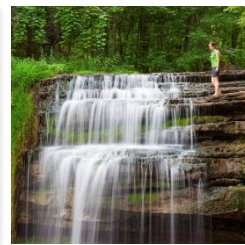


Niagara Escarpment Commission

Annual Report 2014 -2015



Niagara Escarpment Commission

An agency of the Government of Ontario



June 15, 2015

THE HONOURABLE BILL MAURO

Minister of Natural Resources and Forestry

Honourable Sir:

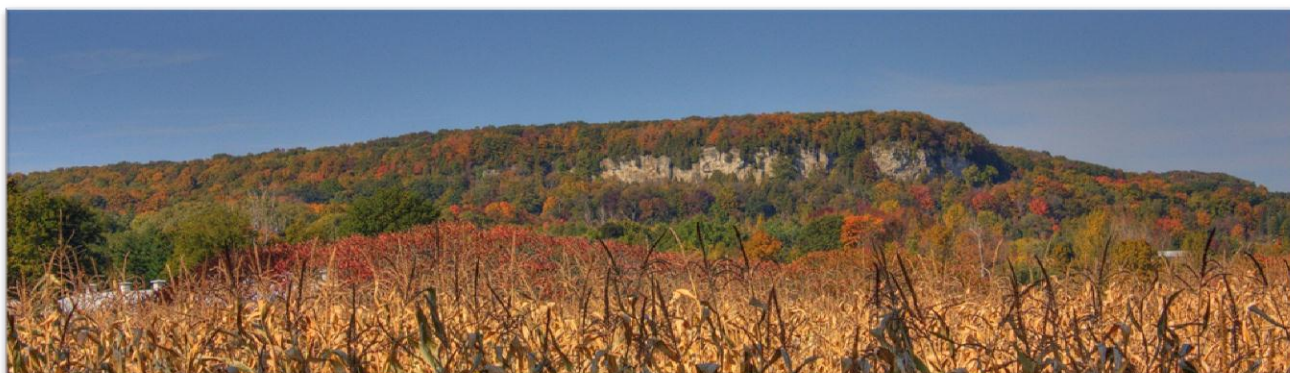
I have the honour to submit to you the Annual Report of the Niagara Escarpment Commission for the year commencing April 1, 2014 and ending March 31, 2015.

A handwritten signature in black ink, appearing to read "Don Scott", with a stylized flourish at the end.

DON SCOTT
Chair, Niagara Escarpment Commission

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Note from the Chair

2014-15 was a year of preparation, partnerships and progress for the Niagara Escarpment Commission.

The Niagara Escarpment, Ontario's "Natural Edge," is a working countryside and the cornerstone of Ontario's Greenbelt, one of North America's fastest growing and most dynamic regions. The Niagara Escarpment is recognized provincially and internationally as a significant landform with special land use policies in place to protect the natural environment and permit development that is compatible with the environmental objectives set in legislation 40 years ago.

With the formal launch of consultation for the Co-ordinated Review of the four provincial land use plans; the Niagara Escarpment Plan (NEP), the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the Growth Plan, in February 2015, the Commission is committed to ensuring that the NEP remains an effective land use planning framework providing for the strong protection of the Niagara Escarpment.

The Co-ordinated Review provides an important opportunity for the NEC to propose changes that will clarify and strengthen the NEP and align policies with the other provincial land use plans, where appropriate. Throughout 2014-15, the NEC has continued its preparatory work on Discussion Papers that provide background and research on more than 20 topics that the Commission has recommended for consideration during the Co-ordinated Review. Staff and Commissioners have also attended government-led town halls in the various communities of the Niagara Escarpment, to hear comments and advice from aboriginal communities, the public, and stakeholders. The NEC will continue to play an active role throughout the consultation process for the Co-ordinated Review.

The NEC showcased its strong partnership with the Ministry of Natural Resources and Forestry (MNRF) through the implementation of a new risk-based compliance program and protocol. In 2014-15, the *Inspections, Investigations and Enforcement Protocol* between MNRF and NEC was updated to ensure effective and efficient administering of the compliance program.

In September 2014, the Canadian Commission for United Nations Educational, Scientific and Cultural Organization (UNESCO), following a review, completed in 2013, confirmed that the Niagara Escarpment Biosphere Reserve (NEBR) continues to meet the criteria of a World Biosphere Reserve. As we embark on the 25th anniversary of this prestigious designation, we will be working with the various partners in the NEBR to celebrate a common vision of connecting people to the benefits of the biosphere.

The Commission will continue to uphold the visionary land use planning framework that has provided strong environmental protection of the Niagara Escarpment.

Sincerely

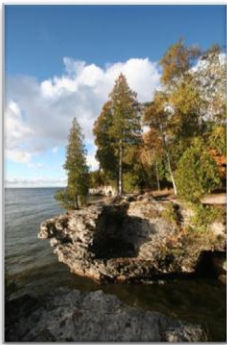
A handwritten signature in dark ink, appearing to read 'Don Scott', with a stylized flourish at the end.

Don Scott, Chair

Introduction

The Niagara Escarpment Commission (NEC) is required to submit an Annual Report to the Minister of Natural Resources and Forestry for approval within 90 days after the end of the fiscal year. This report describes the activities of the NEC and a financial statement for 2014-15. Once approved by the Minister, the Annual Report is posted to the NEC's website at www.escarpment.org.

