



The Report of
The St. John's Urban Region (Agriculture)
Development Area Review Commission



Submitted to:

**The Honourable Kathy Dunderdale, Minister
Department of Natural Resources
and Minister Responsible for the
Forestry and Agrifoods Agency**

June 2008



Agriculture Development Area Review Commission
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June 16, 2008

Hon. Kathy Dunderdale, Minister
Department of Natural Resources and Minister
Responsible for the Forestry and Agrifoods Agency
7th Floor, Natural Resources Building
50 Elizabeth Avenue
St. John's, NL

Dear Minister:

The Commission appointed by you to review the boundaries of the St. John's Urban Region (Agriculture) Development Area has now completed its findings and herewith submits its report and recommendations for your consideration.

I would like to express my gratitude and appreciation to the members of the Commission: Granville Martin, Blaine Yatabe and Robert Walsh for their very valuable expertise and insight. Mr. Gerry Conroy's experience and knowledge of the Agricultural Zone was a valuable addition to the team.

I want to especially acknowledge the hard work and dedication of our writer Jan van de Hulst and our Administrative Officer Diane Blackmore.

Finally, on behalf of the Commission, I want to thank the many individuals and groups who made presentations at the in-camera sessions, the public hearings and in writing.

The Commission realizes that there are sensitive issues surrounding the recommendations of this report. However, the Commission feels that the recommendations strike an effective balance between the interests of land owners and the agricultural industry. We trust that this report will provide a solid basis for the growth and development of the agricultural industry.

Respectfully submitted,

FELIX COLLINS
Commissioner

TABLE OF CONTENTS

	<u>PAGE</u>
1. Introduction.....	1
1.1 The St. John's Urban Region (Agriculture) Development Area.....	1
1.2 Rationale of the Zone.....	2
1.3 Methodology and Approach	3
2. History and Evolution of the Zone.....	6
2.1 Evolution of the Zone	6
2.2 The Importance of the Zone to the Province	11
3. The Regulatory and Administrative Structure of the St. John's Urban Region (Agriculture) Development Area	15
3.1 Land Development Advisory Authority	15
3.2 Appeal Board [St. John's Urban Region (Agriculture) Development Area].....	16
4. Agricultural Support Programs that Benefit the St. John's Urban Region (Agriculture) Development Area	19
4.1 Land Consolidation Program	19
4.2 Real Property Tax Exemption Program.....	21
4.3 Farmland Rental Subsidy Program	22
4.4 Agricultural Lease Policy	22
5. Summaries of Hearings and Submissions.....	23
6. Boundary Review Philosophy and Recommended Changes to the Zone.....	42
6.1 Boundary Review Philosophy.....	42
6.2 Recommended Changes to the Zone Boundaries	44

APPENDICES

PAGE

Appendix 1

Area Summary Table of Proposed Deletions..... 63

Appendix 2

Map 1-8 showing Proposed Deletions 65

Appendix 3

Overview Map of St. John's Urban Region (Agriculture) Development
Area with Proposed Deletions 75

1. INTRODUCTION

1.1 The St. John's Urban Region (Agriculture) Development Area

The St. John's Urban Region (Agriculture) Development Area was established in 1973 by the Government of Newfoundland and Labrador in answer to an increasing demand for lands of agricultural importance to be put to alternate uses. The purpose of this Zone is to protect and develop agricultural resources in the area. The Zone was legislated in 1978 under the Lands Act as a Special Management Area and is subject to a review of the boundaries of the Zone to ensure that only lands of agricultural importance are included. The first complete review of the boundaries of the St. John's Urban Region (Agriculture) Development Area by R.W. (Scott) Simmons was finalized in January 1993. This report presents the findings of the second complete review of the boundaries of the St. John's Urban Region (Agriculture) Development Area.

Since the last review in 1993, there have been significant changes with both the Agrifoods industry and the St. John's Urban Region. The St. John's region has experienced unprecedented growth in population and industrial services, primarily due to spin-offs from the oil and gas industry. Similarly, the agriculture industry has witnessed tremendous growth in large part due to the increased production of industrial milk (milk used in dairy products such as cheese and yogurt), food processing facilities such as Country Ribbon Inc., silage corn production, significant vegetable and greenhouse production, sod farming, landscape initiatives and various other livestock operations. Continued significant interest for agriculture and commercial development, coupled with heightened land use demands from both sectors, has prompted Government to again review this unique agricultural area.

Mr. Felix Collins, MHA for the District of Placentia—St. Mary's, was appointed Commissioner to lead the St. John's Urban Region (Agriculture) Development Area Boundary Review.

1.2 Rationale of the Zone

The intent of land use zoning is to control development in order to protect a particular use of the land from the negative impacts of other land uses. Land zoning is the basis to municipal plans adopted by municipalities across the Province, drinking water supply areas, wilderness preserves, etc. Land use, through zoning regulations, is administered by towns and cities with Municipal Plans and Development Regulations. The use of agriculturally zoned lands is included in these plans and appears on the land use and zoning maps in each municipality throughout the St. John's Agriculture Development Area (ADA). The St. John's region is experiencing tremendous growth which is creating enormous pressure on the existing agriculturally zoned area in several communities that have such zones.

Unlike the areas within the agricultural development area, the surrounding areas not zoned for agriculture can be changed through zoning amendments to the town or city's development regulations and text amendments to the town's or city's municipal plans. These changes have to be submitted to Municipal Affairs and other relevant governmental departments in accordance with the Urban and Rural Planning Act, 2000.

The agricultural zoned areas are unique as they are provincially mandated and cannot be changed ad hoc by the municipality unless through an appeal process.

In terms of the land zoning for agriculture in the St. John's Urban Region (Agriculture) Development Area, there are four objectives:

1. to protect the agricultural land base by controlling developments which would destroy the arable land base or result in land use conflicts with agricultural activity;
2. to minimize land speculation, thereby allowing farmers to plan for the long term operation of their farms;
3. to control land fragmentation to ensure that properties remain large enough that they can be efficiently used for agricultural purposes; and,
4. to provide an environment that will stabilize the farm community, encourage farm expansion and promote the growth of the industry.

1.3 Methodology and Approach

The intent of this review is to examine the current boundaries of the St. John's Urban Region (Agriculture) Development Area (the "Zone") to ensure the Zone only includes lands of agricultural importance; lands used in agricultural production together with neighbouring buffer zones.

The review will consist of the following tasks:

1. State the rationale for the Zone, describe significant changes since the previous review, provide an overview of the past, present and projected agricultural activity in the Zone and explain the Zone's importance to the Province and the region.
2. Review of the Zone boundaries will consider the following factors:
 - Farm activity and land requirements.
 - Land (soil) suitability.

- Size and/or need for buffers around livestock operations.
 - Size and/or need for buffers between the Zone and non-agricultural activities.
 - Land fragmentation.
 - Extent of non-farm development.
 - Alternate land uses.
 - Land tenure.
 - Municipal and agricultural expansion plans (alternatives for both).
 - Effect of the Zone upon adjacent and overlapping land owners.
 - Opinions, interests and concerns of residents, farmers, companies, associations, governments and any other interested person(s).
3. Consider any other issues relevant to the review.
 4. Make recommendations, including rationales, with respect to changing or maintaining Zone boundaries.

The Report, with recommendations, will be submitted to the Minister responsible for the Forestry and Agrifoods Agency.

Review Process

Notices of individual in-camera hearings were posted on the Commission's website, published in The Independent on Friday, November 23, 2007, and The Telegram on Saturday, November 24, 2007, and were announced on various radio stations in the St. John's area between November 26-30, 2007, informing the general public that these hearings were to be held in St. John's between January 7 and January 18, 2008. Individuals and organizations who wished to

make presentations were requested to submit, prior to the hearings, information such as name of landowner, location of land, size of land, what the land is currently used for, history of land, the kind of development surrounding the land and reason why the land should be removed from or remain in the Agricultural Zone. They were also asked to provide a copy of a survey of the property if available.

