

NIAGARA ESCARPMENT COMMISSION

2017-2018 ANNUAL REPORT

Ontario's Niagara Escarpment

Niagara Escarpment Commission

An agency of the Government of Ontario

Ontario

June 29, 2018

THE MINISTER OF NATURAL RESOURCES AND FORESTRY

I have the honour to submit to you the Annual Report of the Niagara Escarpment Commission for the year commencing April 1, 2017 and ending March 31, 2018.



Russ Powers
Chair, Niagara Escarpment Commission

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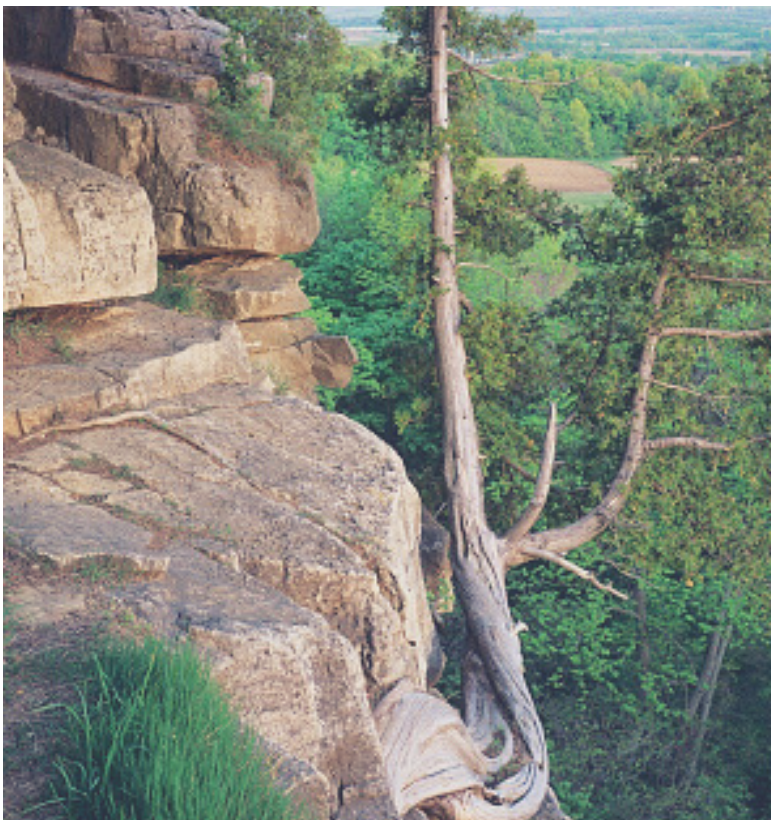
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INTRODUCTION AND BACKGROUND

A NOTE TO DON





As I sit to craft my remarks for this 2017 – 18 Annual Report of the Niagara Escarpment Commission (NEC), my mind recalls the very first time that I interacted with Don Scott. It was 1998 and Don was the Chair of the NEC and I was the Chair of the Hamilton Region Conservation Authority (HRCA). The Dundas Valley which contains many of the prominent physical features of the Escarpment was, as today, an attraction for many. He and I, along with NEC and HRCA staff worked to accommodate and direct those multitudes of visitors in safe yet meaningful manner while preserving those elements that must be protected.

Don Scott was appointed by the Province of Ontario in 1997 to head the Niagara Escarpment. He brought an extensive and experienced planning background to his position which became increasingly evident over time. He has come to know virtually every metre of NEC jurisdiction. His passion for this rough-cut jewel was clearly evident as he carried out his responsibilities. He, with staff, took us through a number of reviews including the most recent, the Co-ordinated Land Use Planning Review (Co-ordinated Review) which refreshed the policies of not only the NEP but three other Provincial Land Use Plans. We continue on the right track because of you.

On behalf of all current and former NEC Commissioners and staff, we truly thank you for your selfless dedication and direction over your twenty years of involvement. The entire Niagara Escarpment from Queenston to Tobermory is a better place to live and play through your contribution.

Myrna and Don, we wish you well!

Sincerely,

Chair, Russ Powers



CHAIR'S MESSAGE

The 2017-18 fiscal year was one of significant renewal, refocus and achievement for the NEC.

In May 2017, the Ontario government concluded the Co-ordinated Review with the update of the four major provincial plans in southern Ontario: the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, the Growth Plan for the Greater Golden Horseshoe and the Niagara Escarpment Plan (NEP).

The Co-ordinated Review process required significant time and resources from the Commission in fulfilling its role of providing policy analysis, advice and recommendations to the Minister of Natural Resources and Forestry. And with that important work complete, the Commission shifted its focus early in the year to implementing the new NEP.

In June 2017, NEC management presented a multi-year Operational Strategy to the Commission with a renewed focus on improving customer service and organizational effectiveness. The strategy addresses the agency's growing volume of work, which is driven by increased development pressure in the NEP area and greater policy and regulatory complexity related to processing NEC applications.

To help address these pressures, the Ministry of Natural Resources and Forestry (MNRF) provided additional funding in 2017-18, which allowed the NEC to hire more planning staff and implement efficiency measures as part of its Operational Strategy, including the introduction of a new "team-based" and region-focused service delivery model.

Early indications are that the added resources and new service delivery model are working; the number of Development Permit Applications processed by the NEC grew from 644 the previous year to 823 in 2017-18—an impressive increase of 28 per cent.

Another function of the new team-based approach is to put a greater focus on communications and outreach, and facilitation of collaboration and partnership. To that end, in February and March 2018, the NEC hosted three, two-day outreach sessions across the NEP area to provide regulatory partners and stakeholders with orientation on the new policies, and to introduce the new service delivery model. More than 350 people attended the sessions, which are leading to many follow-up sessions and collaboration opportunities with individual partners and stakeholders.

Earlier in the year the NEC—in partnership with Plenty Canada, a not-for-profit organization focused on promoting traditional Indigenous knowledge systems—hosted two Indigenous engagement sessions as part of its role as convenor of the Niagara Escarpment Biosphere Reserve. The goal of these sessions was to create awareness of the Escarpment's designation as a United Nations Educational, Scientific Cultural Organization (UNESCO) World Biosphere Reserve, and to encourage Indigenous partnership and participation in the work of the biosphere reserve. Also in 2017-18, the terms of 10 Commissioners expired. Throughout the year the government appointed new Commissioners and much effort has gone into providing the orientation and training new members need to perform their roles as provincial appointees. As of the end of the fiscal year, there were 13 Commissioners, with the remaining four vacancies expected to be filled early in 2018-19.

The release of the updated NEP represents a renewed commitment to the mandate of the NEC on the part of the Ontario government and a desire to preserve this iconic landform. As the NEC's new Chair, I am energized and committed to continue the positive momentum and progress that was started in 2017-18. And as a life-long resident of the Hamilton area, who literally makes his home in the shadow of the Escarpment, I am truly honoured to lead a great organization that is supported by outstanding individuals who are truly dedicated to striking a balance between development and protection on this majestic natural feature.

Sincerely,



Chair, Russ Powers

Spanning 725 kilometres from the tip of Niagara Region to the top of the Bruce Peninsula, the Niagara Escarpment is one the world's most magnificent natural landforms. More than 450 million years old, the Escarpment is the cornerstone of Ontario's Greenbelt and home to Canada's longest footpath, the Bruce Trail. As one of the last remaining bands of continuous forest cover and natural heritage linkages in southern Ontario, it provides vital habitat for numerous species at risk and is the source of many of the Greater Golden Horseshoe's major river systems.

In 1973, the Ontario government passed the Niagara Escarpment Planning and Development Act (NEPDA) to protect the Escarpment. Through the NEPDA, a land-use planning process was put in place and the NEC was established.

In 1985, the Province created the NEP, Canada's first large-scale environmental land-use plan. The NEP area covers 195,000 hectares in portions of 22 local municipalities within seven regions and counties and the City of Hamilton. The plan establishes land-use designations, development criteria and related permitted uses. It also provides the framework for a string of more than 160 parks and open spaces linked by the Bruce Trail.

While the NEP is predominantly an environment-first plan, its role in preserving the open-landscape character of the Escarpment and supporting agriculture is also good for business in Ontario. Rural and agricultural communities on the Escarpment support thousands of jobs and produce food consumed by people locally and all over the world, contributing millions of dollars annually to the region's economy. As well, the Escarpment contributes an estimated $100 million annually to local and regional economies through tourism.

In 1990, this visionary model of environmental protection established through the NEC and the NEP earned the Escarpment recognition as a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Biosphere Reserve—one of 18 across Canada. This prestigious designation recognizes the Escarpment as an internationally significant landform that promotes environmental sustainability with compatible human activities.

With the Escarpment traversing the Greater Golden Horseshoe, today one of the most heavily developed and fastest growing regions in North America—with a population of 9.245 million—the preservation of this precious and world-renowned landscape has never been more challenging and important.



THE NIAGARA ESCARPMENT



NIAGARA ESCARPMENT COMMISSION

The NEC was established in June 1973 as a non-board governed regulatory agency that operates at “arms-length” from the provincial government.

The NEC’s role is to administer the NEP by making decisions on proposed development permit applications, and making recommendations to the Minister of Natural Resources and Forestry on proposed plan amendments. The NEC is mandated to interpret and apply policies of the NEP in a way that achieves the purpose and objectives 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 positions—16 Commissioners and a Chair—appointed by Order-in-Council. Nine members, including the Chair, represent the public-at-large and eight members represent the upper- and lower-tier municipalities within the NEP area. A full list of Commission members that served in 2017-18 is listed in Appendix 1.

The Commission meets on a monthly basis to consider development permits applications and land-use proposals, policy items and amendments. Meetings are open to the public and are usually held at the NEC’s main office in Georgetown. The NEC is supported by 24 full-time and three seasonal staff positions.

Renewal of Commission in 2017-2018

In 2017-18 the terms of 10 Commissioners expired. These were long-standing, dedicated members that collectively represented more than 150 years of experience with the Commission. A major achievement was presiding over the NEC’s fulfillment of its obligations under the Ontario government’s Coordinated Review process and the ultimate renewal of the NEP.

Throughout 2017-18, the government appointed six new Commissioners, and the remaining four vacancies are expected to be filled in early 2018-19.



THE NIAGARA ESCARPMENT PLAN

The Niagara Escarpment and lands in its vicinity are protected by the NEP. In 1985, the Ontario government adopted this visionary, environmental-first plan, which aims to maintain the Escarpment "substantially as a continuous natural environment". Any development that occurs within the NEP area must be compatible 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 160 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, 2005 and most recently in 2017. In 2005, the NEPDA was revised to coordinate the review of the NEP with the 10-year review of the Greenbelt Plan. In May 2017, the most recent review came to a conclusion with the release of four revised provincial land use plans: the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, the Growth Plan for the Greater Golden Horseshoe, and the NEP. The updated NEP came into effect on June 1, 2017.

In updating and approving the NEP, the Ontario government renewed its commitment to protecting the Niagara Escarpment. The NEP (2017) includes updated mapping that reflects changes on the landscape, and new policies that provide strong protection for natural heritage features and functions. New agricultural policies support the Province's efforts to grow Ontario's agri-food sector, and ensure that farming continues to be a viable economic activity in prime agricultural areas.

STRATEGIC AND OPERATIONAL CONTEXT

As a provincial agency, the NEC functions in accordance with the following values of the Ontario Public Service (OPS): trust, fairness, diversity, excellence, creativity, collaboration, efficiency and responsiveness. The NEC's strategic focus is rooted in MNRF's vision as set out in its strategic plan, Horizons 2020.

...a healthy and naturally diverse environment that enables and contributes to sustainable development in Ontario.

The NEC is governed by the NEPDA, the provincial government's Agencies and Appointments Directive and a Memorandum of Understanding (MOU) between the NEC Chair and the Minister of Natural Resources and Forestry. The NEPDA establishes the planning framework for the NEP. The role of the NEC is to implement the NEP in a way that achieves the purpose and objectives of the plan and the act:

Purpose

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.

