

St. John's Urban Region Agriculture Appeal Board

Annual Performance Report

April 1, 2012 to March 31, 2013



Responsible Person's Message

Honourable Tom Marshall
Minister of Natural Resources and Minister Responsible
for the Forestry and Agrifoods Agency
Natural Resources Building
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, 2012 to March 31, 2013.

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 2012-13.

Respectfully submitted,



Peter Morris
Chairperson

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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 of Natural Resources. 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, Department of Natural Resources. Employees of the Agency perform many day to day administrative functions. Budgetary support for operations is provided through the Agency as well.

The membership of the St. John's Urban Region Agriculture Appeal Board was appointed in early 2011-12 for one year and reappointed in November 2012. The Board consists of four members: Mr. Peter Morris, Chairperson; Mr. Jan Van de Hulst, Member; Mr. Brian Murphy, Member; and Mr. Cyril Power, Member.

For further information contact: Mr. John DelRizzo, 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 for development activities on land in the Agriculture Development Area of the St. John’s Urban Region. 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 record in a minute book 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 2011-14 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 timeliness.

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 Department of Natural Resources, Forestry and Agrifoods Agency, stated as follows:

"The vision of the Department of Natural Resources 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 cycles. The Board has a role in identifying and facilitating opportunities for agricultural and agrifoods resource development and diversification by making recommendations on applications for land development in the St. John's Urban Area.

Whereas the purpose of the St. John's Urban Region Agriculture Development Area is to protect agriculture land, the St. John's Urban Region Agriculture Appeal Board's review of development applications is consistent with the mission of the Forestry and Agrifoods Agency for the reporting period as it relates to sustainable resource management. The following is an excerpt from the Forestry and Agrifoods Agency Strategic Plan for 2011 to 2014:

"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, 2011 to March 31, 2014. Both documents can be found on the Department of Natural Resources' website at: www.gov.nl.ca/nr.

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 directions, as stated in the Forestry and Agrifoods 2011-2014 Strategic Plan, toward agriculture and agrifoods resource sustainability as well as agriculture and agrifoods innovation, promotion and development. 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 Acts and Regulations.

Measure:

Reviewed all appeals

Indicators:

- Reviewed appeals and made recommendations to the Minister of Natural Resources
- Recorded minutes of proceedings

The St. John's Urban Region Agriculture Appeal Board met one time during the 2012-2013 reporting year and received five appeals to that point. One was regarding the construction of a commercial veterinary clinic and the four others related to applications for residential development. The Appeal Board recommended to the Minister that the four appeals for residential development be refused and the appeal regarding the commercial veterinary clinic development be approved. Two additional appeals were received later in the reporting year but were deferred to into 2013-2014. The Appeal Board maintains records of all appeals by way of keeping minutes of the appeal proceedings during the 2012-2013 fiscal year.

The objective, measure and indicators for 2012-13 are described in the Board's 2011-2014 Activity Plan, which can be obtained from Mrs. Tara Morgan, Manager, Soils and Mapping Services, 709-637-2084. The Activity Plan is available on the Department of Natural Resources' website at: www.gov.nl.ca/nr.

The 2013-14 Annual Report will be based on the same objective, measure and indicators.

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 Department of Natural Resources. The total expense for the 2012-13 fiscal year was \$493.86.

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 Department of Natural Resources, Forestry and Agrifoods Agency.