



Niagara Escarpment Commission

An agency of the Government of Ontario

Annual Report 2013 – 2014

The background of the cover is a photograph of a rugged, grey rock escarpment. The rock face is textured with various shades of grey and blue, showing signs of weathering and erosion. A large, dark, irregular opening or cave entrance is visible in the lower center of the rock face. The top of the escarpment is covered with green trees and shrubs. At the base of the escarpment, there is a body of water with a greenish-blue hue, possibly reflecting the sky or the surrounding vegetation. The overall scene is captured in a slightly desaturated, artistic style.



TO HER HONOUR

The Lieutenant Governor of the Province of Ontario

MAY IT PLEASE YOUR HONOUR

The undersigned begs respectfully to present to Your Honour the Annual Report of the Niagara Escarpment Commission for the year beginning April 1, 2013 and ending March 31, 2014.

BILL MAURO

Minister



THE HONOURABLE BILL MAURO

Minister of Natural Resources and Forestry

Honourable Sir:

I have the honour to submit to you the Annual Report of the Niagara Escarpment Commission for the year commencing April 1, 2013 and ending March 31, 2014.

A handwritten signature in black ink, appearing to read "Don Scott".

DON SCOTT

Chair, Niagara Escarpment Commission

Table of Contents

A Note from the Chair	4	Environmental Monitoring	16
The Niagara Escarpment	5	Niagara Escarpment Parks and Open Space System	17
Niagara Escarpment Commission	6	Inspection, Investigation and Enforcement Program	18
Guiding Principles.....	7	Engagement Highlights	
Commission Members.....	8	2013 Leading Edge Conference.....	21
Niagara Escarpment Plan	9	Niagara Escarpment Achievement Awards.....	22
NEC Operations	10	Niagara Escarpment World Biosphere	
Key Priorities	11	Reserve 10-Year Review.....	23
Development Permit Activity	12	Niagara Escarpment Plan Review.....	24
Plan Amendments	13	Performance Measures	25
Plan Amendment Highlights.....	14	Financial Summary	26
NEC Involvement in Other Land Use		Map	27
and Environmental Planning Processes	15	Appendix 1:	
		Niagara Escarpment Plan Municipalities.....	28



A Note from the Chair



2013-14 was a significant year for the Niagara Escarpment Commission.

More than forty years ago, in June of 1973, the Government of Ontario affirmed its commitment to protecting the Escarpment through the *Niagara Escarpment Planning and Development Act*. The objective of both the Act and the Niagara Escarpment Plan (NEP) has remained the same since 1973: “to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that environment.”

This visionary commitment was just the beginning of four decades of important achievements in the protection of the Escarpment. Perhaps most notably, the NEP Area has never been reduced in size despite the pressures from a rapidly urbanizing region. In fact, the amount of land under NEP protection has increased as landowners and government agencies have come to recognize the value of preserving Ontario’s most biologically diverse landscape. In 2013, one of the most significant additions of land to the NEP Area occurred; the Pleasant View Survey in the City of Hamilton was added to the Plan Area and totals almost 400 hectares. Permanent protection of the Pleasant View Survey lands is essential to realizing the vision of the Cootes-to-Escarpment land conservation initiative, which will enhance ecological linkages between Lake Ontario and the Niagara Escarpment.

A momentous occasion in the history of the NEP was the Escarpment’s designation as a UNESCO World Biosphere Reserve in 1990. As part of its role as a central convenor for the Niagara Escarpment Biosphere Reserve, the NEC has hosted ten *Leading Edge* conferences since 1994. *Leading Edge* events have brought together Escarpment stakeholders and researchers with the objective of creating synergy and sharing

knowledge. The most recent *Leading Edge* conference—held in the Town of Milton in October 2013—provided an opportunity to celebrate the past 40 years and to look to the Niagara Escarpment’s future. For this reason, the theme of the conference was “Renewal.”

Indeed, 2015 will mark another milestone in the history of the NEP. The NEP will undergo its third comprehensive review, but for the first time, it will be coordinated with the reviews of two other Provincial land use plans: the Greenbelt Plan, and the Oak Ridges Moraine Conservation Plan. These inter-related plans are fundamentally important to human and ecological health in southern Ontario. In 2013, the NEC commenced background research for the Plan Review so that by 2015, the NEC and its Ministry partners will be in a position to renew and build on the plans’ successes in protecting Ontario’s natural and agricultural assets.

Of course, a robust land use planning framework is only one aspect of permanent protection of the Niagara Escarpment. Without the dedicated efforts of individuals, community groups, and non-governmental organizations, it is unlikely that the Escarpment’s natural and cultural landscape would be as intact as it is today. As we enter into the 2015 coordinated review, the NEC invites and welcomes the participation of our stakeholders and government partners in renewing the vision and passion for permanent protection of the Niagara Escarpment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Scott', enclosed in a rectangular box.

Don Scott, Chair
Niagara Escarpment Commission

The Niagara Escarpment

The Niagara Escarpment is recognized as one of the world's unique natural features and is the most prominent topographical feature of southern Ontario.

The 450-million-year-old largely forested ridge of fossil-rich sedimentary rock (dolostone) is 725 kilometres in length. At its highest elevation it soars 510 metres (1,625 feet) above sea level. It traverses the most heavily developed and densely populated region of Canada—from Queenston in Niagara Region, to Tobermory in Bruce County at the tip of the Bruce Peninsula.

The Niagara Escarpment is recognized internationally as one of the world's geological wonders and was designated a United Nations Educational Scientific and Cultural Organization (UNESCO) World Biosphere Reserve in 1990. Principles of sustainable land use planning and the preservation of core natural areas are underscored by the Niagara Escarpment's World Biosphere Reserve designation. This designation recognizes the Niagara Escarpment's unique landscape, scenery, and ecology. Ongoing protection of the Escarpment is provided through a provincial land use plan that strives to preserve natural core areas, while allowing for compatible development including agriculture, urban, and industrial uses.

The Niagara Escarpment area encompasses a rich mosaic of forests, farms, vineyards, orchards, parks and recreation areas, scenic views, cliffs, streams, wetlands, rolling hills, waterfalls, mineral resources, wildlife habitats, historic sites, villages, towns and cities. The headwaters of a number of rivers originate in the Niagara Escarpment and the area is important for groundwater recharge. Its vibrant ecosystems support a wide diversity of species including: 300 bird, 53 mammal, 36 reptile and amphibian, 90 fish and 100 varieties of special interest flora including 37 types of wild orchids.

The Niagara Escarpment also includes some of Ontario's best skiing, camping, swimming, fishing, boating, hiking and viewing, and includes the Bruce Trail, Canada's oldest footpath. Recreational and tourism activities related to the Niagara Escarpment contribute hundreds of millions of dollars to Ontario's economy annually.

The Niagara Escarpment is truly a symbol of environmentally sustainable land use planning. The value of the Niagara Escarpment's vital resources—clean water, healthy green spaces for recreation, and protected ecosystem habitat for many species, including species at risk—is immeasurable.



The Niagara Escarpment Commission

The Niagara Escarpment Commission (NEC) was established in June 1973 under the *Niagara Escarpment Planning and Development Act (NEPDA)*, which established a planning process to ensure the protection and preservation of the Niagara Escarpment, contributing significantly to Ontario's health, economic development and environmental sustainability.

The NEC is a statutory body that operates at "arms length" from the provincial government in accordance with the *NEPDA and the Agency Establishment and Accountability Directive (AEAD) under the Ministry of Natural Resources and Forestry (MNRF)*. The NEC is mandated to develop, interpret and apply policies that maintain and enhance the vitality of the Escarpment's unique environmental and landscape features. Its decisions are made independently, impartially, and according to a risk management framework.