The Commission conducted 60 in-camera hearings including 12 with farmers and representatives from farming operations. An additional five in-camera presentations were heard from organizations including the Agrifoods Branch of the Department of Natural Resources, Country Ribbon Inc., Dairy Farmers of Newfoundland and Labrador, Newfoundland and Labrador Federation of Agriculture, and the Sierra Club of Canada.

To ensure that no person, group, organization or municipality who wished to be heard was excluded, six public hearings were also scheduled.

Notices of these public hearings were posted on the Commission's website, were published in *The Independent* on Friday, January 18, 2008 and *The Telegram* on Saturday, January 19, 2008, and announced on various radio stations in the St. John's area on January 21 through to February 7 informing the general public that these hearings would be held at:

- St. Kevin's Parish Hall, Goulds, on Monday, January 28 at 7 p.m.
- Holy Rosary Parish Hall, Portugal Cove-St. Philip's on Tuesday, January 29 at 7 p.m.
- Kinsmen Community Centre, Bauline Line, Torbay, on Thursday, January 31 at 7 p.m.
- Flatrock Community Centre, Flatrock, Monday, February 4, at 7 p.m.
- Justina Centre, 108 Outer Cove Road, Logy Bay-Middle Cove-Outer Cove on Tuesday, February 5, at 7 p.m.
- All Saints Church Hall, Pouch Cove on Thursday, February 7 at 7 p.m.

All six public hearings were well attended and as a result of these public hearings, the Commission heard and received submissions from 41 individuals, groups and organizations including the City of St. John's, the Towns of Torbay, Flatrock, Logy Bay-Middle Cove-Outer Cove and Pouch Cove, Atlantic Planners Institute, Natural History Society, Torbay Environment and Trails Committee, East Coast Trail, Food Education Action St. John's (FEAST) and again from the Newfoundland and Labrador Federation of Agriculture.

The Commission also accepted written only submissions up to February 8, 2008, and 16 of such submissions were received.

In addition to the individual hearings, public hearings and presentations, the Commission conducted extensive reviews of maps and aerial photographs of the St. John's Agriculture Development Area, and toured the Zone by vehicle and helicopter.

Properties which were requested to be removed from the Zone or remain in the Zone during the hearings and through written submissions were plotted on the relevant maps and discussed by the Commission according to the Commission's Terms of Reference.

2. HISTORY AND EVOLUTION OF THE ZONE

2.1 Evolution of the Zone

Prior to Confederation, there was a thriving agricultural industry in and around St. John's in what is now Mount Pearl, Conception Bay South, Torbay, St. John's (north of Freshwater Road and in the Waterford-Kenmount area), Goulds and Kilbride. Traditional produce, in the form of meats (chicken, hogs and beef), dairy products and vegetables (eg. potatoes, turnips, cabbage and carrots) came from these regions to supply the needs of the City. As well, people

living in these rural areas practiced subsistence or hobby farming as part of their way of life to a greater extent than is true today.

The agricultural industry was protected by a system of import quotas and tariff barriers, maintained by the then Dominion and former colony of Newfoundland.

These tariff and trade barrier protections ceased to exist with Confederation. With increased urbanization and without such protections against cheaper mainland Canada imports, the agriculture industry as it existed in St. John's and surrounding areas increasingly declined and the traditional way of life surrounding St. John's began to change. Farms and farmers gradually started to go out of business leaving numerous, generally small, privately owned tracts of agricultural land unused. In many cases, their sons and daughters have no further interest to continue farming these lands. The start of World War II caused another exodus from farms surrounding St. John's, with the construction of the American Forces Base Fort Pepperell attracting a large number of workers with the promise of a regular pay cheque.

As the City of St. John's, the then Town of Mount Pearl and areas like Goulds, Kilbride, Paradise and Conception Bay South, continued to develop and expand, residential subdivisions, industrial and commercial developments took over what were once prime agricultural lands. This trend continued during the 1950's, 1960's and early 1970's until the establishment of the St. John's Urban Region (Agriculture) Development Area in 1973 introduced a general "freeze" on some 60,600 acres of land, thereby effectively slowing down further conversion of agricultural land to other uses. This brought stability to the agricultural industry in the St. John's Urban Region and together with the development of supply managed agriculture commodity boards for the egg, broiler and dairy sectors, as well as a series of federal and provincial programs designed and implemented in the 1970's to develop and improve agriculture

infrastructure and increase on-farm productivity, gave new life to what was then a declining industry. Table 1 demonstrates for both the St. John's Urban Region and the Province the general decline in the number of farms from 1951 to the mid 1970's, after which the number of farms in the St. John's Urban Region shows a sharp increase while the number of farms for the Province continued to decline until the late 1980's. Similarly, Table 2 demonstrates a general reduction in the total area of farmland used in connection with agricultural operations for both the St. John's Urban Region and the Province from 1951 to 1971. Where the total area of farmland for the St. John's Urban Region shows a sharp increase in 1971 and continued to increase until 1981; the total area of farmland in the Province did not show a substantial increase until a decade later in 1991. While other factors may account for the apparent fact that total area of farmland and number of farms in the Province continued to decline until the mid 1980's, and it apparently stopped in the St. John's Urban Region by the mid 1970's, the only factor that can readily explain this trend was the creation of the St. John's Urban Region Agricultural Zone in 1973.

Table 1		
Number of Farms		
Year	St. John's Area	Newfoundland Labrador
1951	247	3,626
1961	164	1,752
1971	116	1,042
1976	80	878
1981	130	679
1986	137	651
1991	168	725
1996	168	742
2001	162	643
2006	125	558

Source: Statistics Canada

(It should be noted that Table 2, On-Farm Land Ownership, shows a dramatic reversal between acreage owned and acreage rented after 1976. This phenomenon can be explained by the fact that legislation was introduced by the Province in 1976 which prevented the issue of Crown Grants for farmland. Since then the Province only issues Crown Leases for agricultural land to ensure that these lands remain in agriculture.) In any event, the trend reversed and the number of farms and the total acreage of farmland started to increase steadily and stabilized during the early to mid 1990's.

Table 2						
On-Farm Land Ownership						
Year	St. John's Metropolitan Area			Newfoundland Labrador		
	Total Area	Area Owned	Area* Rented	Total Area	Area Owned	Area Rented
	Acres			Acres		
1951	9,791	8,352	1,439	85,040	79,770	5,270
1961	7,578	6,452	1,126	54,561	50,531	4,030
1971	8,389	6,312	2,077	62,704	58,522	4,182
1976	8,345	6,342	2,003	80,058	73,362	6,696
1981	15,930	7,242	8,688	82,667	45,193	37,474
1986	17,476	5,307	12,169	80,345	32,415	47,930
1991	21,484	5,405	16,079	117,011	32,642	84,369
1996	17,929	4,503	13,426	108,320	31,877	76,443
2001	18,265	3,687	14,578	100,271	29,668	70,603
2006	12,493**	3,578	8,915	89,968	29,909	60,059

Source: Statistics Canada, Census of Agriculture

* Area Rented includes Agricultural Leases and Permits

** The dramatic drop in total on-farm land ownership for 2006 as shown in Table 2 which is apparently due to a drop in acres rented is thought to be due to the fact that Cochrane Pond Pasture, with an area of about 6,000 acres, is not included.

However, from the mid 1990's until present a drop in the number of farms has occurred both in the St. John's area and in the Province while the total on-farm land ownership in the St. John's area remained relatively stable, and even increased somewhat. The drop in number of farms in the St. John's area, as well as in the Province, reflects a general trend seen for the rest of Canada where smaller farms are closing and their quotas and, for the most part, the land base are being taken over by more successful, expanding farms.

