

ANNUAL BUSINESS PLAN

2023 - 2026



Niagara Escarpment Commission
An agency of the Government of Ontario

An overview of the operational goals, budget,
and risk management strategies of the
Niagara Escarpment Commission.



Niagara Escarpment Commission

We are dedicated to maintaining and enhancing the vitality and sustainability of the Niagara Escarpment.

Annual Business Plan
2023 – 2026

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1. The Niagara Escarpment

1.1 Overview

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. It comprises over a quarter of Ontario's Greenbelt and is home to Canada's longest footpath, the Bruce Trail. Over 450 million years old, the Niagara Escarpment is the source of many of the Greater Golden Horseshoe's major river systems. It is also one of the last remaining bands of continuous forest cover and natural heritage linkages in southern Ontario. It is a major source of close-to-market prime agricultural land.

In 1973, the Ontario Government passed the Niagara Escarpment Planning and Development Act (NEPDA) to manage development on the Escarpment. Through the NEPDA, a land-use planning process was put in place and the Niagara Escarpment Commission (NEC) was established. Subsequently, in 1985, the Ontario Government also created the Niagara Escarpment Plan (NEP) to clarify land-use designations, development criteria, and other permitted uses. The NEP area covers 195,000 hectares in portions of 22 local municipalities within seven regions and counties, as

well as the City of Hamilton. It also provides the framework for a string of more than 160 parks and open spaces linked by the Bruce Trail.

The role of the NEP in preserving the open-landscape character of the Niagara Escarpment and supporting agriculture is good for business in Ontario. Rural and agricultural communities on the Niagara 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 Niagara Escarpment is a destination for travelers and residents looking for recreational opportunities, which provides a major annual boost to local and regional economies.

In 1990, the Niagara Escarpment earned 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 Niagara Escarpment as an internationally significant natural feature that promotes sustainable development.

With the Niagara Escarpment traversing the Greater Golden Horseshoe (GGH), 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 the development and preservation of this majestic feature has never been more important.

1.2 Context

The Niagara Escarpment Commission (NEC) is an arm's-length agency of the Ontario Government. Like other provincial 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 of the NEC to the Natural Resources and Forestry (MNRF) Minister.

This business plan covers a three-year period from 2023 to 2026. The COVID-19 pandemic had a significant impact on NEC operations over the past two years, including opportunities to embrace innovation that supports new ways of doing business, as well as a momentum to strive to simplify processes and make services more accessible, transparent, and efficient for the general populace.

More specifically, the NEC will be entering its final year of a three-year project to develop and implement a new Information Management system.

The new system is intended to support a customer service focused platform for the agency's many approvals. Furthermore, with the support of MNRF, the NEC continues to be successful in receiving funding to digitize paper records which will, in effect, make them more accessible.

These initiatives are but two examples of the NEC's continued efforts towards modernizing its programs and establishing efficiencies that enhance the services accessed by the public.

The three years encompassed by this business plan continue the strong emphasis and focus on working with MNRF to modernize and streamline programs, pursue electronic program delivery, and enhance implementation of the Niagara Escarpment Plan (NEP), while recognizing opportunities for legislative and regulatory enhancements.

2. The Niagara Escarpment Commission (NEC)

The Niagara Escarpment Commission (hereafter referred to as 'NEC' or 'Commission') was established in June 1973. It is a regulatory agency that operates at arm's length from the provincial government, in accordance with the Niagara Escarpment Planning and Development Act (NEPDA), and the Ontario Government's Agencies and Appointments Directive.

The NEPDA established the planning framework for the Niagara Escarpment Plan (NEP), which the NEC administers by ensuring that development on the Niagara Escarpment meets the purpose and objectives of the NEP. The NEC also makes recommendations to the provincial government on NEP policies and amendments. The NEC reports to the Ontario Legislature through the Minister of Natural Resources and Forestry via a Memorandum of Understanding (MOU).

The NEC conducts itself according to the standards of the Ontario Government, including the principles of ethical behaviour, excellence in management, diversity, anti-racism and inclusion, careful and prudent administration of public funds, and a

professional public service that is transparent, responsive, fair, and respectful.

The NEPDA also 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 NEP area. For a current listing of Commission members, please visit NEC's website (escarpment.org). A listing of municipalities found within the NEP area is contained in **Appendix 1**.

The Commission meets regularly to consider certain development permit applications, land-use proposals, policy items, and NEP amendments. Commission meetings are open to the public. They are held in a hybrid format consisting of video conferencing (via Microsoft Teams) and in person boardroom attendance at the NEC's main office in Georgetown, Ontario. Instructions on how to access Commission meetings are available on the NEC website (escarpment.org).

2.1 Mandate

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

The Niagara Escarpment Planning and Development Act (NEPDA) and the NEP set out the Commission's responsibilities and mandate as a Crown Agency. The purpose of the NEPDA and the NEP are:

"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."

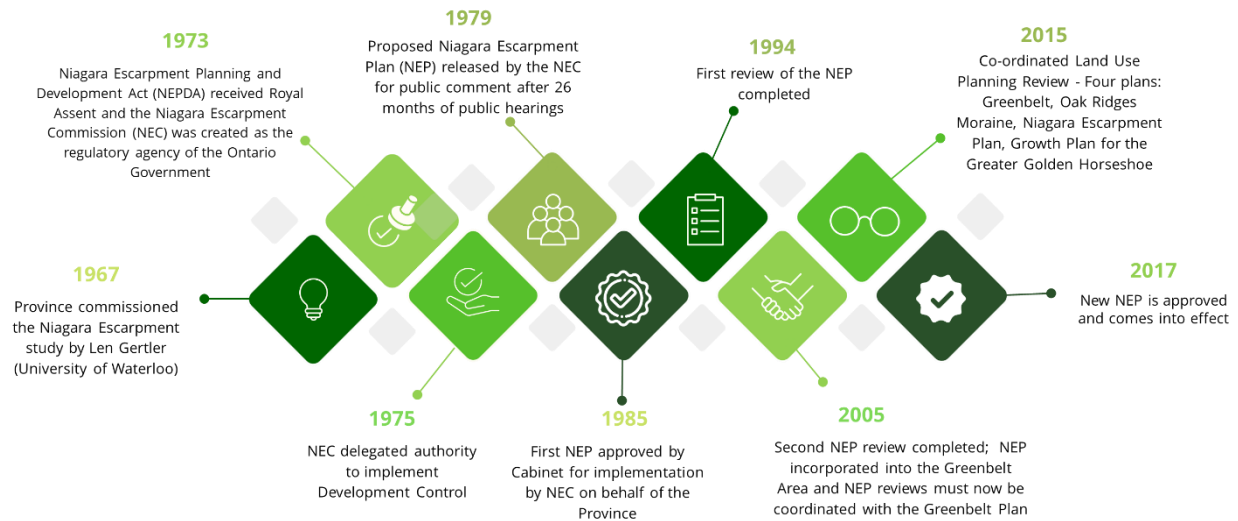
The objectives of the NEP are as follows:

