serious” and “informal” consideration, this survey suggests that less than 40% of respondents (13, or 38.2%) considered DPS at a serious level. That figure increases to exactly 50% (17 responses) if the midpoint is set between 4 and 5. At the outset of this study, it was assumed that more planning administrators would have considered DPS than this survey suggests. DPS has been documented in professional literature, is promoted by the Ministry of Municipal Affairs and Housing, and has been presented at three professional conferences in Ontario. Splitting “yes” responses into degrees of seriousness for analysis may limit the analytical potential of the data. Accordingly, the remainder of the analysis for this study considers all “yes” responses as equal in importance.

#### 4.2 *Various demographic or municipal structural factors*

*Gender.* The first demographic consideration for this study is whether or not gender had an impact on the consideration of DPS. Table 4 summarizes the relationship testing undertaken on this variable.

Table 4. Hypothesis Testing Results for Gender

N=131	Male	Female	<b>Total Observed</b>
Yes to DPS	25	9	<b>34</b>
No to DPS	49	48	<b>97</b>
<b>Total Observed</b>	<b>74</b>	<b>57</b>	<b>131</b>
Chi-square ( $\chi^2$ ), at 1 degree of freedom			5.425
<i>p</i> value			0.020
Cramér's <i>V</i>			0.203

Gender dynamics are often ignored in research studies, yet represent a key component of organizational culture and communications (Mills & Helms Mills, 2007, pp. 334-340). The testing confirms that the null hypothesis (the relationship being purely coincidental) can be rejected at a 98% confidence level. The association between the respondent's gender and their own consideration of DPS is statistically significant. However, the relationship is only somewhat strong (magnitude of relationship equalling 20.3%) according to Cramér's *V*.

*Age.* The second demographic consideration for this study is the age of the respondent.

Table 5 summarizes the relationship testing undertaken on this variable.

Table 5. Hypothesis Testing Results for Age

N=130	<40	40-44	45-49	50-54	≥55	<b>Total Observations</b>
Yes	5	7	9	6	7	<b>34</b>
No	28	7	22	17	22	<b>96</b>
<b>Total Observations</b>	<b>33</b>	<b>14</b>	<b>31</b>	<b>23</b>	<b>29</b>	<b>130</b>
Chi-square ( $\chi^2$ ), at 4 degrees of freedom						6.384
<i>p</i> value						0.172
Cramér's <i>V</i>						0.222

It was thought that with multiple generations of individuals potentially working in the same organization, age could be a source of conflict (Lancaster & Stillman, 2002, p. 4; Espinoza, Ukleja, & Rusch, 2010). However, the testing cannot support the rejection of the null hypothesis (the relationship being purely coincidental). The association between the respondent's age and their own consideration of DPS does not appear to be of any statistical significance. Any

relationship that does exist is somewhat strong (magnitude of relationship equalling 22.2%) according to Cramér's  $V$ .

*Respondent level of education.* The third demographic consideration for this study is the respondent's level of formal education. Table 6 summarizes the relationship testing undertaken on this variable.

Table 6. Hypothesis Testing Results for Respondent Level of Education

N=131	College Diploma	Bachelor's Degree	Master's	All Other Scenarios <sup>a</sup>	<b>Total Observations</b>
Yes	2	17	10	5	<b>34</b>
No	14	35	30	18	<b>97</b>
<b>Total Observations</b>	<b>16</b>	<b>52</b>	<b>40</b>	<b>23</b>	<b>131</b>
Chi-square ( $\chi^2$ ), at 3 degrees of freedom					2.967
$p$ value					0.397
Cramér's $V$					0.150

<sup>a</sup> Some college, some undergraduate, some graduate or post-graduate schooling, doctorates, and five other miscellaneous responses.

The testing cannot support the rejection of the null hypothesis (the relationship being purely coincidental). It was thought that there may be a link between formal education and the consideration of alternative approval mechanisms. The association does not appear to be of any statistical significance.

*Respondent length of tenure in current position.* The fourth demographic consideration for this study is the respondent's length of time in his or her current position. Categories are structured so that respondents identifying with one of the boundary years – two years, five years, ten years, or twenty years – are included in the lower category. Table 7 summarizes the relationship testing undertaken on this variable.

Table 7. Hypothesis Testing Results for Respondent Tenure

N=130	<2	2-5	5-10	10-20	>20	<b>Total Observations</b>
Yes	4	8	9	8	5	<b>34</b>
No	13	31	21	18	13	<b>96</b>
<b>Total Observations</b>	<b>17</b>	<b>39</b>	<b>30</b>	<b>26</b>	<b>18</b>	<b>130</b>



Chi-square ( $\chi^2$ ), at 4 degrees of freedom	1.240
<i>p</i> value	0.872
Cramér's <i>V</i>	0.097

It was thought that there may be a correlation between how long a respondent was in their current position and the consideration of DPS. Perhaps people new to the senior position would bring new ideas and perspectives to planning, and are limited in their ability to promote new ideas (Bratton & Grant, 2007, p. 185). It turns out that this was the weakest performing demographic variable in the study. Tenure in a single position can overlook that the respondent likely has worked as a land use planner for their entire career. The testing cannot support the rejection of the null hypothesis (the relationship being purely coincidental), and that tenure is likely completely unrelated to the consideration of DPS.