When the St. John's Urban Region (Agriculture) Development Area was established in 1973, Government designated some 60,600 acres of land located in what are now the municipalities of St. John's, Mount Pearl, Conception Bay South, Paradise, Portugal Cove-St. Philip's, Logy Bay-Middle Cove-Outer Cove, Torbay, Flatrock and Pouch Cove as agricultural lands to be protected. This was done as an initial measure to try and stop the increasing conversion of agricultural lands to other uses, pending a formal review of the area. From 1973 to 1991, some 19 deletions reduced the Agriculture Development Area from approximately 60,600 acres to approximately 42,000 acres, many of these deletions at the request of municipalities in the ADA. Besides these deletions of land from the Agricultural Zone, the Land Development Advisory Authority, the regulatory and administrative body for the Agricultural Zone and its Appeal Board during the same time recommended approval for some 450 to 500 development requests inside the Zone, the majority of which were not related to agriculture (residential, commercial, etc.). The first complete review, covering the entire St. John's Urban Region (Agriculture) Development Area was initiated in 1992 and completed in 1993. This review, commonly referred to as the "Simmons Report", after its Commissioner R.W. (Scott) Simmons, reduced the St. John's Urban Region (Agriculture) Development Area by an additional 12,000 acres to approximately 30,000 acres. In any case, the deletions

recommended in the Simmons Report resulted in the removal of many controversial areas as is evidenced by a marked reduction in applications for development to the Land Development Advisory Authority.

Since this review two areas has been deleted from the Zone. The first one, at the request of what is now the Eastern School District and the Town of Pouch Cove, for land within the Pouch Cove Pasture boundary to erect the Cape St. Francis Elementary School. The second one being the site of the former Sprung greenhouse.

2.2 The Importance of the Zone to the Province

In order to form an idea about the importance of the St. John's Urban Region (Agriculture) Development Area to the agricultural industry of the entire Province, attempts have been made to compare certain agricultural statistics available for the St. John's Region with those for the rest of the Province. As there are few statistics available for the St. John's Urban Region (Agriculture) Development Area, information collected by Statistics Canada for the Census Region North East Avalon has been used. Table 3 shows a number of selected agricultural statistics for the St. John's Area as compared to the entire Province. In the previous Section 2.1, History and Evolution of the Zone, the apparent drop in the number of farms as well as a drop of total land area associated with farms was explained. It is important to note, however, that in spite of this decrease of total land area on farms and the drop in the number of farms, Table 3 shows that the actual land area used for growing crops, whether forage, vegetables or other crops, have over the past 15 years first slightly increased and then remained stable in the St. John's area and show a slight but steady increase for the Province. The amount of land in

St. John's Urban Region (Agriculture) Development Area Review Commission

Table 3 – Selected Agricultural Statistics								
	St. John's Area*				Newfoundland Labrador			
	1991	1996	2001	2006	1991	1996	2001	2006
No. Farms	168	163	168	125	725	742	643	558
Use of Farm Land (acres)								
Total Area	21,484	17,258	17,791	12,379	117,011	108,320	100,271	89,441
Land in Crops	4,025	4,374	5,195	5,194	15,503	17,742	20,843	22,671
Summer fallow	-	27	-	x	359	236	281	167
Pasture**	NA	2,746	4,810	x	NA	22,988	23,775	31,222
All Other Land***	NA	10,111	7,786	4,875	NA	67,354	55,372	35,381
Vegetables (acres)	211	x	180	176	1,199	1,330	1,088	1,067
Potatoes (acres)	87	130	86	74	667	843	629	805
Greenhouse (sq. ft)	177,304	x	307,085	342,840	407,764	420,551	634,413	783,242
Sods (acres)	26	x	104	150	122	304	372	657
Dairy								
Cows	2,505	x	1,862	x	4,825	4,443	4,708	6,259
Heifers	447	x	417	x	1,008	x	1,473	2,050
Beef								
Cows	53	x	53	x	661	732	649	761
Swine								
Total Pigs	8,298	1,304	506	x	15,625	3,929	2,689	1,999
Layers	13,870	x	x	x	409,688	x	323,911	334,156
Sheep								
Total Sheep	1,039	x	424	769	8,918	6,402	7,888	4,642
Ewes	488	x	200	350	4,173	3,065	3,791	2,080
Lambs	527	x	205	403	4,526	3,162	3,847	2,444
Rams	24	x	19	16	219	175	250	118
Farm Capital (\$)	73,054,558	64,049,438	77,185,618	78,850,725	176,237,418	184,156,789	203,846,642	259,072,309
Farm Cash Receipts (\$)	19,134,637	21,094,669	39,847,695	44,957,431	67,952,797	75,867,075	90,398,822	106,965,108
Weeks of Paid Labour	7,623	8,193	7,809	13,452	25,404	28,400	27,206	35,905

* St. John's area refers to St. John's Metro Census Area

** Pasture includes seeded pasture and natural pasture

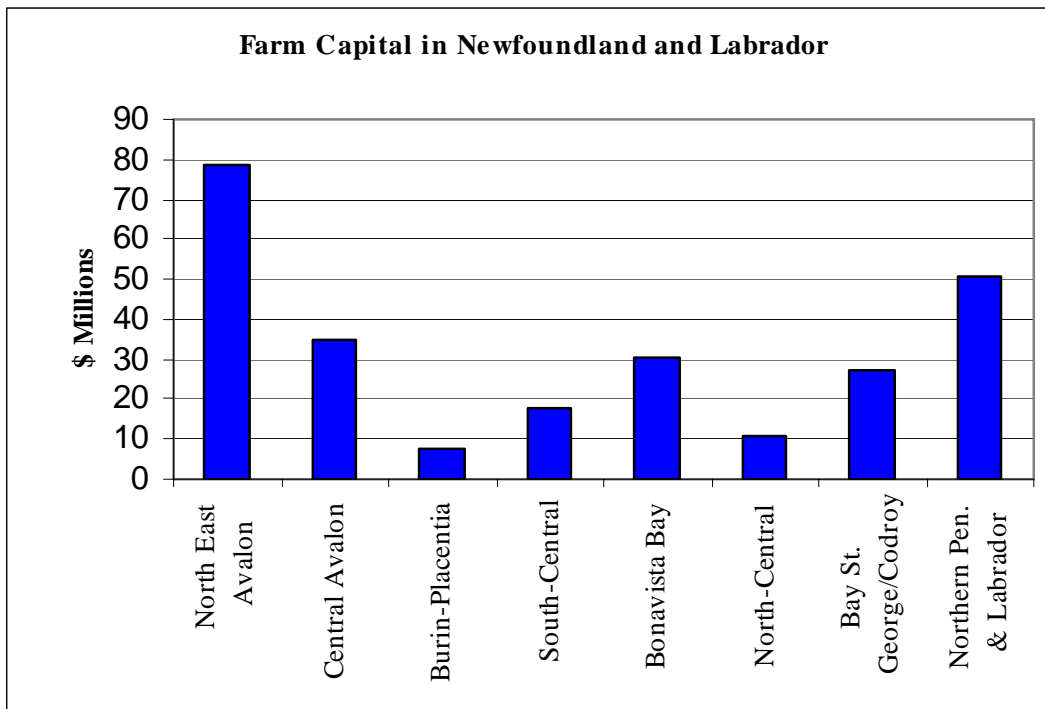
*** All other lands include land not suitable for agriculture production, land not cleared and land occupied by buildings