Objectives

- To protect unique ecological and historic areas
- To maintain and enhance the quality and character of natural streams and water supplies
- To provide adequate opportunities for outdoor recreation
- To maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery
- To ensure that all new development is compatible with the purpose of the plan
- To provide for adequate public access to the Niagara Escarpment
- To support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the Planning Act.

The MOU between the NEC Chair and the Minister of Natural Resources and Forestry provides additional detail to the NEC regarding its mandate and core functions. Taken together, the NEPDA, the NEP and the MOU define the governance structure of the NEC.

Under the provincial government's Agencies and Appointments Directive, all provincial agencies are required to undergo a mandate review at least once every seven years. In 2017-18, the government procured the advisory services of the not-for-profit Institute on Governance to conduct the review of the NEC's mandate. The purpose of the review was to assess if the NEC's mandate remains relevant, is being met, and is being met in the most appropriate way. As part of the mandate review, the NEC's governance and strategic documents were reviewed, and several MNRF and NEC staff and Commission members were interviewed. As of the end of 2017-18, the mandate review was not yet complete.

Also as part of the Agencies and Appointments Directive, the 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 in fiscal year 2017-18, along with the accompanying financial statement. Once approved by the Minister, the Annual Report is posted to the NEC's website at www.escarpment.org.



OPERATIONAL STRATEGY

OPERATIONAL STRATEGY OVERVIEW

In June 2017, the NEC began implementing a multi-year Operational Strategy. This section of the Annual Report provides a detailed report on initiatives under the Operational Strategy, and progress made in 2017-18.

The NEC's Operational Strategy has four main priorities, as outlined in Figure 1 below. The strategy formed the basis of the NEC's 2018-2021 Business Plan, which was submitted to MNRF in December 2017 and approved by the Minister in February 2018. Specific activities and achievements under each of the priorities are described in the sections that follow.

2017 Operational Strategy

Figure 1

1. Business & Organizational Effectiveness

- Develop and align resources (people, information, tools, space) to support effective program implementation

3. Streamlined & Modernized Regulations

- Refine Development Control boundary and consider regulatory refinements to support effective processes and efficient service delivery

2. Promote the NEC

- Promote updated NEP and Biosphere Reserve Designation
- Educate partners, clients, Indigenous communities and the public on new NEP policies and processes
- Seek partnerships and collaboration

4. Enabling Legislation

- Longer Term - Consider and provide advice to Minister on legislative change focused on process improvements and more efficient program delivery

1. BUSINESS AND ORGANIZATIONAL EFFECTIVENESS



Team-Based Model

In June 2017, the NEC implemented a new service delivery model that assigns multi-functional teams to deliver the full range of NEC services to designated, geographic-based client groups. Three teams were created – one for each of the southern, central and northern portions of the NEP area. The goal is to improve customer service by increasing collaboration, sharing workload through efficient and consistent triaging and providing a forum to facilitate knowledge transfer, continuous improvement and collaboration with regulatory partners. Figure 2 below captures the purpose and function of the teams.

Figure 2

Integrated Team Approach

WHY

- Ensure effective NEP implementation
- Enhance customer service
- Engage stakeholders, collaborate, develop partnerships
- Biosphere reserve Convener
- Equitable distribution of workload

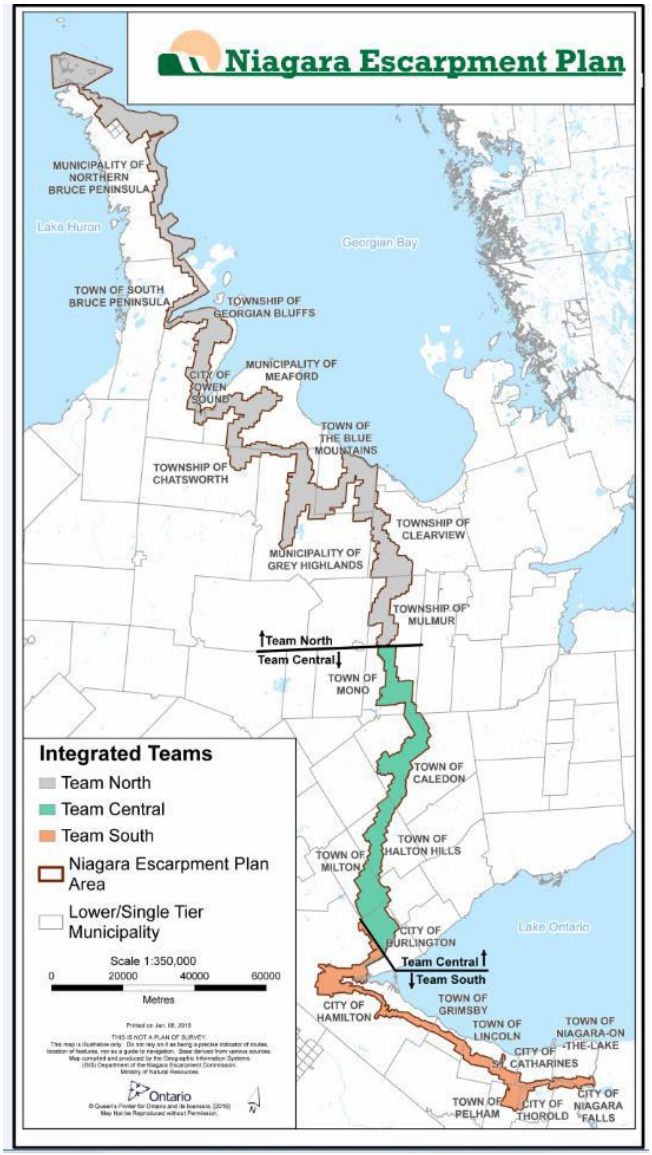
HOW

- Integrated Teams that:
  - are geographically based
  - include all aspects of our core business
- Provide end-to-end support
  - Policy, program implementation, compliance
- Special projects focused on efficiencies and effectiveness

WHAT

- Three Integrated Teams
  - North (Bruce, Grey, Simcoe, North Dufferin)
  - Central (South Dufferin, Peel, Halton)
  - South (Hamilton, Niagara)

Figure 3

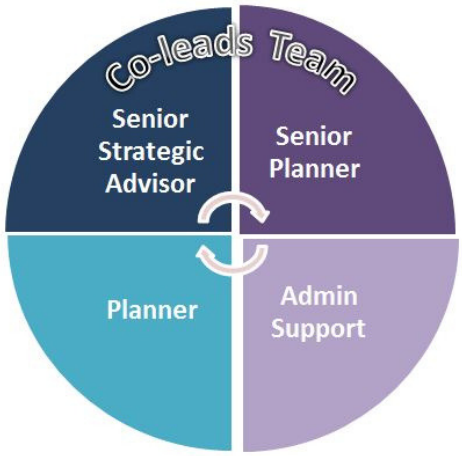


The geographic areas of each team are shown in Figure 3. Boundaries for the teams are based on the volume of development permit applications during the previous five fiscal years.



Figures 4 below shows the positions that make up each team, and the positions that provide subject-matter expertise and support across all three teams.

Figure 4



Support Across all Teams	
GIS, IM & IT Unit	Landscape Architect
Compliance Specialist	Marketing & Communications
Commission Meeting & Admin Support	

Figure 5 below compares the volume of development permit applications received by the NEC with the volume processed during the last three fiscal years. The data shows that while the number of applications received continued to rise year over year, the NEC's capacity to process this increased workload grew by 28 per cent in 2017-18 (from 644 in 2016-17, to 823 in 2017-18)—the year the Operational Strategy was introduced and the new team-based service delivery model was implemented.

Figure 5

	Fiscal 2015/2016	Fiscal 2016/2017	Fiscal 2017/2018
Applications Received	650	746	760
Application Processed	519	644	823
*Active Applications (as of March 31)	521	633	585
**Backlog +/- (as of March 31)	131	102	-63

* Due to a number of factors, some files carry over fiscal years. The Active Applications category represents the number of total open files at any given point in time, regardless of when they were submitted. It is accumulative and is not dependent on any given fiscal year.

** The Backlog category measures whether the total number of open applications (i.e. Active Applications) is growing or shrinking. If more applications are processed than received in a given fiscal year, the backlog is decreased. Conversely, if more applications are received than are processed in a fiscal year, the backlog grows.

Recruitment and Succession Planning

Implementation of the team-based service delivery model has necessitated that the NEC enhance its staffing capacity. This has involved the following major initiatives.

Reviewing Job Descriptions

NEC management initiated a review and re-write of all job descriptions in 2017-18 to better reflect the roles and expectations within the new service delivery model. The re-writing of job descriptions for all planning, administrative and GIS, IM & IT staff were completed to reflect the enhanced scope and responsibilities associated with the team-based approach and program needs.

Enhancing Capacity

The second initiative involved the NEC staffing up to its FTE[1] limit of 24, and moving forward with hiring four positions on a seasonal basis (42 weeks a year) to support its core planning and compliance work and to improve customer service. This resulted in significant recruitment efforts in early 2018, as summarized in Figure 6 below.

Figure 6

2017-18 Staffing and Recruitment Summary	
New Positions	Planner (permanent) – Thornbury office • Created to support effective implementation of the team-based model, and provide needed ongoing support to Northern Integrated Team.
	Planner (seasonal) – Georgetown office • While a seasonal Planner positions existed, there were 2 additional positions created to support the Central Team.
	Senior Planners (permanent) – Georgetown office (two additional positions) • Supports balanced distribution of development and planning applications, and enhanced program delivery. • One additional Senior Planner assigned to each of the Southern and Central Teams.
	GIS, IM & IT Analyst (permanent) – Georgetown office • Key position created to enhance GIS, IM & IT capacity, and support significant progress in data collection, management and implementation tools.
	Compliance Specialist (Seasonal) – Georgetown office • New seasonal position to address growing compliance/enforcement occurrences related to increased development in the NEP area.
Vacancies	Senior Planner – Thornbury office • To fill vacancy created by a retirement in February, 2018.
	Senior Planner – Georgetown office • To fill temporary vacancy associated with parental leave
	Administrative Coordinator – Georgetown office • To fill vacancy created by a retirement in December, 2017.