The NEC has 17 members (Commissioners) appointed by Order-in-Council. Nine members, including the Chair, represent the public-at-large and eight municipally-elected members represent counties, cities and regions within the Niagara Escarpment area. For a current listing of Commission Members, please visit NEC's website at www.escarpment.org. A full list of the municipalities found within the NEP Area is contained in Appendix 1.

The Commission meets on a monthly basis, to consider development permits and land use proposals, policy items, and NEP amendments. Meetings are open to the public and are usually held at the NEC's main office in Georgetown. The Commission reports to the Minister of Natural Resources and Forestry and is supported by a staff of 24, operating from offices in Georgetown and Thornbury.

Purpose of the *NEPDA*:

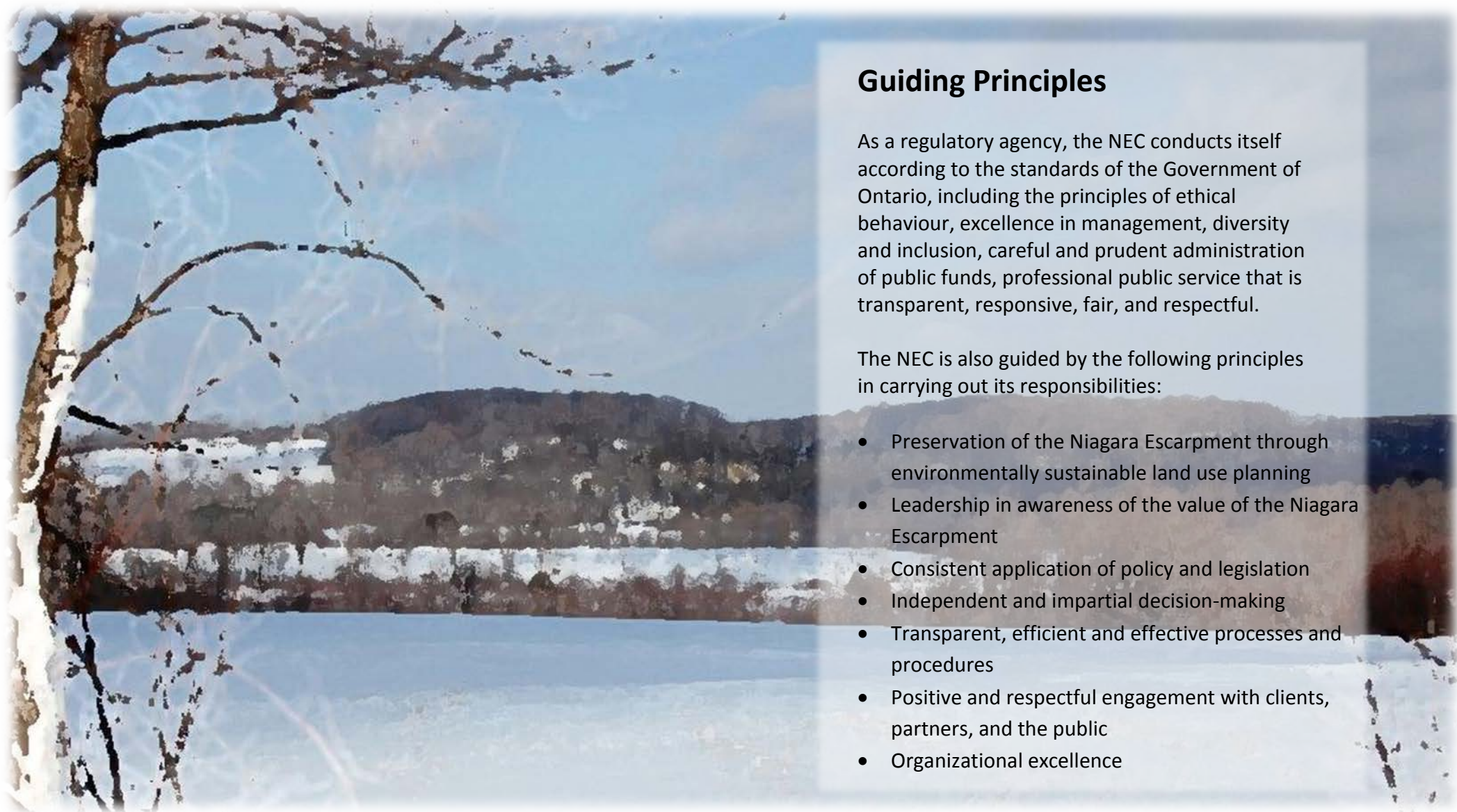
To provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.

Mission Statement:

Preserve, protect and promote the Niagara Escarpment, and uphold its UNESCO World Biosphere Reserve designation

Vision Statement of the NEC:

Through excellent public service, support the Purpose of the NEPDA by maintaining and enhancing the natural environment and cultural landscape of the Niagara Escarpment for today's and future generations.



Guiding Principles

As a regulatory agency, the NEC conducts itself according to the standards of the Government of Ontario, including the principles of ethical behaviour, excellence in management, diversity and inclusion, careful and prudent administration of public funds, professional public service that is transparent, responsive, fair, and respectful.

The NEC is also guided by the following principles in carrying out its responsibilities:

- Preservation of the Niagara Escarpment through environmentally sustainable land use planning
- Leadership in awareness of the value of the Niagara Escarpment
- Consistent application of policy and legislation
- Independent and impartial decision-making
- Transparent, efficient and effective processes and procedures
- Positive and respectful engagement with clients, partners, and the public
- Organizational excellence

Niagara Escarpment Commission Members

Seated:

Russ Powers, Councillor, City of Hamilton
2011 – 2015

Georgina Beattie, Public-at-Large
2003 – 2014

Tom Boyle, Councillor
Municipality of Northern Bruce Peninsula
1998 – 1999; 2004 – 2015

Nars Borodczak, Public-at-Large
2006 – 2011; 2012 – 2017

Paul McQueen, Deputy Mayor
Municipality of Grey Highlands
2011 – 2015

Moreen Miller, Public-at-Large
2004 – 2014

Standing:

Brian Baty, Regional Councillor
Niagara Region
2010 – 2015

Don Scott, Chair
1997 – 2016

Allan Elgar, Regional Councillor
Halton Region
2004 – 2015

Cecil Louis, Public-at-Large
2004 – 2014

Joan Little, Public-at-Large
1986 – 1996; 2004 – 2014

Richard Paterak, Councillor, Town of Caledon
2001 - 2014

John Riley, Public-at-Large
2003 – 2014

Ken McGhee, Deputy Mayor, Town of Mono
2011 – 2015

Don Alexander, Public-at-Large
2004 – 2012

Corwin T. Cambray, Public-at-Large
2007 – 2016

Shawn Davidson, Councillor
Clearview Township
2007 – 2015



The Niagara Escarpment Plan

The Niagara Escarpment and lands in its vicinity are protected by the Niagara Escarpment Plan (NEP)—a Provincial Land Use Plan. The NEP aims to maintain Ontario's Niagara Escarpment substantially as a continuous natural environment. Development on the Niagara Escarpment must be consistent with this objective.

The NEC's initial task was to prepare the first NEP, and to administer a system of development control. In 1985 the Ontario government adopted this visionary environmental plan, known as Canada's 'first green plan.' The NEP Area covers portions of 22 local municipalities within seven regions and counties, and the City of Hamilton.