- 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 Ontario 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 current NEP came into effect on June 1, 2017.

Figure 1 – History of land use planning on the Niagara Escarpment



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 and it concluded that the mandate was being implemented appropriately.

In 2019, the NEC underwent a review through the provincially appointed Agency Review Taskforce. Upon conclusion of the review, the Agency Review Taskforce supported the continuation of the Commission and suggested that enhancements should be considered to further modernize

the Niagara Escarpment Program and to strengthen implementation.

In 2022, the Ontario Auditor General's Office (OAGO) undertook a Value for Money Audit entitled 'Conserving the Niagara Escarpment', to which the NEC was a participant. The final report, released in late November 2022, highlighted key areas of improvement for the NEC and the MNRF, to which both the NEC and MNRF provided responses.

3. Budget Forecast

3.1 NEC Allocation

The NEC's budget allocation had remained relatively stable at \$2,410,100 for eight fiscal years until it was 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, the creation of four seasonal positions, and increased costs to implement the NEC program.

The NEC's allocation was increased in 2020-21 to \$2,647,000 based on the actuals from fiscal 2019-20. This resulted in an increase to the wages and benefits allocation, which allowed the NEC to continue with a full staff complement (24 FTEs and four seasonal positions). However, the allocation for services (allocation for the costs to support the Commission including per diems and other expenses) fell short given that in 2019-20 Commission appointments were delayed, resulting in the inability to hold meetings for several months as quorum could not be achieved. The NEC was able to manage the shortfall due to reduced expenses associated with fewer meetings and remote participation. This allocation reduction

continued into 2022-23 with the services allocation being reduced further to \$120,500 from \$159,800.

The Commission returned to monthly meetings in January of 2022 and meetings were moved to a hybrid format with some Commissioners and applicants choosing to attend in person and others continuing virtually.

Following the direction of the Ontario Government, NEC staff returned to the workplace in the spring of 2022. Staff returned to work on a gradual hybrid work format of three days in the office and two days working remotely. Activities such as outreach, training, and development which had been moved to a virtual platform or put on hold during the pandemic resumed in 2022-23. These factors, combined with increased costs, put pressure on the ODOE budget for 2022-23.

Consequently, increases to the ODOE allocation would be anticipated for 2023-24 and onwards as reflected in **Table 1** to cover these additional costs, with the greatest increase going to the services budget due to the return of the Commission to monthly Commission meetings and a full complement of Commission members.

Also reflected in **Table 1** for 2023-24, are funds dedicated to the NEC's Modernization project which started in the fourth quarter of 2021-22 (with the exploratory phase) and continued in 2022-23 (with the alpha phase). The last phase of the project, the beta phase, is projected to occur in 2023-24. It is anticipated that the new

permitting system will also involve licencing and support fees at a projected annual cost of \$250,000 commencing in 24/25 and continuing yearly.

The Modernization project is discussed in greater detail in section **5.1.3**.

Table 1 – Forecasting for 2023-2026

Standard Account	2023-2024	2024-2025	2025-2026
Salary and Wages ¹	\$2,180,500	\$2,245,915	\$2,313,300
Employee Benefits	\$327,000	\$337,000	347,000
Salary/Benefits Total	\$2,507,500	\$2,582,915	\$2,660,300
Transportation and Communications	\$48,000	\$50,000	\$52,000
Services ²	\$965,000	\$465,000	\$465,000
Supplies and Equipment	\$40,000	\$42,500	\$45,000
ODOE Total	\$1,053,000	\$557,500	\$562,000
GRAND TOTAL	\$3,560,500	\$3,140,415	\$3,222,300

The NEC 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

¹ Does not include costs associated with salary awards and merit increases but does include salary increase of 3 percent/year.

² Includes \$750,000 granted from the Ontario Onwards funding for NEC's Modernization Project in fiscal 2023-24 for costs associated with the Beta Phase. Fiscals 2024-2026 includes the projected amount of \$250,000 for licencing and service fees for the new software. (These fees are an estimate and are subject to change.)

improve customer service and organizational effectiveness. The Operational Strategy is currently under

review in 2022-23 toward a refreshed strategy in 2023-24.

3.2 NEC Special Projects

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 will continue to operate in a fiscally responsible manner in the use of any of the funds over the next three fiscal years.

Table 2 - shows the current OHT accounts, their purpose, and the corresponding account balance as of December 31, 2022, for the 2022-23 fiscal year.

Account Name	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 & historically special projects related to the UNESCO biosphere reserve.	\$22,550.47
Publications	Fund marketing and promotional materials	\$12,483.05

Joint Agency Review Team (JART)	Dufferin provided a letter of credit that is held by OHT for \$25, 000 that can be used by the NEC to retain a third-party consultant to undertake an expert peer review of any reports provided by Dufferin or other agencies in connection with the Adaptive Management Plan (AMP) for the Acton quarry. The funds cannot be used for any other quarry.	\$25,000.00
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4. 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.