x = Confidential

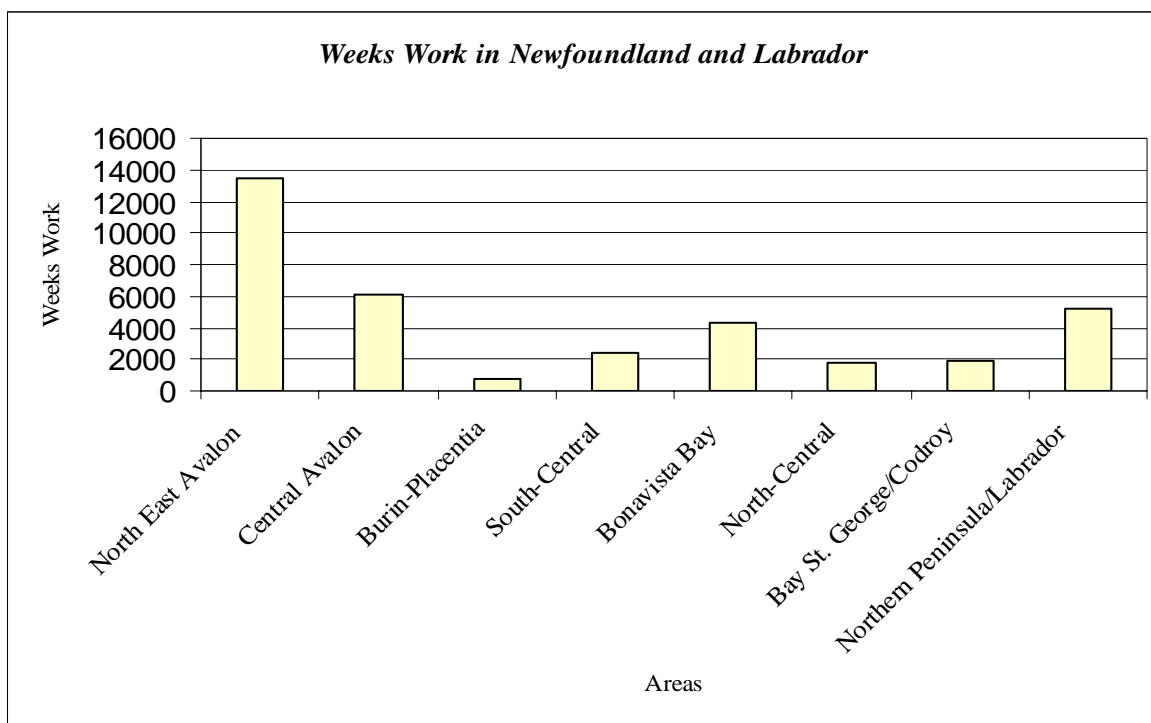
Source: Statistics Canada, Census of Agriculture

crops in the St. John's area accounts for 42% of the total land associated with farms in the area as compared to 25% for the total of the Province. Statistics such as farm capital and farm cash receipts are an indication of how the agricultural industry fares economically. Data from Table 3 indicate that the St. John's Region accounts for 30.5% of the value of all farmland, buildings equipment and livestock in the Province and 42% of the value of agricultural products sold in the Province. Graph 1 shows the distribution of farm capital across the Province. Weeks of paid labour in the agricultural sector are also higher than anywhere else in the Province (see Graph 2) and accounts for 37.5% of all paid labour in the agricultural sector for the Province.

Graph 1



Graph 2



Other statistics which the Commission was able to gather indicate that the St. John's Urban Region (Agriculture) Development Area accounts for:

- 14 of a total of 40 dairy farms in the Province or 35%.
- 65% of the broiler production (at Country Ribbon Inc.)
- 40% of greenhouse area on seven greenhouse operations.

Some notable changes in the agricultural industry in the St. John's Urban Region (Agriculture) Development Area which occurred over the past 15 years are:

- The hog and layer industry have disappeared from the ADA;
- Three Turkey farms have been established as a new emerging industry;
- Five sod farms on peat soils have been established as a new industry;

- Milk production has increased by about 40%, producing sufficient milk to feed 170,000 people.
- Corn for forage is being grown (approximately 375 acres in 2007).
- The emergence of road side markets for locally produced vegetables.

3. THE REGULATORY AND ADMINISTRATIVE STRUCTURE OF THE ST. JOHN'S URBAN REGION (AGRICULTURE) DEVELOPMENT AREA

The St. John's Urban Region (Agriculture) Development Area is legislated as a Special Management Area under the Lands Act (1991) and governed by the Minister responsible for the Forestry and Agrifoods Agency according to the St. John's Urban Region (Agriculture) Development Area Regulations under the Lands Act (OC 96-249). These regulations provide for a Land Development Advisory Authority to administer the regulations and an Appeal Board.

3.1 Land Development Advisory Authority

The Land Development Advisory Authority (L.D.A.A.) is appointed by the Minister responsible for the Forestry and Agrifoods Agency to administer the St. John's Urban Region (Agriculture) Development Area Regulations.

The Authority's duties are to review all development applications made under the regulations, approve and issue permits or notices of approval, refuse applications, cancel permits and exercise all other powers and duties conferred and imposed upon the Authority under the regulations. The Authority consists of at least five people including a chairperson and a secretary and may include representatives from the Agrifoods Development Branch of the Department of Natural Resources (one of whom is the chairperson), a Forestry Services representative of the Department of Natural Resources, a Department of Municipal Affairs

representative, a Department of Environment and Conservation representative and a member of the community.

All applications for development within the St. John's Agriculture Development Area (the Zone) are submitted to the relevant municipal council in whose jurisdiction the proposed developments are located. The municipal council in turn refers each application to the L.D.A.A. for consideration. Upon receipt, the secretary of the L.D.A.A. reviews the application and carries out a site inspection and an agricultural impact assessment if required. The secretary's findings are presented to the L.D.A.A. and a decision is made to either approve or refuse the application. The Authority may impose any condition(s) it deems necessary for the proposed development to meet the requirements of the regulations. The Authority's decisions are sent back to the relevant Municipal Council. If refused, the Council will issue a written notice of refusal to the applicant, and if approved the Council shall complete its consideration of the application in respect of its Town Plan and Regulations and notify the applicant accordingly.

3.2 Appeal Board [St. John's Urban Region (Agriculture) Development Area]

The Appeal Board for the St. John's Urban Region (Agriculture) Development Area is established under Section 7 of the St. John's Urban Region (Agriculture) Development Area Regulations, is appointed by the Minister responsible for the Forestry and Agrifoods Agency, and consists of at least three members.