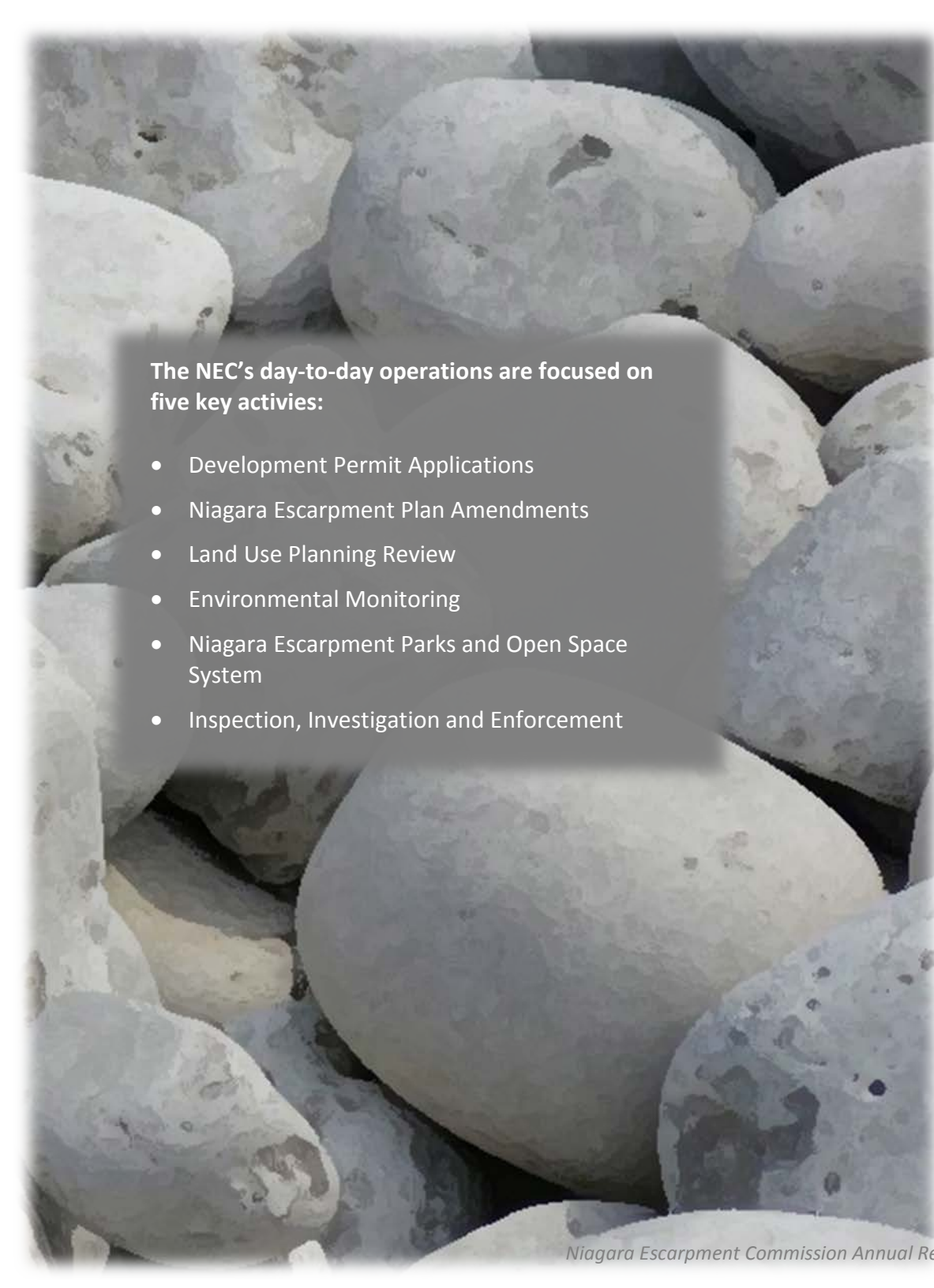
The NEP outlines land use designations, development criteria and related permitted uses, including compatible housing, farming and forestry. It also provides the framework for a string of 147 existing and proposed parks and open spaces linked by the Bruce Trail. As well, the NEP ensures the

maintenance of open countryside, conserving land for agriculture and complementary rural activities.

As outlined in Section 3 of the NEP, the Plan includes a network of 147 protected areas in the Niagara Escarpment Parks and Open Space System (NEPOSS). The MNRF and the NEC in partnership with partner agencies, promote land acquisition, the development of management plans, and the promotion of public access to enjoy and explore the protected areas of the NEPOSS.

The NEP is reviewed and amended on a regular basis. Legislated reviews of the NEP were completed in 1994 and 2005. In 2005, the *NEPDA* was revised to coordinate the review of the NEP with the 10-year review of the Greenbelt Plan, which will commence in 2015. The 2005 NEP revisions also included a new requirement for an environmental monitoring program. The program assesses the effectiveness of the NEP policies, practices, and decisions in meeting its purpose and objectives.





NEC Operations

The NEC's 'front-line' role as the province's leading environmental land use planning agency aligns with the MNRF's priority to promote and enhance the protection of natural heritage in southern Ontario. A Memorandum of Understanding (MOU) between the NEC and the MNRF sets out the mandate and core functions of the NEC. Building upon the *NEPDA*, the NEP, and the MOU, the NEC focuses its operations on:

The NEC's day-to-day operations are focused on five key activities:

- Development Permit Applications
- Niagara Escarpment Plan Amendments
- Land Use Planning Review
- Environmental Monitoring
- Niagara Escarpment Parks and Open Space System
- Inspection, Investigation and Enforcement

- Promoting the objectives of the NEP and the *NEPDA* through sustainable land use planning and policy implementation in the NEP Area;
- Promoting the preservation biodiversity and ecologically sensitive areas, including the habitat of species at risk;
- Ensuring compliance with regulations and conduct enforcement, as necessary.
- Supporting the Niagara Escarpment's economic benefit to Ontario, including sustainable economic opportunities in the resource and tourism sector;
- Partnering with MNRF, park agencies and others in the implementation of the Niagara Escarpment Parks and Open Space System (NEPOSS), a system of inter-connected parks and open spaces along the Escarpment, and support other complementary provincial initiatives;
- Supporting the efforts of the NEC's partner agencies, including the Bruce Trail Conservancy, conservation authorities, and other conservation organizations, to enhance opportunities for sustainable Escarpment recreation and natural area protection;
- Conducting scientific research and monitoring through Ontario's Niagara Escarpment Monitoring Program;
- Increasing awareness of the Niagara Escarpment through a variety of outreach and communications initiatives;
- Providing opportunities for information and knowledge exchange between Niagara Escarpment stakeholders (e.g., Leading Edge Conference, Niagara Escarpment Biosphere Reserve);
- Encouraging green initiatives and technologies where compatible with the NEP

Key Priorities

NEC 2012-2016 Strategic Plan

The NEC sets out its strategic priorities in four-year Strategic Plans, the most recent of which spans 2012 to 2016. In the Strategic Plan, priorities are matched with actions to guide implementation of the Plan, and support organizational excellence. The Strategic Plan can be found on the NEC's website at www.escarpment.org.

In the first two years of implementing the 2012-2016 Strategic Plan, the NEC has made significant progress in several strategic priorities. Here are some of the highlights:

- Realizing changes to *NEPDA* Development Control regulations that will streamline the NEP Amendment and Development Control processes, including efficiencies in the Development Permit process;
- Continuing to align Development Control with NEP boundaries, and removing Development Control in Minor Urban Centres, Urban Areas, and Escarpment Recreation Areas where municipalities have brought their official plans into conformity with the NEP;
- Meeting the NEC's responsibilities under the Environmental Bill of Rights (EBR) Registry and providing improved mechanisms for public notice and review of Development Permit Applications;
- Investment in improved technology and web site design to improve customer service;
- Significant preparatory work for the 2015 coordinated plan review, including preparation of 9 discussion papers on various NEP planning issues;
- Hosting of a conference (Leading Edge) focused on the plan review, the Niagara Escarpment Biosphere Reserve, and the economic benefits of the Niagara;
- Continuing staff training initiatives and succession planning to strengthen and enhance planning, technology and management skills within the NEC;
- Implementing a risk-based approach to compliance and enforcement activities.