4.1 COVID-19 Pandemic

Early in 2020, the far-reaching implications of the COVID-19 virus became apparent, and the World Health Organization declared it a pandemic on March 11, 2020.

The pandemic - and the various federal, provincial, and municipal

measures put in place to provide public health protection, provided the impetus for the NEC to examine its programs, processes and tools to find new ways of service delivery and business process efficiencies. In essence, COVID-19 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.

4.2 Workforce & Service Delivery Transformation

4.2.1 Flexible Work Arrangements

In the context of the outcomes of COVID-19, public attitudes to remote working are generally favourable due to the flexibility it provides to workers.

In March 2022, the Amazon Business Return to Office Report surveyed nearly 1,600 Canadian office workers and found that only one in eight respondents (12 percent) preferred to work entirely from a physical workplace in a post-pandemic scenario. Conversely, more than two-fifths (43 percent) of respondents noted they would try to switch jobs if their current employer mandated a full return to the workplace. The Ontario Public Service (OPS) leadership in its commitment to providing flexibility to employees, commenced a graduated return to the workplace and are continuing toward a comprehensive plan for the future of work.

4.2.2 Service Modernization

As noted previously, COVID-19 accelerated the move towards what the OPS has already identified as an organizational priority: adopting new digital practices and technologies that can deliver simpler, faster, and better services to Ontarians. 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 Lens³ to further reduce the complexity and paper-intensive nature of many of these processes. Implementation of the NEC's modernization efforts are essential to improving the NEC's responsiveness to its clients, while enhancing the NEC's ability to focus on its mandate - ensuring that development is compatible with the Escarpment environment.

4.2.3 Workforce Succession

In 2019⁴, it was estimated that 33 percent of management and 22 percent 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 percent since 2014, and the number of employees under the age of 35 grew by more 6 percent during the same

³ Lean Enterprise Institute, [What is Lean?](#)

⁴ 2019 is the most current information available, based on MNRF Trend Scan

period. Demographics of NEC staff are in line with these trends.

The 2021 Census revealed that a large section of the national labour force – more than 1 in 5 (21.8 percent), are aged 55 to 64. This is a workforce statistic of great concern to economists as it is the age group with persons that are nearing retirement. In line with this reality, the NEC has experienced the retirement of some long-serving staff in the past few years. This trend, coupled with leaves of absence and staff moving to work in the broader public sector, has highlighted to the NEC (and to the greater public service) the importance of ensuring that staffing succession plans are in place to facilitate knowledge transfer and to maintain continuity of service operations and delivery.

4.3 Growth & Development

4.3.1 Economic Outlook

While Ontarians saw strong economic growth in 2021, economic uncertainty was the reality for much of 2022, and the trend is expected to carry on into

2023⁵. There are many reasons for the uncertainty; however, a major cause is the pandemic supply chain challenges that were exacerbated by an elevation in global conflict in early 2022. The supply challenges led to record inflation in many parts of the world. In Ontario, as prices for goods and services skyrocketed (Consumer Price Index rose 7.0 percent⁶), scarcity and affordability became realities for many Ontario households.

While the real estate market in Canada remained strong in the early years of the pandemic, higher interest rates implemented by the Bank of Canada in the second half of 2022 (in reaction to high inflation), has resulted in a slowdown in the real estate market. In Ontario, it was forecasted earlier in the year that the real estate market would contract by more than 33 percent in 2022 and would see a further decline of 16.4 percent in 2023⁷.

As a result of the decreased activity in the real estate market as well as the overall economic uncertainty in Canada, the NEC anticipates that the number of development permit applications for activity along the

⁵ Government of Ontario (2022). [Ontario's Plan to Build: A Progress Update - Background, Economic and Fiscal Overview](#).

⁶ Statistics Canada (2022). Consumer Price Index, August 2022.

⁷ CREA, CMHC, TD Economics. Forecasts by TD Economics as of September 2022.

Niagara Escarpment will be lower in 2022/23 and 2023/24 (as compared to the higher number of applications submitted in 2021/22).

4.3.2 Population & Demographics

According to the results of the 2021 Census, Ontario's population grew by approximately 5.8 percent between 2016 and 2021. Looking forward, Ontario is projected to grow significantly over the next 24 years, from an estimated 14.8 million (July 2021 levels) to as much as 21.5 million by 2043 (in a high growth scenario).

Within this projected growth:

- International migration is projected to be a major driver of growth.
- Net migration is projected to account for 86 percent of all population growth in the province over the 2021–2046 period, with natural increase accounting for the remaining 14 percent.
- The number of seniors aged 85 and over is projected to rise from approximately 345,000 (2021) to as much as 921,000 in 2043 (medium growth scenario).
- 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 2.9 million, or 41.3 percent, from 7.1 million in 2021 to over 10 million by 2046. The GTA's share of the provincial population is projected to rise from 47.9 percent in 2021 to 49.1 percent in 2046.

These demographic shifts are changing land use patterns within the NEP area. For example, 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 up land prices within the NEP area. It also means that lands with relatively few environmental constraints on them are becoming increasingly scarce, leaving lands that are (from a land-use-planning perspective) more complex to assess.

4.3.3 Housing Supply

In 2022, the Ontario Government took actions to address the housing crisis that has been defined by housing unaffordability and unavailability, with a focus on reducing burdens for development and increasing supply.

On April 14, 2022, Bill 109, More Homes for Everyone Act, 2022, received Royal Assent and introduced

changes to various Acts, including the Planning Act, in a stated effort to speed up approvals and provide certainty of development costs for developers.

On November 29, 2022, Bill 23, the More Homes Built Faster Act, received Royal Assent and proposed further changes to the Planning Act and other Acts, including the Conservation Authorities Act, the Ontario Heritage Act, the Ontario Land Tribunal Act, and others, in a stated effort to build more homes faster. Changes proposed under these two Bills will require the NEC to evaluate its current processes, especially as it relates to those that involve collaborating with our municipal and conservation authority partners.