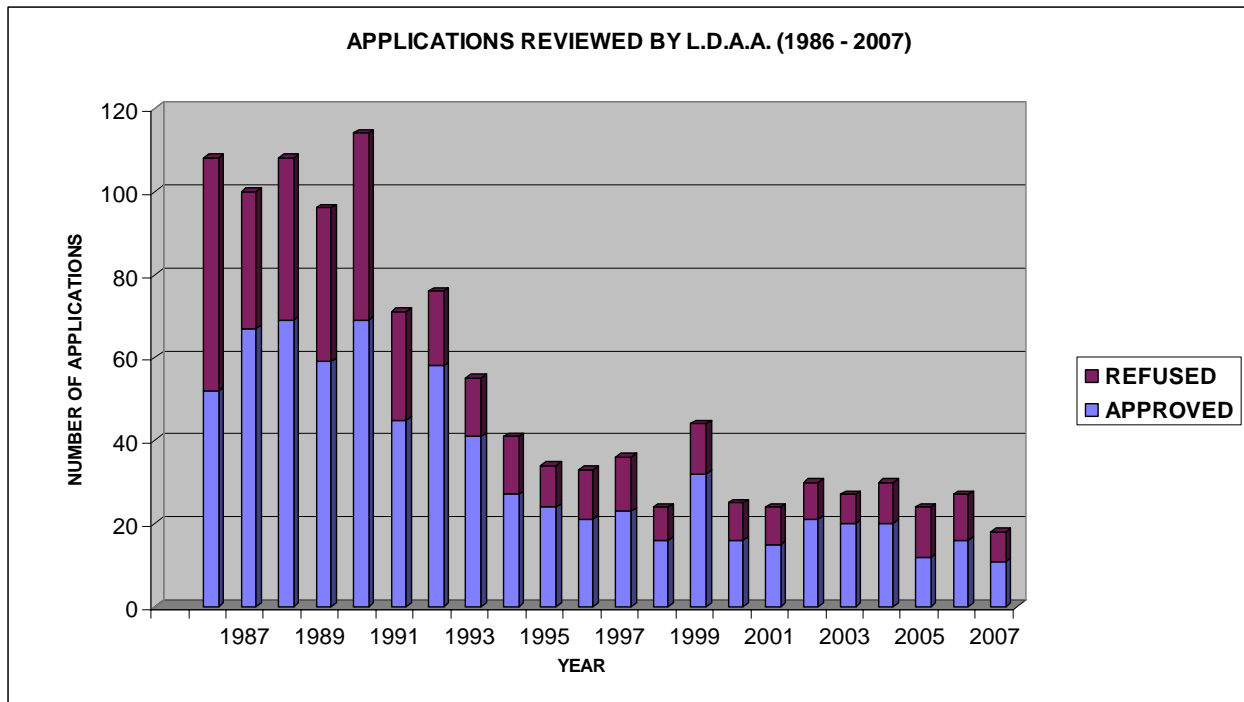
Any applicant that was refused a permit or was granted a permit subject to conditions by the L.D.A.A. may appeal in writing to the Appeal Board within 30 days after receiving notice of the Authority's decision. Each appellant has the right to appear before the Appeal Board and give evidence in support of his/her appeal. Members of the general public who may be affected

by the proposed development are also given the opportunity by public notice to have input into the appeal process. The Appeal Board will hear each appeal and communicate a recommendation in writing to the Minister responsible for the Forestry and Agrifoods Agency who will make a decision that is final and binding on all parties. The Minister's decision is communicated in writing to each appellant and the relevant municipal council.

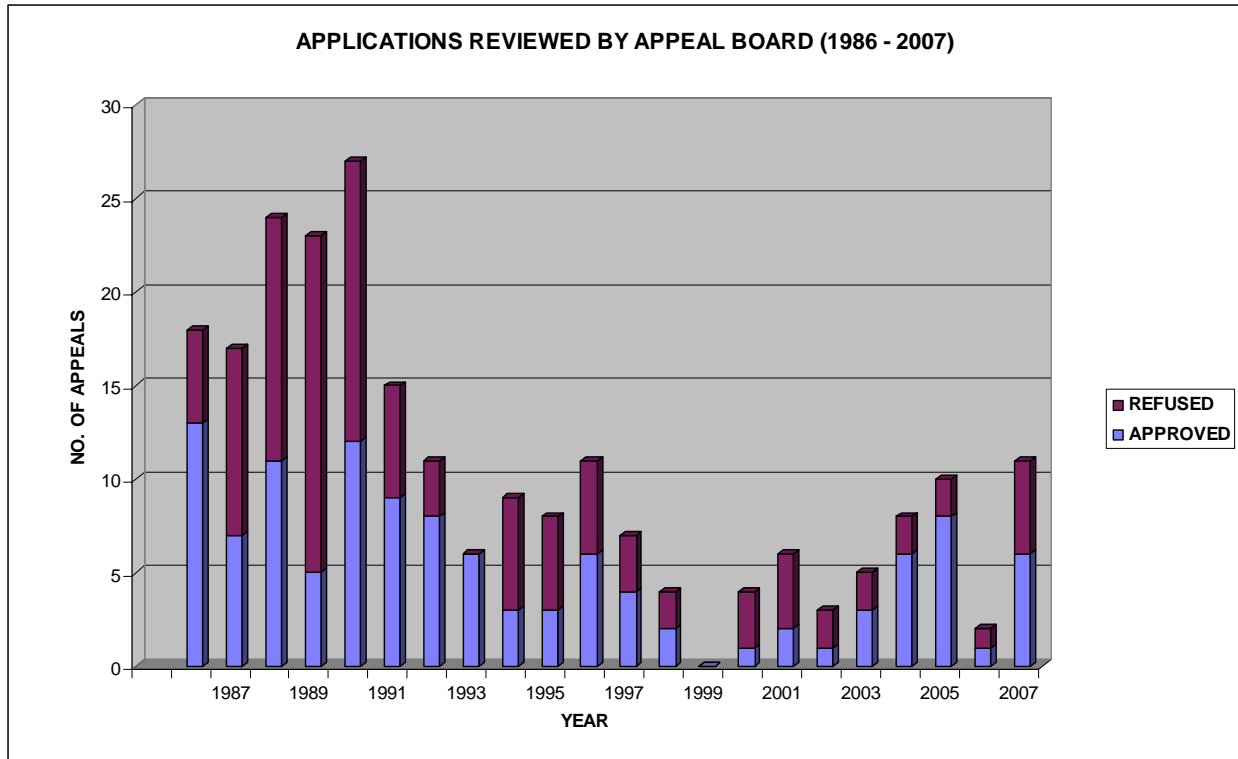
The previous review of the St. John's Urban Region (Agriculture) Development Area in 1993 resulted in many of the more controversial areas being deleted from the Zone. This reduction in Zone area resulted in a decrease of 59% in the number of development applications to the L.D.A.A., and a reduction of 50% in the number of appeals heard by the Appeal Board.

The following graphs clearly show the reduction in number of applications (Graph 3) and in number of appeals (Graph 4). Graph 5 shows the trend in applications reviewed by development type between 1986 and 2007.

