



Niagara Escarpment Commission

BUSINESS PLAN

2022-2025



Niagara Escarpment Commission
An agency of the Government of Ontario

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The Niagara Escarpment

Background on the Niagara Escarpment

Spanning 725 kilometres from the tip of the Niagara region to the top of the Bruce Peninsula, the Niagara Escarpment is one of the world's most magnificent natural landforms. The Escarpment comprises over one-quarter of Ontario's Greenbelt and is home to Canada's longest footpath, the Bruce Trail. This 450-million-year-old feature is the source of many of the Greater Golden Horseshoe's major river systems and is one of the last remaining bands of continuous forest cover and natural heritage linkages in southern Ontario. It is also a major source of close-to-market prime agricultural land.

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

In 1985, the Province created the Niagara Escarpment Plan. The Niagara Escarpment Plan area covers 195,000 hectares in portions of 22 local municipalities within seven regions and counties and the City of Hamilton. The Niagara Escarpment 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. The Niagara Escarpment Plan's role in preserving the open-landscape character of the Escarpment and supporting agriculture is 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. In addition, the Escarpment is a destination for travelers and those looking for recreational opportunities, providing a major annual boost to local and regional economies through tourism.

In 1990, the NEC and the Niagara Escarpment Plan earned the Niagara Escarpment global recognition as a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Biosphere Reserve—one of only 18 across Canada. This prestigious designation recognizes the Escarpment as an internationally significant feature that promotes sustainable development.

With the Escarpment traversing the Greater Golden Horseshoe, one of the fastest growing regions in North America and boasting a projected population of more than 14 million by 2051, striking the right balance between development and preservation on this majestic feature has never been more challenging and important.

Context

The Niagara Escarpment Commission is an 'arms-length' agency of the Province of Ontario. Like other agencies and boards, it functions under the Agencies and Appointments Directive, which sets out reporting relationships, business processes and accountability requirements. The Directive requires that a Business Plan be prepared annually and submitted by the Chair to the Minister of Northern Development, Mines, Natural Resources and Forestry.

This Plan covers a three-year horizon (2022-2025). The COVID-19 pandemic has had a significant impact on the NEC's operations over the past 18 months. It will continue to influence NEC's operations in the near-term (e.g., continued partial working from home of staff) and will have lasting implications as the Commission continues to simplify its processes and make its services more accessible, transparent and efficient for the public.

There is, however, opportunity on the horizon to modernize and establish increased program effectiveness. The NEC is working with the Ministry of Northern Development, Mines, Natural Resources and Forestry's (NDMNR) pandemic recovery and renewal initiatives. The recovery aspect involves establishing safe return to work protocols. Renewal activities are directed at modernizing programs and establishing efficiencies that enhance the services accessed by the public.

The three years encompassed by this Business Plan begins with a gradual return to the workplace. Over the medium term, the NEC will focus its efforts on working with the Ministry to modernize and streamline its programs, pursue electronic program delivery, and enhance implementation of the Niagara Escarpment Plan. Longer term strategic directions will be informed by IT modernization as well as legislative and regulatory reform.

The Niagara Escarpment Commission

The NEC was established in June 1973 as a regulatory agency that operates at “arm's length” from the provincial government, in accordance with the *Niagara Escarpment Planning and Development Act*, and the Ontario government's *Agencies and Appointments Directive, 2020*. The *Niagara Escarpment Planning and Development Act* also established the planning framework for the Niagara Escarpment Plan, which the NEC administers by ensuring development on the Escarpment meets the purpose and objectives of the plan, and by making recommendations to the government on plan policies and amendments. The NEC reports to the Legislature through the Minister of Northern Development, Mines, Natural Resources and Forestry via a Memorandum of Understanding (MOU).

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

The Act identifies the composition of the NEC as consisting of 17 Commission members that are appointed by Order-in-Council. Nine members, including the Chair, represent the public-at-large and eight municipally sponsored members represent the counties, cities and regions within the Niagara Escarpment Plan area. For a current listing of Commission members, please visit NEC's website at www.escarpment.org. A listing of the municipalities found within the Niagara Escarpment Plan area is contained in **Appendix 1**.

The Commission meets regularly to consider development permit applications and land-use proposals, policy items and Niagara Escarpment Plan amendments. Meetings are open to the public and are held either through WebEx (due to restrictions associated with COVID-19), or at the NEC's main office in Georgetown. Instructions on how to access Commission meetings is made available on the NEC website.

Mandate

It is the provincial government's role to develop and establish the policies of the Niagara Escarpment Plan (NEP). In turn, the NEC's regulatory mandate is to interpret and apply the NEP policies which focus on maintaining and enhancing the vitality of the Escarpment's unique landscape features. The Commission's decisions are made independently and impartially.

The *Niagara Escarpment Planning and Development Act* and the NEP set out the Commission's responsibilities and regulatory mandate as a Crown agency. The purpose of the *Niagara Escarpment Planning and Development Act* and the NEP is:

"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."

The objectives of the NEP are:

- To protect unique ecological and historical 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 NEP;
- To provide adequate public access to the Niagara Escarpment; and
- To support municipalities within the NEP Area in the exercise of the planning functions conferred upon them by the *Planning Act*.

The NEP is reviewed, amended and renewed on a regular basis. Legislated reviews of the NEP were completed in 1994, 2005 and 2017. The latest review was coordinated with the review of three other provincial land-use plans that manage development in Southern Ontario: The Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Growth Plan for the Greater Golden Horseshoe. The new NEP came into effect on June 1, 2017.

Furthermore, all agencies of the Ontario government are subject to a mandate review every seven years led by Treasury Board Secretariat. A review of the NEC was completed in 2018 which concluded that the mandate was being implemented appropriately. In 2019, the NEC underwent a review through the provincially appointed Agency Review Taskforce. Upon the conclusion of this review, the Agency Review Taskforce supported the continuation of the Commission and suggested enhancements be considered to further modernize the Niagara Escarpment Program and strengthen implementation

The NEC is also working with NDMNRF to consider means of making implementation of the Niagara Escarpment program effective and efficient. Discussions include methods of streamlining processes and approvals, providing information to the public so that they can obtain information on their property, and development of IT solutions to enable electronic program delivery.

Budget Forecast

NEC Allocation

The NEC's budget allocation remained relatively stable at \$2,410,100 for eight fiscal years until being reduced in 2019-20 to \$2,395,200. As a result, the NEC was operating at a deficit for several fiscal years as reported in the previous Business Plan submissions starting in 2017-18. As previously reported, the deficit was a result of hiring up to full FTE capacity and increased costs to implement the program.

The NEC's allocation was increased in 2020-21 to \$2,647,000 which was based on the actuals from fiscal 2019-20. The budget saw an increase to the wages and benefits allocation which allowed the Commission to continue with a full staff complement (24 FTEs and 4 seasonal positions). However, the allocation for services fell short of the required funds as the allocation based on 2019-20 levels was at a time when Commission appointments were delayed, and the NEC was unable to meet for several months. The shortfall was managed due to reduced expenses associated with reduced meetings and utilizing virtual platforms.

While the NEC has been able to manage within an allocation of \$2,674,000 over the past two fiscal years, the situation in 2022-23 and beyond will present challenges as expenses are anticipated to be normalized for future years for several reasons. The significant surge in development permit applications will necessitate that the Commission return to meeting on a monthly basis, with some in person meetings, which will further increase expenses. Also, the Commission has put other activities (e.g. outreach, training and development) on hold during the pandemic, which is expected to resume in the near future.

Should the NEC's 2022-23 budget allocation remain as forecasted in Table 1, the NEC could experience a pressure in salary and wages as well as a pressure in the ODOE budget. The pressure for salary and wages is possible as the costs for salaries is expected to increase and the need to staff to full capacity will be necessary to manage the increased volume of applications.

Table 1

Standard Account	2022-2023	2023-2024	2024-2025
Salary and Wages ¹	\$2,042,600	\$2,042,600	\$2,042,600
Employee Benefits	325,200	325,200	325,200
Salary/Benefits Total	\$2,367,800	\$2,367,800	\$2,367,800
Transportation and Communications	\$43,000	\$43,000	\$43,000
Services	\$159,800	\$159,800	\$159,800
Supplies and Equipment	\$31,000	\$31,000	\$31,000
ODOE Total	\$233,800	\$233,800	\$233,800
Grand Total	\$2,601,600	\$2,601,600	\$2,601,600

The 2020-21 increase to the NEC’s allocation addressed the past inability to function without incurring a pressure. Trends regarding significant increase in Development Permit applications caused by increased development pressure meant that the NEC was managing a significantly higher workload.