Development Permit Activity 2013-2014

The NEC manages the Niagara Escarpment Plan through a permit system that ensures that proposed development within the area of Ontario's Niagara Escarpment is compatible with the Escarpment's sensitive features and associated natural environment.

The number of Development Permits received in 2013-14 was slightly lower than the previous year (479). This is largely due to changes to Ontario Regulation 828/90 which came into effect in January 2013. The regulation had the effect of exempting a series of minor uses and site alterations (e.g., rooftop solar panels, heat pumps) which had previously required a development permit. A concerted effort to deal with inactive files resulted in a 36% reduction in files that were more than one year old.

New Development Permit Applications received	431
Approved Applications	315
Refused Applications	6
Permit Application decisions approved/appealed to Hearing Officer	20
Permit Application decisions refused/appealed to Hearing Officer	3
Development Permit Hearings attended	7
Development Permits issued	280
Minister's/Hearing Officer's decisions	2



Plan Amendments 2013-2014

As part of the administration of the NEP, the NEC processes applications to amend the Plan. Usually, amendments propose site-specific exceptions or refinements to the policies and designations of the Plan. Amendments are approved, rejected, or modified by the Minister of Natural Resources and Forestry or the Ontario Cabinet. From time to time, the NEC itself proposes amendments to update, improve, or clarify the Plan.

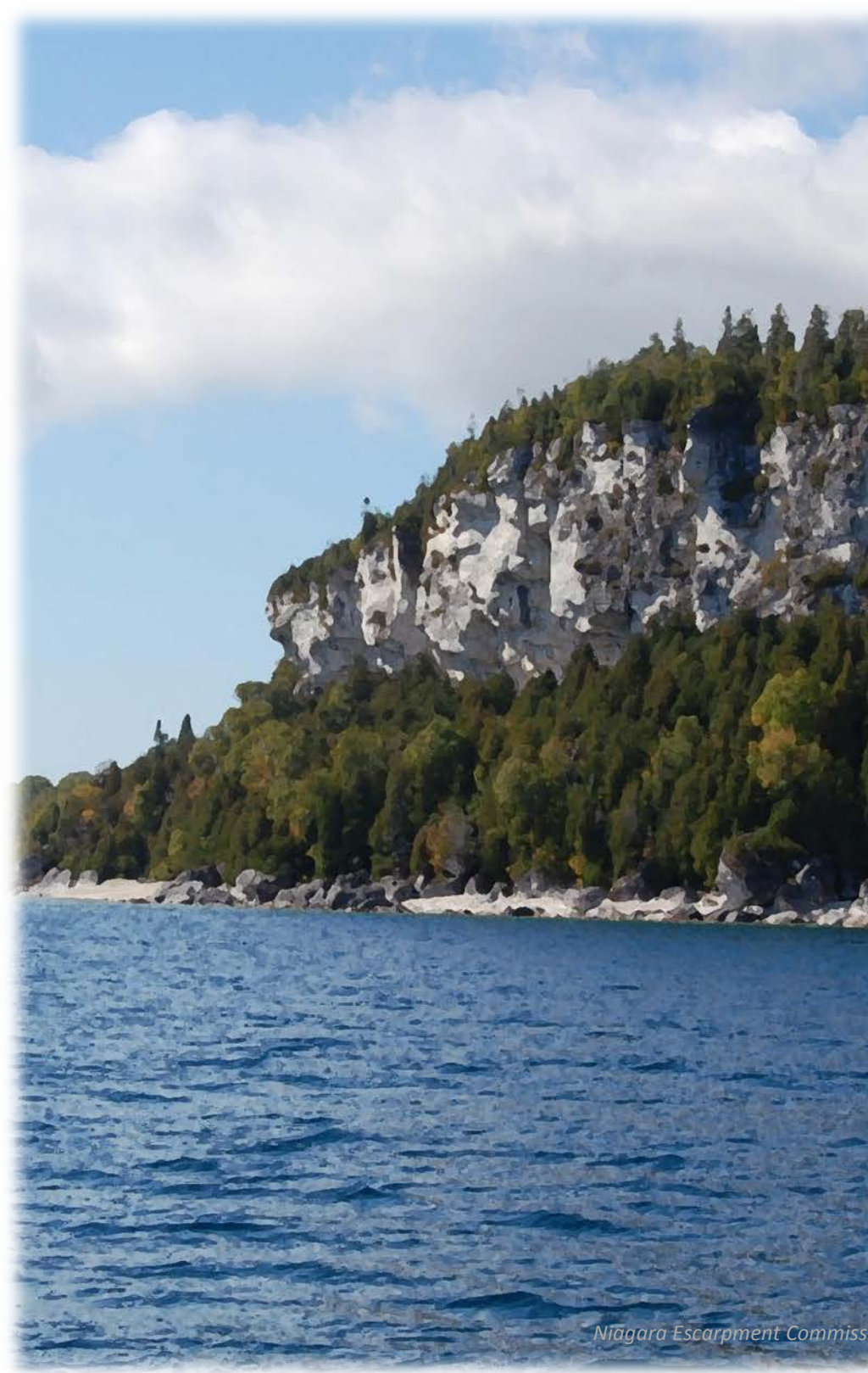
Amendments received	2
Active Amendments	16
Amendments initiated (by NEC)	4
Recommendations to Minister	0
Approved by Minister	3
Environmental Review Tribunal & Joint Board decisions	1
Withdrawn/deferred	0



Active Niagara Escarpment Amendments 2013-2104

Amendment		Date Received	Status
PH 143 03	Milton Outlier	March 20, 2003	Under review
PG 146 03	Castle Glen	July 17, 2003	Awaiting outcome of NEPA 175
PN 168 07	Reimer	Nov. 15, 2007	Under discussion with stakeholders
PC 175 08	NEC – Escarpment Recreation Area	August 5, 2008	Under discussion with stakeholders
PH 180 09	Dufferin Acton Quarry	March 19, 2009	Under discussion with stakeholders
PC 183 10	Significant Woodlands	March 29, 2010	Under review and discussion with stakeholders
PH 185 10	PERL	July 16, 2010	Deferred
PS 194	Covington House	April 27, 2012	Deferred
PW 195 12	Coverdale Pit	Sept. 12, 2012	PIAC* held April 2014; Summary Report to Commission May 2014
PB 196 13	Ontario Heritage Trust	March 28, 2013	Deferred at request of applicant
PC 197 13	Pinchin Pit	Oct. 17, 2013	PIAC held April 2014; Summary Report to Commission May 2014
PS 198 13	MacDonald Pit	Nov. 21, 2013	PIAC held April 2014; Summary Report to Commission May 2014
PH 199 14	Mercanti	Jan. 16, 2014	PIAC held April 2014; Summary Report to Commission May 2014
PC 200 13	OSSGA (Species at Risk)	Dec. 13, 2013	Under review and discussion with stakeholders
PC 201 14	Source Protection	Dec. 2013	Initial Staff Report under preparation
PC 202 14	NEC – Species at Risk 2013	Dec. 2013	Initial Staff Report under preparation

* Public Interest Advisory Committee Meeting. PIAC is a seven-member stakeholder group established by the Minister pursuant to the NEDPA.