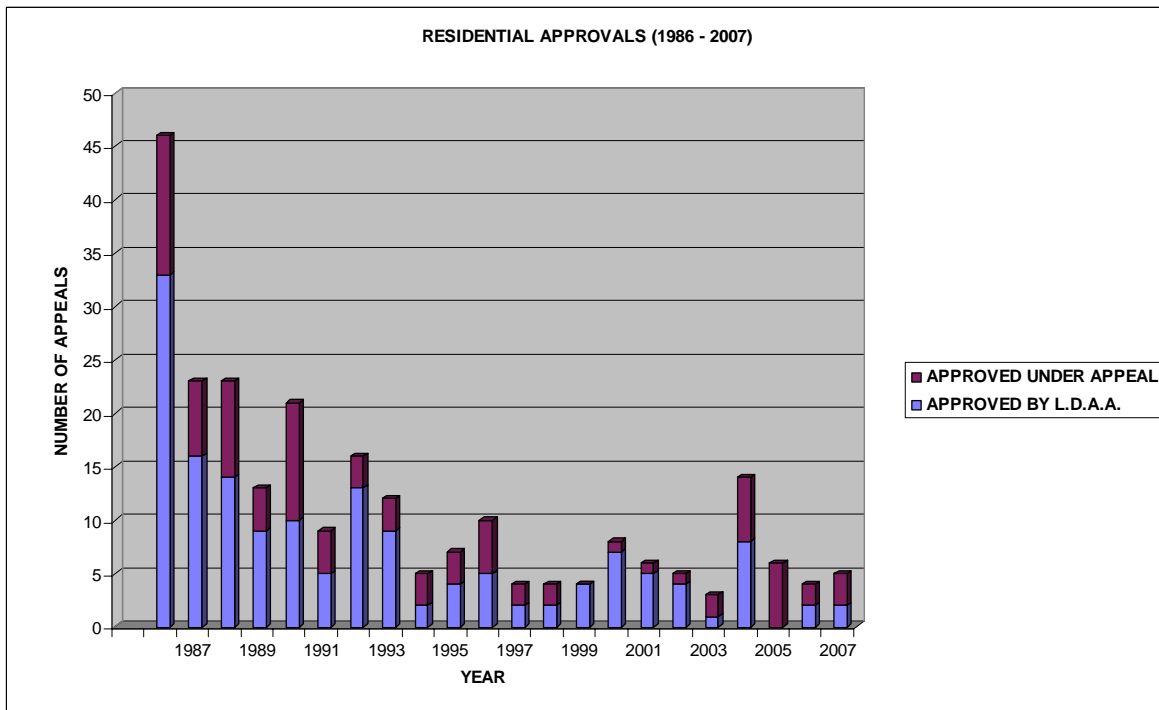
Graph 3



Graph 4



Graph 5



4. AGRICULTURAL SUPPORT PROGRAMS THAT BENEFIT THE ST. JOHN'S URBAN REGION (AGRICULTURE) DEVELOPMENT AREA

In response to the demands of landowners and to maintain lands of agricultural importance within the Agricultural Zone, the Government developed programs to compensate non-farmer landowners for the use of their land. Chief among these is the Province's Agriculture Land Consolidation Program. The Province's Farmland Rental Subsidy Program and the Real Property Tax Exemption Program, are other programs benefiting both non-farmer land owners and farmers.

4.1 Land Consolidation Program

The Land Consolidation Program is administered by the Agrifoods Branch of the Department of Natural Resources and is designed to provide an opportunity for non-farm landowners and retiring farmers to sell granted (freehold) land to the Government of Newfoundland and Labrador. This will allow the Government to make it available to existing commercial farmers, part-time farmers or new entrants aspiring towards commercial farming who are in need of additional land.

Review of applications are made on a first come, first serve basis by an Advisory Review Committee which consists of one member from the Department of Natural Resources, one member of the Department of Transportation and Works, a representative from industry and a Chairperson from the public at large.

For applications deemed suitable, the Government will enter into negotiations with the owner to determine an agreement for price and conditions. A Negotiator from the Department of Natural Resources will deal directly with the owner on a confidential basis.

The negotiated price will not be based solely on suitability for agriculture. An appraisal by a Certified Appraiser may be required and may be the basis for the purchase offer.

Where agreement on price cannot be obtained, the Review Committee will inform the Minister responsible for the Forestry and Agrifoods Agency. The Minister then has the option of accepting or rejecting their recommendation. Table 4 shows that since the inception of this program in 1986, a total of 64 parcels of land totaling 2,375 acres (961 ha) have been acquired by the Government and leased to farmers.

Table 4

Year	Number of Lots	Acres
1986-87	3	73.6
1987-88	9	182.1
1988-89	3	236.3
1989-90	7	232.3
1990-91	7	113.9
1992-93	2	127.3
1993-94	2	181.0
1994-95	2	153.0
1995-96	1	17.3
1998-99	1	72.5
2001-02	3	106.3
2002-03	1	22.9
2004-05	2	66.6
2005-06	*12	*259.9
2006-07	*7	*217.3
2007-08	*3	*319.4
Total	64	2,375.1

* Includes lots acquired outside the St. John's Urban Region (Agriculture) Development Area.

The Commission, during the in-camera hearings, learned through discussion with both non-farmer land owners and farmers that both have great hope in and expectations of the Land Consolidation Program. Both groups expressed their belief that this is the one program, if

expanded and enhanced, could resolve the “impasse” which currently exists in regards to non-farmer owned agricultural land in the Agricultural Zone becoming available to the farming community and the non-farmer land owner being able to realize, in their opinion, a satisfactory return to a valuable asset they own. Both non-farmer land owners and farmers agree that the present valuation of the land is inadequate and should be closer to what is considered ‘fair market value’ outside the Agricultural Zone.

4.2 Real Property Tax Exemption Program

The Real Property Tax Exemption Program for Agricultural Land is designed to identify productive farm land and farm buildings used in connection with farm production that may be eligible for exemption from real property tax in accordance with the Municipalities Act. It applies to farmers who are productively using agricultural land, whether it is owned, leased or rented, as well as to non-farm landowners who are renting land to farmers for agricultural purposes.

The objective of the program is to:

- Encourage owners of idle land to put it into farm production.
- Provide some tax relief to farmers who have high assessments due to the relatively large amount of land that they require to operate effectively.

The amount of land that may be eligible for exemption is based on the gross sales of agricultural products or in case of rented land on the amount in rent received from the land.

The exemption program is based on several assumptions. A significant portion of an individual's land may consist of rock, bog, steep slopes, etc. and would not be capable of agricultural production. Furthermore, because productivity varies greatly from one type of

enterprise to another, the exemption formula is calculated using a low value, based on extensive agricultural use.

4.3 Farmland Rental Subsidy Program

The Farmland Rental Subsidy Program is designed to assist farmers in getting idle land of agricultural importance, owned by non-farmers, into farm production. Under this program, which only applies to land within the Zone, landowners who rent land for agricultural purposes to commercial farmers may qualify for a rental subsidy from Government. This grant was designed as an incentive to encourage landowners to rent or continue to rent their lands of agricultural importance to farmers. This subsidy is equivalent to the lesser of 50% of the rent paid by the farmer to the landowner concerned or \$20 per acre. This rental price is verified by copies of receipts agreed upon between the farmer and the landlord. Also as a precondition for program qualification, the farmer and lessee has to produce written evidence of a land rental agreement of a minimum duration of two years. Furthermore, only arms length transactions, that is, land transactions and rental agreements not between family members, qualify for funding under this program.

While initially a number of landowners seemed receptive to this initiative and the program grew in popularity between 1982 and 1988, participation in the program has since declined to almost insignificance due to the purchase of land through the Land Consolidation Program.

4.4 Agricultural Lease Policy

Agricultural Leases are issued by the Government to farmers who acquire Crown land for their farming operations. Whereas, prior to 1976, these Leases could be converted to Grants

(outright ownership), which in some cases resulted in the land being used for other than agricultural purposes, in 1976 Government changed the Lands Act such that Agricultural Leases cannot be converted to Grants in order to ensure that these lands remain in Agriculture.

Agricultural Leases are issued for a term of 50 years. Presently, the Agricultural Lease holder pays an annual rent of \$4.00 per hectare. The Agricultural Lease Policy is administered by the Crown Lands Branch of the Department of Environment and Conservation in conjunction with the Agrifoods Branch of the Department of Natural Resources. Currently, Agricultural Leases account for an estimated 70% of the total on-farm land ownership in the St. John's Urban Region. Lands that are purchased under the Land Consolidation Program are issued to farmers as Agricultural Leases.

5. SUMMARIES OF HEARINGS AND SUBMISSIONS

The Commission received a number of briefs, submissions and heard in-camera presentations as well as presentations during public hearings from interested stakeholders including municipalities in the Zone, landowners with land in the Zone, area residents, farmers, interested groups, individuals and other claimants. A summary of the public presentations are now presented.

Views of Interested Groups, Organizations and Individuals

In contrast to the previous complete review of the St. John's Urban Region (Agriculture) Development Area boundaries, this review attracted much attention from a number of organizations, groups and individuals concerned with issues such as food security, environment and the maintaining of adequate agricultural land for future generations.

The North-East Avalon Group of the Sierra Club of Canada, the Natural History Society of Newfoundland and Labrador, Food Education Action St. John's (FEAST), the Newfoundland and Labrador Environment Network, the Torbay Environment and Trails Committee and several "concerned" individuals all made presentations and/or submitted briefs to the Commission.

