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**NIAGARA PARKS COMMISSION:
ORDER-IN-COUNCIL APPOINTMENT OF
BARTON MAVES ***

Prepared for:

Standing Committee on Government Agencies

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INTRODUCTION

This paper is prepared for the Members participating in the Committee's review of the Order-in-Council appointment of Barton Maves as vice-chair (part-time) of the Niagara Parks Commission. It describes the operations of the Commission, presents information about the appointee, and identifies possible lines of questioning.

NIAGARA PARKS COMMISSION

Enabling Statute	Responsible Ministry	
Niagara Parks Act	Heritage, Sport, Tourism and Culture Industries	
Agency type	Most Recent Annual Report	
Operational Enterprise ¹	2020/2021	
Activities of the Agency		
The Commission's mandate is to maintain, preserve, and enhance the beauty and surroundings of the Horseshoe Falls and the Niagara River from Fort Erie to Niagara-on-the-Lake for the enjoyment of visitors, while maintaining financial independence.		
Board Membership		
Statutory No. of Members: 10-12	Position	Remuneration²
No. Appointed by Cabinet: All	Chair (1, part-time)	up to \$350 per day
	Vice-chair (1, part-time)	up to \$250 per day
	Members (10, part-time)	up to \$200 per day
Term of office: None specified		
Position Requirements: None specified; however, one member from each of the municipal councils of Niagara, Fort Erie, Niagara Falls, and Niagara-on-the-Lake must be appointed annually on the recommendation of those councils. ³		

OPERATIONS OF THE COMMISSION

The Niagara Parks Commission (NPC or Niagara Parks) was formed in 1885 to preserve the scenery around the Niagara Falls in the face of considerable commercial development. Today, the Niagara Parks system encompasses 1,325 hectares, including Horseshoe Falls, the Niagara River, recreation trails, restaurants, golf courses, historic sites, a butterfly conservatory, and a

¹ See section 1.5 of the Treasury Board Secretariat's [Agencies and Appointments Directive](#) for an overview of the different types of provincial agencies, including operational enterprise agencies.

² Appointees are remunerated according to [Schedule A](#), Level 2 of the *Agencies and Appointments Directive*.

³ *Niagara Parks Act*, R.S.O. 1990, c. N. 3, s. 3(2).

horticultural school. The NPC is responsible for managing, controlling and developing these assets according to the duties and powers set out in the *Niagara Parks Act*.⁴

Section 4 of the Act provides the NPC with a broad range of powers. For example, it may

- lay out, plant, and enclose the Parks;
- construct and operate railways, aerial cars, lifts, and works to assist the public in reaching and viewing points of interest in the Parks;
- construct or acquire by purchase, lease, or otherwise and operate bridges over the Niagara River;
- construct and operate golf courses, bowling greens, swimming pools, restaurants, refreshment booths, and souvenir stands;
- acquire and operate buses, boats, and other vehicles for use in connection with the Parks;
- operate a school for training apprentice gardeners;
- make agreements with persons for the establishment or operation by them of any Parks works or services; and
- make by-laws and rules necessary for the constitution of the Commission and the administration of its affairs.

The NPC has other specific powers under the Act, most of which are exercised with the approval of the Cabinet, including the power to expropriate property, collect the revenues and rentals payable under certain agreements, and make regulations.⁵

FINANCIAL INFORMATION

As an operational enterprise agency, NPC has the authority to sell goods or services to the public and receive revenues from its commercial activities. These revenues can then be used to fulfil its mandate. Surplus revenues must be paid to the Minister of Finance on the order of Cabinet and form part of the Consolidated Revenue Fund.⁶ NPC's revenue generating operations include attractions, golf courses, restaurants, and gift shops.