Approved Plan Amendment Highlights 2013-2014

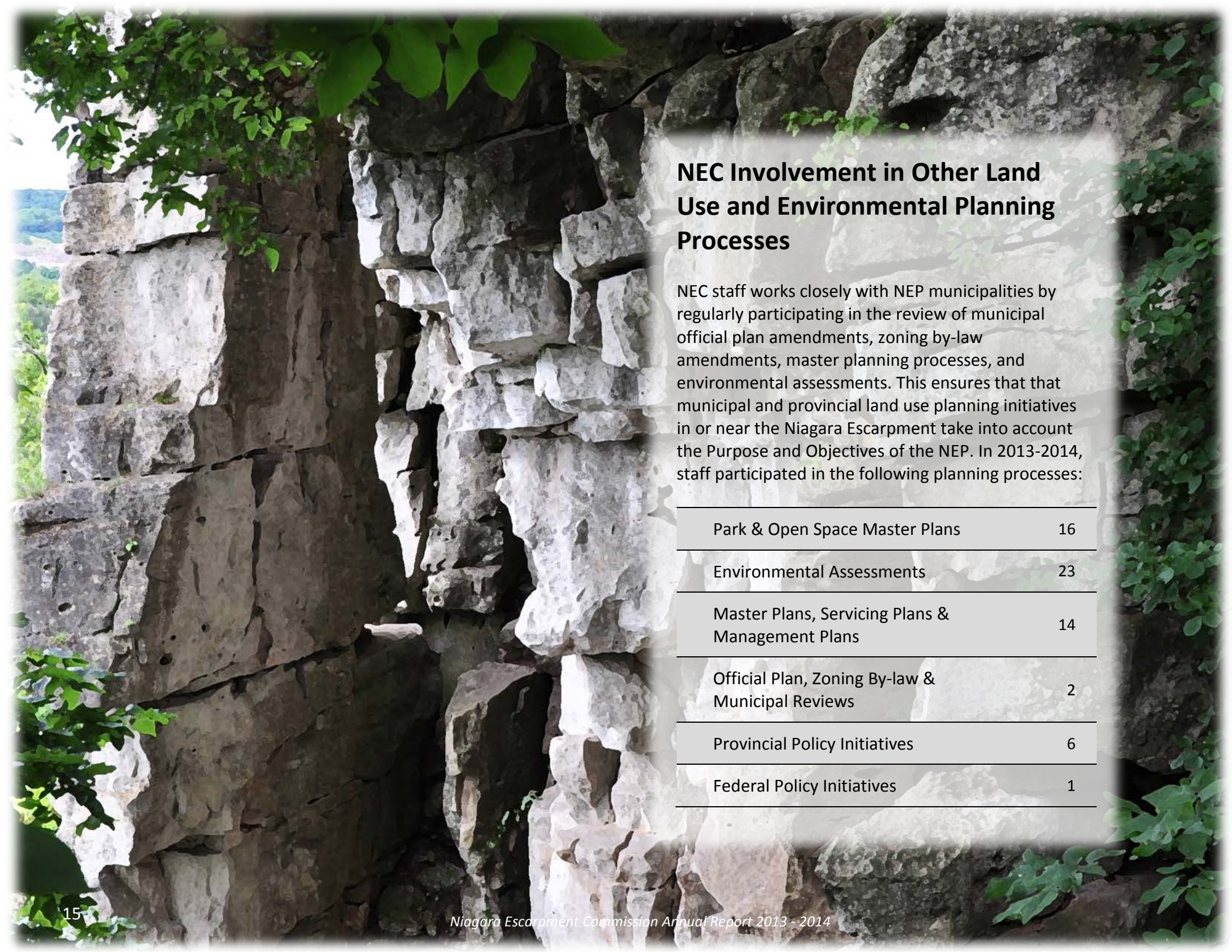
PW 179 09 Pleasant View Survey

In October 2013, the Minister of Natural Resources and Forestry approved an Amendment to add 399.4 hectares (986.95 acres) of land known generally as the Pleasant View Survey to the Niagara Escarpment Plan. The lands fall within the boundaries of the City of Hamilton, and are a mix of public, private, institutional and corporate ownership. The lands have a strong Escarpment context given their relationship to the Dundas Valley feature. Permanent protection of the Pleasant View Survey lands is essential to realizing the vision of the Cootes-to-Escarpment land conservation initiative, which seeks to establish a parks and trail system and a linked natural area corridor between the Cootes Paradise marsh and the Niagara Escarpment. The Amendment had strong public and stakeholder support.

PG 167 07 Harold Sutherland Construction Ltd.

On October 23, 2013, the Minister of Natural Resources approved an Amendment to re-designate lands designated Escarpment Rural Area to Mineral Resource Extraction Area in the Township of Georgian Bluffs to permit extraction activities on 27.99 ha (69.18 ac). Under this Amendment, the existing Keppel Quarry will be enlarged and a new quarry will be established immediately to the west across the County Road. The Commission took the position to support the Amendment application and the Niagara Escarpment Hearing Officer recommended the application be approved. A Development Permit Application has been conditionally approved for the extraction activities and may be issued upon fulfillment of the Conditions of Approval.

Although the Amendment has been approved, it remains dependent on the issuance of the related quarry licence application which has been filed under the *Aggregate Resources Act*. Final negotiations with regard to the quarry monitoring program will be undertaken and once completed, the final decision of the Ontario Municipal Board on the quarry licence will be released.



NEC Involvement in Other Land Use and Environmental Planning Processes

NEC staff works closely with NEP municipalities by regularly participating in the review of municipal official plan amendments, zoning by-law amendments, master planning processes, and environmental assessments. This ensures that that municipal and provincial land use planning initiatives in or near the Niagara Escarpment take into account the Purpose and Objectives of the NEP. In 2013-2014, staff participated in the following planning processes:

Park & Open Space Master Plans	16
Environmental Assessments	23
Master Plans, Servicing Plans & Management Plans	14
Official Plan, Zoning By-law & Municipal Reviews	2
Provincial Policy Initiatives	6
Federal Policy Initiatives	1

Environmental Monitoring

The following change analysis in composition and structure over time in Escarpment forests will contribute to assessment of the effectiveness of the land use protection designations in the NEP and inform the 2015 Plan Review:

Forest Biodiversity Monitoring

As part of a larger network, government, conservation agencies, academic institutions and non-government organizations are undertaking forest biodiversity monitoring in permanent plots within the Niagara Escarpment. The purpose of these plots is to collect quantitative data on forest biodiversity, growth, mortality and health to examine change over time.



In August 2013, NEC staff instructed University of Waterloo (UW) Environment and Resource Studies students in the collection of forest biodiversity and tree health monitoring data at Cabot Head

Provincial Nature Reserve in Bruce County. This NEC-UW partnership has been in place since 1996, with monitoring occurring annually at one of five plots. Information gathered through this exercise is intended to contribute to evaluating NEP policy effectiveness in protecting core areas of the NEP Area.

The Escarpment Forest Plot Network

The Escarpment Forest Plot Network (EFPN) continues to provide a forum for discussion and knowledge exchange about monitoring protocols, data management, analysis techniques and advances in science related to forest biodiversity. The EFPN fulfills one of the key functions of Biosphere Reserves—to provide support for research, monitoring, education and information exchange. This network is coordinated and led by NEC staff. This year, the EFPN focused on the opportunities for integration of Vegetation Sampling Protocol (VSP) protocols in the plots, and compatibility with the current protocols. VSP was developed in conjunction with the MNRF and the faculty of forestry at the University of Toronto and is used to collect baseline data on the forest and associated vegetation and is intended as a long term monitoring program to detect change.