*Respondent last year in formal education.* The fifth and final demographic consideration for this study is the respondent's last year spent in formal education. Categories are structured into decades, with recent years divided into the pre- and post-DPS era in Ontario. Table 8 summarizes the relationship testing undertaken on this variable.

Table 8. Hypothesis Testing Results for Respondent's Last Year in Formal Education

N=131	1980 and Earlier	1981-1990	1991-2000	2001-2007	2008-2011 <sup>a</sup>	<b>Total Observations</b>
Yes	5	12	4	5	8	<b>34</b>
No	17	25	20	14	21	<b>97</b>
<b>Total Observations</b>	<b>22</b>	<b>37</b>	<b>24</b>	<b>19</b>	<b>29</b>	<b>131</b>
Chi-square ( $\chi^2$ ), at 4 degrees of freedom						2.050
<i>p</i> value						0.727
Cramér's <i>V</i>						0.125

<sup>a</sup> Includes respondents currently in school.

Similar to tenure, it was thought that perhaps more recent students might consider DPS more often than administrators longer out of school. Learning is, without a doubt, important to organizations and a tradition in Canadian workplaces (Bratton & Grant, 2007). Perhaps the academic environment acts as a supportive environment for encouraging new ideas in planners.

This hypothesis performed no better and likely for similar reasons. Planners can drop out of the workforce and return to school, or complete degrees part-time, or undertake other forms of continuing education. The testing cannot support the rejection of the null hypothesis (the relationship being purely coincidental), and that tenure is likely completely unrelated to the consideration of DPS.

*Size of municipality.* After investigating demographic variables, the survey asked respondents to provide background information on their municipalities and planning departments. Each respondent was first asked to indicate the population of their municipality. Table 9 summarizes the relationship testing undertaken on this variable.

Table 9. Hypothesis Testing Results for Size of Municipality

N=131	≥40,000	10,000 - 39,999	>10,000	<b>Total Observations</b>
Yes	10	16	8	<b>34</b>
No	14	35	48	<b>97</b>
<b>Total Observations</b>	<b>24</b>	<b>51</b>	<b>56</b>	<b>131</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				7.830
<i>p</i> value				0.020
Cramér's <i>V</i>				0.244

The testing confirms that the null hypothesis (the relationship being purely coincidental) can be rejected at a 98% confidence level. The association between municipal population and the respondent's own consideration of DPS is statistically significant. However, the relationship is somewhat to moderately strong (magnitude of relationship equalling 20.3%) according to Cramér's *V*. Larger municipalities typically possess more detailed rules and skill specialization than in smaller municipalities (Bratton & Chiaramonte, 2007, p. 474), likely increasing the number of conversations held around advanced policy solutions. Meanwhile, the Province promotes DPS as a tool for many different contexts (MMAH, 2008). Originally, the survey contained a separate category for municipalities over 100,000. The respondent sizes made chi-square analysis unreliable, while the survey size was too large for reliable Fisher's exact

probability testing. With the over 100,000 category restored, this relationship is more significant and more strongly positive. This distinction may be of some importance.

*Number of planning applications.* Another measure of municipal structure is the number of planning applications processed in a typical month. The survey asked about “all types of applications” to reduce the need for respondents in larger municipalities to segment out application types, if only one figure was available. Further, all planning applications are normally reviewed by a Registered Professional Planner (RPP) prior to their approval. Table 10 summarizes the relationship testing undertaken on this variable.

Table 10. Hypothesis Testing Results for Number of Planning Applications

N=131	>5	5-9	10-15	16-29	≥30	<b>Total Observations</b>
Yes	7	9	7	6	5	<b>34</b>
No	34	30	18	9	6	<b>97</b>
<b>Total Observations</b>	<b>41</b>	<b>39</b>	<b>25</b>	<b>15</b>	<b>11</b>	<b>131</b>
Chi-square ( $\chi^2$ ), at 4 degrees of freedom						5.620
<i>p</i> value						0.229
Cramér's <i>V</i>						0.207

The testing cannot support the rejection of the null hypothesis (the relationship being purely coincidental). The association between the average number of planning applications processed per month and the respondent's own consideration of DPS does not appear to be of any statistical significance. Any relationship that does exist is only somewhat strong (magnitude of relationship equalling 20.7%) according to Cramér's *V*. An observable pattern in the data above suggests that busier municipalities are more likely to have considered DPS as a solution. However, the analysis suggests that this variable is not a satisfactory indicator.

*Number of Registered Professional Planners.* The third, and final, municipal structural variable measured is the number of RPPs employed by the municipality. This is the third and final municipality-oriented variable to be tested by this study. Table 11 summarizes the relationship testing undertaken on this variable.