The Operational Strategy, first released in 2017, charted a path forward that focused on modernizing the agency’s business, developing service delivery efficiencies and the need for additional resources to improve customer service and organizational effectiveness. This necessitated that the NEC hire to it’s FTE limit of 24 plus bring on four seasonal positions. The backlog of Development Permit Applications that accumulated prior to the implementation of the Operational Strategy was virtually eliminated in the first year of the strategy. In an era of cost reduction, it is important to understand that legislative, regulatory and program implementation changes may be necessary to realize savings without impacting front line program delivery. The NEC will continue to operate in a fiscally responsible manner and will strive to reduce costs wherever possible.

¹ Does not include costs associated with salary awards and merit increases.

Ontario Heritage Trust

With the approval of the NEP in 1985, the Niagara Escarpment Land Acquisition and Stewardship Program (NELASP) was created. The Ontario Heritage Trust (OHT) was assigned the responsibility of administering the program, which was to accept contributions from donors for the purpose of land acquisition and stewardship activities.

While the program was terminated in 1998, the financial administration assistance provided by the OHT to the NEC continues through a series of OHT Board approved “Component B Trust Accounts”, which are directly managed by the NEC. The OHT receives and flows funds for NEC projects based on NEC-approved revenues and expenditures.

The NEC’s reliance on these accounts continues to diminish. The remaining accounts, from the consolidation and elimination of some of the original dormant accounts, more realistically reflect the current activities and priorities of the NEC. The NEC’s updated Operational Strategy identifies several strategic actions that anticipate utilizing a portion of the funds over the next two fiscal years.

Table 2 below shows the current OHT accounts, their purpose and the corresponding account balance as of December 31, 2021 for the 2021-22 fiscal year.

Table 2

Name of Account	Purpose	Balance
Leading Edge	Fund outreach, education, and conferences to promote work of the NEC and the Niagara Escarpment Biosphere Reserve	\$1,514.43
ONE Monitoring Program	Fund NEC’s ONE monitoring program	\$22,550.47
Publications	Fund marketing and promotional materials	\$12,483.05
Joint Agency Review Team (JART)	Fund expert third-party peer review studies relating to Niagara Escarpment Plan Amendment applications related to mineral resource extraction	\$25,000.00

Trend Scan

Successful implementation of the NEP is affected by an interplay of social, economic and environmental factors. Many of the issues identified in this section are the product of dynamics which exist at the global, national, provincial and regional levels – well beyond the control of the NEC. The trend scan contained in this section explains how these key factors influence the context within which the NEC functions, now and into the future.

COVID-19 Global Pandemic

Early in 2020, the far-reaching implications of the COVID-19 virus became apparent, and the World Health Organization declared it a global pandemic on March 11, 2020. In short order, Ontario Public Service employees, including the NEC staff, were directed to work from home where operationally feasible, and an order under the *Emergency Management and Civil Protection Act* put in place province-wide public health protection measures.

When the Emergency Order (Ontario Regulation 73/20) first came into force, it had the effect of suspending most legislated timelines associated with government decision making, including timelines for issuing of NEC Development Permits under the *Niagara Escarpment Planning and Development Act* (NEPDA). Specifically, this meant that the allowance for appeals within 14 days of the NEC's decision on a Development Permit application was suspended, and the NEC was unable to finalize the issuance (or refusal) of Development Permits from March 16 to April 9, 2020. On April 9th, the Emergency Order was amended to exclude timelines under the NEPDA. This created an initial backlog of applications that was compounded further in 2020 by record levels of development applications.

Despite these challenges, the global pandemic has provided the impetus to transform aspects of service delivery and find efficiencies in the NEC's business processes. In essence, COVID-19 has accelerated what had already been identified as priorities in the NEC's Operational Strategy and the broader government initiatives, including digital service delivery and burden reductions.

Workforce & Service Delivery Transformation

1. Remote Work

The Organization for Economic Cooperation and Development (OECD) identifies several concerns with remote work in the context of COVID-19, including employees working in unsuitable workspaces, digital security risks, and increased personal responsibilities such as elderly or childcare. Over the longer term, potential benefits of remote work may include improved worker well-being, and reduced costs for employers. However, these benefits may be outweighed by impaired communication resulting from spatial distance between employees, the costs of better equipping employees to work remotely, and

adverse psychological impacts from the lack of separation between work and personal life, including hidden overtime.²

In the context of the NEC's operations, staff are struggling to use data-rich applications remotely, including Microsoft Access and ArcGIS. While the NEC has been able to make use of WebEx for on-line Commission meetings, discussions are somewhat hindered, and Commissioners, clients, and members of the public from remote areas are significantly disadvantaged by a lack of access to high-speed internet. While online meetings may seem like an opportunity for significant cost savings, only limited financial benefit is realized since Commissioner per diems, printing and courier expenses³, and the WebEx licence comprise the majority of costs.

There was an environmental gain associated with COVID-19 through an estimated 8.8 percent decrease in global carbon dioxide emissions (-1551 megatonnes) in the first half of 2020 compared to the same period in 2019.⁴ The decrease was attributed to the reduction in movement of people and goods under lockdown restrictions. While the reduction in emissions is desirable in the context of a changing climate, it also signified a significant drop-in economic activity. According to the OECD, "2020 will witness the worst recession in the 60 years of OECD history, with the global economy contracting by four percent. Many economies will not recover 2019 output levels until 2022 at the earliest. The crisis has already taken away the jobs created since the 2008 global financial crisis."⁵ However, the rate of job creation and improvement in the economic outlook increased in 2021.

The lack of commuting is an important contributor to the reduction in global emissions, especially in countries like Canada and the U.S. where a large portion of the workforce relies on the private automobile for commuting. In land use planning, the growth in popularity and, in the context of COVID-19, the necessity of working from home raises important questions about the long-term impacts of remote work on our communities, both urban and rural. For example, the Ontario Real Estate Association reports a shift in attitudes towards rural and suburban living, possibly as a result of the physical distancing and isolation that Ontarians have experienced under COVID-19. Nearly three in five of people active in the real estate market say that living in a rural area is more appealing to

² OECD, 2020 *Productivity gains from teleworking in the post COVID-19 era : How can public policies make it happen?*. Accessed on October 27, 2020.

³ The NEC now makes Commission meeting packages available electronically; however, there has been limited uptake on the part of Commissioners, partially because of limited access to high-speed internet in rural areas.

⁴ Liu, Z., Ciais, P., Deng, Z. *et al.* *Near-real-time monitoring of global CO₂ emissions reveals the effects of the COVID-19 pandemic.* *Nature Communications*, **11**, 5172 (2020).

⁵ OECD, 2020. *Remarks by Angel Gurría*, OECD Secretary-General, October 26, 2020.

them now than before the pandemic, and just over three in five say that the suburbs are more appealing to them than before the pandemic.⁶

Statistics reported by real estate boards in Escarpment municipalities are indicative of the popularity of suburban and rural areas. The Real Estate Association of Hamilton-Burlington reported that sales of residential properties in September 2020 were up 54 percent over the same time last year.⁷ Sales increases were lower in 2021, but this is expected to be a short-lived phenomena. In Milton, the Oakville, Milton and District Real Estate Board reported an increase in 50 percent over the same time frame.⁸ In more remote areas of the Escarpment, the Realtors Association of Grey Bruce Owen Sound reported an increase in residential sales of 31 percent from September 2019.⁹ Levels in 2020 and 2021 were even higher.

Generally speaking, increased activity in the real estate market results in more property inquiries and Development Permit applications for the NEC. In past economic recessions, the NEC's Development Permit activity has slowed. Under COVID-19, the NEC is receiving more inquiries than in previous years, and Development Permit activity increased slightly in 2019 when compared to the previous fiscal year, but significantly increased in 2021. Essentially, the NEC is dealing with an increased workload, but with decreased ability to work efficiently due to the constraints of remote work and COVID-19.

2. Service Modernization

COVID-19 is accelerating the move towards what the OPS has already identified as an organizational priority: adopting new digital practices and technologies that will deliver simpler, faster, better services to Ontarians. As part of the NEC's Operational Strategy, making the NEC's operations more efficient in terms of regulatory burden reduction and information management enhancements (i.e., database renewal, digitized regulation mapping, website improvements) are all initiatives that were underway even before COVID-19 reinforced the need for transformation.

There is an opportunity to refocus the NEC's modernization efforts in the context of a client-focused, digital first approach, as well as to look at NEC business processes through a "lean lens" to further reduce the complexity and paper-intensive nature of many of these processes. More than ever, full implementation of the NEC's Operational Strategy, including these modernization efforts, are essential to improve the NEC's responsiveness to its clients, and to enhance the NEC's ability to focus on ensuring development is compatible with the Escarpment environment.