Re-Sampling of the Niagara Escarpment Project

The field data collection component of this partnership project to re-sample forested vegetation communities along the Niagara

Escarpment was completed in 2012. The analysis component is still underway, including development of a database. The project objective is to determine if Escarpment vegetation communities have changed since they were last surveyed in 1979-1981. Sites revisited were those listed in the *Ecological Survey of the Niagara Escarpment Biosphere Reserve* (Riley, Jalava & Varga, 1996). Data analysis in 2013 yielded information on the influence of land use disturbance on the distribution of invasive plant species in the NEP Area.

Regionally Significant Life Sciences Areas of Natural and Scientific Interest Project

The NEP includes policies to protect the values of both Provincially and Regionally Significant Life Science Areas of Natural and Scientific Interest (ANSI). Building upon the methodology developed and undertaken to review change over time for Provincially Significant Life Science ANSIs, a project to conduct GIS landscape-level analysis of Regionally Significant Life Sciences ANSI is still underway. The purpose is to assess what, if any types of development have been permitted by the NEC in these areas. Development outside the NEP Area but within Regionally Significant Life Science ANSIs located inside the greater Niagara Escarpment Planning Area is also being examined for inside versus outside the NEP comparative.

Niagara Escarpment Parks and Open Space System (NEPOSS)

The Niagara Escarpment Parks and Open Space System (NEPOSS) consists of more than 145 publicly-owned parks and open spaces acquired and managed to protect the Escarpment's natural and cultural heritage. Largely connected by the Bruce Trail, lands within the system are owned by a number of partner agencies including the MNRF. The NEPOSS agencies are responsible for managing public land on the Niagara Escarpment in a manner consistent with the NEP, and for developing and supporting NEPOSS initiatives and programs.



In 2013-2014, two parks were added to NEPOSS: (1) the Pleasant View Conservation Sanctuary (36-hectare Natural Environment park) in the City of Hamilton, which is owned primarily by Conservation Halton; and (2) the York Road Access (21-hectare Escarpment

Access park), which is located in the City of Hamilton and owned by the Hamilton Conservation Authority. Both parks were added to the System through the approval of NEP Amendment PW 179 – the Pleasant View Survey addition to the NEP Area.



The Mount Nemo Conservation Area (168 hectares) Master Plan, situated in the City of Burlington, Halton Region was approved. The conservation area includes the "Escarpment Natural Area" and "Escarpment Protection Area" designations and is classified as a "Natural Environment" park within the NEPOSS. The Master Plan proposes to protect the natural heritage resources on the site while providing opportunities for outdoor recreation and enjoyment. The proposed interpretive enhancements which include an interpretive pavilion and signage will support tourism and education. This is the first Master Plan in the NEPOSS to seek endorsement of exempted development under Section 5.41 of Ontario Regulation 828/90.

The Bruce Trail Conservancy acquired 10 properties— totalling 201 hectares—which increased the proportion of Escarpment lands under public ownership. Several other agencies acquired lands to expand existing park boundaries.

Additional NEPOSS highlights include:

- The NEPOSS Council is currently engaged in discussions and early preparations for the development of a NEPOSS Strategic Plan. The objective is to develop a Plan that includes specific projects and actions that would actively move the Council forward toward fulfilling their mandate. A strategic planning session was held in 2014, and participation included representatives from park and open space agencies that manage and/or own public land in the NEPOSS.
- In 2013-14 NEC staff continued undertaking a thorough review of the Park and Open Space Descriptions in Appendix 1 of the NEP. The goal is to update and correct errors in the park descriptions, update the NEPOSS mapping, and examine possible NEPOSS additions.
- The NEPOSS Council continued to meet to discuss park activities and management issues, including early engagement on the 2015 Plan Review NEPOSS Discussion Papers.



Inspection, Investigation and Enforcement Program

The NEC's Inspection, Investigation and Enforcement Program is undertaken by way of a *Memorandum of Understanding (MOU)* between the MNRF and the NEC. The NEC's compliance specialist administers the Program by providing advice to Escarpment landowners and contractors about the requirements for development permits in the NEP, responding to public complaints about possible issues of non-compliance and working with other regulatory agencies as required. As a Provincial Offences Officer, the NEC compliance specialist has the authority to issue Part 1 Offence Notices, and works closely with MNRF Conservation Officers for more serious compliance and enforcement matters as per the MOU.

In 2013-2014, the NEC received 117 formal complaints related to development activity within the NEP area. Of these 117 complaints, 12 were found to be not related to the *NEPDA* or NEP and were forwarded to other regulatory agencies for follow up. The remaining 105 complaints were reviewed for compliance with the *NEPDA* and NEP policy. Through inspection and investigation it was determined that of the 105 complaints, 18 were found to be development exempted under *Ontario Regulation 828/90*, and 87 were assessed as being non-compliant with the *NEPDA*. Using a risk-based approach that focuses compliance efforts on the area of greatest risk, voluntary compliance was achieved on 80 of the violations through either the issuance of a development permit, or a restoration of the site. The 7 remaining violations were resolved through enforcement action and 7 Part 1 Offence

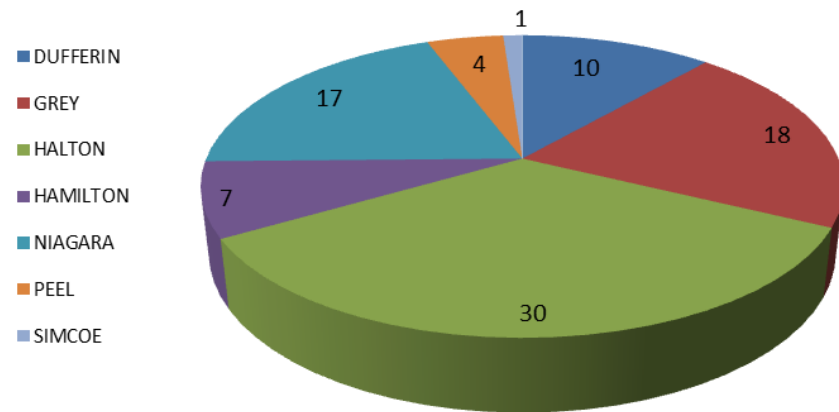
Notices (tickets) were issued and one offence was resolved in Provincial court.

The inspection program also includes assessment of compliance with Conditions of Approval that accompany a Development Permits issued by the NEC. In 2013-2014, 24 random inspections were completed as part of this assessment, focusing on conditions related to potential environmental impacts. The permits chosen covered a wide spectrum of the plan area and various types of development. Of the 24 permits inspected, 19 were found to be in compliance with the Conditions of Approval, 5 were found to be in non-compliance. All 5 were resolved voluntarily by the landowners/contractors with direction from NEC staff.