As of December 2022, no changes have been proposed to the NEPDA.

4.3.3.1 Residential construction

trends have evolved significantly since the NEPDA and NEP were originally conceived in the 1970s. In those days, most rural areas of the Escarpment, including the now more densely populated regions of Niagara, Halton, and Peel, were considered too far from urban centres to allow for reasonable commuting times. As a result, those 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. On the other hand, the NEC and its municipal partners are witnessing a trend towards very large dwellings on rural lots. These large homes are usually sought by high-income individuals looking to build custom homes in bucolic settings. In some cases, these dwellings are proposed within semi-rural residential settings and can be out of character with other existing homes.

The NEC works with applicants to reduce the visual and environmental impacts of these large homes, but the perceived incompatibility with existing community character as well as multiple development criteria in the NEP continue to make these challenging to assess. The NEC anticipates these trends will continue and may be encouraged by changes proposed under Bills 109 and 23.

Throughout the urban areas of the NEP area, the NEC continues to face challenges related to residential development where the urban area

abuts a natural area. Bills 109 and 23 may exacerbate challenges in ensuring that the purpose and objectives of the NEP are met.

Rural estate homes in agricultural areas are also garnering concern in relation to agricultural viability. This concern is discussed further in the section on Agriculture (4.4).

4.3.4 Development Factors

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

4.3.4.1 Tourism is a significant economic activity in Ontario. In 2021, tourism contributed \$36.8 billion to the provincial GDP, and \$5.8 billion in tax revenue.

Within the NEP 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
- There is also increased bicycle tourism, including as part of winery exploration.

This market for tourism and recreation is creating demand for the 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.

4.3.4.2 Aggregate supply is a key component of economic development in Ontario, required for constructing residential, commercial, and industrial buildings, and also supporting infrastructure such as transportation and utility corridors, water and wastewater systems, and for consumer and industrial uses. The 2010 Ontario

State of Aggregate Resources Study⁸ indicated that over a 20-year span, 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 percent higher than in the previous 20 years. There are approximately 317 million tonnes of high-quality limestone/dolostone reserves close to the GTA market.

The Niagara Escarpment has historically been a prime aggregate resource location because of its proximity to market and the high quality of its aggregate resources. As a result of extraction over the years, many of the existing pits and quarries on the Escarpment are nearing depletion, and may either close and be rehabilitated or expanded to maintain operations. The impacts of expansion, or new operations, encompass surface and groundwater hydrology, natural and cultural heritage, scenic values, and an assortment of community interests. Alternative sources of aggregate resources are available elsewhere but may be at greater

distances from their markets or may be available through sub-surface mining.

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 in decline by 2020⁹, although public and private infrastructure projects were an economic priority during COVID-19, and continue to be a priority entering the post-COVID economy¹⁰. The provincial residential housing plan acknowledges the aggregate demand this initiative alone implies¹¹. In this context, it is likely that aggregate producers continue to apply for expanded or new pits and quarries given the lengthy approval process, and so the NEC's workload related to processing NEP amendment applications for new or expanded pits and quarries is unlikely to change.

4.4 Agriculture

Agricultural activity in the Greenbelt plays an essential role in shaping the

⁸ The 2010 Ontario State of Aggregate Resources Study

⁹ Residential and Civil Construction Alliance of Ontario, 2020. *RCCAO Presentation to the Standing*

Committee on Finance and Economic Affairs, July 30, 2020.

¹⁰ *Infrastructure Policy Council | OCC*

¹¹ *More Homes, More Choice: Ontario's Housing Supply Action Plan*

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 6 percent of Ontario's farmland, including some of Ontario's most productive agricultural land.

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 (see section 4.5).

In order to have a viable agri-sector, the agricultural land base needs to be protected first and foremost. The Provincial Policy Statement and the four Greater Golden Horseshoe (GGH) land use plans permit a wide range of uses in prime agricultural areas which includes agricultural, agriculture-related uses, and on-farm diversified uses. This may result in new farm products or necessary and/or valued rural services.

These uses are necessary for a viable agri-food sector because ideally, agriculture must be supported with processing facilities close to farms, and some types of farming may be more viable if they are supplemented with additional sources of income, provided that they do not compromise the predominant agricultural use of the land. Striking a balance between good planning practice and economic development can be a challenge.

4.5 Environment

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 up the introduction and movement of invasive species.

Climate change policies are integrated into the 2017 Niagara Escarpment Plan, which encourages 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, including

but not limited to, addressing emergency works and infrastructure improvements, ensuring that the natural tree cover is maintained (and where possible enhanced), and supporting the mitigating effects of vegetation.

4.6 Indigenous Relations

Recent provincial and federal government initiatives include the Truth and Reconciliation Commission, adoption of 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. These ongoing and future engagements signal Ontario's commitment to reconciliation with Indigenous peoples.

Within its role of implementing the NEP, the NEC recognizes the importance of meeting our Duty to Consult obligations 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 continues to incorporate Indigenous training in orientation

material for new Commission appointees and implementation of Duty to Consult processes in the planning activities of the NEC.

5. Priorities for 2023-2026

The NEC Operational Strategy is to be reviewed and updated to reflect emerging initiatives and priorities.

5.1 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, a renewed Operational Strategy should reflect significant achievements made since 2017 and chart the path forward for the next three years.

The pillars of a renewed NEC Operational Strategy will be based on a triffecta of mutually reinforcing and integrated elements:

1. Business and organizational effectiveness
2. Communicate, consult, collaborate
3. Modernized and streamlined legislation/regulations

There are several internal and external factors influencing a 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 modernization, e-government, and open for business strategies, as well as Indigenous engagement and consultation.

5.1.1 Business & Organizational Effectiveness

In 2021, the Ministry of Natural Resources and Forestry (MNRF) established the Recovery and Renewal Secretariat (now the Modernization and Business Improvement Office). The office is focused on improving digital citizen-facing services, streamlining policies and services, ensuring public services are efficient, effective and nimble while also focusing on organizational support for priority initiatives. The NEC is part of the modernization process.