The Niagara Escarpment



The Niagara Escarpment is recognized internationally, as one of the world's unique geological wonders being a 725 km ridge of fossil-rich dolomite rock rising prominently in southern Ontario. At its highest elevation, it soars 510 metres (1,625 feet) above sea level. The largely forested ridge traverses the most heavily developed and densely populated region of Canada from Queenston in Niagara Region, to the more scenic and natural landscapes of Tobermory in Bruce County, at the tip of the Bruce Peninsula.

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.

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.

This iconic landscape was designated as 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, now in its 25th year, 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 truly models sustainable land use planning with over 40 years of implementation that has served to protect Niagara Escarpment's vital resources, clean water, healthy green spaces for recreation, and protected ecosystem habitat for many species, including species at risk.

The Niagara Escarpment Commission

The Niagara Escarpment Commission (NEC) was established in June 1973 as a regulatory agency that operates at “arms length” from the provincial government in accordance with the *Niagara Escarpment Planning and Development Act (NEPDA)* and the former *Agency Establishment and Accountability Directive (AEAD)* (now *Agency and Appointments Directive (February 2015)*.) The *NEPDA* also established the planning framework for the Niagara Escarpment Plan (NEP) which the NEC administers by promoting the objectives of the plan, processing and making decisions on development permit applications and making recommendations on plan amendments.

The NEC is mandated to develop, interpret and apply policies that maintain and enhance the Escarpment’s unique environmental and landscape features and achieves the purpose of the *NEPDA* and NEP. The decisions of the NEC 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. A listing of Commission members (as of April 1, 2014) is included 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 NEC 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 and NEP

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.

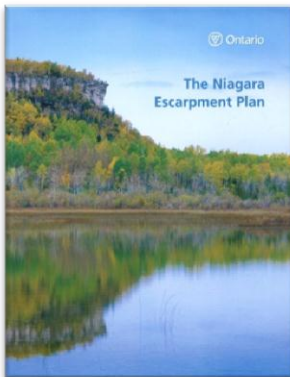
Guiding Principles

The Niagara Escarpment Commission will be guided by the following principles in carrying out its responsibilities, as described in its Strategic Plan 2012-16:

- 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; and
- Organizational excellence.

As a regulatory agency, the NEC also conducts itself according to the standards of the Government of Ontario, which include good governance and accountability practices, promoting diversity and inclusion and providing a high standard of service to the public.

The Niagara Escarpment Plan



The Niagara Escarpment and lands in its vicinity are protected by the Niagara Escarpment Plan (NEP.) In 1985, the Ontario government adopted this visionary environmental plan, which aims to maintain Ontario's Niagara Escarpment substantially as a continuous natural environment. Any development that occurs within the NEP Area must be consistent with this purpose.

The NEP Area covers portions of 22 local municipalities within seven regions and counties and the City of Hamilton. A map of the NEP Area is found in **Appendix 2** and a full list of the municipalities found within the NEP Area is contained in **Appendix 3**.

The NEP outlines land use designations and associated development criteria. The Plan also provides the framework for more than 150 parks and open spaces linked by the Bruce Trail. As well, the NEP protects significant natural heritage features and ensures the maintenance of the Escarpment's open landscape, conserving the Escarpment's scenery, agricultural land and complementary rural activities.

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 commenced in February 2015. NEP policies are being reviewed and considered alongside those of the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Growth Plan for the Greater Golden Horseshoe.

NEC Operations

The NEC's 'front-line' role as the province's environmental land use planning agency for the Niagara Escarpment Plan, aligns with the MNRF's strategic priority to strengthen management of natural resources to ensure ecological integrity and resilience. A Memorandum of Understanding (MOU) between the NEC and the Minister of Natural Resources and Forestry sets out the mandate, roles and responsibilities and core functions of the NEC.

The NEC's core functions focus on eight areas of activity:

- Processing of Development Permit Applications;
- Processing of Niagara Escarpment Plan Amendments;
- Land Use Planning Review (including input into the 2015 Co-ordinated Review of the Niagara Escarpment Plan, The Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and The Growth Plan for the Greater Golden Horseshoe);
- Conducting Environmental Monitoring;
- Supporting the Niagara Escarpment Parks and Open Space System (NEPOSS);
- Inspection, Investigation and Enforcement of the *NEPDA*;
- Promoting the objectives of the *NEPDA* and NEP through sustainable land use planning, and information and knowledge exchange; and
- Convening the Niagara Escarpment Biosphere Reserve.



NEC Strategic Plan 2012-16

The Strategic Plan 2012-16 established the guiding principles for the work of the Commission together with strategic goals and actions to implement them. Priorities are matched with actions to guide implementation of the Niagara Escarpment Plan and support organizational excellence. The Strategic Plan can be found on the Commission website at <http://www.escarpment.org/home/index.php>.