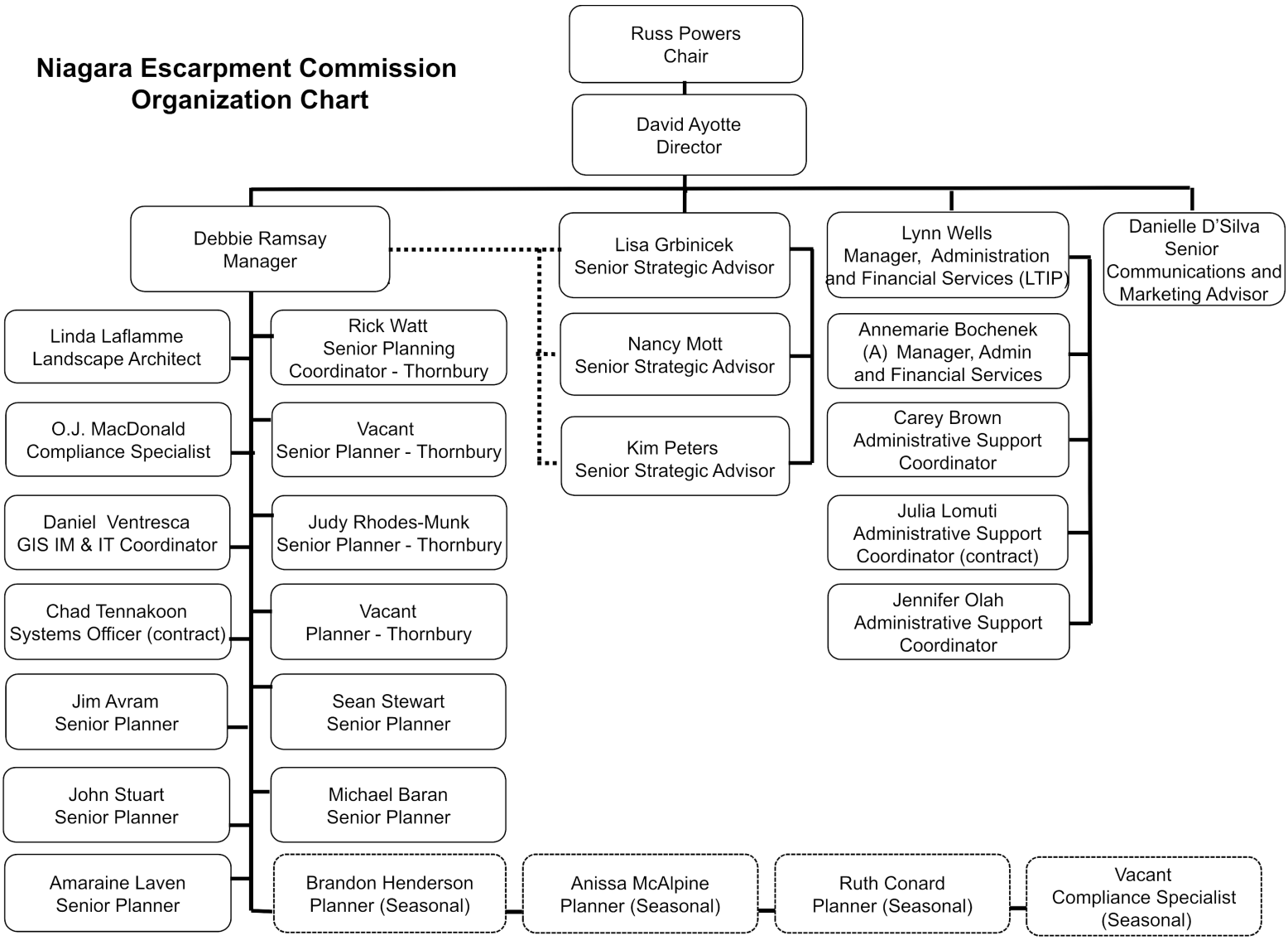
1 FTE limit refers to the number of full-time permanent staff within the organization.

Succession Planning

Succession planning is important to ensure the NEC continues to be a healthy and vibrant organization, and has the staff capacity to effectively implement the Niagara Escarpment program. The NEC has experienced recent staff retirements, and more are anticipated in the next few years. Also, several new positions have been created which have necessitated recruitment.

Over the past year, the NEC's recruitment activities have resulted in new staff joining the Commission that bring experience from other sectors, have varying educational backgrounds and are early in their careers. This has significantly enhanced the NEC's succession planning capabilities. Sufficient capacity and diversity exists such that the impact of staff turnover through career progression and retirement will be significantly minimized. Further, implementation of the team-based model has enhanced collaboration, mentoring of junior staff and sharing of knowledge resulting in an organization that is more nimble and can more readily align its resources to emerging challenges. Figure 7 is the NEC's current organization chart.

Figure 7



Enhancements to Staff Training

Land-use planning is an ever-changing and highly complex discipline. In 2017-18, the NEC initiated a Learning Strategy to ensure staff members are keeping pace with this change, have the skills and knowledge they need to do their jobs effectively, and that learning opportunities are provided strategically and equitably across the NEC.

NEC staff participated in the following group learning events in 2017-18 (information in the brackets indicates who provided the training):

- Giving evidence at hearings (MNRF Legal Services Branch)
- Posting on the environmental registry (MNRF staff)
- Implementing the NEP 2017 (NEC/MNRF staff workshop)
- Operational Strategy, team building (NEC staff workshop)
- Duty to consult (OPS webinar)
- Local Planning Appeal Tribunal (OPS webinar).

In addition to NEC staff, Commissioners—especially new Commissioners—require orientation and training to fulfil their roles as provincial public servants. In 2017-18, the terms of 10 Commissioners expired, representing more than 150 years of collective experience on the NEC. Throughout the year, the government appointed several new Commission members—including a new Chair.

Much time and effort of NEC staff has been dedicated to providing orientation and training to these new members, as well as training the full Commission on the new policies of the updated NEP:

- A full day of training was provided by NEC staff to the Commission in June 2017 on the new policies of the NEP, as well as implementation challenges
- All new NEC appointments receive a full day of orientation and training, along with a comprehensive package of guidance material, prior to their first Commission meeting.

With four new appointments expected in 2018-19 to bring the Commission to full capacity, and with the continued implementation of the updated NEP, staff learning and Commission training and orientation will remain a strong focus for the NEC in the coming fiscal year.





Business Process Improvement

The NEC recently began mapping its main business processes as a means of improving organizational effectiveness, both in terms of finding business efficiencies and enhancing customer service. Business process mapping involves documenting processes in a flowchart format, and initiating an ongoing effort of continuous improvement by identifying redundancies, bottlenecks, and other workflow inefficiencies.

To date, the NEC has documented the development permit application process, the property inquiry process, and how development permit exemptions are issued. Work on additional business processes will continue into 2018-2019, including the NEP amendment process, and appeals and hearings process.

In documenting business processes, NEC staff has already identified a number of efficiencies, and a greater definition of staff roles and responsibilities is emerging. Documenting business processes will also build a permanent record of how NEC business is done, which is an invaluable training and succession-planning tool.

Database Renewal and Information Technology Enhancements

The NEC's current database, which serves its core business function of processing development permit applications, dates back to the early 2000s and has reached its end-of-life cycle. The current database lacks any of the robust relational and search capabilities of modern applications, is prone to human error and cannot produce the statistics required to measure performance and support continuous improvement.

In 2017-18, the NEC began to address this challenge on two fronts:

a) Replacing the existing permit application database

- Working with MNRF, the NEC submitted a project proposal through the Ministry's Committee on Information Management and Information Technology to replace the existing permit application database with a modern information management system.[1]
- The initial phase of the project included a high-level preliminary scoping to determine available solutions, and associated costing, to provide a blueprint for the development of a modern information management system.
- The solution identified will bring together NEC's disparate business information into a singular application in an easy to use and intuitive user experience that also meets the appropriate standards of security and privacy.
- The next step will involve determining the best option, working with MNRF to secure the requisite funding to move forward, and prioritizing the NEC's database project within the MNRF's broader IT strategic priorities.
- MNRF is expected to provide the NEC with options for a new solution early in 2018-19.

b) Enhancements to the existing permit applications database

- The existing permit application database is a critical application that is utilized by NEC staff on a daily basis. Until such a time when a new system is developed, the NEC has undertaken a process to clean-up the data and to maintain and enhance the existing permit application database to ensure it is operating as efficiently as possible.
- Overall the process has led to a better representation of current active applications within the permit application database, which has supported the setting of priorities and the triaging of development permits by the NEC's new team-based approach. It has also enabled the effective quantification and monitoring of the development permit process, thereby improving service delivery while also enabling improved tracking of information. Ultimately, it has optimized the existing system, to the extent possible given its limitations, allowing the NEC to make better informed and evidence-based decisions.

In 2017-18, the NEC also undertook a number of IT initiatives focused on enhancing productivity:

a) NEC Georgetown File and Printer Server

- NEC's main Georgetown office location secured a new file and printer server to replace a server that had reached its end-of-life cycle. The new server now provides additional storage capacity and improved performance, particularly when searching and retrieving data and information.

b) Wireless Network

- The NEC procured a wireless local area network (WLAN) for the Georgetown office in order to provide Wi-Fi access to the internet for staff, Commissioners and guests. This has increased mobility and flexibility by allowing NEC staff and Commissioners to remain connected to the internet and the local area network throughout the office. This is particularly helpful to Commissioners during Commission meetings.

c) GOnet

- The OPS awarded TELUS the new network infrastructure services GOnet contract for the maintenance and delivery of network services across the province. GOnet is a suite of network access services that enables user connectivity to business applications, communications services (email, instant messaging, etc.), remote access, and security services in all OPS locations.
- Both NEC office locations were migrated to GOnet resulting in stronger network performance and security measures, while also mitigating service disruptions.

c) Local Area Network Uplift

- The increased use of online services and cloud-based applications has put a strain on the existing local area network capacity at both NEC's offices, resulting in a degradation of network performance which has negatively impacted productivity.
- NEC's Georgetown office requested and received a network uplift to 30 megabits per second (Mbps) from 5 Mbps. This has resulted in increased network capacity and has improved efficiency when accessing online services and cloud-based applications.

Space Renewal

Leases at both NEC office locations are scheduled to expire in fall 2018—the Georgetown office on October 31 and the Thornbury office on November 30. Neither office locations conform to current OPS requirements for space and accessibility.

Throughout 2017-18, NEC management worked with staff from MNRF and Infrastructure Ontario to identify future options—including renovating the existing spaces and/or moving to alternative spaces in the same general areas. The NEC—in partnership with MNRF and Infrastructure Ontario—expects to make a decision on both office locations early in 2018-19.





2. PROMOTE THE NEC

With the updated NEP becoming effective June 1, 2017, a key focus for the NEC in 2017-18 was to plan and execute outreach initiatives to promote awareness of the new policies of the plan and NEC processes, and of the Niagara Escarpment Biosphere Reserve. Outlined below are the major outreach initiatives undertaken by the NEC in 2017-18.

Niagara Escarpment Plan Outreach Sessions

- In early 2018, the NEC hosted six interactive outreach sessions (three, two-day session) for municipalities, conservation authorities and key stakeholders in the Northern, Central and Southern regions of the Niagara Escarpment.
- With more than 350 people attending, the outreach sessions were well attended and have led to a series of follow-up sessions with individual partners and groups.
- Exit surveys indicated that the events were positively received—many NEC stakeholders and partners appreciated the face-to-face interaction with NEC staff and gained a better understanding of the updated NEP policies, the development control application process, NEC compliance program and the biosphere reserve designation.





Niagara Escarpment Biosphere Reserve Outreach

- Indigenous communities in the Niagara Escarpment Biosphere Reserve have a long history and unique relationship with the Escarpment. In 2017, NEC staff, acting as the central convener of the biosphere reserve, and in partnership with Plenty Canada, a not-for-profit group focused on promoting traditional Indigenous knowledge systems, developed an outreach strategy to foster participation of Indigenous peoples in the biosphere reserve.
- The NEC hosted two Indigenous engagement sessions in the northern and southern regions of the Escarpment to share information about the history of the biosphere reserve, its relationship to the NEC, and the value and responsibilities of the UNESCO designation.
- NEC staff expressed their earnest interest to listen and learn from Indigenous peoples about their experiences and histories on their lands and to brainstorm about how more Indigenous knowledge, input, and participation could be applied to initiatives, activities, and programs related to the biosphere reserve. The sessions were a positive first step in better understanding the value Indigenous people have in achieving the biosphere reserve objectives.

Other Outreach

- The NEC gave presentations and set-up exhibit displays at meetings, workshops and a number of conferences and events. Of particular note, the NEC participated the 2017 Ontario Professional Planners Institute Conference and the 2017 Latornell Symposium.