Prior to the COVID-19 pandemic, attendance and revenue had been increasing for several years at Niagara Parks. In 2019-20, Niagara Parks earned a record high of \$127 million for revenue generating operations and saw an increase in attendance at nearly all attractions and historic sites.⁷ However, as outlined further below, the pandemic created serious financial challenges for the NPC. In 2020-21, revenue declined by about \$78 million from the year prior, due to an estimated 70% reduction in visitation.⁸

⁴ Ibid., s. 4.

⁵ Ibid., ss. 7(b) and 22.

⁶ Niagara Parks Commission (NPC), *Annual Report 2019-2020*, p. 20; *Niagara Parks Act*, s. 16.

⁷ NPC, *Annual Report 2019-2020*, p. 5.

⁸ NPC, *Annual Report 2020-2021*, p. 15.

The table below illustrates attendance at NPC sites for the fiscal years 2017-18 to 2020-21, as well as corresponding revenue and expense data for those years.

Figure 1: Attendance and Financials 2017-2021

Attendance	2020-21⁹	2019-20¹⁰	2018-19¹¹	2017-18¹²
Attractions	252,652	1,999,920	1,968,507	2,018,077
Golf courses	98,227	84,239	80,960	72,874
Historic Sites	3,968	29,916	28,153	36,236
Transportation	203,582	2,519,893	2,335,008	2,321,291
Total Park Attendance	558,429	4,633,968	4,412,628	4,448,478
Operating Results (\$000)				
Revenue	\$49,823	\$127,306	\$124,302	\$120,232
Expenses	\$49,780	\$102,592	\$101,211	\$95,177
Net Surplus (before interest and depreciation)	\$43	\$24,714	\$23,091	\$25,055

Source: Niagara Parks, "[Annual Reports](#)."

RECENT DEVELOPMENTS

Recent Plans and Projects

During the 2017-18 fiscal year, the NPC implemented a ten-year [strategic plan](#). Under the guidance of the strategic plan, the NPC has commenced several new projects. In particular, it has been working to redevelop the Table Rock Centre, which is the NPC's highest revenue-generating facility. The Centre houses shops, restaurants, and amenities, including the entrance to the Journey Behind the Falls. The renovation project aims to renew the retail, culinary, and attraction offerings within the facility.¹³

In the fall of 2019, the NPC began planning the redevelopment of the Canadian Niagara Power building. The project involves restoring the 1905 heritage building to open it up as a visitor attraction. In June 2020, the Province announced that it was providing a \$25-million loan to the NPC for the project.¹⁴ Phase I of the

⁹ NPC, *Annual Report 2020-21*, pp. 17 and 27.

¹⁰ NPC, *Annual Report 2019-20*, pp. 19 and 28-29.

¹¹ NPC, *Annual Report 2018-1919*, pp. 17 and 25.

¹² NPC, *Annual Report April 1, 2017-March 31, 2018*, pp. 33 and 35.

¹³ NPC, *Annual Report 2019-20*, p. 17.

¹⁴ Ray Spiteri, "New life for historic hydro plant: Province, Parks team up to redevelop site for tourism attraction," *Niagara Falls Review*, June 20, 2020.

attraction opened in July 2021.¹⁵ It offers visitors an educational experience about Ontario's power-generating history. Phase II is expected to open in July 2022. It will allow visitors to travel deep into the underground infrastructure and emerge at the base of the Horseshoe Falls for panoramic views of the Niagara Gorge and the American Falls.¹⁶ According to media reports, NPC is engaging the private sector for proposals to refurbish two other decommissioned power stations on its property.¹⁷

Impact of the COVID-19 Pandemic

Like other organizations that rely on tourism, the COVID-19 pandemic has negatively impacted the NPC's finances. Many of its attractions were closed for extended periods in 2020-21, and overall visitor attendance decreased by about 70%.¹⁸ As a result, in 2020-21, Niagara Parks' revenue decreased by approximately \$78 million. It did, however, receive a \$16.4 million stabilization grant from the Province to help offset the loss of revenues.¹⁹ In addition, Niagara Parks did see an increased interest in its outdoor spaces, such as its hiking trails, parks, and gardens, during the pandemic.²⁰