In the first three years of implementing the Strategic Plan, the NEC has made significant progress in achieving the goals. Here are some of the highlights of those achievements in 2014-2015:

- Significant work in preparation for the 2015 Co-ordinated Plan Review, including the completion of 18 Discussion Papers on key NEP policy issues and posting on website for public access (Goal 3, Action 3.5);
- Selected by the UNESCO to participate in an international Brand and Story Toolkit project, which aims to create a simple, consistent, and powerful core brand for world biosphere reserves (Goal 4, Action 4.3);
- Completed the 10-year Periodic Review of the UNESCO World Biosphere Reserve and was determined by UNESCO to meet the Statutory Framework of the World Network of Biosphere Reserves (Goal 4, Action 4.4);
- Collaboration with Halton Region, University of Waterloo and Ontario Parks on monitoring Escarpment forest biodiversity and tree health; State of the Escarpment reports prepared using GIS to analyze change in forest and wetland cover (Goal 5, Action 5.1);
- Investment in new web site design to improve service to the public (Goal 7, Action 7.2);
- Reviewed, consulted and/or approved 12 Niagara Escarpment Parks and Open Space System (NEPOSS) Master/Management Plans (Goal 8, Action 8.1);
- Continued succession planning through the recruitment of new employees to fill recent vacancies due to the staff retirements (Goal 9, Action 9.2);
- An integrated mapping component was developed to work with the Development Permit database to improve the input of locational information and streamline decision-making (Goal 10, Action 10.1); and
- A virtual tour of the Niagara Escarpment was developed using GIS technology to highlight prominent landscapes, parks and unique flora and fauna (Goal 10, Action 10.3).

Development Permit Activity



The NEC manages the Niagara Escarpment Plan through a Development Permit system, which 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 *NEPDA* requires individuals to obtain a development permit prior to undertaking any development within an area of development control unless it is a class of development exempt under Ontario Regulation 828/90. The permit is issued with terms and conditions as considered necessary by the NEC. The

proponent has a prescribed amount of time (normally one year) to fulfill the conditions of approval prior to issuance of a development permit. Once issued, a permit is typically valid for 3 years in which time the development is to be completed. The following table describes the development permit activity for 2014-15.

New Development Permit Applications Received	444
Conditionally Approved Applications	301
Refused Applications	2
Permit Application decisions refused/appealed	8
Development Permit Hearings attended	11
Final Development Permits Issued	228
Minister's/Hearing Officer's decisions	4

The number of Development Permits received in 2014-15 was roughly the same as the previous year (431). A concerted effort to deal with inactive files began in 2013-14 and was extended through 2014-15. This has resulted in a 24% reduction in Development Permit files that were more than one year old.

Niagara Escarpment Plan Amendments 2014-2015

As part of the administration of the NEP, the NEC processes applications to amend the Niagara Escarpment Plan. Usually such amendments are site specific and propose policy and/or map changes. The Minister of Natural Resources and Forestry can approve, modify or reject amendments and some are referred to the Niagara Escarpment Hearing Office for a decision if there are objections to the proposed amendment.

The NEC can also initiate amendments to update, improve, or clarify Plan maps and policies. This year, NEC staff also recommended that several policy amendment proposals be referred for consideration by the 2015 Co-ordinated Plan Review.

Applications for amendments received	4
Active amendments	21
Amendments initiated by NEC	4
Amendments recommended to Minister	4
Amendments approved by Minister	3
Environmental Review Tribunal and Joint Board decisions	0
Amendments deferred by applicant	2
Amendments referred to Coordinated Plan Review	6

Active Amendments as of March 31, 2015

File Number	File Name	Date Received/Initiated	Status
PH 143 03	Milton Outlier	March 20, 2003	Referred to Plan Review
PG 146 03	Castle Glen Recreation Area	July 17, 2003	Awaiting outcome of NEPA 175
PN 168 07	Reimer	November 15, 2007	Under discussion with stakeholders
PC 175 08	NEC - Escarpment Recreation Area	August 5, 2008	Referred to Plan Review
PH 180 09	Dufferin Acton Quarry	March 19, 2009	Endorsed by Commission
PC 183 10	Significant Woodlands	March 29, 2010	Referred to Plan Review
PH 185 10	Mount Nemo (PERL)	July 16, 2010	Referred by applicant
PS 194 12	Covington House	April 27, 2012	Referred by applicant
PW 195 12	Coverdale Pit	September 12, 2012	Approved by Minister September 18, 2014
PB 196 13	Hunter Court (OHT)	March 28, 2013	In circulation to agencies
PC 197 13	Pinchin Pit	October 17, 2013	With Minister for decision
PS 198 13	MacDonald Pit	November 21, 2013	Approved by Minister September 18, 2014
PH 199 14	Mercanti	January 16, 2014	Approved by Minister November 10, 2014
PC 200 13	OSSGA (Species at Risk)	December 13, 2013	Referred to Plan Review
PC 201 14	Species at Risk	December 2013	Referred to Plan Review
PC 202 14	Source Water Protection	December 2013	Referred to Plan Review
PC 203 14	Kerbel (Duncan Lake)	September 18, 2014	In circulation to agencies
PD 204 14	Doug's Haulage	September 19, 2014	In circulation
PH 205 15	Union Gas	January 6, 2015 (Application filed)	Initial staff report received by Commission
PS 206 15	Zeggil Construction	November 17, 2014 (Application filed)	Initial staff report received by Commission
PG 207 15	Caframo	February 17, 2015 (Application filed)	Initial report to Commission pending

Plan Amendment Highlights

Amendment 180 – Dufferin Acton quarry

In March 2015, the NEC endorsed the Plan Amendment for the proposed extension of the Acton quarry in the Town of Halton Hills and the related Development Permit application. The proposed extraction area is 49.31 hectares of which 27.7 hectares are within the NEP Area. Other lands owned by Dufferin would be designated Escarpment Natural and Protection Area (49 hectares) to protect natural features and allow future conservation and passive recreation uses. There are unresolved objections to the quarry expansion therefore, the file will be the subject of a future hearing under the *Consolidated Hearings Act*.