Many NEC priorities align with the work of the Business Improvement Office (for example, streamlined regulations; using technology platforms to make processes more efficient).

More specifically, the NEC is pursuing the following priorities:

- Developing internal processes, operations, and culture to optimize NEC program success;
- Enhancing existing processes to support effective implementation of the NEP;
- Recommending legislative and regulatory improvements to streamline and modernize processes; and
- Modernizing NEC technology by renewing the internal database and establishing electronic submission and management of applications.

5.1.1.1 Building Our Capacity

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

Building & 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, 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 MNRF

programs (for example, the Diversity Career Champions Program; the 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, enhancement of technical skills, and advancement of communications and outreach capabilities.

Succession Planning

The NEC is a relatively small organization with 24 full time staff and, four seasonal staff, supplemented by OPS Youth Programs. 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 two years has highlighted the need to undertake an evaluation of the NEC's organizational needs, including consideration of how positions will be recruited for and managed. The NEC is seeking the assistance of the MNRF Strategic Human Resources Branch in preparing a succession plan.

Compliance Program Enhancement

Over the past decade, there has been a significant increase in compliance-related activities (including an increase in high-risk files) which has put a strain on the NEC's limited resources. The NEC has 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 other initiatives to enhance the capacity and tools associated with the Compliance Program, including a review of the Compliance Protocol (with MNRF) and an evaluation of potential legislative and program changes.

5.1.1.2 Effective NEP Implementation

The 2017 NEP provides that the NEC, in consultation with MNRF, 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 the preparation of Vegetation Protection Plans, landscape construction drawings, as well as for

complete applications and pre-consultation. NEC staff intend to seek Commission approval of the technical criteria for Landscape Plans and Vegetation Protection Plans in early 2023. The complete application and pre-consultation guidelines are approved and in use. The Commission has also begun to develop 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 agricultural policies of the NEP and directed staff to bring forward a proposal for the Commission to initiate a Plan amendment for specific agricultural policies. In November 2022, staff brought forward a Plan amendment which the Commission recommended be initiated (circulated and comments requested). The Commission also requested staff undertake further analysis and continue with the development of policy guidance material. These activities will continue in 2023-24.

5.1.1.3 Streamlining Processes

The NEC has completed a 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, to inform the discovery phase of the IT modernization project, and to highlight areas where legislative and regulatory changes are needed.

Streamlining internal processes will continue through 2023-24 and beyond; however, substantive changes through digital solutions and legislative / regulatory amendments are necessary to transform the NEC program.

5.1.1.4 Database Renewal and Information Technology Modernization

The NEC's existing database relies on staff to manually track the status of Development Permit applications, which is one of the agency's primary business functions. Dating back to the early 2000s, the database has been consistently experiencing system failures with the increase in annual and overall volume of files. The risk and liability increase with each successive OPS intranet upgrade that no longer supports this now-legacy database, and so the database has reached the end of its life cycle. In addition, with the advent of OPS online and self-service initiatives beyond the capacity of the legacy

database, the development of a public facing solution is necessary.

In 2021-22, the NEC received funding for the initial discovery phase of an IT solution for a replacement system, with internal and external user research and data analysis, evaluation of current business processes, and identifying the future modernized state. Funding has been secured for Alpha and Beta phases of project development, testing and delivery. The Alpha phase began in fiscal 2022-23, and the Beta and roll-out are on track for 2023-2024.

5.1.2 Communicate, Collaborate, Consult

Over the next three years, the NEC will continue to implement key activities outlined in its communications strategy. The strategy continues to inform how the NEC relates with clients, ministry stakeholders, members of the public, and Indigenous communities along the Niagara Escarpment.

In line with this strategy, the NEC is undertaking an initiative to redesign and make significant improvements to its external and internal websites. It is expected that the new external website will enhance customer service and the public's ability to access information, while the redesigned NEC internal website (intranet) is expected to streamline internal

communications, enhance staff engagement, and allow for continuous training and development.

The goals of the new external website are:

- to provide information about the development permit process and Commission activities to property developers and other commercial entities;
- to educate the public about the Niagara Escarpment and the rationale for protection and conservation; and
- to provide the public with information about recreational / tourism-related activities along the Escarpment (in line with the business goals of the NEC).

In addition to refreshing its websites, the NEC also hopes to work with MNRF to establish a social media presence (akin to social media channels of other provincial agencies) that will support communication and marketing activities. The NEC will work with MNRF to ensure that any campaigns are in accordance with its overall mandate.

Access to social media will aid the NEC in:

- raising the profile of the Niagara Escarpment, and the Niagara Escarpment Commission;
- fostering collaboration and engagement with municipalities,

agencies, ministries, and other stakeholder groups;

- providing general information to the public on the steps in the development permit process;
- keeping the public informed about Commission meetings and activities; and
- ensuring NEC communications are presented to the public in relevant and modern formats.

The NEC also plans a refresh of select marketing materials that will increase awareness about its work as an agency of the Ontario Government.

5.1.3 Modernized & Streamlined Legislation / Regulations

Since 2019, the NEC has been analyzing its broader legislative and regulatory framework, in concert with the MNRF Policy Division, for opportunities to make amendments that may further streamline development permit reviews and exemptions, improving service to NEC clients, and supporting housing initiatives.

Combined with such potential legislative and regulatory updates, the NEC's ongoing database renewal and IT modernization project presents opportunities to triage and automate low-risk development permit

exemptions and introduce additional streamlining measures, both internally and with partner agencies.

6. Compliance Program

The NEC’s Compliance Program is a core function of the agency’s legislative and regulatory responsibilities.

It is designed to ensure that:

- The purpose and objectives of the Niagara Escarpment Planning and Development Act (NEPDA) are upheld;
- 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 NEPDA, meaning it makes strategic, risk-informed decisions about compliance priorities and responses (See **Figure 2** and **Appendix 2**). The NEC, in consultation with the MNRF Enforcement Branch, uses this approach to determine the most appropriate response to compliance issues from a suite of options in the compliance continuum.