⁶ Ontario Real Estate Association, July 21, 2020. *[Interest in Buying A Home Nearly Doubles Among Ontario Renters Due to COVID-19 Pandemic](#)*

⁷ Real Estate Association of Hamilton-Burlington, *[Sales and average price at record levels; Active listing remain low](#)*, October 2, 2020.

⁸ Oakville, Milton and District Real Estate Board, *[September 2020 Market Report](#)*, October 6, 2020.

⁹ Realtors Association of Grey Bruce Owen Sound, *[Grey Bruce Owen Sound average price sets new record in September](#)*, October 8, 2020.

3. Workforce Succession

In 2019,¹⁰ it was estimated that 33 per cent of management and 22 per cent of non-management employees were eligible for retirement. Further, it was estimated that the number of OPS employees over the age of 50 decreased by almost 9 per cent since 2014, and the number of employees under the age of 35 grew by more 6 per cent during the same period. Demographics of NEC staff are in line with these trends. The NEC has experienced the retirement of some long-serving staff in the past few years, coupled with leaves of absence and staff moving to work in the broader public sector. This period of change has highlighted the importance of ensuring that a staffing succession plan is in place to facilitate knowledge transfer and maintain continuity of front-line service delivery through this period of significant transition.

It seems inevitable that the workforce will be significantly changed due to COVID-19. This has been transformative for staff in that they have had to quickly adapt to new technologies and procedures. This is likely to have long term benefits to the agility of the OPS workforce. However, working remotely has also made it difficult to on-board new NEC staff effectively in a time of significant staff turnover.

Growth and Development

1. Economic Outlook

Prior to the COVID-19 pandemic and the broad closures of business and the economy, Ontario and Canada were projected to grow at a sustained pace of approximately two percent over the next few years. The latest projections have the Canadian Gross Domestic Product (GDP) declining by 6.6 percent in 2020.¹¹

The impact of COVID-19 was far reaching and immediate when lockdown restrictions came into effect in March 2020. April's GDP was at 82 percent of February's level, and three million Canadians were out of work.¹² However, with some restrictions being lifted in May, economic activity in July was at 94 percent of February levels, and by August, 1.9 million jobs had been recovered.

As of December 2021, the fourth wave of the pandemic and COVID variants are anticipated to hinder the economic bounce-back. However, it is anticipated that the impact will not be as severe as previously thought since the government has continued to make income subsidy programs available and public health restrictions became more targeted. Beyond fall/winter 2021, uncertainty still exists, as full recovery from the pandemic, and its economic impacts, is largely dependent on national and global vaccination.

¹⁰ 2019 is the most current information available, based on NDMNRF Trend Scan

¹¹ Conference Board of Canada, 2020. *COVID-19 and Uncertainty to Flatten the Curve of Economic Recovery: Canada's Two-Year Outlook*, p. 5.

¹² *Ibid.*, p. 3.

The real estate market in Canada has continued to remain strong throughout the pandemic. To date, this has driven record high levels of development permit applications along the Niagara Escarpment.

Economic and business sectors along the Niagara Escarpment have been impacted by the pandemic and this resulted in closures in many different ways. Some tourism sectors (e.g., wineries, restaurants, events) have been significantly impacted. Others, particularly outdoor recreation and hiking have seen a significant increase as people seek local recreational and leisure activities. The NEC anticipates increased development pressures commensurate with funding and economic incentives as part of the pandemic recovery by federal and provincial governments.

2. Population Increase and Demographics

As of early 2020, Ontario's population is projected to grow by 30.2 percent, or almost 4.3 million, over the next 24 years, from an estimated 14.2 million (2017 levels) to almost 18.5 million by 2041. Within this:

- Net migration is projected to account for 76 percent of all population growth in the province over the 2017–2041 period, with natural increase accounting for the remaining 24 percent.
- The number of seniors aged 65 and over is projected to almost double from 2.4 million, or 16.7 percent of the population in 2017, to 4.6 million or 24.8 per cent by 2041.
- All regions are projected to see a shift to an older population. However, the Greater Toronto Area (GTA) population is expected to remain the youngest region because of strong international migration and positive natural increase.
- The GTA is also projected to be the fastest growing region of the province, with a population increase of 2.8 million, or 40.8 percent, to reach almost 9.7 million by 2041. Accordingly, the GTA's share of provincial population is projected to rise from 48.3 per cent in 2017 to 52.3 per cent in 2041.

These demographic shifts are changing land use patterns within the NEP area. Northern portions of the Niagara Escarpment are increasingly becoming a destination for retirees due to generally lower land and housing prices compared to the GTA. This, in turn, is driving land prices up within the NEP area. It also means that lands with relatively few environmental constraints on them are becoming increasingly scarce, leaving lands that, from a land-use-planning perspective, are more complex to assess.

3. Urbanization

Population projections within the GTA have been a key driver behind provincial initiatives to address urban boundaries, assign population targets to municipalities and develop approaches to drive intensification within municipal urban boundaries. One of the key objectives of growth management is to achieve a balance between the amount of growth and the ability of natural systems to sustain the growth.

The Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan are four provincial land use plans that work together to manage growth, build complete communities, encourage agriculture, curb sprawl and protect the natural environment. The NEP and Oak Ridges Moraine Conservation Plan form part of the Greenbelt—in fact, as stated above, the NEP alone makes up over one-quarter of Ontario’s Greenbelt. As Canada’s largest economic engine, the Greater Golden Horseshoe is also one of the fastest growing regions in North America. It contains some of Canada’s best farmland, valuable water resources, and world-renowned natural features like the Niagara Escarpment. Protection of the Greenbelt was recently re-affirmed with the release of the government’s Made-In-Ontario Environmental Plan.

The Growth Plan is a key element of planning in the Greater Golden Horseshoe area. Municipalities are assigned population and growth targets to be achieved within urban areas. Many are undertaking comprehensive planning reviews to address how growth and intensification can be accommodated, including whether urban boundary expansions are needed to accommodate population growth. Under the NEPDA, the expansion of urban boundaries into the NEP Area can only be considered at the time of a review of the NEP, which is legislated to occur every ten years. Given this restriction, no encroachment of urban areas into the NEP Area can be permitted until at least 2025, unless a change to the legislation removes this restriction.

The extent to which urban growth and development will be impacted by COVID-19 over the long term is not yet known. The pandemic immigration restrictions are thought to have resulted in lowering the demand for rental housing in urban centres, with more units also available as a result of landlords looking to fill vacant short-term vacation rentals (e.g., Airbnb). The result is a lowering of rents and a greater increase in rental housing affordability, albeit minor. Likewise, the decline in demand for commercial real estate due to on-line shopping and working from home may be transformative to traditional urban structure, with central business districts likely to be especially hard hit. The use of public transit (and cost recovery through the fare box) declined and recovery has been slow.

For the public agencies and non-governmental organizations that manage parkland and protected areas along the Niagara Escarpment, the impacts of outdoor recreation on the natural environment have become increasingly challenging to manage in the context of population growth and urbanization. The ongoing creep of development in the regions of Peel and Halton is bringing people in closer proximity to the Escarpment and some of the most environmentally sensitive land in southern Ontario. Achieving a sustainable balance

between public access to parks and protected areas and conserving ecological integrity is a challenge that is likely to become more difficult to manage in the coming years.

4. Other Development Factors

Population growth in and around Southern and Central Ontario has ancillary implications for the Niagara Escarpment.

- **Tourism** is a significant economic activity in Ontario. In 2019, tourism contributed \$32.7 billion to the provincial GDP, and \$5.1 billion in tax revenue. Within the Niagara Escarpment Plan area, tourism is significant. For example:
 - The Niagara Escarpment contains the most visited downhill ski centres in the province;
 - The Bruce Trail attracts 400,000 visitors each year, contributing significantly to the local economies;
 - Lands within the Niagara Escarpment Parks and Open Space System (NEPOSS) are major recreational destinations, providing natural heritage protection and public access to more than 44,000 hectares of Niagara Escarpment lands, including more than 890 km of the Bruce Trail, and over 400 km of associated side trails;
 - Bruce County has identified that tourism is its largest economic sector, contributing significantly to sustaining tourism-related businesses; and,
 - In Niagara Region, vineyards, wineries and tender fruit associated with the Niagara Escarpment sustain a growing agri-tourism sector
 - Increased bicycle tourism, including as part of winery exploration.

This market for tourism and recreation is creating demand for expansion and improvement of existing facilities, as well as new opportunities. Over the past few years, the NEC has observed an increase in inquiries and proposals for destination and event-related tourism activities. For lands within NEPOSS, the balance between increased use/visitation and natural heritage protection will require careful planning in the coming years.