Amendment 195 – Coverdale Pit

This property is a former sand and gravel pit in the City of Hamilton. This Plan Amendment was approved by the Minister and changes the designation of this property from Mineral Resource Extraction Area to Escarpment Rural Area and Escarpment Natural Area, to reflect the surrender of the *Aggregate Resources Act* licence, which once covered a portion of the 36.9 hectare (91.2 acre) property.

Amendment 198 – MacDonald Pit

This property is a former pit in the County of Simcoe. This Plan Amendment was approved by the Minister and changes the designation of this property from Mineral Resource Extraction Area to Escarpment Protection Area, to reflect the surrender of the *Aggregate Resources Act* licence, which once covered a portion of the 31 hectare (77 acre) property.

Amendment 199 – Mercanti

On November 14, 2014, the Minister approved an Amendment to the NEP to add a special provision to apply to a property on Bluffs Way, part of Lots 14 and 15, Concession 2, N.D.S., in the City of Burlington, Region of Halton, to permit development associated with the construction of a single dwelling, on a lot that includes the identified habitat of an endangered species. The amendment was subject to mitigation measures and a required permit under the *Endangered Species Act*.



NEC Involvement in Other Land Use and Environmental Planning Processes

NEC staff works closely with NEP municipalities within the NEP area, 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 2014-2015, staff participated in the following planning processes:

Park & Open Space Master and Management Plans	13
Environmental Assessments, Sub-watershed Studies, and Source Water Plans	23
Transportation Master Plans	4
Forest Management Plans	3
Official Plan, Zoning By-law & Municipal Reviews	33
Provincial Policy Initiatives	6
Federal Policy Initiatives	2

Environmental Monitoring

In August 2014, NEC staff instructed University of Waterloo (UW) Environment and Resource Studies students, in the collection of forest biodiversity and tree health monitoring data at the 1 hectare study plot in the Hope Bay Forest 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. The Hope Bay plot was first inventoried in 1999 and is within the Escarpment Natural Area Designation of the NEP. Standard protocols were carried out to collect data on tree species, diameter-at-breast height, height classification, tree health assessment, shrub and sapling and ground cover layer sampling. Information gathered through this exercise is intended to contribute to evaluating NEP policy effectiveness in protecting core areas of the NEP.

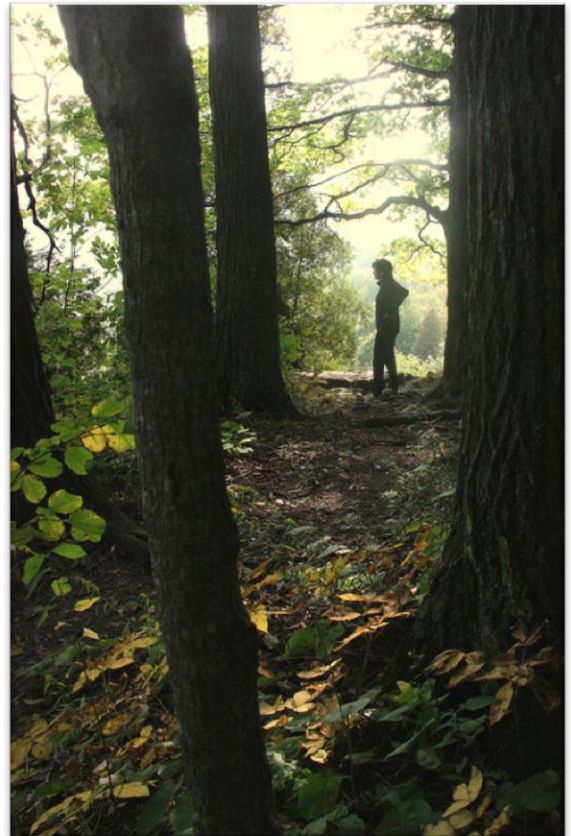


Niagara Parks and Open Space System (NEPOSS)

The Niagara Escarpment Parks and Open Space System (NEPOSS) now consists of 158 parks and open spaces on public lands acquired to protect the Escarpment's significant natural and cultural heritage. The NEPOSS Council is comprised of representatives from various park and open space agencies who work collaboratively to further NEPOSS objectives such as promoting land acquisition and public access. The NEPOSS Council is coordinated and administered by MNRF in partnership with the NEC. The Bruce Trail is the common linkage connecting the parks and open spaces.

Lands within the System are managed in accordance with the policies and objectives of the NEP. The NEPOSS Planning Manual (2012) provides guidance to park and open space agencies/bodies on the planning, development and implementation of management plans. In 2014-15, the park and open space descriptions in the NEP were revised to reflect the most up-to-date information. In addition, management plans were approved for three conservation areas managed by Conservation Halton: Hilton Falls, Rattlesnake Point and Crawford Lake.

Nine management plans were initiated and/or were under development in 2014-2015 by: the City of Hamilton (Churchill Park); Hamilton Conservation Authority (Spencer Gorge-Webster's Falls Conservation Area, Mount Albion Conservation Area, and Crook's Hollow); Credit Valley Conservation (Belfountain Conservation Area and Terra Cotta Conservation Area); Ontario Heritage Trust/Bruce Trail Conservancy (Cheltenham Badlands), and the Niagara Peninsula Conservation Authority (Cave Springs Conservation Area and St. Johns Conservation Area).



Additional NEPOSS achievements include land acquisition by the Bruce Trail Conservancy (44 hectares), the Grey-Sauble Conservation Authority in partnership with other agencies (18 hectares at the base of Old Baldy) and the Niagara Peninsula Conservation Authority (10 hectares adjacent to Ball's Falls Conservation Area).