Figure 2 – Compliance Continuum



Since 2014, there has been an increase in compliance occurrences. This trend is expected to continue. The NEC has developed strategies to effectively triage occurrences, educate the public on permit requirements, encourage voluntary compliance, and determine those that need to be escalated to the

MNRF Enforcement Branch. The NEC has 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 2023-24.

7. 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 in 2019. Since that time, the Committee formed the Niagara Escarpment Biosphere Network, who have been working with Plenty Canada to meet UNESCO criteria and obligations. The NEC remains an active stakeholder in the NEB.

Progress has been made in a number of key areas. For example, the Niagara Escarpment Biosphere Network (NEBN) achieved incorporated not-for-profit status. The Board of Directors currently consists of members of the previous Transition Leadership Committee, and members of Plenty Canada who are assisting and advising the NEB Network in its development.

In addition to this, the NEBN continues to work towards the ultimate goal of achieving a co-management/co-leadership model with Indigenous communities. To this end, three current board members represent Indigenous groups. Research, land

management, and conservation efforts will be designed from a Two-Eyed Seeing perspective.

Furthermore, representation on the Canadian Biosphere Reserves Association (CBRA) Board of Directors, and engagement in national level projects (including participation in Environment Canada funded projects) will enable capacity building, including biodiversity inventory and gap analysis, and will contribute to the identification and reporting of other effective area-based conservation measures.

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 2023-24 include:

- Preparations leading to the next UNESCO mandated Periodic Review in 2024. 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”.
- Continuing to provide representation of the NEB through participation on the CBRA Board of Directors, and also continuing to support the network of biospheres through active participation in national level projects.

8. Performance Measures and Targets

Performance measures promote accountability and transparency of services. They also provide evidence that is used to recalibrate program delivery, enhance customer service, and identify program modifications/needs. The NEC's priorities for the next three years are to provide valuable and responsive clients 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. **Table 3** on the next page identifies performance measures for 2023-26.

In addition to operational performance measures for program delivery, the NEP 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 NEP policies. The NEC continues to engage with the MNRF Policy Division in the development of future performance indicators and monitoring.

As noted under the renewed NEC 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 the 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.

Table 3 – Performance Measures for 2023-26

Activity	Rationale	Performance Measure	Outcomes
Posting Memorandum of Understanding, Annual Business Plan and Annual Report	<p>Agency and Appointments Directive (AAD) requires these documents be prepared and posted annually upon approval by the Minister of Natural Resources and Forestry.</p> <p>These documents set out how the legislative responsibilities of the Niagara Escarpment Commission are carried out.</p>	<p>Documents prepared and submitted in timely manner, per requirements of AAD and MOU.</p> <p>Documents posted on NEC website once approved by Minister.</p>	<p>Public sector transparency and accountability.</p> <p>Public access to information</p> <p>Responsible and accountable government.</p>
Meetings of the Niagara Escarpment Commission	<p>The NEC meetings focus on specific planning matters and to discuss policy initiatives.</p> <p>These regular meetings are the main vehicle for the NEC to conduct its business and implement its legislated mandate.</p> <p>Meetings will occur monthly, with an additional policy meeting in the spring and fall.</p> <p>Recognizing the advances in technology and the opportunity to provide flexibility in participation to allow for efficiencies, in May 2022 the NEC adopted a hybrid meeting approach (flexibility to attend either in person or virtually) and established hybrid meeting procedures.</p>	<p>Agendas and reports prepared for Commission meetings are publicly available through the NEC website.</p> <p>Meetings are open to the public. Procedures on public participation at meetings are posted on the NEC website.</p> <p>Meeting minutes reviewed / approved by NEC and posted on website.</p>	<p>Public access to information.</p> <p>Public engaged in decisions.</p> <p>Transparency of decisions.</p> <p>Implementation of legislated responsibilities.</p>
Effective decision making	<p>The Niagara Escarpment Planning and Development Act sets out the roles/responsibilities of the NEC regarding decisions.</p> <p>Requires the NEC to make decisions independently and in accordance with the Niagara Escarpment Plan.</p>	<p>Decisions by the Commission and Director approvals are in accordance with Delegation of Authority signed by Minister of Natural Resources and Forestry and the NEC Chair.</p>	<p>Evidence-based and consistent decisions</p> <p>Effective implementation of the Niagara Escarpment Plan.</p> <p>Effective oversight and exercising of delegation of responsibilities.</p>
Customer Service	<p>OPS sets customer service standards for hours of operation and responsiveness to communications (phone, email, correspondence).</p>	<p>NEC operations meet customer service standards related to office hours (Monday-Friday 8:30 a.m.- 5:00 p.m.).</p> <p>Telephone calls responded to within 24 hours.</p>	<p>Responsive and effective government.</p> <p>Responsive and effective government.</p> <p>Program development and implementation</p>

	<p>NEC is required to comply with Accessibility for Ontarians legislation and policies.</p>	<p>Emails and written correspondence acknowledged within 2 business days; responded to within 15 business days.</p> <p>Communications, including website, provided or available in accessible formats.</p> <p>Accommodations considered and offered to ensure accessibility of operations.</p>	<p>results provides accessible and inclusive government.</p>
<p>Information provided to public related to the Niagara Escarpment program</p>	<p>The NEC deals with many inquiries and information requests (e.g., NEP maps and policy information; application forms; guidance documents; publications).</p> <p>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).</p> <p>The NEC will continue to modernize its website with a focus on improving customer service and making information readily available the public.</p>	<p>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.</p> <p>Requests for information are responded to (or acknowledged) within 2 business days.</p>	<p>Public access to data and information.</p> <p>Responsive and effective government.</p> <p>Effective relationships with partners, stakeholders, and the public.</p> <p>Informed and engaged clients and partners.</p> <p>Public able to 'self serve' and obtain relevant information directly from website.</p>
<p>Development Permit Applications</p>	<p>Most of the NEC's business is conducted through processing development permit applications (approximately 700-800 annually).</p> <p>Effective operation is critical to implementation of the NEP.</p> <p>Processing times vary for various reasons, including application complexity, delays in obtaining agency comments, and additional information requirements.</p> <p>Performance measures aim to optimize efficiency of the aspect of the process that are within NEC's control.</p>	<p>New applications recorded and opened within 3 business days of receipt.</p>	<p>Modern, digital processes that meet client needs</p> <p>Elimination of low-risk applications and streamlining of less risk activities</p> <p>Legislative requirements met.</p>
<p>Niagara Escarpment Plan Amendments</p>	<p>NEP Amendments are more substantive and follow a more complex process than Development Permits.</p>	<p>NEC staff follow NEPDA requirements for processing Plan Amendments.</p>	<p>Effective and efficient processes and decision making.</p>

