

St. John's Urban Region Agriculture Appeal Board

Annual Performance Report 2023-24



Chairperson's Message

The Honourable Gerry Byrne
Department of Fisheries, Forestry and Agriculture
Petten Building
30 Strawberry Marsh Road
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Minister Byrne:

In accordance with the provisions of the **Transparency and Accountability Act** for category three public bodies, we are pleased to submit the Annual Performance Report for the St. John's Urban Region Agriculture Appeal Board (the Board) for the period of April 1, 2023, to March 31, 2024.

The Board has a mandate to hear appeals of the decisions of the St. John's Land Development Advisory Authority (the Authority). Through the appeals process, the Board ensures that plans for development within the St. John's Urban Region Agriculture Development Area (ADA) conform to the provisions of the **St. John's Urban Region Agriculture Development Area Regulations** (the Regulations) under the **Lands Act** (the Act). The strategic directions of the Provincial Government related to the Department of Fisheries, Forestry and Agriculture (FFA) have been considered in the preparation of this report. More specifically, the work undertaken will support Government in increasing Newfoundland and Labrador's food self-sufficiency.

On behalf of the entire Board, we accept accountability for the preparation of this report and the achievement of its objective. The signature below is indicative of the entire Board's accountability for the results reported for fiscal 2023-24.

Respectfully submitted,



Edward Woodrow
Board Member
St. John's Urban Region Agriculture Appeal Board

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Overview

Agriculture development areas are areas identified as having important agricultural significance based on site and soil suitability. The St. John's Urban Region ADA encompasses approximately 12,152 hectares (30,028 acres). To see a map of the St. John's Urban Region ADA, please refer to Annex A.

Section 7 of the Regulations under the Act provides for the appointment of an appeal board to review appeals of decisions of the Authority. The Board is appointed by the Minister of FFA (the Minister). Appointments are made using a merit-based process; however, gender balance is considered during the appointment process and efforts are made to ensure the NLCIA is representative of the population it serves.

During the 2023-24 reporting period, the Board received operational support from FFA. Employees of FFA performed many day-to-day administrative functions with budgetary support for operations provided through FFA.

The members of the Board as of March 31, 2024, were as follows:

Name	Region	Appointment Term Expiry
Eugene Legge	Avalon	2026-11-09
Edward Woodrow	Avalon	2026-11-09
Joan Marie Butler	Avalon	2026-11-06

A Land Management Specialist and Land Management Officer from FFA's Land Management Division provided support to the Authority and acted as the Board secretariat during the 2023-24 fiscal year by accepting appeals and maintaining records of decisions. All expenses regarding the administration of the Board are funded through FFA.

Mandate

The Board has a mandate to:

- (a) Hear appeals of the decisions of the Authority concerning applications to carry out development on land in the St. John's Urban Region ADA;
- (b) Recommend that the Minister of FFA uphold, reverse or vary a decision of the Authority; and
- (c) Maintain records of minutes, including the attendance and proceedings of the Board at all appeal hearings.

Vision

Through assessment of appeals of applications for opportunities to carry out development on land in the St. John's Urban Region ADA the Board contributes to FFA's vision of sustainable

renewable resources that are responsibly developed for the social, cultural, ecological and economic well-being of the province.

Lines of Business

The Board has not identified lines of business, as it would be repetitive of its mandate.

Primary Clients

The primary clients of the Board are individuals, companies or organizations who apply through the municipal councils of the City of St. John's, Town of Portugal Cove-St. Philips, Town of Pouch Cove, Town of Flatrock, Town of Torbay, Town of Logy Bay-Middle Cove-Outer Cove and the Town of Conception Bay South to carry out development on land within the St. John's Urban Region ADA, and wish to appeal a decision of the Authority.

Contact Information

This report is available in alternate formats. For further information, please contact:

Megan Nichols
Land Management Officer
204 Brookfield Road
St. John's, NL A1B 4J6
P.O. Box 8700
709-729-6647 (Phone)
megannichols@gov.nl.ca

Highlights and Partnerships

The Board is committed to hearing appeals of the decisions of the Authority and maintaining records of minutes at all meetings. Due to the nature of this work, there were no particular highlights.

The Board does not have partnerships as it is an independent board that evaluates the decisions made by the Authority from an impartial viewpoint.

Report on Performance

The Board reviews appeals of decisions made by the Authority. All appeals are given due consideration in accordance with the Regulations. The Board makes recommendations to the Minister of FFA. The appellants are notified by the Minister of the final decision in consideration of the recommendations of the Board.

The activities of the Board support Government's commitment to the agricultural mandate of FFA. The Board contributes to the mandate and objectives of FFA by helping protect agriculture and agricultural land in the St. John's Urban Region ADA. This is done through the review of appeals of decisions by the Authority to ensure the long-term sustainable development of agricultural land resources for the benefit of all residents.

This is the first year of the 2023-26 planning period. As the focus of Board will remain the same for the entire plan, the Board will report on the same objective and indicators in all three years of the current planning period. For more information, please refer to the activity plan here: <https://www.assembly.nl.ca/business/electronicdocuments/SJURAABActivityPlan2023-2026.pdf>

Issue: Effectively Managed the Appeals Process

Objective 2023-24

By March 31, 2024, the Board will have reviewed all appeals of decisions made by the Authority and made recommendations regarding each appeal to the Minister.

Indicators

1. Reviewed all appeals as per the Regulations and recorded minutes of proceedings.

The Board met five times during the 2023-24 reporting year to review two appeals submitted in the 2022-23 fiscal and three appeals submitted in the 2023-24 fiscal. All five appeals submitted were regarding residential dwellings.

The Board maintained records of all appeals by keeping minutes of the appeal proceedings during the 2023-24 fiscal year.

2. Made recommendations to the Minister.

The Board recommended overturning the decision made by the St. John's Land Development Advisory Authority for the five residential applications that were appealed. Recommendations of the Board were forwarded to the Minister for final decision.

Opportunities and Challenges

The agriculture industry has witnessed substantial growth, which is a great opportunity for the Authority, in large part due to the province's commitment to increase food self-sufficiency and new entrants looking to be a part of the agriculture industry.

The St. John’s region continues to experience a vast amount of growth in population and industrial services. This increasing non-agricultural development often puts strain on agriculturally-zoned areas in several communities, which in turn may present challenges for the Board.

Financial Information

The Board does not have a stand-alone budget; and as a result, audited financial statements are not required. Remuneration expenses associated with Committee members are funded through FFA. The total expenses for the 2023-24 fiscal year were \$925.35.

Annex A: Map of St. John's Urban Region ADA