Compliance Program

Ensuring compliance with the *NEPDA* and its regulations are a shared responsibility of the NEC and the MNRF. The NEC's Compliance Program is undertaken by way of an Inspections, Investigation and Enforcement (II&E) Protocol (Protocol) between the MNRF and the NEC. The Protocol was updated in 2014-2015. The Protocol describes the respective roles and responsibilities of the NEC and the MNRF in delivering inspections, investigations and enforcement functions that support the implementation of the *NEPDA* and its regulations. The *NEPDA* provides for administrative orders and offence provisions to address non-compliance.

Inspections are planned annually to monitor compliance with issued development permits and their conditions. Inspections may also be undertaken in response to information reported by NEC staff or the public, or as part of a targeted inspection campaign. Occurrence reports are used by NEC staff to evaluate a possible compliance violation and to track and report follow-up by the compliance specialist, or other staff members.

All NEC staff applies a risk management approach to compliance activities. A 2013 *How to Guide on Integrating Risk in MNR*, articulates the Risk Management Framework used to make strategic, risk-informed decisions, in response to compliance matters. In support of the shared delivery of II&E functions, and by applying an Informed Judgement Matrix (see diagram above), the NEC identifies the need for MNRF support at any stage of preparing for, or conducting an inspection or investigation. The request for support may be simply for advice on how to proceed on a compliance-related matter, or for the assistance of a Conservation Officer in an inspection, or for a Conservation Officer to take a lead role in the inspection or investigation. The NEC, in consultation with the MNRF, will evaluate the issue to determine the appropriate response from the suite of options in the compliance continuum. The options include encouraging voluntary compliance, using a development permit to gain compliance, an administrative order, a warning and/or laying of a charge.

The NEC maintains a system for occurrence reporting and information management to document and track referrals of occurrences, follow-up inspections, investigation and enforcement activities and the results. This information is reported annually and is used to assess the efficiency and effectiveness of compliance operations and to inform adjustments to compliance operations. A summary of the results of the II&E program follows.

Compliance Activities

In 2014-2015, the NEC received, recorded and reviewed 142 incidents (formally referred to as “occurrences”) for potential conflict with the *NEPDA*. Of these 142 occurrences, 6 were found to be not related to the *NEPDA* and were forwarded to other regulatory agencies for follow up, and 10 were deemed exempt from requiring a Development Permit from the NEC by Ontario Regulation 828/90. The remaining occurrences were reviewed for compliance with the *NEPDA* and NEP policy. Using the NEC’s newly adopted risk management approach, 65% of these occurrences were classified as “Low Risk,” 24% as “Medium Risk,” and the remaining 11% as “High Risk.” Through inspection and follow-up, 69 of the remaining occurrences were closed using voluntary compliance or corrective action by the landowner, and a further 25 were processed through the issuance of an as-built Development Permit from the NEC. Two files were referred to MNRF for further investigation and 8 tickets were issued under Part 1 of the Provincial Offences Act. The remaining 73 open occurrences have all been deemed low risk and are currently under review. Eight occurrences, from previous years, also remain open and are currently under review and being resolved.

The NEC also monitors compliance with the Conditions of Approval that accompany Development Permits. Using a risk-based selection process (see Diagram below), of the 228 Development Permits issued by the NEC, 17 inspections were conducted on sites that had received an approved Development Permit. Of the 17 permits inspected, 7 were found to be in compliance with the Conditions of Approval, 10 were found to be in non-compliance. All 10 were resolved voluntarily by the landowners/contractors with direction from NEC staff.

Informed Judgement Matrix for NEC Compliance Program

Informed Judgement Matrix (IJM)		Severity of Alleged Violations			
		1. Administrative	2. Minor Operational / Environmental	3. Medium Operational / Environmental	4. Major Operational / Environmental
Compliance History	A. No history/good compliance history	Compliance Category I (Low Risk)			
	B. Previous Minor Violation(s)				
	C. Previous Repetitive Violations	Compliance Category II (Medium Risk)			
	D. Obstruction or false information				
	E. Ongoing violation not resolved despite directions	Compliance Category III (High Risk)			
	F. Previous convictions or orders				
Category I - Encourage land owner to attain voluntary compliance. Recommend education and outreach to help the land owner understand regulatory obligations. Warnings or Inspection Reports may also be considered.					
Category II - Refer to stronger mandatory application of tools such as orders, suspensions and possible charges.					
Category III - Refer to the strongest mandatory compliance tools such as the laying of charges or the Restoration Orders.					

Engagement Highlights

The NEC encourages awareness of the NEP and the Niagara Escarpment Biosphere Reserve (NEBR) to the public, partners and clients by:

- Promoting the objectives of the NEP and the *NEPDA* through sustainable land use planning and policy implementation in the NEP Area;
- 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., hosting the Leading Edge Conference, convening a network of Niagara Escarpment Biosphere Reserve practitioners.)

In 2014-2015, the NEC engaged in a variety of communications initiatives and a few highlights are included below.

Ontario Association for Geographic and Environmental Education

In May 2014, the NEC gave a presentation to the Ontario Association for Geographic and Environmental Education (OAGEE) in Thornbury and conducted a field trip in the Town of The Blue Mountains. The OAGEE members were interested in learning about the NEC, NEP and *NEPDA*, World Biosphere Reserve Designation and local land use planning issues. The presentation was followed by a tour of Craigeleith Provincial Park and the Len Gertler Memorial Loree Forest.

