

St. John's Urban Region Agriculture Appeal Board

Annual Performance Report

April 1, 2019 to March 31, 2020



Chairperson's Message

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

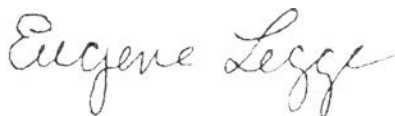
Dear Minister Loveless:

In accordance with the provisions of the **Transparency and Accountability Act** for category 3 public bodies, we are pleased to submit the Annual Performance Report for the St. John's Urban Region Agriculture Appeal Board (the Appeal Board) for the period April 1, 2019 to March 31, 2020.

The 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 Appeal Board ensures that plans for development within the St. John's Urban Region Agriculture Development Area conform to the provisions of the **St. John's Urban Region Agriculture Development Area Regulations** under the **Lands Act**. The commitments of Government related to the Department of Fisheries, Forestry and Agriculture (formerly the Department of Fisheries and Land Resources) 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.

The Chairperson's term has expired as of the writing of this report and the Public Service Commission has been engaged to fill the vacancy. On behalf of the entire Appeal Board, we accept accountability for the preparation of this report and the achievement of its objective. The signature below is indicative of the Appeal Board's accountability for the results reported for 2019-20.

Respectfully submitted,



Eugene Legge
Appeal Board Member
St. John's Urban Region Agriculture Appeal Board

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Overview

Agriculture Development Areas (ADAs) 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 ADA, see Appendix A.

Section 7 of the **St. John's Urban Region Agriculture Development Area Regulations** (the Regulations) under the **Lands Act** (the Act) provides for the appointment of an Appeal Board to review appeals of decisions of the St. John's Land Development Advisory Authority (the Authority). The St. John's Urban Region Agriculture Appeal Board (the Appeal Board), is appointed by the Minister of Fisheries, Forestry and Agriculture (the Minister).

During the 2019-20 reporting year, the Appeal Board received operational support from the Department of Fisheries, Forestry and Agriculture (FFA). Employees of FFA performed many day-to-day administrative functions with budgetary support for operations provided through the department as well.

The members of the Appeal Board as of March 31, 2020, were as follows:

Name	Region	Appointment Term Expiry
Peter Morris, Chair	Avalon	6/28/2020
Eugene Legge	Avalon	8/12/2022
Ed O'Reilly	Avalon	8/12/2022
Ed Woodrow	Avalon	8/12/2022

The Land Management Specialist and Land Management Officer of the Land Management Division provided support to the Authority and acted as the Appeal Board secretary during the 2019-20 fiscal year accepting appeals and maintaining records of decisions. All expenses regarding the administration of the Appeal Board are funded through FFA with expenses for the 2019-20 fiscal year totaling \$1,079.32.

This report is available in alternate formats. For further information, contact the Land Management Officer, Brookfield Road (T) 709-729-6647.

Mandate

The St. John's Urban Region Agriculture Appeal Board has a mandate to:

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

Highlights and Partnerships

The Appeal Board is committed to hearing appeals of the decisions of the Authority, maintaining records of minutes at all meetings and will continue to do its part to further the commitments of FFA.

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



Report on Performance

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

The activities of the Appeal Board support Government's commitment to the agricultural mandate of the department. The Appeal Board contributes to the mandate and objectives of FFA by helping protect agriculture and agriculture land in the St. John's ADA. This is done through the review of appeals of decisions by the Authority to ensure

the long-term sustainable development of agriculture land resources for the benefit of the residents.

As the focus of the St. John's Urban Region Agriculture Appeal Board remained the same for each year of the 2017-20 period, the Appeal Board has reported on the same objective and indicators in all three years.

Objective

By March 31, 2020, 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, and make recommendations regarding the appeal to the Minister of FFA.

Indicators

1. Reviewed all appeals as per the **St. John's Urban Region Agriculture Development Regulations**.

The Appeal Board met twice during the 2019-20 reporting year to review one appeal received in the 2018-19 year and two new appeals in 2019-20. The Appeal Board met regarding an ancillary building and a residential subdivision. One appeal received in 2019-20 was carried forward for review in 2020-21.

2. Made recommendations to the Minister of FFA.

For the 2019-20 fiscal year the Appeal Board recommended overturning the decision made by the St. John's Land Development Advisory Authority regarding the ancillary building, while upholding the decision of the Authority regarding the Residential Subdivision. Recommendations of the Appeal Board were forwarded to the Minister for final decision.

3. Recorded minutes of proceedings.

The Appeal Board maintained records of all appeals by keeping minutes of the appeal proceedings during the 2019-20 fiscal year.

The objective and indicators for 2019-20 were described in the Appeal Board's 2017-20 Activity Plan, which can be obtained on the Department's website.