Table 11. Hypothesis Testing Results for Number of Registered Professional Planners

N=131	0	1	2-4	5-10	≥11	<b>Total Observations</b>
Yes	5	15	5	4	5	<b>34</b>
No	35	27	26	7	2	<b>97</b>
<b>Total Observations</b>	<b>40</b>	<b>42</b>	<b>31</b>	<b>11</b>	<b>7</b>	<b>131</b>
Chi-square ( $\chi^2$ ), at 4 degrees of freedom						15.559
<i>p</i> value						0.004
Cramér's <i>V</i>						0.345

The testing confirms that the null hypothesis (the relationship being purely coincidental) can be rejected with over 99.5% confidence. The association between the number of professional planners in a municipality and the respondent's own consideration of DPS is statistically significant. The relationship is moderately strong (magnitude of relationship equalling 34.5%) according to Cramér's *V*. These findings are not surprising. Departments with a larger staff complement are more likely to be specialized and searching multiple avenues for policy solutions (Bratton & Chiamonte, 2007, p. 474).

#### 4.3 *The natural conservatism of land use planners*

The first organizational behavioural hypothesis to be tested is an evaluation of the conservatism of planners. Respondents slightly disagreed both with Council not being interested in DPS, and also with the notion that other professionals would push back against DPS. Table 12 summarizes the relationship testing undertaken on this variable.

Table 12. Hypothesis Testing Results for the Naturally Conservative Hypothesis

	Disagree	Neutral	Agree	<b>Total Observed</b>
Yes to DPS	13	13	4	<b>30</b>
No to DPS	21	56	11	<b>88</b>
<b>Total Observed</b>	<b>34</b>	<b>69</b>	<b>15</b>	<b>118</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				4.530
<i>p</i> value				0.104
Cramér's <i>V</i>				0.196

The testing cannot support the rejection of the null hypothesis (relationship is coincidental). The association between the evaluated conservatism of planners and their own consideration of DPS does not appear to be of any statistical significance. Any hesitance in the consideration of DPS must stem from other underlying causes. Any relationship that does exist is only somewhat strong (magnitude of relationship equalling 19.6%) according to Cramér's *V*.

#### 4.4 Council desire to maintain power

The second hypothesis tested is the Council maintenance of power. Respondents generally agreed with statements that members of Council want to be involved in planning matters, but did not agree with the notion that they are micromanagers. Table 13 summarizes the relationship testing undertaken on this variable.

Table 13. Hypothesis Testing Results for the Council Control Hypothesis

	Disagree	Neutral	Agree	<b>Total Observed</b>
Yes to DPS	5	8	20	<b>33</b>
No to DPS	18	22	52	<b>92</b>
<b>Total Observed</b>	<b>23</b>	<b>30</b>	<b>72</b>	<b>125</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				0.330
<i>P</i> value				0.848
Cramér's <i>V</i>				0.051

The testing cannot support the rejection of the null hypothesis (relationship is coincidental). It was thought that planners might self-censor their thoughts on policy if it was perceived that Council would not consider alternatives in the first place. Developers came in on the Council side of this equation, supporting the maintenance of checks and balances in planning decisions. "It's really bad in rural townships where staff holds a lot of power," said one interviewee (Developer Interview #2, 2011). "They don't care about voters, and...people are scared of the bureaucracy." The data suggests quite the opposite. The association between the evaluated perception of Council control and their own consideration of DPS does not appear to be of any statistical significance.

#### 4.5 Presence of a catalyst event

*Any particular event.* The first half of this hypothesis is consideration of a general, unspecified catalytic event initiating a conversation about DPS. Table 14 summarizes the relationship testing undertaken on this variable.

Table 14. Hypothesis Testing Results for the Catalyst Event (General) Hypothesis

	Disagree	Neutral	Agree	<b>Total Observed</b>
Yes to DPS	11	8	10	<b>29</b>
No to DPS	43	21	20	<b>84</b>
<b>Total Observed</b>	<b>54</b>	<b>29</b>	<b>30</b>	<b>113</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				1.770
<i>p</i> value				0.413
Cramér's <i>V</i>				0.125

The testing cannot support the rejection of the null hypothesis (relationship is coincidental). The association between catalyst-type events and the respondent's own consideration of DPS does not appear to be of any statistical significance. Staff in Lake of Bays (Szczerbak, 2010) and Carleton Place (Young, 2011) both reported their consideration of DPS were the result of particular local challenges: environmental issues in Lake of Bays, and a controversial development in Carleton Place. Most respondents disagreed with the premise of the survey that planners and planning projects are receiving negative attention from elected officials and the media. This survey result was surprising.

*The 2010 municipal election.* This study also considered if the 2010 municipal election caused any effect in the consideration of DPS. In a limited search of campaign literature, only one mention of DPS could be found.<sup>8</sup>

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<sup>8</sup> Christine Leadman, an incumbent Councillor in Ottawa who ultimately lost her seat in the 2010 election.

Table 15 summarizes the relationship testing undertaken on this variable.