Ontario Association of Committees of Adjustment and Consent Authorities (OACA)

In May 2014, NEC staff gave presentations to the OACA at Blue Mountain Resorts on the *NEPDA*, NEP and an overview of how the NEC staff process Development Permits and Plan Amendments. The session was well attended and included municipal representatives from across Ontario.

University of Waterloo/University of Toronto/Brock University

In August and September 2014, NEC staff gave presentations to students from University of Waterloo, Brock University and University of Toronto in Georgetown and on their campuses. The presentations provided an overview of the NEC program, including discussion on the Niagara Escarpment Biosphere Reserve's recent periodic review and the Ontario's Niagara Escarpment Monitoring program.

Niagara Escarpment – A UNESCO World Biosphere Reserve



A biosphere reserve is an international designation of recognition from the United Nations Educational, Scientific, and Cultural Organization (UNESCO). The three core functions of biosphere reserves are conservation, sustainable economic and human development and logistical to support research, monitoring and education.

The Niagara Escarpment was designated a biosphere reserve in 1990 for its important ecological and cultural values. In order to maintain status as a world biosphere reserve, UNESCO requires each biosphere reserve to undergo a review every 10 years and NEC staff led this review in 2012-13. In September 2014, the Canadian Commission for UNESCO confirmed Niagara Escarpment Biosphere Reserve (NEBR) continues to meet the criteria in the *Statutory Framework of the World Network of Biosphere Reserves* and merits continued designation as a World Biosphere Reserve.

With this confirmation, UNESCO also provided a number of recommendations to inform strategic priorities and action for the NEBR in the next 10 years. These recommendations included: promoting the sustainable development function based on a more balanced vision between human needs and nature conservation; clarifying leadership for sustainable development planning; and encouraging more collaboration amongst NEBR partners and other biosphere reserves in Canada.

In January 2015, NEC staff convened a preliminary meeting with a number of NEBR partners, many of which participated in the 10-year Periodic Review to explore the benefits of a more formalized and collaborative biosphere reserve network. All participants expressed support for making the existing informal NEBR network more formal.

In November 2015, the NEBR was selected by the UNESCO Euro-MAB Committee to participate in a Brand and Story Toolkit Project, which aims to create a core brand for world biosphere reserves that is simple, consistent and powerful and to develop tools to assist individual biospheres to communicate and market their biosphere reserve locally. The NEBR was one of four pilot world biosphere sites that participated in the international project.

NEC staff hosted a UNESCO-led workshop in February 2015 for a diverse cross section of NEBR organizations, representing a variety of interests. The outputs of the session will be used to inform communication strategies for the NEBR.

2015 Co-ordinated Land Use Planning Review

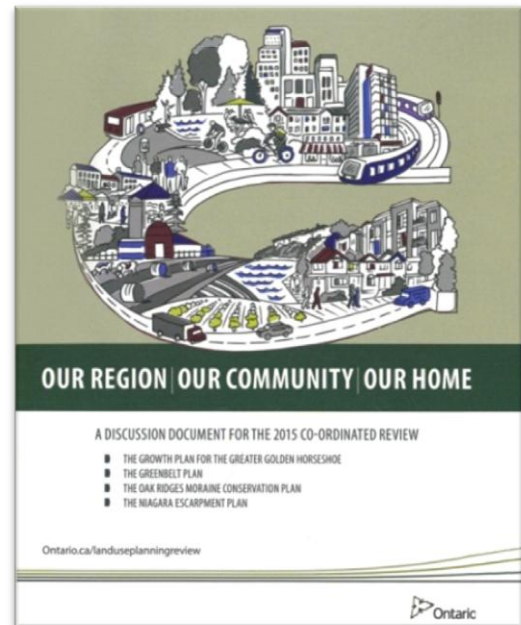
Throughout 2014-15, the NEC has continued its preparatory work for the ten-year statutory review of the NEP. On February 27, 2015, the Province announced that the four provincial land use plans, including the NEP, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the Growth Plan for the Greater Golden Horseshoe, would be reviewed in a co-ordinated manner. This approach ensures a consistent and integrated approach that will reinforce the complementary policy goals of the four plans and take into account the new Provincial Policy Statement approved in 2014.

NEC staff has continued to work on the 17 NEP review topics that were approved by the NEC in 2012 and have added four additional policy topics this past year, including cemeteries, cultural heritage resources, woodlands and species at risk.

Some of these policies have not been updated since the NEP was approved in 1985. Since then, there have been significant changes to Ontario's land use planning system, related legislation and provincial policy. The 2015 Co-ordinated Plan Review provides an opportunity for the NEC to propose changes that will clarify and strengthen NEP policies in light of these changes, as well as result in better alignment among the provincial plans.

Discussion Papers, which present the background research and policy options for each of the NEP review topics, are being developed and reviewed by the Commission and are posted on the NEC's website at www.escarpment.org. These Discussion Papers and the feedback received during the aboriginal, public and stakeholder consultations in 2015-16, will provide valuable input to the NEC's recommendations on amendments to the NEP.

More information on the Co-ordinated Plan Review can also be found on the Province's website at ontario.ca/landuseplanningreview.



