

St. John's Urban Region Agriculture Appeal Board

Annual Performance Report

April 1, 2014 to March 31, 2015





Government of Newfoundland and Labrador
St. John's Urban Region Agriculture Appeal Board

Responsible Person's Message

Honourable Vaughn Granter
Minister Responsible for the Forestry and Agrifoods Agency
Petten Building
30 Strawberry Marsh Road
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Minister:

In accordance with the provisions of the *Transparency and Accountability Act* for category 3 public bodies, I am pleased to submit the Annual Performance Report for the St. John's Urban Region Agriculture Appeal Board for the period April 1, 2014 to March 31, 2015.

The St. John's Urban Region Agriculture Appeal Board has a mandate to hear appeals of the decisions of the St. John's Land Development Advisory Authority. Through the appeals process, the Board ensures that plans for development within the St. John's Urban Region Agriculture Development Area conform with the provisions of the St. John's Urban Region Agriculture Development Area Regulations under the *Lands Act*.

My signature below is indicative of the Board's accountability for the results reported for 2014-15.

Respectfully submitted,

A handwritten signature in cursive script that reads "Peter Morris".

Peter Morris
Chair

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Overview

Section 7 of the *St. John's Urban Region Agriculture Development Area Regulations* under the *Lands Act* provides for the appointment of an appeal board to review appeals of decisions of the St. John's Land Development Advisory Authority. The Appeal Board, also known as the St. John's Urban Region Agriculture Appeal Board, is appointed by the Minister Responsible for the Forestry and Agrifoods Agency. The Board must have at least three members.

The St. John's Urban Region Agriculture Appeal Board receives extensive operational support from the Forestry and Agrifoods Agency. Employees of the Agency perform many day to day administrative functions. Budgetary support for operations is provided through the Agency as well.

Three of the members of the St. John's Urban Region Agriculture Appeal Board were re-appointed in September 2014 for a two year term. These members were Mr. Peter Morris, Chairperson; Mr. Brian Murphy, Member; and Mr. Cyril Power, Member. In addition to the re-appointments, a fourth member, Mr. Ed Woodrow, was newly appointed at the same time for a two year term as well. John Del Rizzo, Land Management Officer and Secretary to the St. John's Land Development Advisory Authority provides administrative support to the Board accepting appeals, and maintaining records of decisions. The total expense for the 2014-15 fiscal year of the Authority was \$1187.20.

For further information contact: Mr. John Del Rizzo, Land Management Officer, Brookfield Road (T) 729-1107.

Mandate:

The St. John's Urban Region Agriculture Appeal Board was established to hear appeals of the decisions of the St. John's Land Development Advisory Authority concerning applications to carry out development on land in the St. John's Urban Region Agriculture Development Area (see Appendix B) as defined by the Lands Act and specifically the St. John's Urban Region Agriculture Development Area Regulations. The Board may recommend that the Minister of Natural Resources uphold, reverse or vary a decision of the St. John's Land Development Advisory Authority and maintains records of minutes, including the attendance and proceedings of the Board at all appeal hearings. For further details, please refer to the *St. John's Urban Region Agriculture Development Area Order* and/or the *St. John's Urban Region Agriculture Development Area Regulations*, both under the *Lands Act*.

**Values:**

As outlined in the Appeal Board's 2014-17 Activity Plan, the St. John's Urban Region Agriculture Appeal Board performs its duties within the following core values: integrity, respect and professionalism, collaboration, innovation, safety, productivity, diligence and in a timely manner.

Clients:

The clients of the St. John's Urban Region Agriculture Appeal Board are members of the general public who apply through municipal councils of the City of St. John's, Town of Portugal Cove-St. Philip's, Town of Pouch Cove, Town of Flatrock, Town of Torbay, Town of Logy Bay-Middle Cove-Outer Cove, the Town of Conception Bay South to proceed with development

activities in the Agriculture Development Area of the St. John's Urban Region and wish to appeal a decision of the St. John's Land Development Advisory Authority.