Opportunities and Challenges

The St. John's region continues to experience vast amount of growth in population and industrial services. This growth often puts a strain on agriculturally zoned areas in several communities.

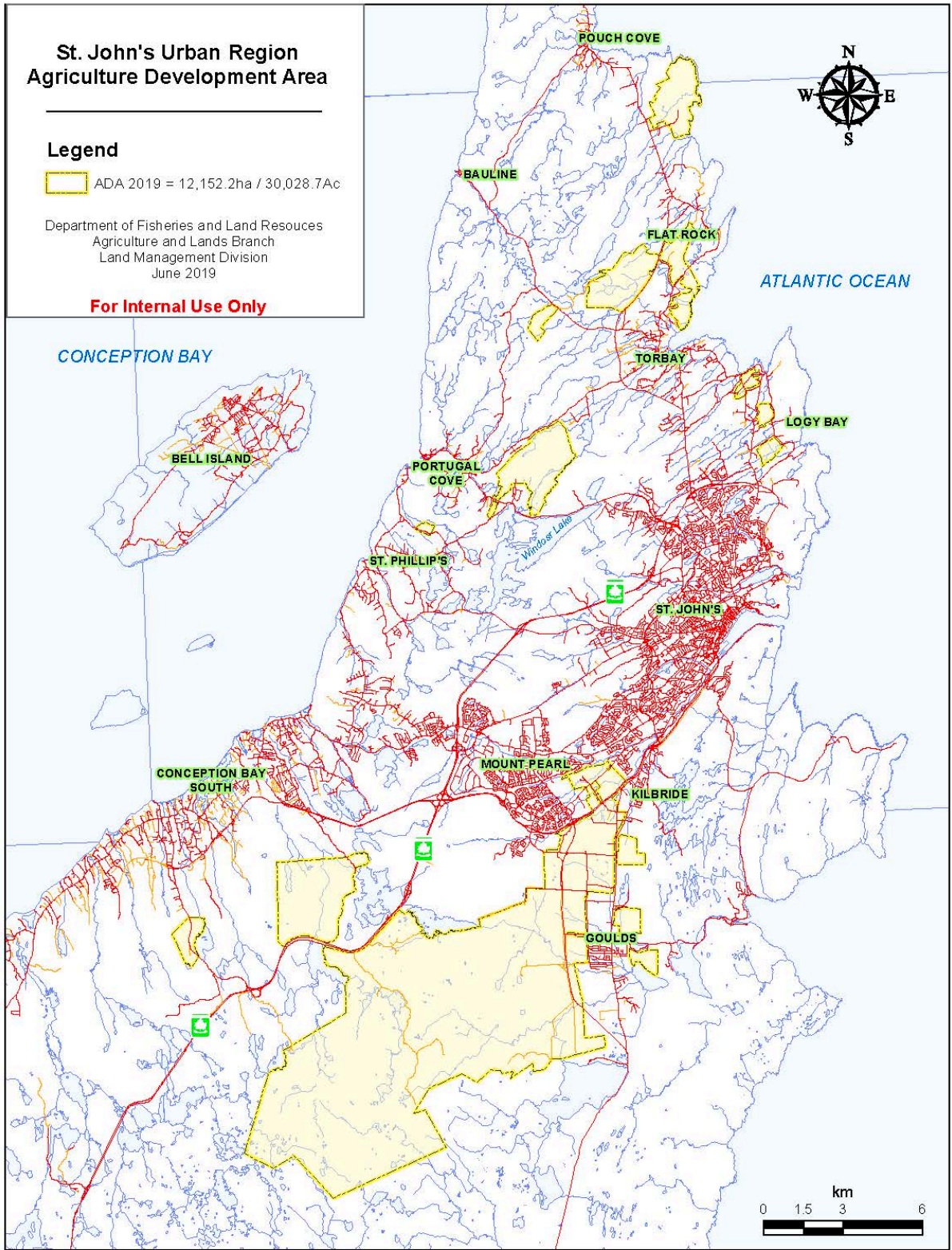
Similarly, the agriculture industry has witnessed substantial growth, which is a great opportunity, in large part due to the Province's commitment to increase food self-sufficiency and new entrants looking to be a part of the agriculture industry.

Financial Information

The Appeal Board does not have a stand-alone budget and as a result, audited statements are not required. Remuneration expenses associated with committee members are funded through FFA. The total expense for the 2019-20 fiscal year was \$1,079.32 and this amount is comparable to expenses from past years.

Chairperson/Acting Chairperson Remuneration	\$ 380.00
Chairperson/Acting Chairperson Reimbursement of Travel Expenses	\$ 32.44
Members Remuneration	\$ 630.00
Members Reimbursement for Travel Expenses	\$ 36.88
Total	\$ 1,079.32

Appendix A



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