Table 15. Hypothesis Testing Results for the 2011 General Election Sub-hypothesis

	Disagree	Neutral <i>or</i> Agree	<b>Total Observed</b>
Yes to DPS	24	8	<b>32</b>
No to DPS	69	13	<b>82</b>
<b>Total Observed</b>	<b>93</b>	<b>21</b>	<b>114</b>
Chi-square ( $\chi^2$ ), at 1 degree of freedom			0.740
<i>p</i> value			0.390
Cramér's <i>V</i>			0.106

The testing cannot support the rejection of the null hypothesis (relationship is coincidental). The association between the reports regarding political events and the respondent's own consideration of DPS does not appear to be of any statistical significance. This is not surprising, given that so few respondents identified political figures discussing DPS.

#### 4.6 *Criticism from activist planning theory*

With DPS able to be structured to delegate decisions entirely to the staff level, it was anticipated to see some statistically significant concerns from planners in this regard. Developers, too, recognize that the need for public input is a strong concern. "The public wants input all the time. DPS doesn't change that," (Developer Interview #1, 2011). Due to the phrases chosen, these phrases were evaluated separately. Table 16 evaluates the first activist planning phrase.

Table 16. Hypothesis Testing Results, "Controversial Applications Appealed to the OMB"

	Disagree	Neutral	Agree	<b>Total Observed</b>
Yes to DPS	12	11	9	<b>32</b>
No to DPS	60	18	13	<b>91</b>
<b>Total Observed</b>	<b>72</b>	<b>29</b>	<b>22</b>	<b>123</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				7.94
<i>p</i> value				0.019
Cramér's <i>V</i>				0.254

The testing confirms that the null hypothesis (relationship is coincidental) can be rejected at a 98% confidence level. The association between the respondent's assessment of controversial



application appeals to the OMB and their own consideration of DPS is statistically significant. The distribution is notable for its tilt toward the large number of respondents who did not report a large number of OMB appeals and also did not consider DPS. This is the first behavioural indicator to suggest a problem where DPS has been considered as a solution. The relationship is moderately strong (magnitude of relationship equalling 25.4%) according to Cramér's  $V$ . Table 17 summarizes the results of relationship testing for the second phrase.

Table 17. Hypothesis Testing Results, "Removal of Appeal Rights"

	Disagree	Neutral	Agree	<b>Total Observed</b>
Yes to DPS	10	13	10	<b>33</b>
No to DPS	18	42	32	<b>92</b>
<b>Total Observed</b>	<b>28</b>	<b>55</b>	<b>42</b>	<b>125</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				1.61
$p$ value				0.447
Cramér's $V$				0.113

The testing cannot support the rejection of the null hypothesis (relationship is coincidental). The association between the respondent's level of concern over the removal of appeal rights on certain planning applications and their own consideration of DPS does not appear to be of any statistical significance. The data does appear to suggest that concerns over appeal rights are greater amongst planners who had not considered DPS. These concerns may be addressed in other behaviours, such as the lack of institutional knowledge about DPS. Table 18 summarizes the results of relationship testing for the third phrase.

Table 18. Hypothesis Testing Results, "We Engage in More than Minimal Consultation"

	Disagree	Neutral	Agree	<b>Total Observed</b>
Yes to DPS	3	5	24	<b>32</b>
No to DPS	20	21	51	<b>92</b>
<b>Total Observed</b>	<b>23</b>	<b>26</b>	<b>75</b>	<b>124</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				4.05
$p$ value				0.132
Cramér's $V$				0.181

The testing cannot support the rejection of the null hypothesis (relationship is coincidental). The association between the respondent's evaluation of their municipal public consultation practices and their own consideration of DPS does not appear to be of any statistical significance. Respondents generally agreed that their municipalities engaged in more than minimal consultation, without any noticeable effect on the consideration of DPS.

#### 4.7 Institutional lack of knowledge about DPS

During interviews, the lack of awareness of DPS as a policy solution became clear. "People don't know about the process," one developer bluntly concluded. "Residents, and even professionals – like me" (Developer Interview #1, 2011). For the general public, planning in general is tough. "Bureaucrats don't appreciate what small businessmen are dealing with on a daily basis. The planning process is a nightmare for people like me" (Developer Interview #2, 2011). Table 19 summarizes the relationship testing undertaken on this variable.

Table 19. Hypothesis Testing Results for the Lack of Institutional Knowledge Hypothesis

	Disagree	Neutral	Agree	<b>Total Observed</b>
Yes to DPS	25	5	2	<b>32</b>
No to DPS	36	41	16	<b>93</b>
<b>Total Observed</b>	<b>61</b>	<b>46</b>	<b>18</b>	<b>125</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				14.80
<i>p</i> value				0.0006
Cramér's <i>V</i>				0.344

The testing confirms that the null hypothesis (relationship is coincidental) can be rejected beyond the 99.9% confidence level. Perhaps unsurprisingly, the relationship between whether or not the respondent considered DPS and is aware of DPS is statistically significant. It is a moderately strong relationship (magnitude of relationship equalling 34.4%) according to Cramér's *V*. Those who considered DPS identified themselves as being more aware of the system. This suggests that increasing awareness may encourage greater consideration of DPS as a policy solution.