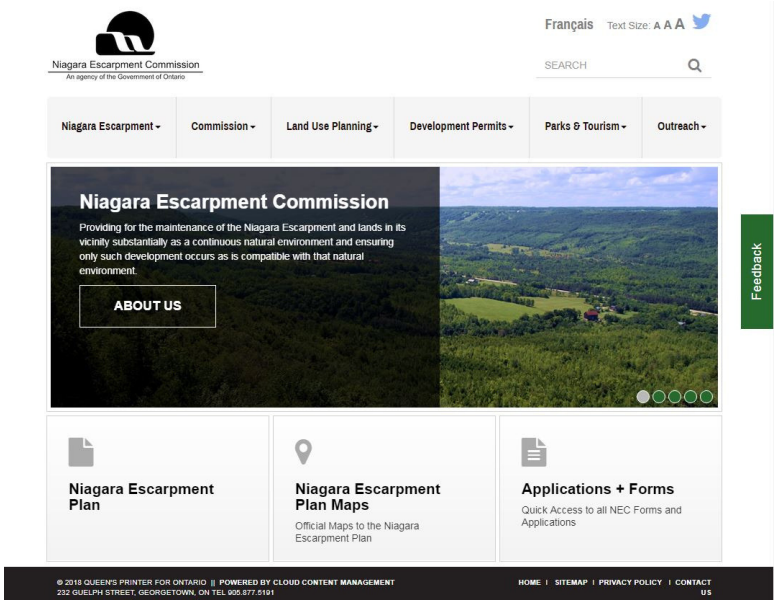


NEC Team-based Service Delivery Model

- The NEC's new team-based approach is aimed at improving communication of NEC programs and services. The designated teams are the "one-stop-shop" for assigned regions within the NEP area and are responsible for fielding inquiries and representing the NEC on local committees, working groups and other outreach opportunities.
- For example, team members gave several presentations at municipalities, town hall meetings and realtors associations in 2017.

NEC Website

- In early April 2017, the NEC launched its new website. The new website provides easier navigation, enhanced visual appeal and contains streamlined content pertaining to the NEC's core business needs.
- New features such as an interactive map, an online development permit application form and new search functions have improved the user experience and made it easier for clients to do business with the NEC. NEC staff continues to make improvements to the website and are committed to ensuring that it is both compliant to government's French Language and Accessibility standards.





3. STREAMLINED REGULATIONS

The NEP is implemented through a Development Control permit system. This process ensures that development is compatible with the Escarpment landscape, including its sensitive features, as well as the associated natural, physical and cultural environment.

With support from the MNRF, the NEC began a two-phased project in 2017-18 with the Office of the Surveyor General to develop electronic mapping of its Development Control boundary, which will provide a more accurate set of regulation maps. Current mapping is based on "metes and bounds" word descriptions, which lacks precision and can present difficulties in confirming exact boundaries.

Phase 1 - Modernization of Regulation 826

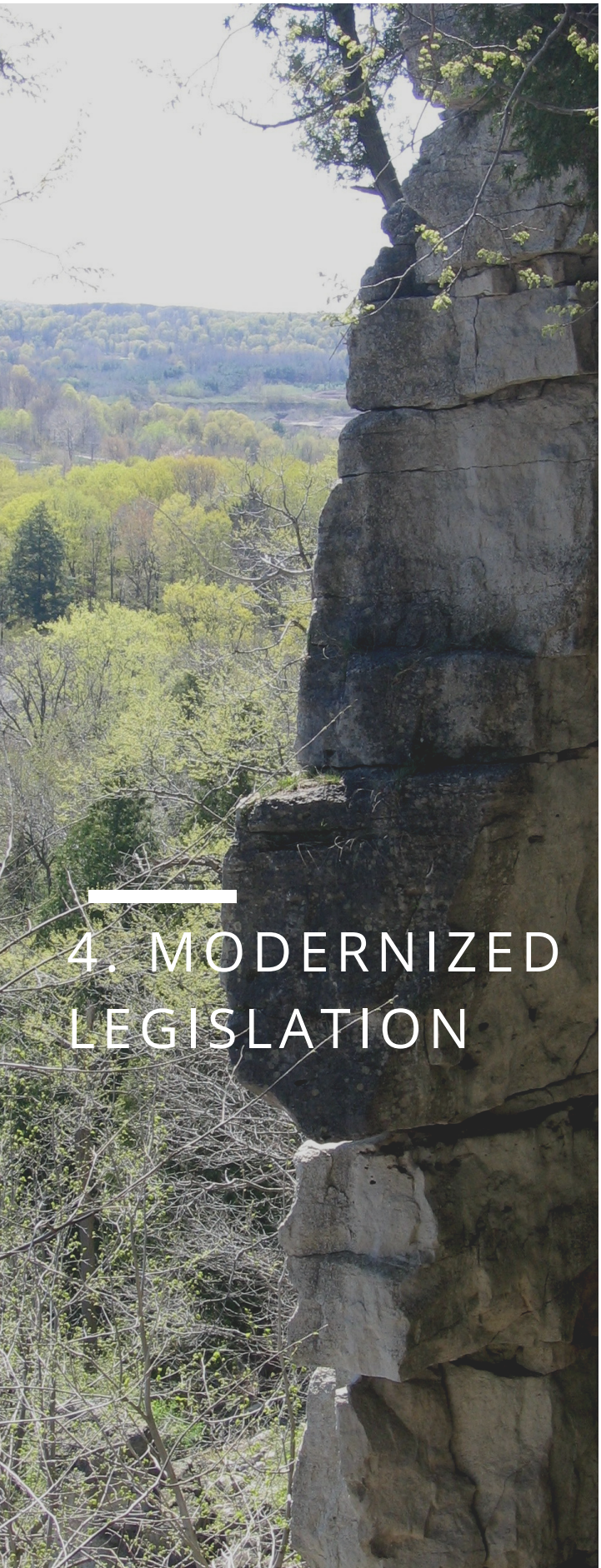
- Working with the MNRF and the Office of the Surveyor General, work began in 2017 to create a new series of Regulation Maps that will precisely define the Development Control boundary.
- As of the end of 2017-18, the mapping had been largely completed and reviewed by NEC staff. Minor adjustments to the boundary were necessary to add precision and rationale for the maps using boundaries such as physical features (roads) and property lines.
- An amendment to Regulation 826 will be required to make the new maps effective, Staff from the NEC and MNRF plan to begin working toward this regulation change in 2018-19.
- Throughout 2017-18, NEC staff was approached by landowners whose lands are designated as "Urban Areas" within the NEP area, or were recently designated Urban as part of an amendment approved through the provincial government's Coordinated Review process. These landowners have requested consideration for their lands to be removed from the NEC's Development Control, such that they would be subject only to municipal zoning. In addition, NEC staff met with staff from one municipality that proposed the removal of certain lands within its jurisdiction from Development Control. NEC staff advised the municipality and landowners that their requests would be considered in Phase 2 of the project (described below).

Phase 2 - Rationalizing the Development Control Boundary

- In Phase 2 of the project, the NEC, in partnership with MNRF, proposes to begin a process to consider reducing the Development Control area in certain Minor Urban Centres, Urban Areas and Escarpment Recreation Areas.
- The NEC would develop and consult on a set of criteria under which Development Control might be lifted in those specific designations. Municipalities, stakeholders and the general public would be consulted directly.
- Municipal zoning would have to be put into place to replace the Development Control system, but the policies of the NEP would continue to apply.

This purpose of this project is to respond to municipal and stakeholder feedback received during the Co-ordinated Review process requesting the NEC to reduce the complexity of its planning application process. It would also allow NEC staff to focus its time and efforts on development applications that have the greatest potential to impact the Escarpment environment; those that are in the most sensitive land use designations of Escarpment Natural, Escarpment Protection, Escarpment Rural Areas and Mineral Resource Extraction Areas.

Once consultation on further changes to the Development Control area are completed, and any proposed changes are endorsed by the Commission, a further amendment to Regulation 826 would be required. Timing of this process would depend on the consultation feedback and the government's regulatory process.



4. MODERNIZED LEGISLATION

Modernized Legislation

The NEPDA is 45 years old and largely exists today the way it was originally written. Through decades of experience in implementing the Niagara Escarpment program, the NEC has identified a number of parts of the Act that, if amended, would help to further streamline NEC processes and improve customer service.

In 2017-18, NEC began a detailed analysis and business case to propose legislative changes to the government. In 2018-19, NEC staff will bring forward a staff report to the Commission outlining these proposals.

ACTIVITY REPORTS

THE CO-ORDINATED LAND USE PLANNING REVIEW

As referenced earlier in this report, in May 2017 the provincial government's Co-ordinated Review process came to a conclusion with the release of four revised provincial land use plans: the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, the Growth Plan for the Greater Golden Horseshoe, and the NEP. In approving the new plans, the government renewed its commitment to building complete communities, managing growth, curbing sprawl, and protecting the natural environment.









Over the course of the two-year review, the government held two rounds of public consultation, established an advisory panel that produced 87 recommendations to improve and update the plans, reviewed more than 42,000 submissions, and engaged with Indigenous and Metis communities. The NEC played an important role in making recommendations to the Minister of Natural Resources and Forestry on how NEP policies and mapping should be updated to better achieve the purpose and objectives of the NEP and the NEPDA.

The updated NEP contains significant policy enhancements that ensure continued protection of natural heritage features and functions, provides greater flexibility for the types of uses allowed on farmland so as to enhance agricultural viability and promote a thriving agri-food sector, and recognizes the importance of protecting the Escarpment's scenic resources.

The NEP's land use designation mapping, which had not undergone a comprehensive review since the 1980s, was also updated. In many areas, the mapping did not accurately reflect the landscape character on the ground today. Amendments were made to the land use designation criteria to ensure clarity and consistency in interpretation, and to update the criteria to reflect modern understanding of natural heritage features and functions. An effort was also made to harmonize terminology between the four provincial land use plans.

Through the review, the government also considered a number of site-specific amendments, most of which sought a re-designation to one of the NEP's "Urban" land use designations (i.e., Urban Area, Minor Urban Centre, Escarpment Recreation Area). Under the NEPDA, such amendments can only be considered at the time of a ten-year review of the NEP. A list of the site-specific amendments and the government's decision on each one is available on the Government's Order in Council website (https://www.ontario.ca/orders-in-council/oc-10272017).

The NEC is monitoring implementation of the new NEP, and may develop guidelines or other guidance materials to ensure new and existing policies are interpreted and implemented consistently.

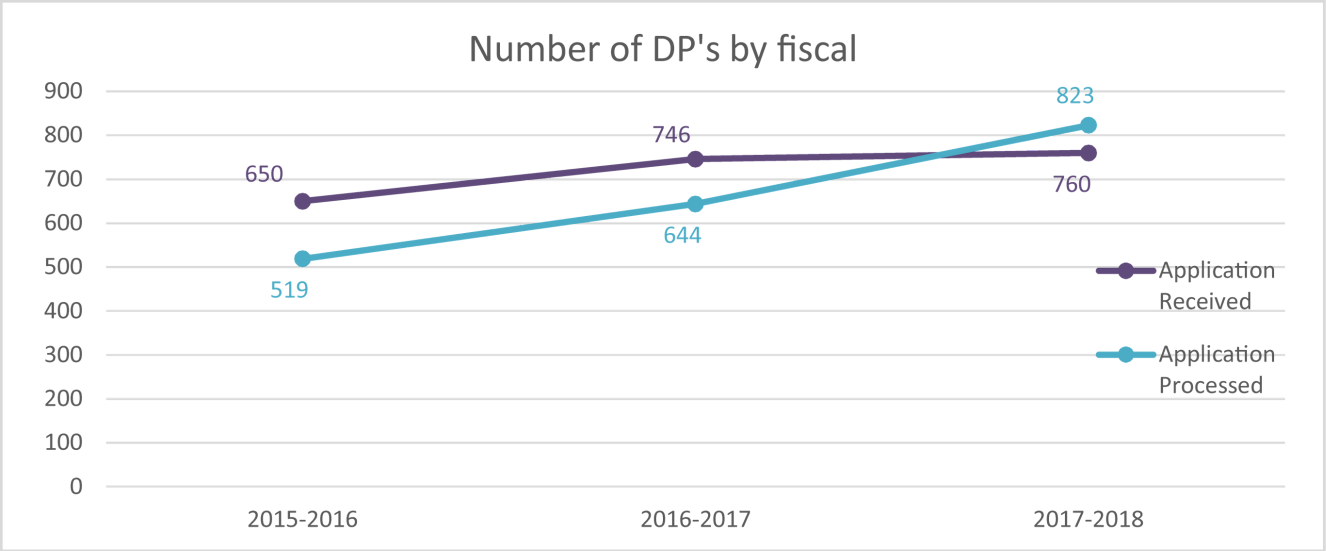
DEVELOPMENT PERMIT ACTIVITY

The NEPDA requires that a development permit be obtained from the NEC prior to undertaking development within the area of Development Control, unless it is exempt under Ontario Regulation 828/90. A permit is issued with terms and conditions to ensure development is implemented in a manner that minimizes impact to the Escarpment environment.