Performance Measures

Performance measurement provides benchmarks for evaluation of agency effectiveness, efficiency, quality of service and accountability of action. The Commission has established performance measures to help provide important information on the time it takes to process applications, how access is provided to a variety of stakeholders and to what extent agency decisions are in conformity with NEP policies. In addition to these measures, the NEC began monitoring customer service inquiries by initiating a two week biannual recording of public inquiries. This data helps the NEC better understand the volume and nature of inquiries from the public, which in turn helps align NEC administrative and professional resources to the needs of the NEC's customers and clients. By monitoring NEC performance, the Commission can evaluate the effectiveness of policies, quality standards and/or practices, in meeting its approved performance goals. The following measures were met in 2014-15.

Activity	Measure	Result
Posting of Memorandum of Understanding (MOU), Annual Report and Annual Business Plan.	2015 Agency and Appointments Directive requires Memorandum of Understanding (MOU), Annual Reports and Business Plans be posted upon approval of the Minister of Natural Resources and Forestry. Approved plans and MOU posted here: http://www.escarpment.org/commission/AgencyDirectiveReporting/index.php	MOU with the Minister of Natural Resources, 2014-17 Business Plan and the 2012-13 Annual Report were posted by April 1, 2015. The 2013-14 Annual Report has not been approved by the Minister at the time of this report.
Commission Meetings	Minutes of Commission meetings are posted on the NEC website (escarpment.org). Commission meetings are open to the public. Applicants and other stakeholders are provided opportunities to address the Commission in writing or in person.	Eleven public Commission meetings were held (including two policy meetings).
Conflict of Interest (if any) by Commissioners or staff	Declaration to Chair or Director as required by OPS directives.	One declaration was made to the chair.
Commission Decisions	Conformity with NE Plan policies and recommendations.	Decisions of Commission were in conformity with the NE Plan policies.
Accessible Public Service	As per OPS Customer Service Standards, staff are available from 8:30 am to 5:00 pm at Commission offices (Georgetown and Thornbury) Monday to Friday and other times by appointment.	Achieved.

Activity	Measure	Result
	Annually, the NEC is required to attest compliance with the Accessibility for Ontarians with Disabilities Act (AODA).	
Telephone	As per OPS Customer Service Standards, calls are answered by the third ring or sent to voicemail (during business hours). Calls are returned within one business day.	Achieved.
Correspondence (Written, Email and Fax).	As per OPS Customer Service Standards, emails and online messages that require a response are acknowledged within two business days and answered within 15 days.	Achieved.
Provide relevant information: application guidelines, forms, maps, and publications.	Current guidelines, maps and applications are provided to clients and the public in both electronic (on NEC website) and printed formats.	67,492 visits to the NEC website (an 18% increase over 2013-14) with 19,329 page views of the Plan Maps section.
Development Permit Applications	NEC decision time will vary depending upon the complexity of the application, the response time of proponent to requests for additional information and response time for commenting agencies over which the Commission has little control. Less complex applications will take from 10 to 12 weeks. More complex applications will take longer.	Achieved 10 to 12 week processing for less complex files. New file classification system will provide better estimates to clients on processing times based on the complexity of files.
Niagara Escarpment Plan Amendment Applications	NEC staff follow <i>NEPDA</i> requirements for processing Plan Amendments. Plan Amendments are posted on NEC website and on the Environmental Registry for public review.	<i>NEPDA</i> requirements met.
Review of municipal Official Plans, consents, zoning by-laws, etc.	NEC reply within due date (usually 30 – 60 days depending on complexity)	Achieved. Commented on 33 <i>Planning Act</i> instruments by due date.
Reports of potential compliance issues.	Response within 48 hours of notification (call back, site inspection, or occurrence report logged).	Achieved.
Public Access to Information	The NEC meets established timelines as set out by the Ministry of Natural Resources & Forestry, Information, Privacy and Records Management Unit in order to meet Freedom of Information and Protection of Privacy Act (FIPPA) requirements.	Three FIPPA inquiries processed within prescribed timelines.

Financial Summary

The following provides a summary of the 2014-2015 operating budget and expenses.

Account Categories	2014-15 Budget	2014-15 Actual Expenditures
Salary and Wages	\$1,730,000	\$1,789,239
Employee Benefits	242,300	294,372
Total	\$1,972,300	\$2,083,611
Transportation & Communication	100,000	64,082
Services	277,800	272,324
Supplies and Equipment	60,000	40,336
Total	\$437,800	\$376,742
Grand Total	\$2,410,100	\$2,460,353

The NEC's current staffing complement is 23 Full-Time Equivalent (FTE) employees with 19 in the main Georgetown office and 4 in the satellite Thornbury office. Additional staffing has been required to undertake the research, consultation and analysis in preparation for the coordinated plan review. These resources are temporary until the outcome of the review is realized.