#### 4.8 *Satisfaction with current approvals framework*

The sixth behavioural hypothesis tested is the assumption that respondents are satisfied with their current approvals framework. Many planners, including survey respondents, have wondered how well DPS performs as an approval framework versus traditional zoning. While more detail on the performance of DPS in Carleton Place is found in Chapter 5.0, Table 20 summarizes the relationship testing undertaken on this variable.

Table 20. Hypothesis Testing Results for the Satisfied with Current Framework Hypothesis

	Disagree	Neutral	Agree	<b>Total Observed</b>
Yes to DPS	9	9	14	<b>32</b>
No to DPS	26	24	40	<b>90</b>
<b>Total Observed</b>	<b>35</b>	<b>33</b>	<b>54</b>	<b>122</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				0.03
<i>p</i> value				0.985
Cramér's <i>V</i>				0.016

The testing reveals that there is almost no statistical association between the respondent's level of satisfaction with the current zoning framework and whether or not DPS was considered. The observed outcomes almost perfectly mirror the expected outcomes, based on absolute consideration of DPS.

#### 4.9 *Time or cost concerns*

The last behavioural hypothesis tested is time or cost concerns.

Table 21 summarizes the relationship testing undertaken on this variable. Note that the direction of responses for the third phrase in this hypothesis (“Budgeting for DPS would be no more difficult than budgeting for a Zoning By-law project”) was reversed to facilitate hypothesis testing.

Table 21. Hypothesis Testing Results for the Time and Cost Concerns Hypothesis

	Disagree	Neutral	Agree	<b>Total Observed</b>
Yes to DPS	4	11	19	<b>34</b>
No to DPS	14	38	37	<b>89</b>
<b>Total Observed</b>	<b>18</b>	<b>49</b>	<b>56</b>	<b>123</b>
Chi-square ( $\chi^2$ ), at 2 degrees of freedom				2.03
<i>p</i> value				0.362
Cramér's <i>V</i>				0.129

The testing cannot support the rejection of the null hypothesis (relationship is coincidental). The association between the respondent's evaluated concerns about project time and cost and their own consideration of DPS does not appear to be of any statistical significance. Respondents seem to be equally concerned about resource allocation whether or not they had considered DPS. This is certainly a broader concern in public administration.

#### 5.0 The Carleton Place Experience

To provide a more fulsome investigation of planners and DPS, it is appropriate to investigate how a comprehensive Development Permit By-law performs. As noted in Chapter 4.6, many planners do not know how the system works or the differences between it and zoning. In order for any recommendations of this study to be valid, it is critical to undertake an evaluation of the system's performance from an institutional perspective.

As described, the Town of Carleton Place switched to DPS in June 2008. In doing so, it was intended for the quality of development occurring in the Town to improve, and further to improve the speed and competitiveness of the Town in processing development applications (Young, 2011). The Town feels that adopting DPS was the right move, and responded to concerns identified by Council in the final years of the zoning framework (Young, 2011). To date, no comprehensive evaluation of Carleton Place's DPS has been undertaken. This preliminary evaluation looks at some of the pure performance factors associated with DPS. As detailed in Table 4 in Chapter 3.3, the following indicators were examined:

- Number of applications approved;
- Length of time of application review;
- Number of applications needing Council approval;
- Number of “community amenities” obtained, being developments judged to have exceeded minimum expectations for desirable characteristics; and,
- Number of appeals of applications to the Ontario Municipal Board (OMB).

### 5.1 *Number of applications approved*

Table 22. Comparison of Number of Applications Approved

<b>Indicator and Value</b>	<b>Unit of Measurement</b>	<b>Observation under Zoning</b>	<b>Observation under DPS</b>
Number of applications received	<ul style="list-style-type: none"> <li>• Number of applications received within review timeframe (classified by Type I, II or III per By-law)</li> </ul>	<ul style="list-style-type: none"> <li>• Site Plan: 36</li> <li>• MV: 24</li> <li>• ZBA: 16</li> <li>• <b>Total: 76</b></li> </ul>	<ul style="list-style-type: none"> <li>• Type I: 27</li> <li>• Type II: 19</li> <li>• Type III: 7</li> <li>• <b>Total: 53</b></li> </ul>

There is no clear translation between the zoning-based applications and Development Permit applications. Type I applications are generally new in Carleton Place, but also include “simpler” Minor Variance-type applications with minimal issues (Young, 2011). Type II applications captured more complex Minor Variance-type applications, perhaps requiring agency review or a larger building, as well as easier Site Plan applications and more routine Zoning By-law Amendments (Young, 2011). Type III applications include complicated Site Plans and larger building-specific Zoning By-law Amendments – although, with impacts that have been contemplated and accepted by Council (Young, 2011).