	<p>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.</p> <p>Performance measures aim to optimize efficiency of the aspect of the process that are within NEC's control.</p>	<p>Applicants provided with information regarding the status of the Amendment application.</p> <p>Amendments posted on the NEC's website, including their status.</p>	<p>Public has high level of awareness of status of their application(s).</p> <p>Legislative requirements met.</p>
Review of Applications under Planning Act	<p>Decisions by municipalities under the Planning Act are required to conform to the NEP.</p> <p>The NEC is circulated a range of proposals and applications (e.g., official plans and amendments; zoning bylaws; consent applications; minor variances).</p> <p>NEC plays important role in ensuring alignment with the NEP, and to support municipalities in their planning functions.</p>	<p>NEC comments provided to municipalities within due date (usually 30-60 days).</p> <p>Municipalities have access to information on NEP policies, designations, and development control.</p>	<p>Municipalities are aware of implications of decisions on the NEP.</p> <p>Municipalities are supported and are partners in implementation of the NEP.</p> <p>High level of awareness of NEP implementation.</p>
Management of Compliance Issues	<p>Compliance monitoring is a critical aspect of NEP implementation - to uphold implementation of Development Control, ensure compatible development and mitigate environmental damage.</p> <p>The Compliance Program uses a risk evaluation approach to triage and prioritize compliance activities through completion of an occurrence report for each situation.</p>	<p>Compliance matters responded to within 48 hours (i.e., call back; site visit; occurrence report).</p>	<p>High quality customer service</p> <p>NEP and Development Control process effectively implemented</p> <p>Environmental impacts avoided or remedied</p>

9. Risk Assessment & Mitigation Strategies

The NEC has identified various risks to operations for the years 2023 to 2026. These risks include:

- strategic / policy / performance risks,
- governance / accountability / organizational risks,
- program / caseload / utilization risks,
- controllership / accounting risks,
- legal / contractual / compliance risks, and

- information / information technology risks.

The NEC has also established mitigation plans to address each risk identified (see **Table 4** below).

Table 4 – Risks Identified & Mitigation Strategies for 2023-26

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. There is a backlog resulting from the exponential growth of applications in 2020 and 2021.</p> <p>Integrated Team delivery model has proven highly effective and will continue to be monitored.</p> <p><u>Risks:</u> Delays in decision-making could result in public and applicant dissatisfaction. May impact government initiative for the creation of more homes.</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> NEC reviewing internal processes to identify streamlining and efficiencies.</p> <p>Utilize Business Process Mapping to establish lean processes.</p> <p>Triage applications and align staff resources areas of increased workload.</p> <p><u>Longer term:</u> NEC and MNRF exploring legislative and regulatory changes to streamline approvals processes and improve customer service.</p> <p>Design and implement the IT solution to drive innovation and streamline processes.</p>	<p>Number of DPAs received is beyond the control of the NEC.</p> <p>All near term initiatives and actions within NEC control are being implemented.</p> <p>NEC continuing to work with MNRF regarding legislative / regulatory changes</p> <p>IT solution funded and progressing toward design and implementation.</p> <p>Monitoring performance to ensure continued effectiveness.</p>	<p>Underway</p> <p>Continue in 2023-24 and beyond</p>
	<p>Commission had identified need for policy guidance and technical criteria to aid in consistency of implementation of specific NEP</p>	<p>Category Operational</p> <p>Impact Reputational Regulatory</p>	<p>Commission has also recommended the Minister to approve amendments to the NEP related</p>	<p>Commission has reviewed and endorsed topics for Policy Guidance and Technical Criteria</p>	<p>Underway in 2023-24</p>

	<p>policies. The Commission reconfirmed policy guidance as a priority for 23/24.</p> <p><u>Risks:</u> Lack of clear direction may result in inconsistent policy application.</p> <p>Decisions and policy interpretations may set precedent.</p> <p>Agricultural stakeholders increasingly expressing concern that NEP does not adequately support agriculture.</p>	<p>Likelihood Medium</p> <p>Speed of Onset Soon</p>	<p>to specific agricultural policies.</p> <p>Areas identified where development of policy guidance and technical criteria will be developed to assist with NEP implementation.</p> <p>NEC to engage key stakeholders during review of guidance and technical criteria.</p> <p>Once prepared, the guidance material will be made publicly available.</p> <p>Comprehensive information provided to Commissioners to evaluate policy implications of development.</p>	<p>Anticipate work completed in 2023-24.</p> <p>NEC consulting with MNRF on development of guidance material, per requirement in Niagara Escarpment Plan.</p>	
Governance / Accountability/ Organizational	<p>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>	<p>Category Operational</p> <p>Impact Reputational; Regulatory</p> <p>Likelihood Medium</p> <p>Speed of Onset Immediate</p>	<p>Communicate importance of appointments to MNRF.</p>	<p>Ministry monitoring appointments process</p>	<p>End of each year</p>
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></p>	<p>Category Operational</p> <p>Impact Reputational; Regulatory</p> <p>Likelihood Medium</p> <p>Speed of Onset Soon</p>	<p>NEC staff, Chair and Commission members aware of OPS policies and directives.</p> <p>Information provided in orientation of new Commissioners.</p>	<p>Commissioners reviewed and signed attestation documents.</p> <p>NEC staff to conduct periodic review of AAD to monitor and confirm compliance.</p>	<p>2023-24 and beyond</p>