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 three years, during which the development is to be completed.

As shown in Figure 8 below, the number of development permits received continues to increase year over year, and reached a record high of 760 applications in 2017-18. The most significant increases were in the Niagara and Halton Regions, with the remaining municipalities remaining relatively stable.

Figure 8

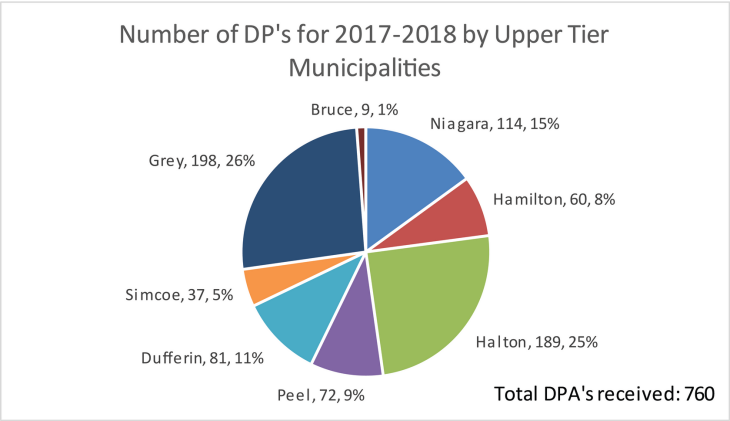


As referenced earlier in this report (in Figure 5 on page 9) the implementation of the NEC's new team-based service delivery model, coupled with an increase in staffing resources, has resulted in a significant increase in output capacity. In 2017-18, the NEC processed more development permit applications than it received, despite it being a record year for the number of applications received.

During the previous five fiscal years (2013-14 to 2017-18) the average wait time to get a development permit application processed was 32 weeks. The corresponding figure for the 2017-18 fiscal year was 29 weeks—an improvement of three weeks. It is important to note in the analysis of NEC wait times that there are a number of contributing factors beyond the control of the NEC. These include delays from other regulatory partners, such as municipalities and Conservation Authorities, in providing comments on NEC applications, and applicants failing to provide the NEC with the requisite information needed to process an application.

Figure 9 below shows the distribution of development permit applications processed in 2017-18 and 2016-2017 across upper-tier municipalities.

Figure 9



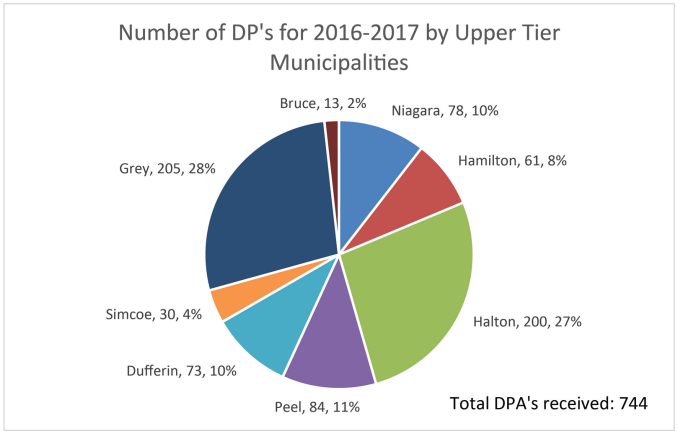
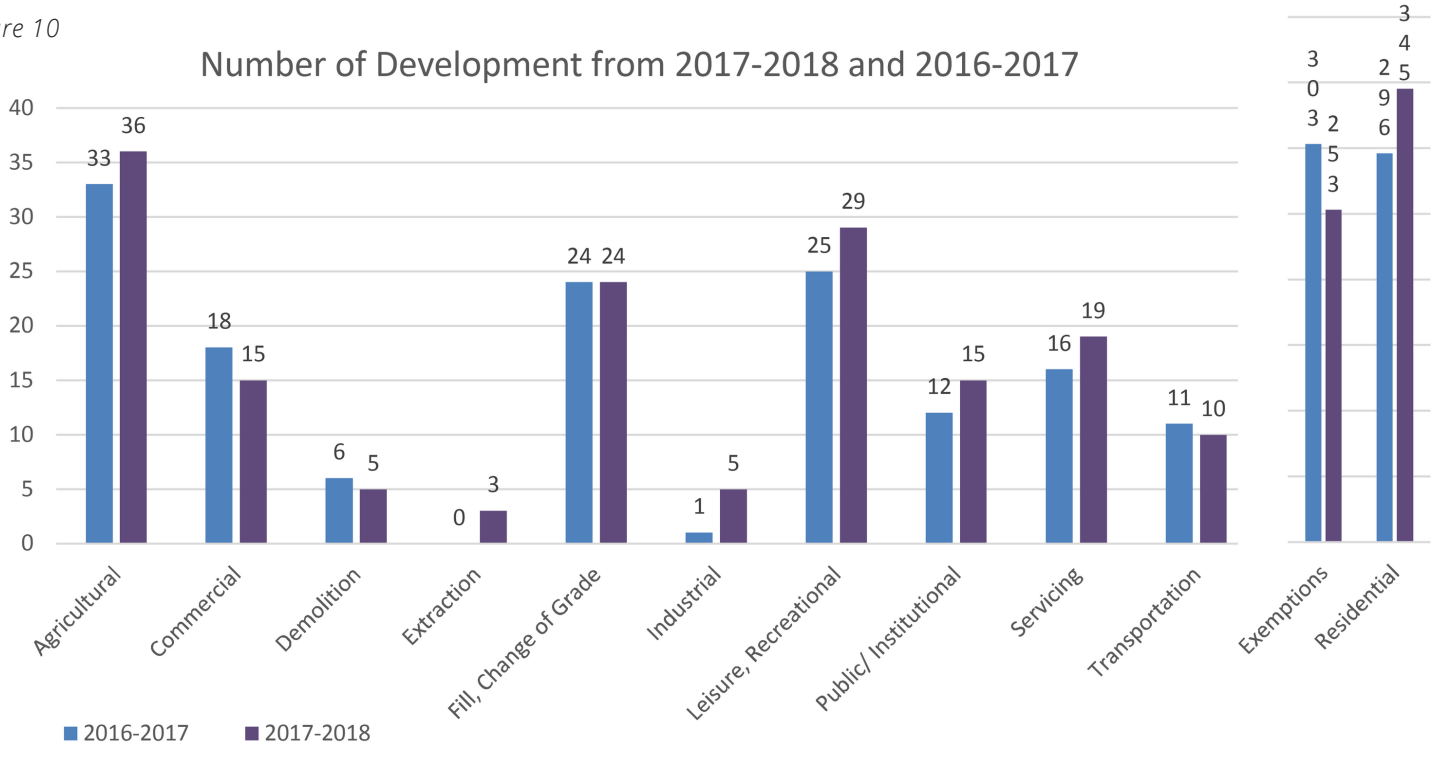


Figure 10 below illustrates the types of applications received, and compares the previous fiscal year to 2017-18. Note: Development permit applications received in one fiscal year can be processed in subsequent years. Therefore, there may be a discrepancy between the number of applications received and processed. The following are some key takeaways:

- By far the highest number of applications relate to residential development. While many applications relate to renovations and accessory structures associated with existing residential development, an increasing number involve demolition of an existing, smaller house to be replaced by considerably larger residences with large accessory buildings (with many residences ranging from 5,000 to as big as 15,000 sq ft in size).
- The number of agricultural related applications increased slightly. Many of these involve construction of accessory structures. Some relate to the establishment of "on-farm diversified uses" and "agriculture related uses" – which is a reflection of new policies contained in the updated NEP.
- Fill/change-of-grade applications remained relatively constant. Inclusion of landform conservation policies in the NEP (2017) provides the NEC with additional tools to evaluate their compatibility with the Escarpment landscape.

Figure 10

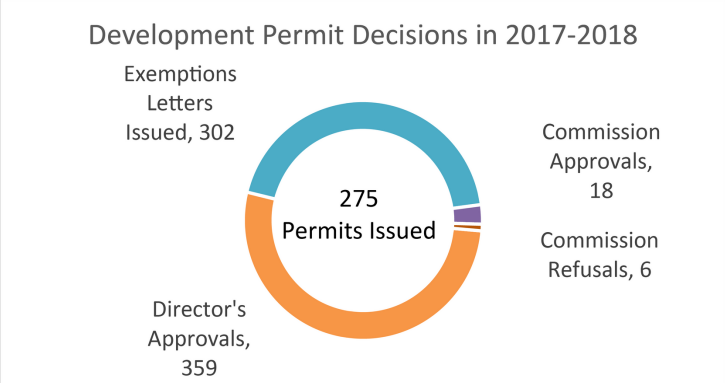


Under the NEPDA, the Minister of Natural Resources and Forestry has the power to delegate to the Commission the authority to approve development permits. Under the current Delegation of Authority issued by the Minister to the Commission, the power to approve certain types of development permit applications is, in turn, delegated to the NEC Director.

As illustrated in Figures 11 and 12, approximately 95 per cent of all NEC approvals (includes directors' approvals and exemptions) are delegated to the Director. In order for an application to be delegated to the Director, it must meet the following criteria:

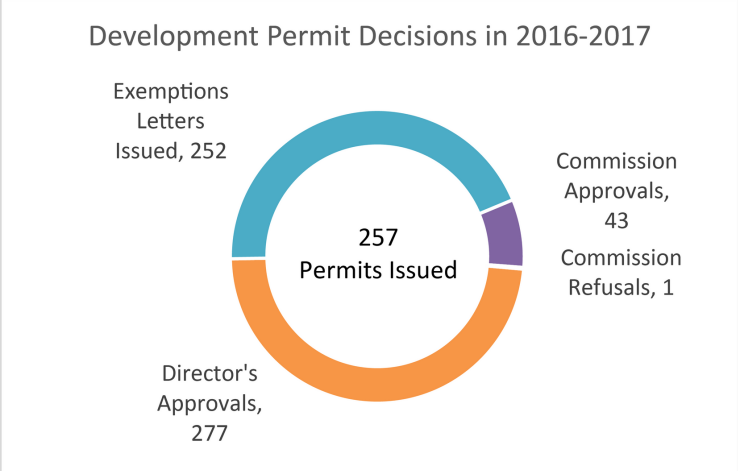
- The application and supporting file material must be complete
- There are no objections to the application from any consulted agencies
- NEC planning staff have completed a Staff Report recommending approval
- The Staff Report is accompanied by Conditions of Approval, including those requested by consulted agencies
- The proposed development complies with the NEP and does nto require a policy interpretation under the plan
- In the case of development that has already commenced, it is the first time the applicant has undertaken development on the property without approval, and the matter is not subject to a prosecution.

Figure 11



*Does not include development permits that have been closed without a decision being rendered due to applicant's choice.