The baseline comparison for this study is the number of applications received. Since switching to DPS, the Town is actually processing fewer planning applications than under zoning. This is surprising, given that under DPS more forms of development in Carleton Place require a planning approval. Two factors may explain this: older zoning by-laws tend to be amended more often than new by-laws, and the Town was completing its approvals of a comprehensive

commercial development at the beginning of the sampling period (2006). Likewise, permissions and applicability are often updated when new by-laws are adopted, to reflect policy and political changes. No comparison between the land use designations and standards applying both pre- and post-DPS was undertaken as a part of this review, due to the extent of work required.

Given the context for development in Carleton Place, it is not possible to make any definitive conclusion about DPS and its effect on the number or type of applications received. It must also be noted that the Zoning By-law Amendments reviewed above include changes in land use and site-specific building standards. The change in land use would not qualify for a Development Permit application under this regime.

## 5.2 Application review time

Table 23. Comparison of Application Review Time

Indicator and Value	Unit of Measurement	Observation under Zoning	Observation under DPS
Length of time of review	<ul style="list-style-type: none"> <li>Average number of days per application spent in review</li> </ul>	<ul style="list-style-type: none"> <li>Site Plan: 164*</li> <li>MV: 35</li> <li>ZBA: 67</li> <li><b>Overall average: 107</b></li> </ul>	<ul style="list-style-type: none"> <li>Type I: 19</li> <li>Type II: 77</li> <li>Type III: 108</li> <li><b>Overall average: 50</b></li> </ul>

The Province has promoted DPS as adept in reducing development approval times (MMAH, 2008). While the same logic described above regarding parallel applications between the two systems applies, a general average shows that the Carleton Place is issuing the typical development approval in less than half the time.

A major component of the decrease for Type I applications is the lack of a public notice period (Young, 2011). Minor Variances and Zoning By-law Amendments each require a three-week period where an application is circulated for public comment. By removing twenty-one days from the count, it is observed that a Type I application is generally taking five days longer to review than a Minor Variance (35 days, less a 21 day notice period, equals 14 days for pre-DPS review). However, the difference for Type II and III applications is very significant. Using Site Plan Approvals as the standard, applications are being processed months sooner under DPS: three

months for a Type II application, and two months for a Type III application. The process itself posed no real challenge for the experienced developers. “There were matters left to interpretation, there was some picking and choosing as to what rules applied. It was pretty standard” (Developer Interview #1, 2011).

Carleton Place considers their Site Plan approvals and Type III DPS applications complete on the date the Site Plan Agreement is executed. Files can idle for weeks while the applicant finalizes components of the agreement, extending the length of the approval. Refining the evaluation to use an earlier, more accurate date – when the agreement is sent to the applicant, or all planning concerns are satisfied – would reduce the approval times in both systems. It must again be noted that the Zoning By-law Amendments reviewed above include changes in land use and site-specific building standards, and would not qualify for a Development Permit application.

This evaluation also did not investigate the use of Staff time, which was not tracked in Carleton Place on a per application basis. Any attempt to quantify a Staff time savings would require time estimates of the review of applications three years ago, unless review times from a comparable municipality are used. Both developer interviews raised issues about the availability of Staff in Carleton Place for meetings, suggesting that hiring additional planning staff could decrease these times further (Developer Interview #1, 2011).

### 5.3 Applications proceeding to Council

Table 24. Comparison of Number of Applications Proceeding to Council

Indicator and Value	Unit of Measurement	Observation under Zoning	Observation under DPS
Number of applications needing Council approval	<ul style="list-style-type: none"> <li>Number of DPS applications proceeding to Council/Committee of Adjustment for a decision</li> </ul>	<ul style="list-style-type: none"> <li>MV: 24</li> <li>ZBA: 16</li> <li><b>Total: 40</b></li> </ul>	<ul style="list-style-type: none"> <li>Type I: 0</li> <li>Type II: 0</li> <li>Type III: 7</li> <li><b>Total: 7</b></li> </ul>

The main distinction between zoning and DPS is that decisions on Development Permit applications can be delegated to the Staff level (MMAH, 2008). All Type III applications in Carleton Place are approved by Council (Town of Carleton Place, 2008, § 2.17.1). Type II



applications do not, but can be bumped up to a Council approval if requested by a member of the public, or the Director of Planning (Town of Carleton Place, 2008, § 2.17.4).

From 2006 to June 2008 under the zoning framework, 40 planning applications were reviewed by Council or the Committee of Adjustment. Since moving to DPS, only 7 applications made it to Council review, with no Type II applications bumped up to the Council level. This decrease is proportionally greater than that observed in the overall number of applications. Clearly, DPS can be designed to lighten the workload of Council and planning-oriented committees. Councillors continue to be circulated for comment on planning applications in Carleton Place, which would reduce any total reduction of the workload.