The tourism and hospitality sector of the economy has been hit especially hard by COVID-19. The NEC has been approached by many of these operations with the intention of adapting their business models to respond to the challenges of COVID-19. Where such plans involve a change in land use, the NEPDA requires that a Development Permit from the NEC be obtained. In some cases, these changes can be easily accommodated (e.g., the minor expansion of a cidery to allow for direct sales), whereas other requests present land use compatibility concerns that are difficult to evaluate in a manner that is responsive to the urgent needs of businesses (e.g., outdoor drive-in concerts in environmentally sensitive areas).

- **Aggregate** is vital to supporting population growth and related development, such as constructing roads and buildings and installing water mains and sewer pipes.

According to a 2010 Ontario State of Aggregate Resources Study, during the previous 20 years, Ontario consumed an average of 164 million tonnes of aggregate per year. Future consumption projections for the next 20 years average about 186 million tonnes (including recycling) per year, or 13 per cent higher than in the previous 20 years. There are approximately 317 million tonnes of high-quality limestone/dolostone reserves close to the GTA market.

Historically, the Niagara Escarpment has been a prime aggregate resource location because of its proximity to market and the high quality of its aggregate resources. However, much of the close-to-market/easily accessible resource in existing Escarpment pits and quarries is depleting, meaning that existing operations must be expanded, possibly exacerbating or creating new negative impacts on the local community and natural heritage features. Otherwise, new sources of aggregate resources must be found at greater distances from the major markets.

Municipal and provincial infrastructure projects are major consumers of aggregate products. The Residential and Civil Construction Alliance of Ontario reports that municipal spending on infrastructure was already in decline prior to the pandemic, and future projects may be put on hold as municipal governments are likely to face operating deficits due to the heightened need for services during the pandemic and a simultaneous drop in revenue.¹³ The same may be true of provincial infrastructure projects; with fiscal austerity measures, a likely post-pandemic necessity, there may be some desire to postpone or cancel provincial projects. While this may have the effect of reducing near-term demand for aggregates, it is unlikely to prevent aggregate producers from applying for new pits and quarries given the lengthy approval process. Thus, the NEC's workload related to processing NEP amendment applications for expansions and new pits and quarries is unlikely to change.

- **Residential construction** trends have evolved significantly since the NEPDA and NEP were originally conceived in the 1970s. Most rural areas of the Escarpment, including the more densely populated regions of Niagara, Halton, and Peel, were considered too far from urban centres to allow for reasonable commuting times. Therefore, these areas remained primarily agricultural in character and there was limited pressure on rural housing stock. With telecommuting and expansion of suburban business parks, the nature and location of workplaces has changed over the past few decades, and with it, the demand for rural housing unrelated to agriculture has increased. The integration of “Smart Growth” principles into municipal and provincial land use planning has put controls on urban sprawl and made it difficult to sever off small rural lots, but the NEC and its municipal partners are witnessing a trend towards very large dwellings on rural lots. These large homes are usually sought by urban, high-income individuals looking to build custom homes in bucolic settings. In some cases, these dwellings are proposed

¹³ Residential and Civil Construction Alliance of Ontario, 2020. *RCCAO Presentation to the Standing Committee on Finance and Economic Affairs*, July 30, 2020.

within semi-rural residential settings and can be out of character with existing homes. Although the NEC works with applicants to reduce the visual and environmental impacts of these large homes, there is often community opposition due to perceived incompatibility with existing community character. As a result, there are an increasing number of appeals to NEC Development Permit approvals relating to these homes. A significant amount of staff time is devoted to preparing for and attending hearings at the Environmental Review Tribunal.

Rural estate homes in agricultural areas are also garnering concern in relation to agricultural viability. This concern is discussed further below.

Agriculture

Agricultural activity in the Greenbelt plays an essential role in shaping the landscape and economy of southern Ontario. Ontario's Greenbelt has approximately two million acres of protected agricultural and environmentally sensitive lands that surround Ontario's largest centre of population. With just under 750,000 acres of farmland, the Greenbelt encompasses most of the core of the Golden Horseshoe and accounts for just over six percent of Ontario's farmland, including some of Ontario's most productive agricultural land.

This productivity represents higher revenues per hectare of agricultural production compared to other parts of Ontario; the total value of agricultural output in the Golden Horseshoe was \$2 billion in 2015 (Friends of the Greenbelt Foundation, 2018). On a per-acre basis, cash receipts are 68 per cent higher in the Greenbelt than the rest of Ontario. As well, proximity to urban area markets puts agriculture in the Greenbelt at a distinct advantage.

The nature of agriculture within the NEP area is highly varied. For example, within Niagara Region, predominant production includes wineries, tender fruit, horticulture and field crops. The central portions of the Niagara Escarpment contain predominantly field crops, fruit and vegetable production, livestock and equestrian uses (particularly in Halton and Peel regions). In Grey County, orchards, vineyards, large livestock and field crops predominate. In Bruce County, agricultural production is primarily related to large animal livestock (beef production), as well as foraging and field crops.

The nature and scale of agriculture in southern Ontario is changing due to urban pressures, changing demographics, and environmental and economic forces. These changes include:

- A decline in the area farmed and number of farms, with average farm size increasing;
- A decline in farms specializing in large-animal agriculture;
- An increase in the number of farms specializing in vegetable crops and horticulture;

- A high proportion of farmers over the age of 55 years, with a reduction in ability to transfer the farm to the next generation;
- Increased need to diversify farm operations through value-added production and/or additional on-farm uses;
- Increased uncertainty and competition due to international trade agreements, some of which are challenging conventional approaches, including supply management; and,
- The challenge of climate change.

As noted above, non-farm rural residential development is a concern for agricultural viability. In Ontario, OMAFRA estimates that 40 percent of farmland is owned by non-users.¹⁴ While it is common for non-farmer landowners to continue to lease agricultural land to local farmers, these farmers are not in a position to make investments in increased agricultural productivity on such land.

Since large agricultural properties are gaining in popularity for establishing estate-sized residents, the value of rural farmland also rises, putting it farther out of the reach of prospective or active farmers looking to make investment in agricultural productivity. Thus, agricultural land that is rented, not owned, tends to be the agricultural land base, especially when the value of rural farm properties continues to rise due to the popularity of establishing estate-size residences on such lots. Although farming can continue to take place on rural estate properties, it is often done by farmers who do not own the land and are not able to make investments in increased agricultural productivity on such land.

Environment and Conservation

1. Climate Change

Climate change is placing our natural resources at risk and introducing additional uncertainties for planning, sustainable infrastructure and resource management. Climate change threatens biodiversity and habitats and can speed the introduction and movement of invasive species.

Climate change policies are integrated into the 2017 Niagara Escarpment Plan, which encourage the use of low-impact development and green infrastructure. Energy-efficient development, including renewable energy and alternative energy systems, are also encouraged to achieve low-carbon and net-zero communities across the NEP area. As a regulatory agency, the NEC will be increasingly involved in municipal undertakings aimed at mitigating the impacts of climate change (e.g. to address emergency works and infrastructure improvements).

¹⁴ Ontario Ministry of Agriculture, Food and Rural Affairs, 2017. *Factsheet: Renting Your Land Sustainably*.

2. Conservation Initiatives

Natural systems are important for food production, water quantity and quality, air quality, plant and animal habitat (plus the full suite of ecosystem services) and increasingly, the climate itself. A range of conservation initiatives are important to protect natural areas and reduce rates of biodiversity loss.

The federal, provincial, and territorial Ministers responsible for biodiversity and protected areas have partnered on a pan-Canadian initiative to work with Indigenous Peoples, local governments and other organizations to protect and conserve at least 17 per cent of Canada's terrestrial areas and inland waters by 2020. The initiative is called the "Pathway to Canada Target 1" and it is part of an international commitment. Ontario currently reports that 10.7 per cent of its area is protected. Notably, lands within the Niagara Escarpment Plan area, including NEPOSS parks, are not included in this calculation because they do not fit the current definition. However, nine NEPOSS agencies are participating in the initiative to evaluate NEPOSS lands for inclusion in a consistent, national accounting of protected lands across Canada.