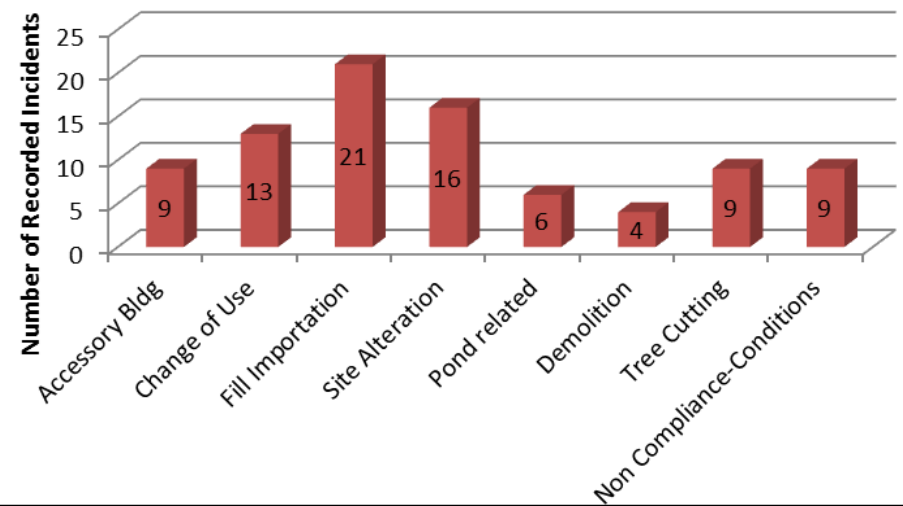
Inspection, Investigation and Enforcement Program (cont'd)

These figures illustrate the reported incidents of NEP non-compliance geographically and by type. The greatest number of compliance-related issues were located in the Regional Municipality of Halton, which coincides with the high level of development activity in this region of the Escarpment. There were a high number of incidents of importation of excess soil (fill) and site alteration which can be often contributed to construction activities across the Greater Toronto Area. As a result of the increase in this activity, the NEC has identified the need for new policies to specifically address the challenges associated with fill importation. A discussion paper is being prepared for the 2015 NEP review.

Non-Compliance by Municipal Region



Non-Compliance by Type



Inspections, Investigations and Enforcement Summary (2013-2014)

Development Permit inspections	24
Total complaints received	117
Complaints not related to <i>NEPDA</i>	12
Total inspections	105
Complaints found to be exempt under O.Reg 828/90	18
Total non-compliance of the <i>NEPDA</i>	87
Non-compliance resolved by voluntary compliance	80
Non-compliance resolved by order or other enforcement action	7
Total Part 1 tickets issued	7
Total fine	\$2,555
Court conviction	1
Total fine	\$3,000
Total fines (combined)	\$5,555





Engagement Highlights 2013-2014

2013 Leading Edge Conference: Celebrating 40 Years of the Niagara Escarpment Planning and Development Act

On October 24, 2013, the NEC hosted its 10th Leading Edge Conference at Country Heritage Park in the Town of Milton. The one-day event brought together more than 220 delegates and 20 panelists to mark the 40th anniversary of the *NEPDA*.

The theme for the conference was **Renewal**; participants reflected on the 40-year history of the *NEPDA* and the *NEP*, and contemplated how protection of the Escarpment will continue into the future. Four panels gave structure to the event, focusing on the importance of the Escarpment to Ontario's environment, economy, and social well-being.

The panels were:

- **A Working Landscape**, which examined the economic benefits obtained from the Escarpment, including agriculture, recreation, and resource extraction;
- **A Natural Legacy**, which highlighted the Escarpment's unique and biologically diverse environment and the ecosystem services it provides to southern Ontario;
- **2015 and Beyond**, focusing on the upcoming coordinated reviews of the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the *NEP*; and
- **A World Biosphere Reserve**, which looked at the collaborative relationships between agencies, stakeholder groups, and dedicated individuals and how their partnerships contribute to the Escarpment's status as a UNESCO World Biosphere Reserve.

The conference component of the day was followed by a celebratory reception featuring local acoustic entertainment. Denis Gertler (son of the late Leonard Gertler) shared memories of his father's foundational work on the Niagara Escarpment program. His Worship Gordon Krantz, Mayor of the Town of Milton and former NEC Commissioner, presented the Commission with a congratulatory plaque commending the NEC and acknowledging the 40th anniversary of the *NEPDA*.

Overall, feedback from the event was very positive. The conference was also featured in the November 5, 2013 edition of *Novae Res Urbis*, a weekly Toronto-area planning newsletter. The next Leading Edge Conference is planned for 2015/16.





Niagara Escarpment Achievement Awards:

Celebrating projects and people in the Niagara Escarpment Plan Area

The NEC's Niagara Escarpment Achievement Award series, established in 1987, recognizes individuals and groups for outstanding initiatives undertaken in the Niagara Escarpment Plan Area, including wetland restorations, park enhancement projects, land stewardship, and lifelong contributions to the Niagara Escarpment Biosphere Reserve. Since its inception, the program has recognized community associations, schools, individuals, architects and volunteer groups for completing projects that have restored environmentally sensitive areas, demonstrated exceptional visual and environmental design principles, enhanced Escarpment landscapes and stewardship of the Niagara Escarpment.

In 2013-2014, the NEC developed an updated Awards program format that will allow for more involvement of stakeholders and the public in the selection process. Nominees will be assessed by a review panel selected by the Niagara Escarpment Commission; assessment of the nominations and final candidates will be based on success in achieving the policy objectives of the NEP as well as the overall Purpose and Objectives of the *NEPDA*.

The Niagara Escarpment Lifetime Achievement Award is a special component of the series, and is awarded to deserving individuals and groups for exceptional leadership and contributions to the Niagara Escarpment. Past winners have included the University of Guelph's Cliff Ecology Research Group, Malcolm "Mac" Kirk, Robert Bateman and Dr. Walter Massey Tovell.

Review of the candidates for the 2013-2014 Awards program is underway and the final program and candidates will be presented to the Commission later in 2014-15.





Niagara Escarpment UNESCO World Biosphere Reserve 10-Year Review

A 10-year periodic review of the Niagara Escarpment's designation as a World Biosphere Reserve was completed in 2012 and submitted to the UNESCO program office in Paris for final review. This was the second periodic review for the Niagara Escarpment Biosphere Reserve (NEBR) since its designation in 1990. The first review was carried out in 2002.

The UNESCO's final determination on the status of the World Biosphere Reserve designation is still pending. The NEC is undertaking discussions about an action plan to engage partners in achieving the preliminary reviewers' recommendations, including engaging and collaborating with NEBR partners and stakeholders in order to promote and support Biosphere Reserve principles. The NEBR representative for the NEC participated in the 2013 "EuroMab" Conference held in the Frontenac Arc Biosphere Reserve in Brockville, ON. Representatives from over 190 World Biosphere Reserves were in attendance. The theme of the conference was 'Engaging our Communities', and it provided an opportunity to strengthen relationships between experts and practitioners and share knowledge and practical ideas on implementing conservation and sustainability principles in Biosphere Reserves.



A photograph of a tree trunk in a forest. A diamond-shaped trail sign with a black arrow pointing up and the text "BLUES TRAIL" is mounted on the tree. Below it is a rectangular map of the Niagara Escarpment area, showing various land use designations and geographical features. The background shows a dirt path and dense green foliage.

2015 Niagara Escarpment Plan Review

The NEC is continuing its preparatory work for the 2015 review of the NEP, as required under the *NEPDA*. This review is now being coordinated with the reviews of the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan. In 2013-2014, NEC staff and its Ministry partners received preliminary input from a number of municipal stakeholders to help shape the review process. It is anticipated that open and inclusive engagement will begin later in 2014 and continue through 2015.

NEC staff continues to work on the 17 NEP review topics approved by the NEC in December 2012. Background research and policy options for each of the topics are being presented in the form of discussion papers, which are brought to the Commission for review and endorsement. To date, the following discussion papers have been received by the Commission:

- Land use designation criteria and mapping
- Criteria for the possible addition of lands to the NEP area
- Land filling and contour changes
- Cemeteries
- Water policies
- Niagara Escarpment Parks and Open Space System
- Existing uses
- Urban uses

NEC staff will continue work on these and additional discussion papers throughout 2014 and 2015. As part of the consultation process, stakeholders and the public will have the opportunity to review and comment on the issues identified in these discussion papers and papers will provide valuable input to the coordinated review. These papers can be found on the NEC website at www.escarpment.org.