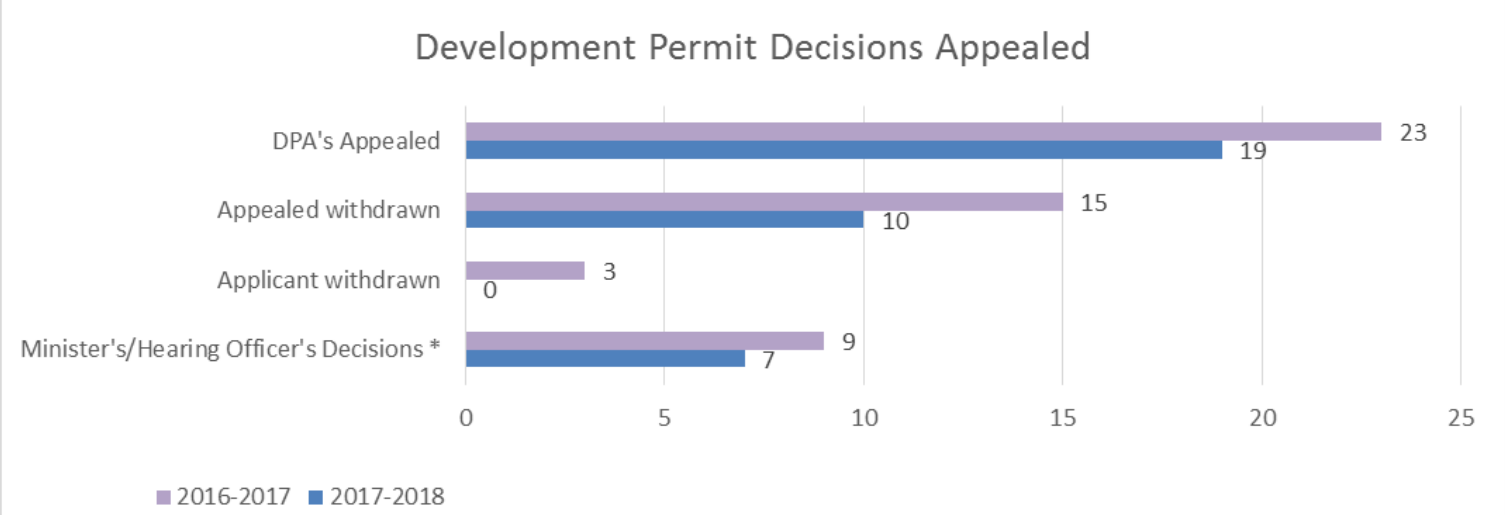
Figure 12



*Does not include development permits that have been closed without a decision being rendered due to applicant's choice.

Figure 13 below illustrates the number of appeals of development permit decisions during the last two fiscal years.

Figure 13



NIAGARA ESCARPMENT PLAN AMENDMENTS

In addition to the government's approval of 19 Urban amendments as part of the Coordinated Review process, the following site-specific NEP amendments were also approved by the Minister of Natural Resources and Forestry in 2017:

Niagara Escarpment Plan Amendment PD 204 14 (Doug's Haulage)
Approved by the Minister on April 11, 2017, to allow for a site-specific change to the Land Use Designation on approximately 4.46 hectares (11 acres) from Mineral Resource Extraction Area (MREA) to Escarpment Protection Area; as it relates to the surrender of the Aggregate Resources Act (ARA) licence for a formal gravel pit operated by Doug's Haulage in the Town of Mono, Dufferin County. The site has been rehabilitated and the lands and features on the former extraction area meet the appropriate NEP Land Use Designation Criteria and objectives to be re-designated as Escarpment Protection Area.

Niagara Escarpment Plan Amendment PG 203 14 (Kerbel)
Approved by the Minister on April 11, 2017, for five units within a draft Plan of Condominium located in the Municipality of Grey Highlands, County of Grey. Up to eight condominium units were previously permitted as part of a family vacation compound, however the technical studies undertaken as part of the application process revealed concerns about impacts on natural heritage features and functions from the proposed eight units. To address these environmental concerns, the landowner agreed to reduce the total number of condominium units from eight to five, to limit development to the least sensitive areas of the property, and to install a tertiary septic treatment system to ensure water quality impacts are minimized.

Niagara Escarpment Plan Amendment 196 13 (Ontario Heritage Trust)
Approved by the Minister on April 11, 2017, to change the Land Use Designations to re-designate 12 lots in the County of Bruce owned by the Ontario Heritage Trust (OHT) from Escarpment Recreation Area to Escarpment Natural Area. The intent of the amendment is to ensure the permanent conservation of these lands due to their natural and cultural heritage significance.

Niagara Escarpment Plan Amendment PW 209 (Posavad)
Approved by the Minister on April 11, 2017, to allow for a site specific change to the Land Use Designation on 9 hectares (22.5 acres) of land from Mineral Resource Extraction Area (MREA) to Escarpment Protection Area and Escarpment Rural Area; as it relates to the surrender of an Aggregate Resources Act (ARA) licence for a former gravel pit in the City of Hamilton. The site has been rehabilitated and the lands and features on the former extraction area meet the appropriate NEP Land Use Designation Criteria and Objectives to be re-designated as Escarpment Protection Area and Escarpment Rural Area.



NIAGARA ESCARPMENT PARKS AND OPEN SPACE SYSTEM





The Niagara Escarpment Parks and Open Spaces System (NEPOSS), consisting of more than 160 parks and open spaces, seeks to achieve the NEP objectives of providing opportunities for outdoor recreation, and appropriate public access to the Niagara Escarpment. Part 3 of the NEP contains policies that guide activities and development within the NEPOSS.

NEPOSS lands are owned by public agencies and conservation organizations that together comprise the NEPOSS Council. Council representatives work collaboratively to further NEPOSS objectives such as promoting land acquisition and public access. The Council meets at least two times a year to discuss parks and open spaces management issues, and is co-ordinated and administered by the MNRF in partnership with the NEC.

The Bruce Trail is the common linkage connecting NEPOSS lands. The Bruce Trail Conservancy has had an especially successful year in acquiring 13 properties, totaling 274 hectares of conservation lands, including its largest ever land donation of 93 hectares: the Cape Dundas Nature Reserve. Other land acquisitions by NEPOSS agencies include a 17.4-hectare parcel acquired by Hamilton Conservation Authority in the Dundas Valley, adding to the 1,259 hectares already managed by HCA in the Valley.

NEPOSS agencies have made strides in developing master or management plans for lands within NEPOSS:

- The NEC endorsed the City of Hamilton's master plan for Churchill Park. The master plan successfully balances active recreational uses in the park with the need to manage access to the adjacent Cootes Paradise environmentally sensitive area.
- Niagara Peninsula Conservation Authority completed its master plan for the Cave Springs Conservation Area and has submitted it to the NEC and MNRF for approval.
- Credit Valley Conservation continues to work on a master plan for Belfountain Conservation Area, with the goal of conserving the cultural heritage value of the park, while protecting species at risk and managing the high demand for public access.
- Ontario Heritage Trust is near completion of the management plan for Cheltenham Badlands, while moving forward with key visitor management infrastructure with the goal of restoring public access to the Badlands in 2018.

NEPOSS agencies are also engaging with communities to ensure the long-term protection and rehabilitation of lands in the NEPOSS. In Grey County, MNRF has partnered with the Friends of Kimberley Forest Committee to undertake trail repair and restoration within the 403-hectare Kimberley Forest (Wodehouse Karst Resource Management Area), as well as to improve visitor experience through a social media presence, digital mapping, and trail signage.

COMPLIANCE PROGRAM

The NEC Compliance Program is responsible for inspections, investigations and enforcement activities within the NEC's area of Development Control. The Compliance Program plays an important role in the successful implementation of the Niagara Escarpment program, as well as ensuring compliance with the NEPDA and its regulations.

The Compliance Program is a shared responsibility between the NEC and the MNRF, and is guided by an Inspections, Investigation and Enforcement Protocol, which was last updated in January 2015. The protocol lays out the various roles and responsibilities for staff and provides mechanisms for shared oversight of the program and resolution of issues. Through the protocol, the MNRF's Conservation Officers assist with complex investigations, prosecutions and higher risk inspections.

The NEC has implemented a risk-based approach to compliance to make strategic, risk-informed decisions about priorities and responses. The NEC, in consultation with MNRF Enforcement Branch, uses this approach to determine the most appropriate response to compliance issues from a suite of options in the compliance continuum. Figure 14 below illustrates the range of approaches applied by the NEC.

Figure 14



To support a risk-based approach to compliance, the NEC maintains a system to document and track referrals of occurrences, follow-up inspections, investigations, and other enforcement activities and results. This information is reported annually and is used to: assess the efficiency and effectiveness of compliance operations; provide evidence in the evaluation of potential regulatory and policy changes; and, make adjustments to compliance operations as deemed appropriate. The results for 2016-2017 and 2017-2018 are contained in Figure 15 below.

Figure 15

Reactive: General Breakdown	2017-18	2016-17
Total # of occurrences received per fiscal	208	125
Total # of occurrences that led to site inspections	145	101
Total # of occurrences assessed as high environmental risk	16	14
Total # of occurrences assessed as medium environmental risk	97	38
Total # of occurrences assessed as low environmental risk	95	73
# of occurrences deemed exempt O.Reg 828/90	6	11
# of occurrences received not subject to the NEPDA	16	24

*Inspections of general compliance. Further details listed in Figure 16 and 17.

Compliance Action Taken	2017-18	2016-17
Addressed through voluntary compliance & corrective action	11	14
Processed through "as built" Development Permit	20	15
Compliance files referred to MNRF for further investigation	0	1
Tickets issued under Part 1 of Provincial Offences Act	7	4
Occurrence files remaining open & under review	136	72

Proactive: Development Permit Compliance Monitoring	2017-18	2016-17
Inspections to assess adherence with development permits issued (per risk-based selection process)	25	19
# Development Permits in total compliance	19	13
# in various conditions of non-compliance	6	7

The number of compliance occurrences generated in 2017-18 was the most ever since the NEC began tracking this data. Figures 16, 17 and 18 below show the distribution of compliance occurrences by upper tier municipality, as well as increases in occurrences and inspections over the past three years. The most significant increases in compliance activity is within the southern and central portions of the Niagara Escarpment, with the Niagara, Halton and Peel Regions experiencing the highest increases (in the range of 25 to 50 per cent). The NEC is also observing an increase in the complexity of compliance issues, many of which are associated with the proximity of the Niagara Escarpment to the Greater Toronto and Hamilton Area, one of the highest growth and development areas North America.

Key compliance issues where development has occurred without a development permit are highlighted below:

Disposal of fill material:

Mainly associated with urban and infrastructure development. Impacts are observed to agricultural land, wetlands, significant natural areas and the Escarpment landscape (impacts to landform conservation, human health and potential contamination of soil and groundwater systems).

Establishment of commercial and industrial uses:

Many of which are not permitted by the NEP.

Establishment of venues for special events:

Includes establishment of wedding venues, major recreational events, concert venues. In addition to the need for a development permit, not all of those which have been established would meet the NEP policies.