Indigenous Relations

Recent Ontario and Canadian government initiatives, including the *Truth and Reconciliation Commission*, the *United Nations Declaration on the Rights of Indigenous Peoples Act*, the *Political Accord with the Chiefs of Ontario* and the *Framework for Enhancing Aboriginal Voices* signal Ontario's commitment to reconciliation with Indigenous peoples. Within its role of implementing the NEP, the NEC recognizes the importance of consulting with First Nations and Metis communities on planning matters that may affect their rights and interests. The NEC is committed to implementing the NEP in a way that recognizes and affirms existing Indigenous and treaty rights under Section 35 of the *Constitution Act, 1982*, and encourages more Indigenous participation in land use planning and development matters in the NEP area, as well as in the work of the Niagara Escarpment Biosphere Reserve. The NEC will be undertaking the following activities: Indigenous training is being incorporated into orientation material for new Commission appointees; and, development of processes related to implementation of the NEC's duty to consult on planning matters.

Priorities for 2022-2025

The continued impacts of COVID-19 as well as recovery and renewal initiatives have been a catalyst for the NEC from a strategic, program planning, and operational perspective. The Operational Strategy has been reviewed and updated to reflect emerging initiatives and priorities.

Recovery and Renewal Initiatives

The Ministry of Northern Development, Mines, Natural Resources and Forestry established a Recovery and Renewal Secretariat. This cross-cutting team was established to support recovery, with a focus on the reopening of the workplace in a safe and coordinated manner. Renewal initiatives involve continued modernization of services as well as reimagining how we do business and serve clients.

The NEC is part of the recovery and renewal process. Many NEC priorities align with the Secretariat's work (e.g., streamlined regulations; using technology platforms to make processes more efficient). More specifically, the NEC is pursuing the following priorities due to alignment with Recovery and Renewal objectives.

- Database renewal and application to enable electronic submission and management of applications.
- Legislative and regulatory improvements to streamline and modernize processes and support effective implementation of the NEP.
- Developing internal processes, operations, and culture to optimize program success.

Operational Strategy Renewal

The NEC's first Operational Strategy was released in 2017 and it provided a foundation for organizational renewal and focus following the Coordinated Review. While the core elements remain valid, the renewed Operational Strategy reflects significant achievements made since 2017 and charts the path forward for the next 3 years.

The pillars of the 2022 Operational Strategy are based on a trifecta of mutually reinforcing and integrated elements:

- I. Business and organizational effectiveness
- II. Communicate, consult, collaborate
- III. Modernized and streamlined legislation/regulations

There are several internal and external factors influencing the renewed Operational Strategy. Internal factors include staff turnover, training and development, increased volume and complexity of work, the need for streamlining of internal processes, electronic

and digital records management, and a need for enhanced agency and municipal collaboration. External influences include leveraging the work of the Recovery and Renewal Secretariat, modernization, e-government initiatives, open for business and red tape reduction, as well as Indigenous engagement and consultation.

1. Business and Organizational Effectiveness

Building Our Capacity

This aspect of the renewed Operational Strategy is based on three priority areas.

Building and Enhancing Staff Capacity

The NEC is experiencing a period of transition among staff due to retirements and normal attrition. It is important that staff be supported in their capacity building, learning and development and career planning. The NEC will be placing particular emphasis on mentoring, learning and development, as well as knowledge of the NEP area. The NEC will develop a learning plan to align opportunities with staff and organizational needs, including technical training, policy development, and information management. This will include opportunities through Ministry programs (e.g., Diversity Career Champions Program; Leadership Development Program), broader OPS programs, job shadowing, opportunities through stakeholders and partners, and individualized learning plans.

In terms of learning and development, the NEC will develop an updated strategy to address broad learning needs, professional development, enhancing technical skills and advancement of communications and outreach capabilities.

Succession Planning

The NEC is a relatively small organization with 24 full time staff, 4 seasonal staff and approximately 5 summer staff. The original Operational Strategy's introduction of seasonal planner and compliance positions have provided a valuable pool of candidates for more senior positions. However, the turnover of staff over the past 2 years has highlighted the need to undertake an evaluation of the NEC's organizational needs, including consideration of how positions will be managed and the recruitment process. The NEC will be seeking the assistance of the Ministry's Strategic Human Resources Branch in preparing a succession plan.

Compliance Program Enhancement

The past 18 months has seen a significant increase in compliance activities. The NEC obtained additional support by retaining (on a part-time basis) a former OPS enforcement professional to provide advice, mentoring and on-the-ground assistance for complex files. The NEC will be undertaking initiatives to enhance the capacity and tools associated with

the Compliance Program, including review of the Compliance Protocol with the Ministry and evaluation of potential legislative and program changes.

Effective NEP Implementation

The 2017 NEP provides that the NEC, in consultation with NDMNRF, may issue guidance material and technical criteria to assist the implementing authority with the policies of the Plan. Information, technical criteria and approaches outlined in guidance material are meant to support, but not add to or detract from the policies of the Plan.

The NEC has approved technical criteria for Visual Impact Assessments and has initiated technical criteria for preparation of vegetation protection plans, landscape construction drawings, as well as for complete applications and pre-consultation. These are anticipated to be prepared and approved for use in 2022-23. The Commission also began development of policy guidance material for on-farm diversified uses, dwelling units' accessory to agricultural uses, secondary dwelling units and special events.

The Commission has had several discussions regarding how the NEP policies support agriculture. In November 2021, the Commission considered a staff report on the Niagara Escarpment Plan agricultural policies and directed staff to bring forward a proposal for the Commission to initiate a Plan amendment for specific agricultural policies. The Commission also requested staff undertake further analysis and continue with the development of policy guidance material. These activities will continue in 2022-23.

Streamlining Processes

The NEC has completed the business process mapping exercise to facilitate practices that are as lean and efficient as possible. These process maps are being used to develop internal efficiencies, inform the discovery phase of the IT modernization project, and highlight areas where legislative and regulatory changes are needed.

Streamlining internal processes will continue through 2022-23 and beyond. However, substantive changes through digital solutions and legislative/regulatory amendments are necessary to transform the Niagara Escarpment program.

Flexible Work Arrangements

Like many in Ontario, NEC staff worked from home throughout the 18 months of the COVID-19 pandemic. While a gradual return to the workplace began in November 2021, it is expected that there will be a blended approach going forward. The NEC's ability to deliver a high-quality program and effectively support staff is contingent on providing effective tools, organizational support, communications and collaboration initiatives, and strategies to facilitate a positive and integrated work culture.

The elements of this renewed Operational Strategy are important in supporting continued flexible work arrangements.

Database Renewal and Information Technology

The NEC's current database tracks the status of Development Permit applications, which is the agency's primary business function. Dating back to the early 2000s, the database has been consistently experiencing system failures – a risk that has increased with each successive software upgrade. It has now reached its end-of-life cycle. Further, it does not keep pace with public expectation of electronic service delivery channels. It is a complicated system which has limited functionality and is highly prone to data entry error.

In 2020-21 the NEC received funding for the discovery phase of an IT solution to build a modern, digital-based model. This first phase involves conducting user research and data analysis, examining current business processes and service journeys and identifying what a future modernized state might look like. Submissions have been made to secure funding for the second phase involving design work and proof of concept testing, and the third phase to achieve full implementation. This work is expected to continue over the next two fiscal years.

2. Communicate, Collaborate, Consult

The NEC undertook broad based outreach in 2017 after the release of the new NEP. Plans for more targeted outreach to develop enhanced collaboration and partnerships were initiated but put on hold due to COVID-19. The NEC has since undertaken significant enhancements to its website and enhanced access to information through an online interactive mapping application which allows the public to accurately determine if their property is situated with the NEP area.

The NEC is shifting its approach in the previous Operational Strategy (formerly titled 'Promote the NEC') to be more encompassing and strategic. Over the next two years, the framework of 'Communicate, Collaborate, Consult' will lay the groundwork to build a stronger marketing and communications program at the NEC. It will deliver an action plan that maintains a clear, relevant two-way channel of communication that will inform how we communicate, collaborate and consult with our clients, our various stakeholder groups, members of the public and Indigenous communities along the Niagara Escarpment.

The communications goals include:

- Providing information to the public on the development permit process
- Fostering collaboration and engagement with municipalities, agencies, ministries and other stakeholder groups by providing clarification, information and input on Niagara Escarpment Plan policies.
- Raising the profile of the Niagara Escarpment, Niagara Escarpment Commission, and the Niagara Escarpment Biosphere Reserve.
- Informing the public on Commission activities.

- Developing and cultivating strong relationships, facilitating engagement and implementing duty to consult obligations with Indigenous communities and
- Ensuring all communications meet accessibility requirements.

This framework will use a wide range of tools and channels to communicate key messages and engage with audience groups. Planned activities include marketing and promotion of the new website and interactive mapping application, extensive user research to determine client needs as part of the IT modernization project, a complete refresh of publications, as well as strategic stakeholder outreach and community engagement initiatives.