These briefs and presentations all have a number of concerns in common:

- **Food Security:** Maintaining agricultural land near large urban areas is a necessity to a food security strategy. Newfoundland and Labrador, due to its geographic location is vulnerable to fluctuating high transportation costs and potential shortages of supply. Presently much of the food consumed in this Province is imported and travels thousands of kilometers. This food supply system uses substantial amounts of oil based fuels and contributes to the global warming of the planet. Increased self-sufficiency in food production by locally grown food will reduce the CO₂ emission, improve the quality and nutritional value of the food as compared to food that has travelled for long distances and food safety will be facilitated by readily available information about the conditions of local food production.
- **Maintain Open Space:** Preservation of green space around urban areas not only increases the quality of life of the urban resident, it creates a habitat for flora and fauna, prevents urban sprawl thereby reducing travel time which in turn reduces CO₂ emissions, and also reduces the high costs of maintaining an infrastructure required to service urban sprawl.
- **Affordable agricultural land for new farmers:** Existing developed agricultural land at affordable prices is required for new entrants in farming to provide for a

continuation in food production. To develop new land for farming in the St. John's Urban Region requires great effort at the best of times and it takes years to reach full production capacity. There is still agricultural land available which has been developed and which has been 'built-up' over generations to reach its full production capacity.

- **Tourism:** the Tourism Industry Association of Newfoundland and Labrador, the East Coast Trail Association, the Torbay Environment and Trails Committee and a number of tourism operators in Pouch Cove expressed the need to preserve the unique character and appeal of the communities in the St. John's Urban Region and the need to preserve existing 'view-scapes' by maintaining the agricultural nature of the area to attract residents and tourists to the area.

The briefs and presentations by these interested groups, organizations and concerned individuals who, for the most part, have no direct involvement with the establishment of the Agricultural Zone and the agricultural industry in general, made the Commission acutely aware of the considerable concern by the public in general about the food security in the Province for the present as well as for the future and the value and importance they place on maintaining the agricultural land base and open space surrounding St. John's. This awareness was definitely a factor in the Commission's deliberations regarding any changes to the Zone boundaries.

Newfoundland and Labrador Federation of Agriculture

A brief was presented to the Commission by the Newfoundland and Labrador Federation of Agriculture (NLFA) and presented by Mr. Merv Wiseman, President and Ms. Andrea Bourne, Executive Director.

Based on discussions with producers in the ADA, many farmers seem to be faced with a dilemma. On the one hand they support the idea of protecting agriculture lands. On the other hand, they would like to avail of free market prices to derive suitable remuneration for their investment in agriculture land development. Government supported land consolidation programs have opened the door to a proper solution in this respect.

Some farmers have expressed the view that the current ADA is somewhat dysfunctional in nature and they noted that legitimate agriculture activity has been too often rejected due to potential conflicts with urban lifestyles.

Clearly, there is a special dynamic at play in the St. John's Urban ADA. Significant pressure is being placed on available land to meet the development needs of an increased population and increased commercial demand and the presence of a vibrant agricultural industry that has to be supported by an adequate land base.

A number of commodities have special land requirements. Forage for an expanding dairy industry and land base for horticulture activities from traditional crops to new and emerging industries in nursery and landscaping are examples.

The NLFA is strong in its advocacy for the protection of agriculture land base. The organization also wishes to be viewed as being pragmatic in its approach to achieving that objective. Where it makes sense to alter the current boundaries when appropriate measurements are applied, the NLFA expects to make its accommodation accordingly.

The NLFA wishes to note for the Commission that serious concern has arisen over the results of previous reviews. Through these reviews, the ADA has been reduced by more than half of its original allocation. Losing this amount of land base without supporting rationale has negatively affected the confidence in the review process.

The NLFA has been addressing the issue of land use policy and its effect on the Agriculture industry for several years. Agriculture land is diminishing at an alarming rate all across Canada. According to a study entitled “The Loss of Dependable Agricultural Land in Canada”, by 2001 about one-half of Canada’s urbanized land was located on agricultural land. This highlights the overwhelming need to address the consumption of agricultural land by cities and towns.

To ensure that efforts are being exercised to make fair decisions about land use, a policy should be devised that defines the value of dependable agriculture land in Newfoundland and Labrador.

Agriculture land is not only valuable to the producers but it is valuable to the public for the production of safe fresh food close to home, for the green cover it provides to cities, and the role it plays in securing food for the health of our population. The less distance food has to travel to reach consumers the better it is for the environment, the consumers who demand fresh healthy foods, and the growers.

In trying to develop a comprehensive approach to land development and land allocation, the NLFA has come up with some proposed actions for Government that can also serve to reinforce a response to the current review.

NLFA is recommending Government take the following actions:

1. NLFA supports the Land Consolidation Program and encourages the Government to enrich and continue the Program.
2. An Agricultural Land Use Advisory Council should be formed with representation from the agriculture industry with the empowerment to hear and recommend the following:
 - Approval for establishments or reductions in Agricultural Development Areas (ADAs).
 - Approvals for agricultural leasing to individuals or companies.
 - Review compliance issues or recommend changes associated with leases.
 - Facilitate agriculture land use planning in forestry and mineral demand areas.
 - Facilitate agriculture land use grievances generated by individuals, companies, municipalities, governments or other interest groups.
 - Conduct other inquiries associated with agriculture land use as directed by the Minister.
3. A process should be established with Government to examine current land use policy as it relates to leased land, granted land and underdeveloped agricultural land. In this process a mechanism should be put in place to reimburse farmers for their investment in improving leased land.
4. A mandatory land registry should be implemented to provide an accurate database of land ownership.

5. The use of idle agriculture land base should be encouraged. This includes an idle [land] tax for absentee landowners and/or tax rebates/incentives for those landowners that provide land for use in the agriculture industry.

The NLFA feels that land use is one of the most critical issues facing the agriculture industry today. Government intervention is necessary to protect what are essentially a public resource and an instrument of public good.

Dairy Farmers of Newfoundland and Labrador

The Dairy Farmers of Newfoundland and Labrador made a presentation outlining the current status and future needs of the dairy industry in the St. John's Urban Region. Of a total of 40 dairy farms in the Province, 14 are operating in the St. John's Urban Region (Agriculture) Development Area, which makes this area an important dairy producing region. The Province has been self-sufficient in fluid milk production since the late 1990's and shipped small amounts of unprocessed milk to Nova Scotia. Growth in the amount of this unprocessed milk being shipped out of the province created pressure from other provinces for Newfoundland and Labrador to join the National Milk Marketing Plan. This was, after extensive consultation, achieved in 2001 and the Province agreed to harmonize policies and regulations with other provinces such as industrial milk pricing, quota allocation policies and special class pooling. Newfoundland and Labrador now has the opportunity to acquire quota to produce an additional 31 million+ litres of industrial milk (milk for manufacturing butter, cheese, ice cream, etc.). This quota must be used by 2015, requiring the dairy industry to significantly expand its operations. Presently, the Province produces only 60% of its current forage requirements on an estimated 9,950 acres; the rest has to be imported at ever increasing prices due to transportation costs. For

the dairy industry to become self-sufficient in forage production an estimated 19,000 acres are required with an additional 15,000 acres to produce the 31 million litres of industrial milk for the Province and an estimated 5,000+ acres for the eastern region to achieve self-sufficiency in forage production for the desired expansion. Presently less than 1,400 'gross' acres have been identified in the eastern region for expansion. Maintaining the Agricultural Zone, land buffers and existing available land base and incorporating strategically important agricultural land currently outside the Zone is critically important for the survival and prospering of the dairy industry in the eastern region.

Country Ribbon Inc.