There remains confusion as to how the public process works. The Town's planner noted that the public took issue when the first controversial development came forward under DPS, a commercial development within the existing urban area. The traditional "public meeting" is replaced by a "public information session" where comment on the proposal could be given, but with the news that use as proposed was permitted. A public used to seeing projects not having as-of-right permission were not impressed to be told the proposal already had approval (Young, 2011). The developer behind this project was also frustrated by this turn. "It became a public site planning process," he believed. "I'm hired to navigate the process, and identify road blocks to approval. We worked with Staff to create our final proposal, but at the Public Meeting people reacted negatively and Council directed Staff to go back and revise the plan. Yes, it was a good development in the end, but the process did not serve us well" (Developer Interview #1, 2011). While Council's workload does decrease, there is definitely a learning curve associated with administering the DPS process.

5.4 *Community amenities obtained*

Table 25. Comparison of Number of Community Amenities Obtained

Indicator and Value	Unit of Measurement	Observation under Zoning	Observation under DPS
Number of “Community Amenities” obtained	<ul style="list-style-type: none"> <li>• Number of community amenities obtained through planning approvals</li> </ul>	<ul style="list-style-type: none"> <li>• 7 applications (7/76 = 9.2% of applications) with amenities):               <ul style="list-style-type: none"> <li>○ 4 landscaping</li> <li>○ 3 urban design</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• 6 applications (6/53 = 11.3% of applications) with amenities):               <ul style="list-style-type: none"> <li>○ 7 landscaping</li> <li>○ 3 urban design</li> </ul> </li> </ul>

DPS has been promoted by the Province as a mechanism for more strictly regulating the final form of development, ensuring that urban design amenities are obtained (MMAH, 2008). Carleton Place has adopted this similar position (Town of Carleton Place, 2008, § 1.2). To evaluate this position, the development applications were reviewed to estimate the number of “plus amenities” obtained through a planning approval. Amenities sought include landscaping, urban design, and environmental lands protected. Admittedly, this component of the evaluation is highly subjective. One person’s good practice is another person’s benchmark, or perhaps insufficient. To identify a “plus amenity,” this evaluation only counted projects that reflected good planning practice – for example, street-oriented buildings, landscaped buffers where none currently existed, vegetation preservation – that noticeably caught the attention of the evaluator.

Of the 76 planning applications approved under the zoning framework, 7 included a plus amenity, representing 9.2% of all applications. There were four landscaping improvements and three urban design elements in those applications. Of the 53 planning applications approved under DPS, 6 included a plus amenity, representing 11.3% of all applications. There were seven landscaping improvements and three urban design elements in those applications.

The evaluation suggests that DPS, in fact, produces better development. “There is a trade-off for its benefits,” according to one developer interviewed. “Much more will be expected from the development industry in a system like DPS” (Developer Interview #1, 2011). Of course, the same could be said for any updated policy, as updates provide an opportunity to change

development standards. Carleton Place used this opportunity to increase landscaping and design requirements, for example (Young, 2011). In the Town's opinion, the benchmark for development has been raised. There is likely more at play with this indicator than the mere switch to DPS – the type of applications received, the location and use associated with those applications, Staff persistence, market factors, the general availability of land, and so forth. Staff skill and assistance is an important factor in Carleton Place. One developer observed, “If it wasn't for Lisa (Young, the Director of Planning in Carleton Place), I'd have abandoned my project” (Developer Interview #2, 2011). While a concrete statement cannot be made, it is fair to say that the Town is achieving more amenities through private development as a result of DPS.

### 5.5 Appeals to the Ontario Municipal Board

Table 26. Comparison of the Number of Ontario Municipal Board Appeals

<b>Indicator and Value</b>	<b>Unit of Measurement</b>	<b>Observation under Zoning</b>	<b>Observation under DPS</b>
Number of appeals to the OMB	• Number of applications appealed to the OMB	• 2 (combined rezoning and Site Plan, by a third party)	• No appeals on applications

DPS removes the right of appeal from third parties on Development Permit applications. This would likely reduce the number of development applications being appealed to the OMB. Sure enough, Carleton Place has not witnessed an appeal to the OMB since the adoption of the Development Permit By-law. From 2006 to 2008, two appeals were received, which were combined into a single hearing. A downtown merchants association appealed the development of a commercial plaza in the Town's commercial centre, adjacent to the Highway 7 by-pass. “[DPS] is a plus to developers,” noted one interviewee, “Since here or anywhere controversial, we likely would have had an appeal. [Developers] are often asked by staff to file applications in order to get the building they want. Even if it is staff-supported, there is no guarantee it will be an easy process. Those applications can be appealed, and opposing parties will look for any route to stop development” (Developer Interview #1, 2011). In a municipality where facilitating growth is a

priority, the move to DPS provides a significant vote of confidence in favour of development to builders.

## 6.0 Conclusions

Some general conclusions about the lack of DPS uptake can be drawn from the survey results. In total, three hypotheses emerge as statistically significant and least moderately strongly correlated to the respondent's consideration of DPS. Two additional hypotheses also show interesting characteristics. Table 27 summarizes the results of all hypothesis testing.