3. Modernized and Streamlined Legislation and Regulations

Update & Modify Development Control Regulation Mapping

In 2021, the Minister approved two changes to the Development Control Regulation 826/90. The first transformed the regulation from 'metes and bounds' word descriptions to a digital map. The second added the Pleasant View area of the City of Hamilton to the area of Development Control. The NEC will continue to refine the Development Control boundary, including examination of urban areas where municipal zoning is in place, and where specific criteria have been met. By removing Development Control in these urban areas, the approvals process would be streamlined, making it more efficient for applicants.

Modernize Legislation and Regulations - Risk-based Approach

In 2019, the NEC analyzed its broader legislative and regulatory framework to identify opportunities for the government to consider amendments aimed at further streamlining approvals, reducing red tape, and improving service to NEC clients. Some of the potential measures, like modifying the Development Control boundary (as described above), may only require a regulation change. Other potential measures, such as automating parts of the NEC's approvals process, would likely require a legislative amendment. Further, the current IT modernization project presents opportunities for automated approvals or other streamlining measures – some of which may require legislative and regulatory change.

Compliance Program

The NEC's Compliance Program is a core function of the agency's legislative and regulatory responsibilities. It is designed and implemented to ensure that:

- The purpose and objectives of the Niagara Escarpment Planning and Development Act are upheld;
- The policies of the Niagara Escarpment Plan are implemented;
- Development occurs in a manner consistent with conditions of a Development Permit; and,
- Appropriate action is taken to address and remediate development occurring without a Permit, particularly where there are public safety and/or environmental risks.

The NEC takes a risk-based approach to compliance with the *Niagara Escarpment Planning and Development Act*, meaning it makes strategic, risk-informed decisions about compliance priorities and responses. The NEC, in consultation with NDMNRF's Enforcement Branch, uses this approach to determine the most appropriate response to compliance issues from a suite of options in the compliance continuum.



The shift to working from home combined with significant increases in development activity has also resulted in a large increase in compliance occurrences. This trend is expected to continue. The NEC has developed strategies to effectively triage occurrences, encourage voluntary compliance, and determine those that need to be escalated to NDMNRF Enforcement Branch. The NEC also obtained additional expertise through on-call support of a former OPS enforcement professional. The individual was able to take on the more complex compliance cases, provided mentoring of staff and will be supporting development of the compliance program through enhanced protocols, strategies for education and outreach, and identification of enhanced compliance approaches including potential legislative and regulatory changes. Enhancements to the Compliance Program will be a priority in 2022-23.

Niagara Escarpment Biosphere Initiatives

The Niagara Escarpment was designated as a United Nations Educational, Scientific, and Cultural Organization (UNESCO) World Biosphere Reserve in 1990. This designation recognizes the Escarpment and the land in its vicinity as a working landscape that includes representative and scientifically valuable examples of sustainable relationships between human activities and ecosystems. The Niagara Escarpment is one of only 18 biosphere reserves in Canada and is part of an international network of 727 reserves in 131 countries.

The Niagara Escarpment Biosphere (NEB) strives to be an exemplary model site of excellence in the areas of sustainable development, scientific research, Indigenous reconciliation and biodiversity conservation. The NEP is the foundation for the Escarpment's biosphere reserve status; the NEB designation is aligned with the purpose and objectives of the NEP and the core responsibilities of the NEC. The NEC previously performed the role of central convenor for the Biosphere Reserve and this role was recently conveyed to a Transitional Leadership Committee (TLC) which was formed as a result of work undertaken throughout the summer and fall of 2019. The transition process has continued to move forward aided significantly by post-graduate students from Niagara College. NEC staff continue to support this leadership committee as it carries out its objective of transitioning to a permanent, grassroots led organization. The NEC remains an active stakeholder in the NEB.

Some of the progress of the TLC continues to be impacted as a result of limitations faced by the ongoing pandemic. However, progress has been made in a number of key areas including:

- Representation on the Canadian Biosphere Reserves Association (CBRA) Board of Directors, and engagement in national level projects including participation in Environment Canada funded projects which will enable capacity building, include biodiversity inventory and gap analysis and contribute to the identification and reporting of "other effective area-based conservation measures .
- Development of a communications plan by the TLC in coordination with NEC Staff, Niagara College, and other NEB stakeholders. This plan includes a strategy that has been tailored to address the challenges faced by the pandemic by proposing to leverage social media platforms for regular communication with the broader NEB network.
- The TLC continues to make progress on consultation and inclusion of indigenous and metis communities in the NEB governance project. The TLC now has two representative members from Indigenous communities on the Committee which will greatly aid in advancing the priorities for reconciliation and the objective of a co-management governance model.

It is expected that the NEC will continue to be involved in the Biosphere Program, to provide support for NEB related functions and to share the considerable institutional knowledge that it has accrued throughout the decades.

Some highlights of the work planned for 2022-23 include:

- Preparations leading to the next UNESCO mandated Periodic Review in 2024. The NEC will continue to be involved in the development of a formal governance structure (at the discretion of the TLC) for the biosphere that is more representative of the diverse groups with an interest in the Escarpment. The TLC is pursuing development of the network “hub and spokes” model of governance. It is noted that the last CCUNESCO review of the NEB program identified work needed to be done on regarding the reliance on the NEC for governance, and lack of Indigenous community involvement in the program. At this time, the NEB will be able to demonstrate significant progress and achievements on the governance issue.
- The NEB, under the guidance of the TLC will commit to the process of Reconciliation by encouraging a positive and mutually productive relationship with Indigenous Communities/Peoples who have Treaty rights and traditional relationships to the lands of the Niagara Escarpment, encouraging participation in the NEB through the continued development of shared projects and programs, with the ultimate goal of achieving a co-management/co-leadership model.
- Continue to pursue registration as a not-for-profit organization, which will enable greater capacity to pursue both government and non-government funding opportunities to enhance organizational capacity over the long-term.
- Continue to support the development of the “Great Niagara Escarpment Indigenous Cultural Map”, a multimedia online resource led by Plenty Canada, containing stunning photography, captivating video, and contextual information that identifies important Indigenous historical, cultural, and natural world locations along the Escarpment.
- Lead the development of a Coordinated Research Network for biosphere reserve projects, using the United Nations Sustainable Development Goals (SDGs) as a unifying factor.
- In collaboration with Plenty Canada, support the “Building relations through ethical spaces and taking action” project, funded by the Greenbelt Foundation. This project aims to develop and offer a training program targeted to stakeholders in the biosphere and is based on the Pathway to Canada Target 1. The program will introduce the principles of both Ethical Space and “two-eyed seeing”.
- The designated member from the TLC will continue to provide representation of the NEB through participation on the CBRA Board of Directors. The TLC, with assistance from NEC Staff, will support the network of biospheres through active participation in national level projects, including continuing participation on the "Pathway to Canada Target 1 Project," which assists with the identification, recognition and reporting of lands within and in proximity to biosphere reserves, and laying some foundational steps towards contributing to the United Nation’s Sustainable Development Goals (SDGs)

Performance Measures and Targets

Performance measures promote accountability and transparency of services and provide evidence that is used to recalibrate program delivery, enhance customer service, and identify program modifications/needs. The NEC's priorities are to provide valuable and responsive services, support accountability and transparency, and be an inclusive organization where diversity and accessibility are fundamental values.

The NEC has established performance measures to help assess its success in achieving these priorities. By monitoring performance, the NEC can evaluate the effectiveness of policies, quality standards and/or practices in meeting its goals. Figure 4 on the next page identifies performance measures for 2022-25.

In addition to operational performance measures for program delivery, the Plan identifies that performance indicators will be developed and performance monitoring will be undertaken by the Province, in coordination with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Growth Plan for the Greater Golden Horseshoe, and in consultation with the NEC, municipalities, other public bodies and stakeholders, in order to demonstrate progress towards the implementation of the Plan policies. The NEC continues to engage with policy division staff at the NDMNRF in the development of future performance indicators and monitoring.

As noted under the Operational Strategy, the development and implementation of a modern, digital-based model for receiving, processing and issuing Development Permits and other program elements is key to development of meaningful performance measures. It is expected that new performance measures will be identified and reported in association with the digital program implementation. Until then, the following performance measures continue to apply.