Figure 16

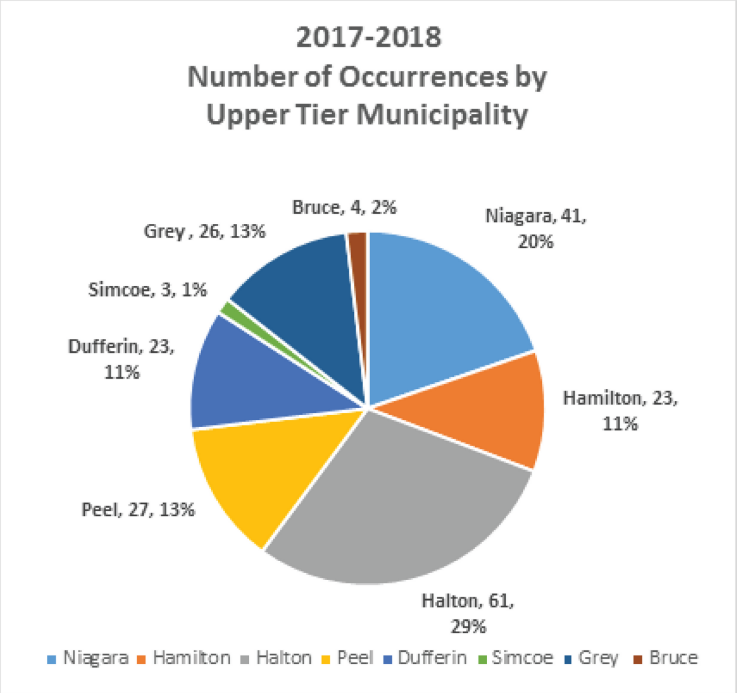


Figure 17

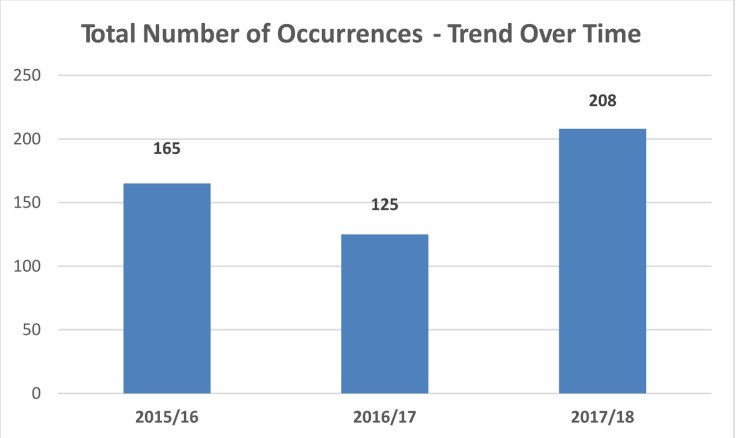
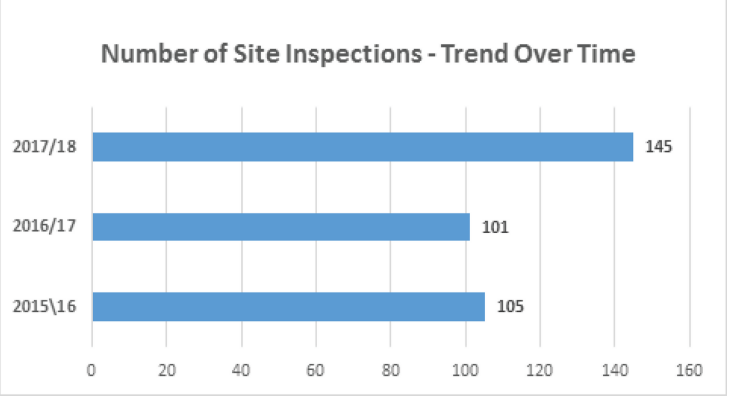


Figure 18



* Total occurrences shown in Figure 15. Not all occurrences result in a site inspection.



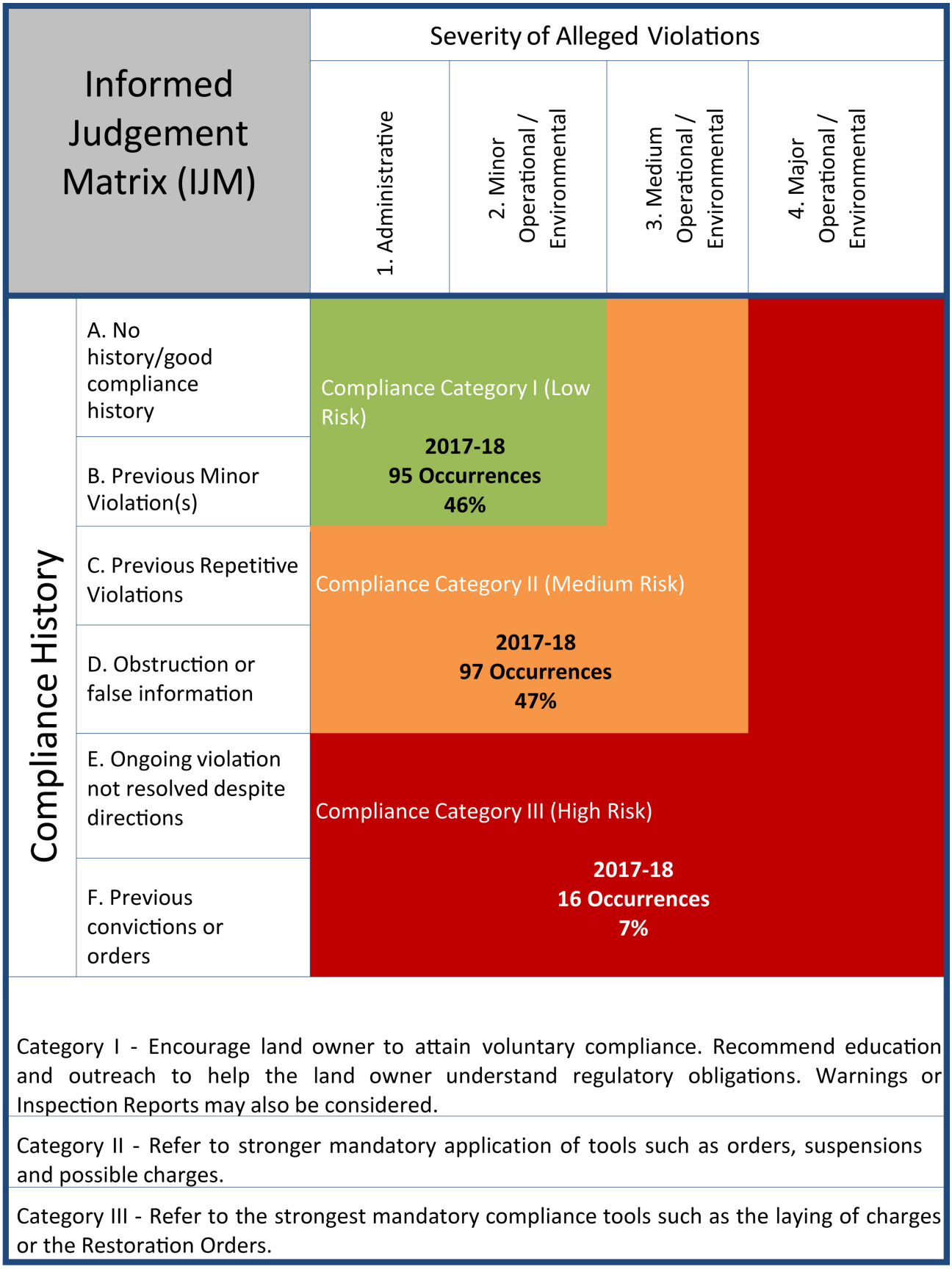
The NEPDA provides for administrative orders and offence provisions to address non-compliance. In support of the shared delivery of functions under the compliance protocol, and by applying an Informed Judgement Matrix (see Figure 19 below) the NEC identifies the need for MNRF support at any stage of 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, evaluates 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.

In addition, in 2017-18 the NEC undertook the following program and process enhancements to optimize the effectiveness of the Compliance Program:

- Enhanced outreach with stakeholders and partners, including through participation in the NEC's major outreach sessions in early 2018, and through meetings with municipalities
- Developed tools to promptly notify landowners/companies of potential compliance issues, and request opportunity to conduct site inspections.
- Enhanced the Occurrence Tracking System to:
  - include better alignment with the risk-based approach, including enhanced criteria for assessing environmental risk level (high, medium, low)
  - provide better direction to achieve more consistent analysis of compliance issues
  - incorporate "permitted use" language in the risk assessment so that there is more information on potential environmental risk where activities contravene the NEP
  - establish a "dashboard" to track completion of compliance reports by staff and management—to facilitate timely analysis from the compliance perspective and increase response times on higher risk activities, provide 'real time' updates to management and track outcomes of compliance actions taken.
- Creation of a Compliance Manual for use by internal staff to set out the process and tools, ensure clarify and consistency in implementing the program, and to facilitate knowledge transfer.

Informed Judgement Matrix

Figure 19



ENVIRONMENTAL MONITORING



In August 2017 the NEC, in partnership with the University of Waterloo, Faculty of Environment and Resource Studies undertook the inventory of the Hockley Valley Nature Reserve forest biodiversity monitoring plot, located in the Township of Mono, Dufferin County. This marked the fifth inventory of the plot, representing 20 years of data collection. The students applied standard protocols to collect data on tree species, diameter-at-breast height, height classification, tree health assessment, shrub/sapling and ground cover layer sampling.

The purpose of these one hectare plots is to collect quantitative data on forest biodiversity, growth, mortality and health to examine change over time in Niagara Escarpment forests. This information may be used to assess the impacts of development, recreational uses, tree disease, forest pests, invasive species and climate change on forest ecosystems.

NIAGARA ESCARPMENT BIOSPHERE RESERVE

The NEC, as the convener of the Niagara Escarpment Biosphere Reserve, is continuing to facilitate the development of governance options for the best management of the biosphere reserve over the long-term. It is recognized that Indigenous communities in the biosphere reserve have a long history and unique relationship with the Niagara Escarpment.

In 2017, the NEC, on behalf of the biosphere reserve, together with Plenty Canada, a not-for-profit organization focused on promoting traditional Indigenous knowledge systems, developed and delivered an outreach strategy to foster participation of Indigenous peoples in the biosphere reserve. Indigenous outreach workshops were held on May 2, 2017 at Six Nations of the Grand River, and in Tobermory at the Bruce Peninsula National Park on June 27, 2017.

NEC staff, representing the biosphere reserve, shared information about its history, its relationship with the NEC, and the value and responsibilities of the UNESCO designation. The sessions were a positive first step in better understanding the value Indigenous people have in achieving the biosphere reserve objectives and is a first step in the process of recognizing our responsibility as a biosphere reserve to engage Indigenous communities meaningfully and to encourage and enable greater participation and input into biosphere reserve.



PERFORMANCE MEASURES

Performance measurement provides benchmarks for evaluation of agency effectiveness, efficiency, quality of service and accountability of action. The NEC 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.

By monitoring NEC performance, the NEC can evaluate the effectiveness of policies, quality standards and/or practices in meeting its approved performance goals. All of the following measures were met in 2017-2018. Also, program implementation has been enhanced through hiring of additional staff, undertaking Business Process Mapping to achieve further efficiencies and providing resources (e.g.; through the NEC's web site) so that the public can search and obtain information to address their needs.

Activity	Measure	Result
Posting of Memorandum of Understanding (MOU), Business Plan and Annual Report	2017 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.	• MOU between Chair and Minister of Natural Resources and Forestry has undergone review and is currently being finalized. • Approved 2018-2021 Business Plan approved by Minister and posted in February 2018. • 2016-17 Annual Report approved by Minister and posted in December 2017. Approved plans and MOU posted here: http://www.escarpment.org/commission/AgencyDirectiveReporting/index.php
Commission Meetings	Minutes of Commission meetings are posted on the NEC website (www.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.	• Four Commission meetings cancelled due to lapsing of Commission appointments and delays in new appointments. • A total of 6 Commission meetings were held consisting of 5 regular and 1 policy meeting (related to release of the new NEP in June, 2017). A two-day meeting was held in October, 2017 and an additional meeting was held in November 2017 to address the backlog of items requiring a Commission decision. • All meetings open to the public. • Meeting minutes posted once approved by Commission.
Conflict of Interest (if any) by Commissioners or staff	Declaration to Chair or Director as required by OPS directives	• OPS Directives met. • Five declarations brought forward (4 by Commissioners; 1 by NEC staff) • In each case, individuals did not participate in discussions or decisions • Appropriate controls have been put in place to ensure integrity maintained in NEC program delivery.
Commission Decisions	Conformity with NEP policies and recommendations	• Orientation provided for all new Commissioners regarding responsibilities to make decisions in accordance with the NEP. • All Commissioners trained on new NEP policies. • All staff reports effectively addressed NEP 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. Annually, the NEC is required to attest compliance with the Accessibility for Ontarians with Disabilities Act (AODA).	• Achieved.