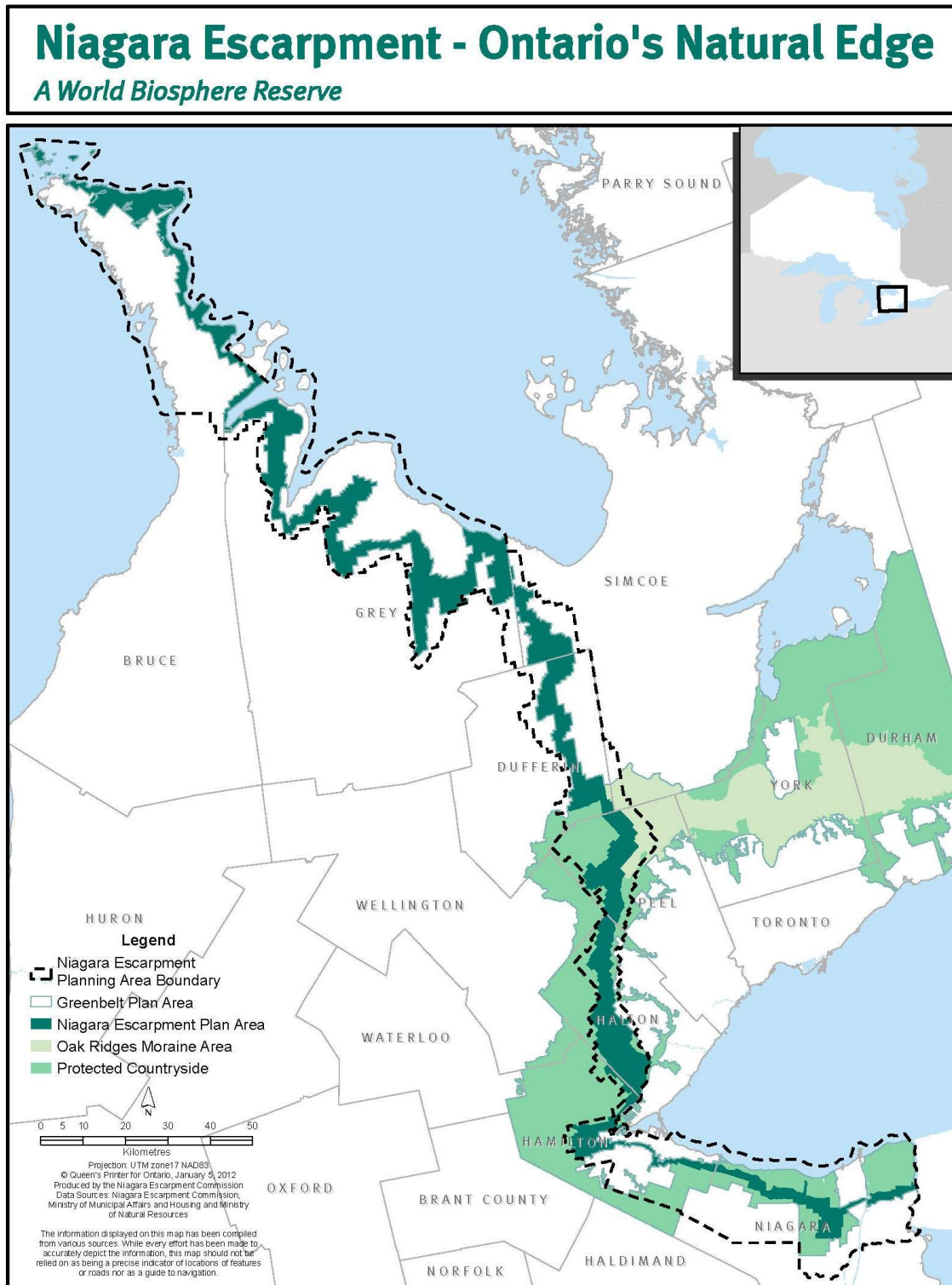
The NEC's non-salary or operating allocation is composed of several categories of funds. These categories include Transportation and Communication (e.g., telephones, mail and travel expenses, etc.), Services (e.g., computer leases, per diems, leased office equipment, staff development & education, vehicles, Commission meetings, litigation costs, etc.) and Supplies and Equipment (e.g., office supplies and IT supplies). If those monies are not spent on NEC operations, they are returned to the MNRF. Any forecasted in-year savings or pressures in operating or salary are discussed with MNRF on a quarterly basis. Commissioner travel expenses are posted on the NEC website quarterly.

The NEC was overspent by \$111,311 in salary and underspent in operating by \$61,058. Salary expenditures were higher than budgeted amount due to payments to exiting staff as part of the Transition Exit Initiative that supports transformation of the Ontario Public Service. NEC was underspent in operating largely because a forecasted charge back of approximately \$22,500 for higher line speed to help with data transmission problems that did not happen, renewal of two Commissioner positions did not occur as anticipated and some members did not attend meetings for a savings of approximately \$24,100.

Appendix 1: Niagara Escarpment Commission Members (As of April 1, 2014)

Commissioner	Municipal Public-at-Large	Region/County/ City	Term Expires
Tom Boyle	Municipal	Bruce County	May 11, 2015
Paul McQueen	Municipal	Grey County	May 3, 2015
Shawn Davidson	Municipal	Simcoe County	May 11, 2015
Ken McGhee	Municipal	Dufferin County	May 3, 2015
Richard Paterak	Municipal	Peel Region	December 4, 2014
Allan Elgar	Municipal	Halton Region	April 5, 2015
Russ Powers	Municipal	City of Hamilton	May 3, 2015
Brian Baty	Municipal	Niagara Region	May 2, 2015
Don Scott (Chair)	Public at Large	Warton	July 17, 2016
Don Alexander	Public at Large	St. Catharines	April 15, 2016
Georgina Beattie	Public at Large	Winona	April 15, 2016
Nars Borodczak	Public at Large	Oakville	April 3, 2017
Corwin T. Cambray	Public at Large	St. Catharines	July 8, 2016
Joan Little	Public at Large	Burlington	April 15, 2016
Cecil Louis	Public at Large	Toronto	April 15, 2016
Moreen Miller	Public at Large	Alton	April 15, 2016
Vacant	Public at Large		Vacant since February 7, 2014

Appendix 2: Niagara Escarpment Plan Map



Appendix 3: Municipalities in 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

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