Vision:

Through assessment of appeals of applications for opportunities to develop land in the St. John's Urban Region Agriculture Development Area, the St. John's Urban Region Agriculture Appeal Board contributes to the vision of the Forestry and Agrifoods Agency, "is a province that realizes the full benefit from the sustainable development of its natural resources."

Mission:

The St. John's Urban Region Agriculture Appeal Board considered its role in assisting the Forestry and Agrifoods Agency in achieving its mission for the planning period. The Board has a role in strengthening and sustaining the agriculture resource by making recommendations on appeals for land development in the St. John's Urban Region Agriculture Development Area. As such, aspects of the following general statement from the mission of the Agency related to agriculture and agrifoods sectors apply to the Board:

Mission Statement:

By March 31, 2017, the Forestry and Agrifoods Agency will have supported programs and services to strengthen and sustain forestry, agriculture and agrifoods industry development in an innovative and economically beneficial manner.

The complete mission of the Forestry and Agrifoods Agency is found in its strategic plan for the period covering April 1, 2014 to March 31, 2017. Both documents can be found on the Forestry and Agrifoods Agency website at: www.gov.nl.ca/faa.

Activities

The St. John's Urban Region Agriculture Appeal Board reviews appeals of decisions made by the St. John's Land Development Advisory Authority. All appeals are given due consideration under the regulations. The St. John's Urban Region Agriculture Appeal Board makes a recommendation to the Minister. The appellants are notified by the Minister of the decision in consideration of the recommendation of the St. John's Urban Region Agriculture Appeal Board.

The activities of the St. John's Urban Region Agriculture Appeal Board support government's strategic direction, as stated in the Forestry and Agrifoods 2014-2017 Strategic Plan, toward agriculture and agrifoods resource sustainability as well as utilization, development and public awareness of the agriculture and agrifoods sectors. The St. John's Urban Region Agriculture Appeal Board contributes to those strategic directions by helping to protect agriculture and agriculture land in the St. John's Urban Region Agriculture Development Area by reviewing appeals of decisions by the St. John's Land Development Advisory Authority and thereby

ensuring the sustainable development of land resources for the long term benefit of the residents of the province and the responsible, fair and appropriate allocation of land.

Objective:

The St. John's Urban Region Agriculture Appeal Board will have reviewed all appeals of decisions of the St. John's Land Development Advisory Authority under the applicable Act and Regulations.

Measure:

Reviewed all appeals

Indicators:

- Reviewed appeals and made recommendations to the Minister Responsible for the Forestry and Agrifoods Agency
- Recorded minutes of proceedings

The St. John's Urban Region Agriculture Appeal Board met one time during the 2014-2015 reporting year and received four appeals. All four of the appeals that were received were regarding residential development. The Appeal Board recommended to the Minister that two of the appeals for residential development be approved and that the remaining two be refused. The Minister upheld all of the decisions of the Board with the exception of one.

The Appeal Board maintains records of all appeals by way of keeping minutes of the appeal proceedings during the 2014-2015 fiscal year.

The objective, measure and indicators for 2014-15 are described in the Board's 2014-2017 Activity Plan, which can be obtained from Mrs. Tara Morgan, Manager, Environment and Land Use Services, 709-637-2084. The Activity Plan is also available on the Forestry and Agrifoods Agency website at: www.gov.nl.ca/faa. It is the intent of the Board to report on the same objective, measure and indicators in 2015-2016 as presented in the 2014-2017 Activity Plan.

Financial Statement

The St. John's Urban Region Agriculture Appeal Board does not have a stand-alone budget and as a result, audited statements are not required. Committee Member expenses are funded through the Forestry and Agrifoods Agency. The total expense for the 2014-15 fiscal year was \$1187.20.

Conclusion

The St. John's Urban Region Agriculture Appeal Board is committed to fulfilling its mandate and will continue to do its part to further the vision and mission of the Forestry and Agrifoods Agency.