	Related to governance and relationship with MNRF.		All Commissioners must affirm Code of Conduct each year. MNRF Legal Services Branch periodic attendance at Commission meetings to explain legislative and regulatory responsibilities.		
Program / Caseload / Utilization	<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).</p> <p>Government direction to increase the number of homes and reduce regulatory burden will bring expectation of streamlined approvals.</p> <p>Recruitment and training new staff create delays in processing applications.</p> <p>NEC staff resources continue to be stretched to deal with sustained increased volume and complexity.</p> <p><u>Risks:</u></p>	<p>Category Operational</p> <p>Impact Reputational</p> <p>Likelihood Medium - High</p> <p>Speed of Onset Immediate</p>	<p>Align staffing to FTE allocation</p> <p>Develop staffing and succession strategy.</p> <p>Integrated Team service delivery model in place to proactively monitor and triage work. Monitor caseload and triage on a bi-weekly basis.</p> <p>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.</p> <p>Use Business Process Mapping to identify process efficiencies and monitor effectiveness.</p> <p>Implement streamlining</p>	Being implemented	2022-23 and beyond

	Increased staff stress, longer timelines for some decisions, and challenges in obtaining required information to support effective decision making.		<p>process for non-complex applications.</p> <p>Continue to pursue legislative and regulatory changes to streamline processes.</p>		
Controllership/ Accounting	Compliance with all OPS policies and directives	<p>Category Program Implementation</p> <p>Impact Reputational and operational</p> <p>Likelihood Low</p> <p>Speed of Onset Immediate</p>	<p>NEC staff to take mandatory training to ensure awareness controllership policies and directives.</p> <p>Internal procedures to be in place to monitor compliance.</p> <p>NEC Manager of Administration accountable for NEC compliance with OPS policies and directives.</p>	<p>Being implemented and monitored.</p> <p>All staff have required training.</p> <p>Orientation in place for onboarding of new staff.</p>	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>Increased compliance issues – often with significant increases in complexity and potential negative impacts on the Niagara Escarpment Plan. Compliance action impacted limited capacity and</p>	<p>Category Operational, Environmental</p> <p>Impact Difficult to determine</p> <p>Likelihood Medium</p> <p>Speed of Onset Immediate</p>	<p>Implement risk-based approach to compliance to make strategic, risk-informed decisions - guided by an established Protocol.</p> <p>Work with MNRF to fully implement the Inspections, Investigations and Enforcement Protocol.</p> <p>Work with Integrated Teams to obtain input on hand-off of Compliance to Planning.</p>	<p>Risk-based approach being implemented.</p> <p>Compliance is being inculcated into Integrated Teams.</p> <p>Compliance program business process mapping completed.</p> <p>Outreach continuing through 2023-24.</p>	Ongoing

	<p>legislative framework.</p> <p><u>Risk:</u> Inability to proactively check for compliance with permit conditions as well as inability to inspect all occurrences creates risks related to development occurring out of compliance with conditions of approval or without a valid Development Permit. May result in increased need for enforcement action and litigation.</p>		<p>Establish process to triage and escalate compliance matters to management.</p> <p>Complete Business Process Mapping to clarify roles and streamline process.</p> <p>Develop compliance policies and procedures to establish approaches and different pathways to manage range of compliance situations.</p> <p>Build relationships and collaboration with partners and agencies to ensure most effective tools are used and to reduce duplication of effort.</p>		
Information & 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</p>	<p>Category Legal; Operational</p> <p>Impact Indeterminate</p> <p>Likelihood Medium-High</p> <p>Speed of Onset Indeterminate</p>	<p>Proceed with design and implementation Phases for modern, digital model based on 3-year funding obtained for 2021-2024.</p>	<p>Working with LRC to procure a developer Alpha Phase, and draft Terms of Reference for Beta phase.</p> <p>Pursue any reprofiling of funding to ensure that monies continue to be utilized toward successful design and implementation</p>	<p>Continue to work with LRC</p> <p>Projecting 1-year timeframe to have new digital solution in place.</p>

	<p>impact implementation of Development Permit system and ability to track status of applications and to provide accurate information to public/Commission.</p> <p>Long term financial support for licencing and maintenance is needed to ensure successful ongoing use and implementation.</p>				
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Appendix 1 – Municipalities within the NEP Area

NIAGARA REGION

(Seven local municipalities)

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

CITY OF HAMILTON

HALTON REGION

(Three local municipalities)

City of Burlington
 Town of Halton Hills
 Town of Milton

REGION OF PEEL

(One local municipality)

Town of Caledon

COUNTY OF GREY

(Six local municipalities)

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

COUNTY OF SIMCOE

(One local municipality)

Township of Clearview

COUNTY OF DUFFERIN

(Two local municipalities)

Town of Mono
 Township of Mulmur

BRUCE COUNTY

(Two local municipalities)

Town of South Bruce Peninsula
 Municipality of Northern Bruce Peninsula

Appendix 2 – Informed Judgement Matrix for Compliance

Informed Judgement Matrix (IJM)		Severity of Alleged Violations			
		1. Administrative	2. Minor Operational / Environmenta	3. Medium Operational / Environmenta	4. Major Operational / Environmenta
Compliance History	A. No history/good compliance history	Compliance Category I (Low Risk)		Compliance Category III (High Risk)	
	B. Previous Minor Violation(s)				
	C. Previous Repetitive Violations	Compliance Category II (Medium Risk)			
	D. Obstruction or false information				
	E. Ongoing violation not resolved despite directions	Compliance Category III (High Risk)			
	F. Previous convictions or orders				

An overview of the operational goals, budget,
and risk management strategies of the
Niagara Escarpment Commission.

ANNUAL BUSINESS PLAN

2023 - 2026



Niagara Escarpment Commission
An agency of the Government of Ontario