Activity	Measure	Result
Telephone	As per OPS Customer Service Standards, calls are answered by the third ring or sent to voicemail during business hours. Protocols in place to deal with inquiries Calls returned within one business day.	• Establishment of the Integrated Team approach and hiring of additional staff has increased the NEC's capacity to address inquiries.
Correspondence (Written, Email and Fax).	OPS Customer Service Standards for emails and online messages require responses to be acknowledged within two business days and answered within 15 days. Best practice protocols in place for assisting staff in responding. If a conclusive response is not possible, an interim response, along with an estimated date for a complete response, will be provided within 15 days.	• Achieved, with minor exceptions. NEC has protocols in place to respond to inquiries in timely manner.
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.	• Since the NEC updated its website in 2017, analytical data on web traffic is unavailable at this time. However, the new website provides easier navigation, enhanced visual appeal and contains streamlined content pertaining to the NEC's core business needs. • New features such as an interactive map, an online development permit application form and new search functions have improved the user experience and made it easier for clients to do business with the NEC.
Development Permit Applications	NEC decision time varies depending upon the complexity of the application, the time required to obtain a complete application and comments from agencies. The following measures reflect elements of the process within the NEC's control. • NEC follows process for Development Permits as set out in the NEPDA. • Agencies and municipalities are provided the opportunity to comment on applications. • Notices of Decision sent out within 2 business days of decision being made. • Development Permits issued promptly after clearance of conditions of approval.	• Total of 760 Development Permits received in 2018/18. NEC processed 823 permits, and reduced the backlog by 63. • Integrated Teams actively triaging applications to advance those ready to proceed to decision. • Additional staff and realignment of geographic areas among planning staff has provided a better balance of applications and enhanced time in which they are advanced. • Process, consultation and notices/permits requirements met.
Niagara Escarpment Plan Amendment Applications	NEC staff follows *NEPDA* requirements for processing Plan Amendments. Plan Amendments are posted on NEC website and on the Environmental Registry (EBR) for public review.	• 3 new Amendment applications received. • 4 decisions by Minister (includes decisions from applications submitted in prior years) • All processing requirements met
Review of municipal Official Plans, consents, zoning by-laws, etc.	NEC reply within due date (usually 30 – 60 days depending on complexity)	• Review of municipal official plans, zoning by-laws and consents took place within the specified due dates. • Commented on 182 Planning Act instruments and other planning-related initiatives 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.	• 2 FIPPA requests were received and processed within prescribed timelines.

FINANCIAL SUMMARY

The following provides a summary of the 2017-2018 operating budget and expenses.

Account Categories	2017-18 Budget	2017-18 Actual Expenditures
Salary and Wages	$1,730,000	$1,834,183
Employee Benefits	242,300	255,005
Total	**$1,972,300**	**$2,089,188**
Transportation & Communication	100,000	67,443
Services	277,800	289,051
Supplies and Equipment	60,000	31,617
Total	**$437,800**	**388,111**
Grand Total	**$2,410,100**	**$2,477,299**

The NEC's maximum staffing complement is 24 Full-Time Equivalent (FTE) positions. As of March 31, 2018, the NEC had 24 FTE employees, with 19 in its main Georgetown office and five in its northern satellite office in Thornbury. In addition, the Georgetown office had three seasonal Planning positions (which are not considered FTE positions) and one further seasonal compliance position.

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 and education, vehicles, Commission meetings, litigation costs, etc.) and Supplies and Equipment (e.g., office supplies and IT supplies). It is significant to note that almost half of the NEC's operating allocation is consumed by expenses related to hosting Commission meetings.

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. In 2017-18, the NEC received approval from MNRF to spend beyond its year-start budget envelope of $2,410,00 in order to implement its Operational Strategy, including hiring up to its FTE cap, hiring four additional seasonal positions and rewriting job descriptions for all positions.

As a result, the NEC had a budget pressure of $67,199 in 2017-18. This pressure was somewhat offset by savings realized from lower Commission meeting expenses as a result of the cancellation of four meetings due to a lack of quorum and several Commission vacancies throughout the year in progress to be filled.

As referenced in the NEC's most recent Business Plan (2018-21), the agency's year-start budget allocation was reduced from $2,770,100 in 2010-11 to $2,671,800 in 2011-12. The NEC's budget was then further reduced to $2,410,100 in 2012-13, and has remained consistent at that level for the past six fiscal years, including 2017-18. Over the same period of time, staff wages have continued to incrementally rise, as per collective bargaining agreements. This is putting a further strain on the NEC's budget.

The 2018-21 Business Plan projects the NEC's year-start budget allocation to remain at $2,410,100 through 2020-21. The NEC will continue to be challenged to operate within this allocation. However, at the start of the 2018-19 fiscal year, the NEC received support from the MNRF to continue to implement its Operational Strategy, as described in this Annual Report and its 2018-21 Business Plan, which includes operating at its current staff complement and replacing its end-of-life cycle database (which could drive significant additional costs.) The NEC will continue to work closely with the MNRF throughout the 2018-19 fiscal year to forecast and mitigate fiscal challenges.

APPENDICES

APPENDIX 1: NIAGARA ESCARPMENT COMMISSION OIC APPOINTMENTS

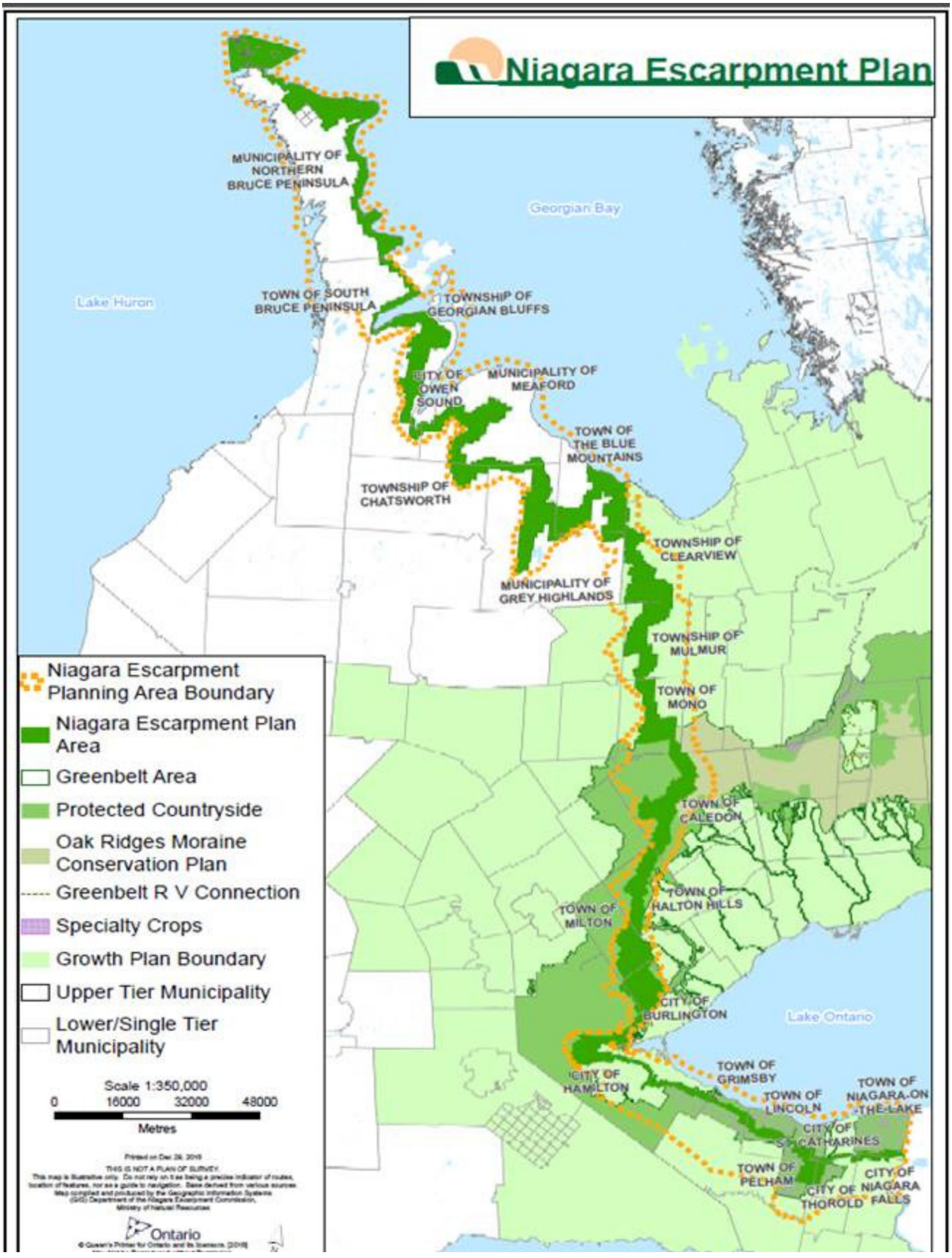
Niagara Escarpment Commission Members (As of March 31, 2018)

Commissioner	Municipal Public-at-Large	Region/County/ City	Term Expires
Patricia Greig	Municipal	Bruce County	July 21, 2019
Paul McQueen	Municipal	Grey County	May 27, 2019
Vacant	Municipal	Simcoe County	Vacant as of October 27, 2017
Janet Horner	Municipal	Dufferin County	December 1, 2019
Johanna Downey	Municipal	Peel Region	November 3, 2019
Gary Carr	Municipal	Halton Region	April 6, 2019
Arlene VanderBeek	Municipal	City of Hamilton	June 16, 2019
Brian Baty	Municipal	Niagara Region	May 27, 2019
Russ Powers (Chair)	Public at Large	Hamilton	October 4, 2019
Beth Gilhespy	Public at Large	Guelph	September 20, 2019
Deb Haswell	Public at Large	Owen Sound	November 3, 2019
Burkhard Mausberg	Public at Large	Toronto	October 4, 2019
Duncan McKinlay	Public at Large	Ravenna	June 28, 2019
Linda Pim	Public at Large	Caledon	August 16, 2019
Vacant	Public at Large		
Vacant	Public at Large		
Vacant	Public at Large		

Past Commission Members (Terms expired in 2017)

Commissioner	Municipal Public-at-Large	Region/County/ City	Term Expires
Don Alexander	Public-at-Large		April 15, 2017
Georgina Beattie	Public-at-Large		April 15, 2017
Nars Borodczak	Public-at-Large		April 3, 2017
Corwin T. Cambray	Public-at-Large		July 8, 2017
Allan Elgar	Municipal	Halton Region	April 28, 2017
Joan Little	Public-at-Large		April 15, 2017
Cecil Louis	Public-at-Large		April 15, 2017
Shawn Davidson	Municipal	Simcoe County	November 27, 2017

APPENDIX 2:
NIAGARA ESCARPMENT PLAN MAP



APPENDIX 3: MUNICIPALITIES IN THE NEP AREA

Region of Niagara

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

Region of Halton

Three local municipalities:

- Town of Halton Hills
- Town of Milton
- City of Burlington

Region of Peel

One local municipalities:

- Town of Caledon

County of Simcoe

One local municipalities:

- Township of Clearview

County of Bruce

Two local municipalities:

- Town of South Bruce Peninsula
- Municipality of Northern Bruce Peninsula

County of Dufferin

Two local municipalities:

- Town of Mono
- Township of Mulmur
- Township of Melancthon

County of Grey

Six local municipalities:

- Town of Chatsworth
- Municipality of Grey Highlands
- Municipality of Meaford
- City of Owen Sound
- Township of Georgian Bluffs
- Town of The Blue Mountains
- City of Thorold





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