

St. John's Urban Region Agriculture Appeal Board
Annual Performance Report 2021-22



Chairperson's Message

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

Dear Minister Bragg:

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 for the period of April 1, 2021, to March 31, 2022.

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 the Provincial Government related to the Department of Fisheries, Forestry and Agriculture 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 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 fiscal 2021-22.

Respectfully submitted,



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

Table of Contents

| | |
|------------------------------------|---|
| Overview | 1 |
| Highlights and Partnerships | 2 |
| Report on Performance | 2 |
| Opportunities and Challenges | 3 |
| Financial Information | 4 |
| Appendix A..... | 5 |

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 2021-22 reporting period, 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, 2022, were as follows:

| Name | Region | Appointment Term Expiry |
|--------------|--------|-------------------------|
| Eugene Legge | Avalon | 8/12/2022 |
| Ed O'Reilly | Avalon | 8/12/2022 |
| Ed Woodrow | Avalon | 8/12/2022 |

A Land Management Specialist and Land Management Officer of the FFA's Land Management Division provided support to the Authority and acted as the Appeal Board secretariat during the 2021-22 fiscal year by accepting appeals and maintaining records of decisions. All expenses regarding the administration of the Appeal Board are funded through FFA.

This report is available in alternate formats. For further information, please contact John Del Rizzo, Land Management Specialist, at: (709) 729-6647 or email: jdelriz@gov.nl.ca.

Mandate:

The Appeal Board has a mandate to:

- (a) Hear appeals of the decisions of the 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 Authority; and
- (c) Maintain records of minutes, including the attendance and proceedings of the Appeal Board at all appeal hearings.

The Appeal Board has not identified lines of business, as this would be repetitive of its mandate as described above.

Through assessment of appeals of applications for opportunities to carry out development on land in the St. John's Urban Region ADA, the Appeal 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.

Highlights and Partnerships

The Appeal 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 are no particular highlights.

The Appeal 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 Appeal Board reviews appeals of decisions made by the Authority. All appeals are given due consideration in accordance with the Regulations. The Appeal 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 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 agricultural 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 agricultural land resources for the benefit of all residents.

The Appeal Board intends to report on the same objective and indicators for each year of the 2020-23 planning period. For more details, please refer to the plan on the FFA website located at: <https://www.gov.nl.ca/ffa/files/SJURAABActivityPlan2020-23.pdf>.

Objective 2021-22

By March 31, 2022, the Board will have reviewed all appeals of decisions by the Authority and made recommendations regarding the appeal to the Minister.

Indicators

1. Reviewed all appeals as per the Regulations

The Appeal Board met three times during the 2021-22 reporting year and received four appeals. Three of the appeals were regarding residential development and one was a commercial development for vehicle repairs.

2. Made recommendations to the Minister

For the 2021-22 fiscal year, the Appeal Board recommended overturning the four decisions made by the Authority. 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 way of keeping minutes of the appeal proceedings during the 2021-22 fiscal year.

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.

Despite the ongoing COVID-19 pandemic, the Appeal Board was able to meet in person to review and assess the outstanding appeals for the 2021-22 fiscal year.

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.

Financial Information

The Appeal 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 2021-22 fiscal year was \$1,081.38.

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|---|--------------------|
| Chairperson/Acting Chairperson Remuneration | \$ 570.00 |
| Chairperson/Acting Chairperson Reimbursement of Travel Expenses | \$ 43.44 |
| Members Remuneration | \$ 420.00 |
| Members Reimbursement for Travel Expenses | \$ 47.94 |
| Total | \$ 1,081.38 |

Appendix A