Activity	Rationale	Performance Measure	Outcomes
Posting Memorandum of Understanding, Annual Business Plan and Annual Report	<ul style="list-style-type: none"> Agency and Appointments Directive (AAD) requires these documents be prepared and posted annually upon approval by the Minister of Natural Resources and Forestry. These documents set out how the legislative responsibilities of the Niagara Escarpment Commission are carried out. 	<ul style="list-style-type: none"> Documents prepared and submitted in timely manner, per requirements of AAD and MOU. Documents posted on NEC website once approved by Minister. 	<ul style="list-style-type: none"> Public sector transparency and accountability. Public access to information Responsible and accountable government.
Meetings of the Niagara Escarpment Commission	<ul style="list-style-type: none"> The NEC meetings focus on specific planning matters and to discuss policy initiatives. These regular meetings are the main vehicle for the NEC to conduct its business and implement its legislated mandate. Meetings previously occurred monthly, with an additional policy meeting in the spring and fall. For efficiency and cost savings, in 2019, the NEC began a bi-monthly meeting schedule. Further, virtual meeting procedures were established in 2020 due to COVID-19. 	<ul style="list-style-type: none"> Agendas and reports prepared for Commission meetings are publicly available through the NEC website. Meetings are open to the public. Procedures on public participation at meetings are posted on the NEC website. Meeting minutes reviewed / approved by NEC and posted on website. 	<ul style="list-style-type: none"> Public access to information. Public engaged in decisions. Transparency of decisions. Implementation of legislated responsibilities.
Effective decision making	<ul style="list-style-type: none"> The <i>Niagara Escarpment Planning and Development Act</i> sets out the roles/responsibilities of the NEC regarding decisions. Requires the NEC to make decisions independently and in accordance with the Niagara Escarpment Plan. 	<ul style="list-style-type: none"> Decisions by the Commission and Director approvals are in accordance with Delegation of Authority signed by Minister of Northern Development, Mines, Natural Resources and Forestry and the NEC Chair. 	<ul style="list-style-type: none"> Evidence-based and consistent decisions Effective implementation of the Niagara Escarpment Plan. Effective oversight and exercising of delegation of responsibilities.
Customer Service	<ul style="list-style-type: none"> OPS sets customer service standards for hours of operation and responsiveness to communications (phone, email, correspondence). NEC is required to comply with Accessibility for Ontarians legislation and policies. 	<ul style="list-style-type: none"> NEC operations meet customer service standards related to office hours (Monday-Friday 8:30 a.m.- 5:00 p.m.). Telephone calls responded to within 24 hours. Emails and written correspondence acknowledge within 2 business days; respond within 15 business days. 	<ul style="list-style-type: none"> Responsive and effective government. Responsive and effective government. Program development and implementation results provides accessible and inclusive government.

Activity	Rationale	Performance Measure	Outcomes
		<ul style="list-style-type: none"> • Communications, including website, provided or available in accessible formats. • Accommodations considered and offered to ensure accessibility of operations. 	
Information provided to public related to the Niagara Escarpment program	<ul style="list-style-type: none"> • The NEC deals with many inquiries and information requests (e.g.; NEP maps and policy information; application forms; guidance documents; publications). • It is important that information be provided to the public that is clear, useful and relevant (e.g.; application forms, relevant guidelines, status of applications, NEC contact information). • NEC launched a new website in 2021, which will enhance provision and accessibility of information. 	<ul style="list-style-type: none"> • Information is readily available from the NEC's website, in person or other means (e.g.; mail) and is as efficient as possible to obtain. • Requests for information are responded to within 2 business days. 	<ul style="list-style-type: none"> • Public access to data and information. • Responsive and effective government. • Effective relationships with partners, stakeholders and the public. • Informed and engaged clients and partners. • Public able to 'self serve' and obtain relevant information directly from website.
Development Permit Applications	<ul style="list-style-type: none"> • Most of the NEC's business is conducted through processing development permit applications (approximately 700-800 annually). • Effective operation is critical to implementation of the NEP. • Processing times vary for various reasons, including application complexity, delays in obtaining agency comments, and additional information requirements. • Performance measures aim to optimize efficiency of the aspect of the process that are within NEC's control. • NEC's Renewed Operational Strategy highlights development of modern, digital solutions to modernize and streamline programs to deliver them electronically. 	<ul style="list-style-type: none"> • New applications recorded and opened within 3 business days of receipt. 	<ul style="list-style-type: none"> • Effective and efficient processes and decision making. • Legislative requirements met.

Activity	Rationale	Performance Measure	Outcomes
Niagara Escarpment Plan Amendments	<ul style="list-style-type: none"> • NEP Amendments are more substantive and follow a more complex process than Development Permits. • Processing times vary depending on the complexity of the application, whether enough information is provided, whether a hearing is required and timelines for Minister decision. • Performance measures aim to optimize efficiency of the aspect of the process that are within NEC's control. 	<ul style="list-style-type: none"> • NEC staff follow NEPDA requirements for processing Plan Amendments. • Applicants provided with information regarding the status of the Amendment application. • Amendments posted on the NEC's website, including their status. 	<ul style="list-style-type: none"> • Effective and efficient processes and decision making. • Public has high level of awareness of status of their application(s). • Legislative requirements met.
Review of Applications under Planning Act	<ul style="list-style-type: none"> • Decisions by municipalities under the Planning Act are required to conform to the NEP. • The NEC is circulated a range of proposals and applications (e.g.; official plans and amendments; zoning bylaws; consent applications; minor variances). • NEC plays important role in ensuring alignment with the NEP, and to support municipalities in their planning functions. 	<ul style="list-style-type: none"> • NEC comments provided to municipalities within due date (usually 30-60 days). • Municipalities have access to information on NEP policies, designations and development control. 	<ul style="list-style-type: none"> • Municipalities are aware of implications of decisions on the NEP. • Municipalities are supported and are partners in implementation of the NEP. • High level of awareness of NEP implementation.
Management of Compliance Issues	<ul style="list-style-type: none"> • Compliance monitoring is a critical aspect of NEP implementation – to uphold implementation of Development Control, ensure compatible development and mitigate environmental damage. • The Compliance Program uses a risk evaluation approach to triage and prioritize compliance activities through completion of an occurrence report for each situation. 	<ul style="list-style-type: none"> • Compliance matters responded to within 48 hours (i.e.; call back; site visit; occurrence report). 	<ul style="list-style-type: none"> • High quality customer service • NEP and Development Control process effectively implemented • Environmental impacts avoided or remedied

Risk Assessment and Mitigation Strategies

Risk Title	Risk	Key Information	Risk Mitigation Plan	Status of Risk Mitigation Plan	Timeframe to Manage Down
Strategic / Policy / Performance	<p>Number of Development Permit applications has been continually rising since 2017. Further, the number of inquiries and applications is expected to increase during and post COVID-19 as individuals make decisions to relocate outside Toronto and work from home.</p> <p>Integrated Team delivery model has proven highly effective while staff deliver the program while working remotely. However, operational, staffing and technological challenges have resulted in delay in processing applications.</p> <p><u>Risks:</u> Delays in decision-making could result in public and applicant dissatisfaction. May impact government initiatives to restart the economy.</p>	<p>Category Operational</p> <p>Impact Reputational; Operational</p> <p>Likelihood Medium</p> <p>Speed of Onset Immediate</p>	<p><u>Near term:</u></p> <ul style="list-style-type: none"> • NEC reviewing internal processes to identify streamlining and efficiencies. • Utilize Business Process Mapping to establish lean processes. • Triage applications and align staff resources areas of increased workload. <p><u>Longer term:</u></p> <ul style="list-style-type: none"> • NEC and NDMNRF exploring legislative and regulatory changes to streamline approvals processes and improve customer service. • Develop IT solution to drive innovation and streamline processes 	<ul style="list-style-type: none"> • Number of DPAs received is beyond the control of the NEC. • All near term initiatives and actions within NEC control are being implemented. • NEC continuing to work with NDMNRF regarding legislative / regulatory changes • IT solution funded for Discovery Phase. • Linkages with NDMNRF recovery and renewal initiatives being explored. • Monitoring performance to ensure continued effectiveness. 	<p>Underway.</p> <p>Continue in 2022-23 and beyond.</p>
Strategic / Policy / Performance	<p>Commission has identified need for policy guidance and technical criteria to aid implementation of NEP policies. Work has been delayed due Commission request for discussion / review of NEP agricultural policies. Staffing challenges have also contributed to the delay.</p> <p><u>Risks:</u></p> <ul style="list-style-type: none"> • Lack of clear direction may result in inconsistent policy application. • Decisions and policy interpretations may set precedent. • Agricultural stakeholders increasingly expressing concern that NEP does not 	<p>Category Operational</p> <p>Impact Reputational; Regulatory</p> <p>Likelihood Medium</p> <p>Speed of Onset Soon</p>	<ul style="list-style-type: none"> • NEC undertaking further review and discussion of agricultural policies. • Areas identified where development of policy guidance and technical criteria will be developed to assist with NEP implementation. • NEC to engage key stakeholders during review of guidance and technical criteria. • Once prepared, the guidance material will be made publicly available. • Comprehensive information provided to Commissioners to 	<ul style="list-style-type: none"> • New Commission has reviewed and endorsed topics for Policy Guidance and Technical Criteria • Anticipate work completed in 2022-23. • NEC consulting with NDMNRF on development of guidance material, per requirement in Niagara Escarpment Plan. 	<p>Being implemented in 2022-23.</p>