Performance Measures

Targets	Measures	Results
Public Access	Provide Accessible public service; respond to public and client inquiries in a timely manner. Provide relevant informational application guidelines, maps, publications, and application forms to customers and stakeholders.	• Twelve public Commission meetings were held this year (including two policy meetings). • The NEC provided accessible hours of customer service, and responded to requests for information in a timely manner in accordance with OPS Guidelines • Written inquiries were addressed within two weeks of receipt. • Current guidelines, maps and applications were provided to clients and the public in both electronic and printed formats. • 57,175 visits to the NEC website with 19,370 page views of the Plan Maps section. • Plan amendments and minutes of Commission meetings are posted on the NEC website (escarpment.org) and on the Environmental Registry (EBR) for public review. • Commission meetings are open to the public. Applicants and other stakeholders are provided opportunities to address the Commission in writing or in person.
Customer Service	Ensure timely customer service, following the processing requirements of the <i>NEPDA</i>, in processing Development Permit and Amendment Applications. Ensure timely customer service in responding to requests for comments from external stakeholders and for compliance and enforcement related matters.	• Processing of Development Permit Applications and Plan Amendment Applications was performed in a timely manner, factoring staff resources and application timelines that include commenting periods of external agencies. • Straight-forward Development Permit Applications were reviewed and processed on average between 8 and 10 weeks. • In March 2014, the NEC released a new streamlined Development Permit application form on its website. • Review of municipal official plans, zoning by-laws and consents took place within the specified due dates. • Compliance matters were responded to within 24 hours of notification.
Service Standards	Apply appropriate Government of Ontario standards of service to maintain ethical and fair business practices.	• Applications reviewed by the NEC were considered in conformity with policies of the Niagara Escarpment Plan.

Financial Summary

2013-2014

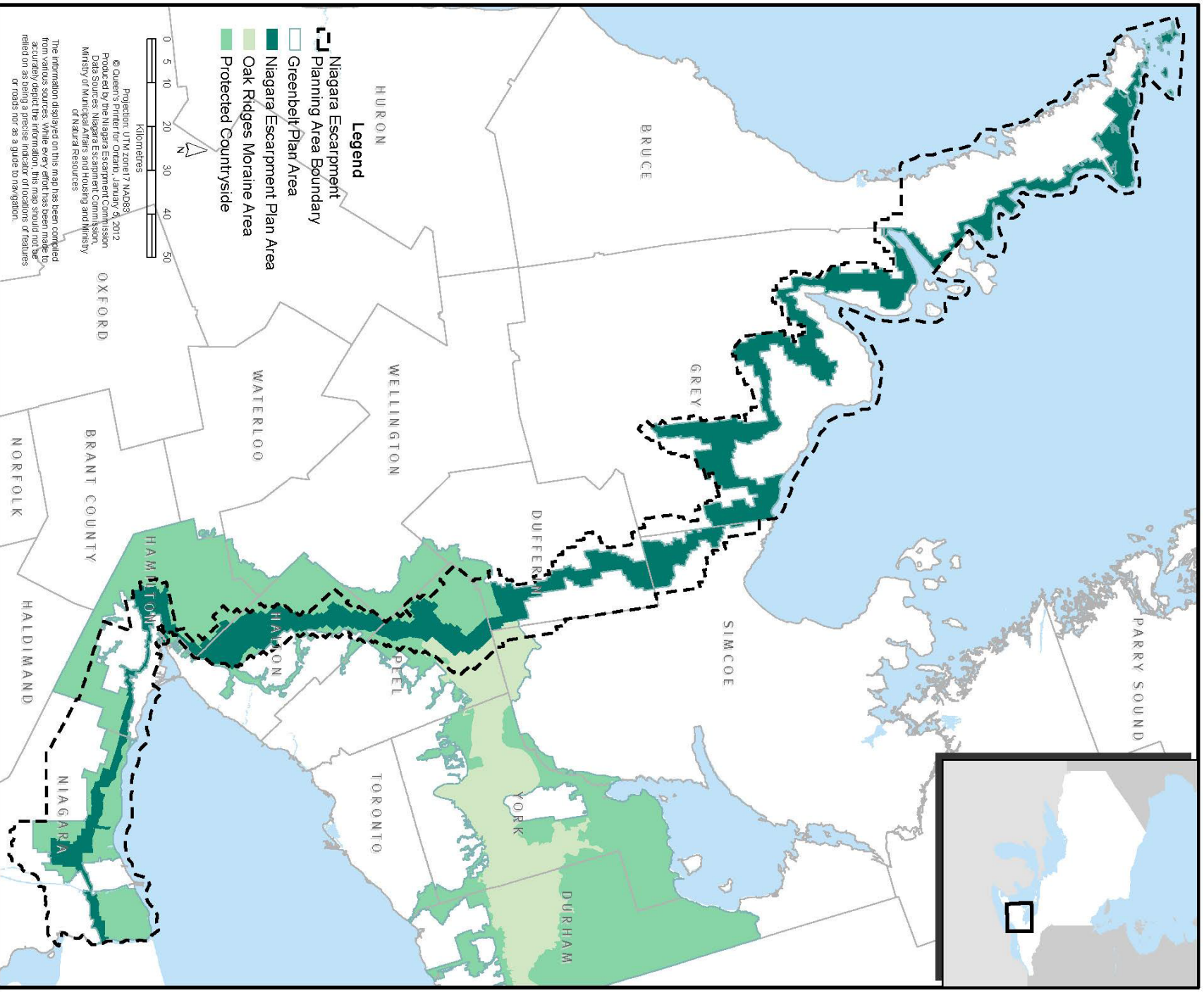
	Approved Budget	Actual Expenditures
Salaries & Wages	\$1,730,000	\$1,760,824
Employee Benefits	242,300	230,209
Transportation & Communication	100,000	67,019
Services	277,800	297,872
Supplies & Equipment	60,000	42,460
Student Summer Program (Recoveries)		-5,357
Total	\$2,410,100	\$2,393,027

The operating budget includes costs associated with Commission meetings (per diems, travel and meal expenses), legal costs associated with hearings and the 2015 NEP review, office and IT infrastructure, staff training, travel and meal expenses, and communication initiatives.



Niagara Escarpment - Ontario's Natural Edge

A World Biosphere Reserve



Appendix 1

Regions, counties and local municipalities that are fully or partially encompassed by the Niagara Escarpment Plan Area:

NIAGARA REGION

(seven local municipalities)

Town of Grimsby

Town of Lincoln

City of Niagara Falls

Town of Niagara-on-the-Lake

Town of Pelham

City of St. Catharines

City of Thorold

CITY OF HAMILTON

HALTON REGION

(three local municipalities)

City of Burlington

Town of Halton Hills

Town of Milton

REGION OF PEEL

(one local municipality)

Town of Caledon

COUNTY OF GREY

(six local municipalities)

City of Owen Sound

Municipality of Meaford

Township of Georgian Bluffs

Municipality of Grey Highlands

Township of Chatsworth

Town of The Blue Mountains

COUNTY OF SIMCOE

(one local municipality)

Township of Clearview

COUNTY OF DUFFERIN

(two local municipalities)

Town of Mono

Township of Mulmur

BRUCE COUNTY

(two local municipalities)

Town of South Bruce Peninsula

Municipality of Northern Bruce Peninsula



Niagara Escarpment Commission

An agency of the Government of Ontario