Ramsar Designation

In recent years, efforts have been made to have the Canadian side of the Niagara River corridor designated as a Wetland of International Importance under the Ramsar Convention. The Ramsar Convention is a global treaty that supports the conservation and sustainable use of wetlands and related waters. The treaty's framework is voluntary, and designation is based on meeting criteria related to the uniqueness of the site or its importance for conserving biodiversity.²¹ In 2014, the NPC endorsed becoming the lead nominator for the designation in principle, pending a legal review.²² The American side of the corridor was designated in 2019.²³

However, in September 2020, the NPC voted against acting as the lead nominator. According to the CEO of the NPC, "staff recommended against

¹⁵ NPC, "[Niagara Parks Power Station Plaza Renamed in Honour of Former Board Chair](#)," media release, November 5, 2021.

¹⁶ NPC, *2020-21 Annual Report*, pp. 18-19.

¹⁷ Ray Spiteri, "[Niagara Parks seeking interest in adaptive reuse of two decommissioned power stations](#)," *Niagara Falls Review*, November 8, 2021.

¹⁸ Niagara Parks, "[Niagara Parks to Suspend All Public Facing Operations in Compliance with Provincewide Shutdown](#)," media release, December 22, 2020; "[Niagara Parks to Continue Phased Reopening](#)," media release, June 16, 2020; Niagara Parks, "[Niagara Parks COVID-19 Information Centre](#)."

¹⁹ NPC, *2020-21 Annual Report*, p. 15; NPC, *Financial Statements*, March 31, 2021, p. 5.

²⁰ NPC, *2020-21 Annual Report*, pp. 15-16. See also Ray Spiteri, "Niagara Parks sees positives among challenges," *Niagara Falls Review*, December 7, 2020.

²¹ Ramsar, "[Designating Ramsar Sites](#)."

²² Allan Benner, "[Ramsar plan hits stumbling block: Niagara Parks slammed for lack of support for 'symbolic' designation](#)," *St. Catharines Standard*, September 23, 2020.

²³ United States Fish & Wildlife Service, "Niagara River Corridor Recognized as 40th Wetland of International Importance by the United States," news release, October 2, 2019.

supporting the designation based on a legal review of the Ramsar proposal and concerns it could conflict with the organization's mandate."²⁴

According to media reports, some in the development and agricultural sectors have raised concerns about the impact of the designation. However, others have noted that designation under the Convention is largely symbolic and does not impose any restrictions on the management of designated sites.²⁵ Niagara Regional Council has since voted to endorse the designation.²⁶

THE WITNESS

According to the Office of the Premier, the Witness, of Niagara Falls, is a member (part-time) of the Niagara Parks Commission and the Niagara Falls Bridge Commission. He is owner and chief operating officer of Sterlingbridge Marketing and Communications and previously served as Regional Councillor, Regional Municipality of Niagara, and as Member of Provincial Parliament for Niagara Falls and Niagara on the Lake. His community involvement includes serving as a baseball coach with A.N. Myer Secondary School.

POSSIBLE QUESTIONS

What has motivated the witness to seek this appointment?

How will the witness's previous experience be of assistance to the NPC?

What contributions does the witness hope to make to the NPC?

What challenges, if any, does the witness anticipate the NPC will face in the coming years, and how might those challenges be addressed?

²⁴ Allan Benner, "Ramsar plan hits stumbling block."

²⁵ Ibid.; Allan Benner, "Burch urges endorsement of Ramsar designation: MPP says international recognition is about worldwide appreciation for importance of the Niagara River," *St. Catharines Standard*, October 28, 2020.

²⁶ Bill Sawchuk, "Politicians endorse Ramsar designation for Niagara River," *St. Catharines Standard*, March 29, 2021. The endorsement included conditions that the farming community continue to have use of the river for irrigation and drainage, and that no Niagara region money or staff time be spent on Ramsar.