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	adequately support agriculture.		evaluate policy implications of development.		
Governance / Accountability/ Organizational	<p>Situation related to COVID-19 pandemic means regular processing of applications is hindered and Commission meetings being held through videoconference.</p> <p><u>Risks:</u> Delayed decision making. Meetings may not be easily accessed by public.</p>	<p>Category Operational</p> <p>Impact Reputational; Regulatory</p> <p>Likelihood Medium</p> <p>Speed of Onset Immediate</p>	<ul style="list-style-type: none"> • Staff equipped to effectively work from home. • Procedures in place for 'virtual' meetings. Guide prepared for public participation in virtual meetings. • Anticipate returning to in person meetings in early 2022. 	<p>Being implemented.</p> <p>Situation related to COVID-19 beyond NEC control.</p>	Q4 2021; 2022-23
Governance / Accountability/ Organizational	Ten (10) Commission appointments lapse in 2022, including the Chair. Delay in appointments may mean NEC is unable to meet due to lack of quorum, and unable to make decisions resulting in delays in development approvals.	<p>Category Operational</p> <p>Impact Reputational; Regulatory</p> <p>Likelihood Medium</p> <p>Speed of Onset Immediate</p>	<ul style="list-style-type: none"> • Communicate importance of appointments to NDMNRF. 	<ul style="list-style-type: none"> • Ministry monitoring appointments process 	2022-23
Governance / Accountability/ Organizational	<p>Failure to comply with 2020 Agency and Appointments Directive (AAD).</p> <p>Government review of provincial agencies recommend continuation, with enhancements.</p> <p><u>Risks:</u> Related to governance and relationship with NDMNRF.</p>	<p>Category Operational</p> <p>Impact Reputational; Regulatory</p> <p>Likelihood Medium</p> <p>Speed of Onset Soon</p>	<ul style="list-style-type: none"> • NEC staff, Chair and Commission members aware of OPS policies and directives. • Information provided in orientation of new Commissioners. • All Commissioners must affirm Code of Conduct. • NDMNRF Legal Services Branch periodic attendance at Commission meetings to explain legislative and regulatory responsibilities. • MOU with NDMNRF reviewed. Revised and ready for signature by Chair and Minister. 	<ul style="list-style-type: none"> • Commissioners reviewed and signed attestation documents. • NEC and NDMNRF staff completed review of MOU. • NEC staff to conduct periodic review of AAD to monitor and confirm compliance. 	2022-23 and beyond.

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			<ul style="list-style-type: none"> • NEC to be prepared to provide input to Agency Review, if called upon to do so, including opportunities to streamline process, enhance customer service and ensure transparency. 		
<p>Program / Caseload / Utilization</p>	<p>Anticipated continued development pressures and more complex applications (e.g.; increased size and intensity of development; requests to permit broader range of uses; available development sites tend to have more constraints). Volume of applications and development pressure significantly increased during COVID-19. Anticipate recovery will bring expectation of streamlined approvals. NEC undergoing staff turnover. Recruitment and training new staff create delays in processing applications. NEC staff resources continue to be stretched to deal with sustained increased volume and complexity.</p> <p><u>Risks:</u> Increased staff stress, longer timelines for some decisions, and challenges in obtaining required information to support effective decision making.</p>	<p>Category Operational</p> <p>Impact Reputational</p> <p>Likelihood Medium - High</p> <p>Speed of Onset Immediate</p>	<ul style="list-style-type: none"> • Align staffing to FTE allocation • Develop staffing and succession strategy. • Integrated Team service delivery model in place to proactively monitor and triage work. Monitor caseload and triage on a bi-weekly basis. • Management utilizing 'dashboard' to provide rapid assessment of emerging trends, assess where resources need to be adjusted, and to inform where processes need to be streamlined. • Use Business Process Mapping to identify process efficiencies and monitor effectiveness. • Implement streamlining process for non-complex applications. • Continue to pursue legislative and regulatory changes to streamline processes. 	<p>Being implemented</p>	<p>2022-23 and beyond</p>

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Controllership/ Accounting	Compliance with all OPS policies and directives	Category Program Implementation Impact Reputational and operational Likelihood Low Speed of Onset Immediate	<ul style="list-style-type: none"> • NEC staff to take mandatory training to ensure awareness of controllership policies and directives. • Internal procedures to be in place to monitor compliance. • NEC Manager of Administration accountable for NEC compliance with OPS policies and directives 	<ul style="list-style-type: none"> • Being implemented and monitored • All staff have required training • Orientation in place for on-boarding of new staff. 	2022-23 and beyond
Legal / Contractual / Compliance	<p>Compliance activities of the Niagara Escarpment Commission are managed according to an established risk framework.</p> <p>Development pressure and growth in Southern Ontario is resulting in increased compliance issues – often with significant increases in complexity and potential negative impacts on the Niagara Escarpment Plan. Volume of occurrences increased during COVID-19. Enforcement action impacted by closure / delays in provincial courts. NEC capacity limited.</p> <p><u>Risk:</u> Inability to inspect all occurrences creates risks related to development occurring without valid Development Permit from NEC. May result in increased need for enforcement action and litigation.</p>	Category Operational, Environmental Impact Difficult to determine Likelihood Medium Speed of Onset Immediate	<ul style="list-style-type: none"> • Implement risk-based approach to compliance to make strategic, risk-informed decisions – guided by an established Protocol. • Work with NDMNRF regarding approach for enforcement in light of court delays. • Work with Integrated Teams to obtain input on hand-off of Compliance to Planning. • Establish process to triage and escalate compliance matters to management. • Complete Business Process Mapping to clarify roles and streamline process. • Develop compliance policies and procedures to establish approaches and different pathways to manage range of compliance situations. • Build relationships and collaboration with partners and agencies to ensure most effective tools are used and to 	<ul style="list-style-type: none"> • Risk-based approach being implemented. • Compliance is being inculcated into Integrated Teams. • Compliance program business process mapping completed. • Outreach continuing through 2020-21. 	Ongoing

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			reduce duplication of effort.		
Information and Information Technology	<p>Database for tracking permits is based on legacy software not supported by LRC. Development Permit system relies heavily on database to store, manage and report on large volumes of information. NEC does not have capacity to mobilize e-approvals and on-line application process.</p> <p><u>Risks:</u> System failure would significantly impact implementation of Development Permit system and ability to track status of applications and to provide accurate information to public/Commission. Issues associated with COVID-19 highlight need for IT solutions to streamline processes and enable e-approvals.</p>	<p>Category Legal; Operational</p> <p>Impact Indeterminate</p> <p>Likelihood Medium-High</p> <p>Speed of Onset Indeterminate</p>	<ul style="list-style-type: none"> • Proceed with Discovery Phase for development of modern, digital model based on funding obtained for 2021-22. • Pursue funding opportunities to proceed with Build (Stage 2) and full implementation (Stage 3). 	<ul style="list-style-type: none"> • Working with NDMNRF and LRC for Discovery Phase. • Pursuing funding for 2022-23 and 2023-24. 	<p>Work with NDMNRF and LRC continuing if 2021-2022 and beyond.</p> <p>Projecting 2-year timeframe to have new digital solution in place.</p>

Appendix 1 – List of Municipalities within the Niagara Escarpment Plan Area

NIAGARA REGION (seven local municipalities)

Town of Grimsby
Town of Lincoln
City of Niagara Falls
Town of Niagara-On-The-Lake
Town of Pelham
City of St. Catharines
City of Thorold

CITY OF HAMILTON

HALTON REGION (three local municipalities)

City of Burlington
Town of Halton Hills
Town of Milton

REGION OF PEEL (one local municipalities)

Town of Caledon

COUNTY OF GREY (six local municipalities)

City of Owen Sound
Municipality of Medford
Township of Georgian Bluffs
Municipality of Grey Highlands
Township of Chatsworth
Town of The Blue Mountains

COUNTY OF SIMCOE (one local municipalities)

Township of Clearview

COUNTY OF DUFFERIN (two local municipalities)

Town of Mono
Township of Mulmur

BRUCE COUNTY (two local municipalities)

Town of South Bruce Peninsula
Municipality of Northern Bruce Peninsula