Table 27. Summary Table of Hypothesis Testing Results

Hypothesis Tested		$\chi^2$ Significance? ( <i>p</i> )	V	
Demographic or Municipal Structural Factors	<b>Gender</b>	<b>Yes (0.020)</b>	0.203	
	Age	No (0.172)	0.222	
	Respondent level of education	No (0.397)	0.150	
	Respondent length of tenure in current position	No (0.872)	0.097	
	Respondent last year in formal education	No (0.727)	0.125	
	<b>Size of municipality</b>	<b>Yes (0.020)</b>	<b>0.244</b>	
	Number of planning applications	No (0.229)	0.207	
	<b>Number of Registered Professional Planners</b>	<b>Yes (0.004)</b>	<b>0.345</b>	
Organizational Behaviours	Natural conservatism of land use planners	No (0.104)	0.196	
	Council desire to maintain power	No (0.848)	0.051	
	Presence of a catalyst event (General)	No (0.413)	0.125	
	Presence of a catalyst event (2011 municipal election)	No (0.390)	0.106	
	Criticism from activist planning theory	<b>OMB appeals</b>	<b>Yes (0.019)</b>	<b>0.254</b>
		Removal of appeal rights	No (0.447)	0.113
		Consultation	No (0.132)	0.181
	<b>Institutional lack of knowledge about DPS</b>	<b>Yes (0.0006)</b>	<b>0.344</b>	
	Satisfaction with current approvals framework	No (0.985)	0.016	
	Time or cost concerns	No (0.362)	0.129	

With respect to the size of municipality and the number of Registered Professional Planners employed, it appears larger municipalities tend to consider DPS more often than smaller municipalities. Given the Province's promotion of DPS as a specialist tool (MMAH, 2008), this trend may have been anticipated. It is interesting to note that one existing DPS is in a rural area

and two are in smaller urban areas. Each of these municipalities has only a small planning function. Only one large urban municipality has adopted DPS. Recent history in Ontario does not follow this trend. One developer suggested that until a larger municipality made the switch, there would be no incentive for the private sector to learn about that framework (Developer Interview #1, 2011). Further research into why municipalities who considered DPS but did not ultimately adopt it would provide more insight into how DPS can become a more attractive tool.

From an organizational behaviour perspective, the only hypothesis to show any strong relationship was the lack of knowledge about the system. Aside from the strong data relationship, this theme emerged strongly throughout the interviews and also noted by survey respondents in their additional comments. It appears that the promotion of DPS has largely been abdicated to individual, interested planners. Survey commenters expressed an interest in seeing system performance statistics, as well as legal decisions providing evidentiary support for DPS. Multiple respondents requested education or training specific to DPS, alongside a general interest in learning more about the subject.

The only indicator of statistical significance from activist planning theory was the high number of respondents who did not consider DPS and also did not agree that controversial development applications in their municipality often going before the OMB. Respondents who have considered DPS also tended to note a higher number of controversial development projects in their municipality. It appears that challenging projects may be a factor in creating consideration of DPS – or, perhaps a validation that respondents are satisfied with how current frameworks solve these problems. There is comfort with the traditional zoning framework in both the public and the development industry. “If I had to do it again,” according to one interviewee, “I would choose the Site Plan approval process. It is more linear and better understood. Maybe if a Toronto or an Ottawa took up this process, people in the development sector would be forced to learn” (Developer Interview #1, 2011).

A statistically significant relationship was found to exist between gender and consideration of DPS. Male planners were much more likely to have considered DPS than female planners. There could be institutional reasons behind this. However, it may be more representative of who municipalities employ as directors of planning. Only nine invitees (15%) from the 60 largest municipalities in Ontario were female, with larger municipalities reporting to be more likely to consider DPS. With a high concentration of female respondents being in smaller municipalities that are less likely to consider DPS, it is inherently more likely that this result is tied to population-related issues and not DPS itself.

Meanwhile, Carleton place appears to be achieving positive results from their switch to DPS. While no definitive statement can be made about the number of applications between the two systems, it can be said that review times are considerably shorter, that the number of applications requiring Council approval is both absolutely and proportionally lower, and that the number of appeals to the OMB are lower than in the previous zoning-based framework. It is also likely that the amenities obtained through private development are more and of higher quality under DPS. The policy appears to have made a difference, although much of the credit for implementation is entirely a credit to Town Staff. “Lisa is smart, and good at her job,” observed one interviewee. “To really implement this system, she needs support to do her work. Maybe it’s money or perhaps hiring more people to deal with applicants” (Developer Interview #1, 2011). Potential appears to exist for even greater results in the eyes of stakeholders in Carleton Place.

This study has demonstrated that municipalities should expect benefits by switching to DPS from a zoning-based planning approvals framework. It appears a lack of knowledge and awareness among land use planners of DPS, the lack of a widespread number of challenging development proposals and contexts, and the high number of municipalities with a small population and small planning department limits its spread. This study does not profess to make any such determination as to suitable contexts for applying DPS. However, these areas may be where the Province – or an enterprising consultant – can promote DPS and increase uptake.

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Appendix 'A': Survey to Planning Professionals

Appendix 'B': Carleton Place Evaluation Data

Appendix 'C': Carleton Place Developer Interview Questions