The largest broiler (chicken) farm in Canada is located within the St. John's Urban Region (Agriculture) Development Area. Country Ribbon Inc. is an integrated boiler company with processing plant, feed mill and a farm located on 425 acres in the Cochrane Pond area. The Company grew about 9.8 million broilers in 2007, 65% of which was grown on the Cochrane Pond Farm and 35% grown at contract grower farms located outside the St. John's Urban Region (Agriculture) Development Area. The Cochrane Pond farm operation produces about 20,670 cubic yards of manure annually. This manure has to spread for which about 2,600 acres are required. Presently, the manure is utilized by the agricultural community in the St. John's Urban Region (Agriculture) Development Area for fertilizer and a small volume for composting. The broiler industry has been growing about 2% a year and as Country Ribbon Inc. expects to continue to grow it would like to be assured of available agricultural land for manure disposal as well as that the land around its farm will not be built up by non-agricultural neighbours.

Newfoundland and Labrador Institute of Agrologists (NLIA)

As an organization representing professionals working in agriculture, the Newfoundland and Labrador Institute of Agrologists (NLIA) made submission to the St. John's Urban Region (Agriculture) Development Area Boundaries Review Commission, in support of the retention of a viable agricultural land base in the St. John's region. They believe that retention of agricultural land is a public good and protects the rights of future generations to benefit from the non-renewable resources of our Province.

Their submission outlines the growth and potential development of the agricultural industry, the value of farmland, the role of agricultural land in protecting the environment and suggests management structures to protect agricultural land for future generations.

The NLIA believes that agricultural lands are a non-renewable natural resource and should be protected as other natural resources are, to ensure that future generations may benefit from them. Any parcel of land requested for removal from the Agriculture Development Area should be professionally assessed for its agricultural capability by a trained and experienced land capability specialist. The following principles must be accepted to ensure the survival of the agricultural industry;

- (1) Agricultural land is a scarce commodity in this Province, especially on the Avalon Peninsula;
- (2) Farm production depends on an adequate land base to survive;
- (3) Agricultural land preservation is a method of protecting and preserving the environment, open space and rural social values;
- (4) Farm production and land used for disposal of livestock wastes needs buffers from surrounding land users;

- (5) Decisions on the need to preserve agricultural land must be based on future needs as well as present day users;
- (6) Urban development of agricultural land is an irreversible use of a non-renewable resource.

Atlantic Planners Institute

The Newfoundland and Labrador Branch of the Atlantic Planners Institute (API), an affiliate of the Canadian Institute of Planners (CIP) submitted a brief regarding proposed boundaries changes, and related policy changes, in respect of the St. John's Urban Region (Agriculture) Development Area.

This professional planning institute has a professional interest and concern in the development and conservation of the Province's agricultural industry and land base.

It is the Institute's view that:

- The agricultural land base (ADA) provides significant agricultural, environmental, cultural and sustainable urban development benefits and therefore must not be compromised except in the most extreme circumstances, and then only with caution. Even if soils are totally unsatisfactory or have been degraded – buffers must be maintained around agricultural lands and operations using devices such as codified Farm Management Practices, and municipal plans and development regulations under the Urban and Rural Planning Act. The exception is as noted in the Regional Plan, where there is limited infilling allowed.

- There has been a significant loss of agricultural lands over the years, and operators have been forced into more marginal lands, particularly in the Goulds area for forage crops and other operations.
- Agriculture must not be seen as a “residual activity” – what’s left over from urban development – it must sit as an equal at the table when considering how the Region is to be developed.

They propose that the following principles be adopted:

- (a) There should be no net loss of farmland.
- (b) The quality of farmland should be maintained – that is poor quality farmland should not be substituted for higher quality farmland – since in effect that is net loss.
- (c) Residential and other non-farm activities should not be allowed to impede agricultural activities within the ADA.
- (d) Though it is not explicitly within the purview of the Review Commission, it is recommended that the purpose or objectives of farming in this region should be definite – that is, what comprises suitable and useful agricultural activities to the region’s and province’s agriculturalists and consumers (dairy, cattle, fruit, vegetable, organic farms, specialized crops, etc.) – and that the Commission should recommend to the Minister responsible for the Forestry and Agrifoods Agency that the effect of climate change impacts on these activities should be proactively investigated, assessed and responded to.
- (e) It would be appropriate for the Commissioner to also recommend that the new St. John’s Urban Region Regional Plan contain policies and standards that

encourage urban intensification, good subdivision design, reduced highways expansion, and the prevention of non-rural land uses in agricultural buffer zones.

Agrifoods Branch, Forestry and Agrifoods Branch

As presented by the Forestry and Agrifoods Branch, the Terms of Reference for the Commission places emphasis on reviewing the boundaries of the St. John's Urban Region (Agriculture) Development Area; ensuring that only lands of agricultural importance remain in the Zone. Soil quantity is one measure; but use or demand for agriculture land varies over time. Demand depends on crops, markets and stable investment climate. There needs to be surety with the Zone for farmers and food processors to continue to invest.

The Agency presented a recently updated series of maps as well as a Power Point presentation, which summarize the history of the Zone; agricultural resources with comparisons to the rest of the Province; development issues; farmland production statistics; agrifoods processing and support infrastructure; agricultural policies and regulations; as well as growth opportunities.

The agriculture industry on the fringe of the St. John's Urban Area and surrounding municipalities is thriving and provides for a significant number of direct and indirect jobs; as well as good quality, locally produced and regulated food. The Zone also provides close contact with the rural or pastoral landscape for many urban dwellers, with a more intangible economic and social benefit. Of note, the Marine Drive is a prime example.

Many local secondary processing plants such as for milk production and poultry products depend on farms in this area for raw material. Similarly, many equipment dealerships and

suppliers cater to the farm sector in this region. Every dollar earned in primary and secondary agriculture production offsets money going out of the Province which also has a significant multiplier effect.

Farms here are tied to a couple of limited and precious resources in this Province: (1) the soil resource and (2) farming expertise. Loss of these resources cannot be replaced. Moving production to the other areas is not an economic or agronomic option for many farms. Arable land is extremely limited throughout the Province and agricultural opportunities may be further limited due to remote locations of these resources, lack of services, capital costs, market opportunities/travel costs and a lack of skilled labour and support infrastructure.

The St. John's Agriculture Zone and supporting programs and services has helped farmers and agrifood processors maintain a vibrant and economically successful agriculture industry in the Agriculture Zone for the past 30+ years.

The Commission faces issues similar to those in many other areas where agriculture lands are under pressure for other forms of development. In this Province, the Humber Valley is also facing this issue; where agricultural lands are under pressure for primarily tourism related development. Measures are being put in place there to regulate and plan development through a regional planning authority.

Inflated land prices add pressure for short term gain over the longer term economic and social benefits of preserving farmland. Those who need farmland often cannot compete for land at inflated prices, even though the longer term sustainable economic returns and social rewards may be greater if maintained as farmland.

Nationally prime agricultural lands in areas such as Southern Ontario and around the urban fringes of cities such as Calgary and Vancouver are shrinking due to the pressures of urban development, marked by high real estate prices.

The ability of Canadians in general to produce our own foods in the future is being compromised. Likewise, there is a loss of control in food production quality when we depend so heavily on imported agricultural products. Associated with this shift is a loss of farming expertise and skilled farm workers in our country.

Importation of cheap foodstuffs from other countries via a cheap and efficient transportation and distribution system cannot be counted on to guarantee food supplies for future generations.

The Agrifoods Branch has a mandate to support the development of sustainable economic opportunities in the agrifoods industry in the Province but it cannot succeed in isolation. Policies, programs and services which compliment this mandate are essential if farmers are to be able to thrive. Programs such as the St. John's Agriculture Zone, Agriculture leasing policy, Land Consolidation Program and Property Tax Exemption Program are a few examples in the Agrifoods Branch which illustrate commitment to this mandate.

Another essential ingredient for a successful agrifoods industry is public support. This can be aided by the openness of this Zone review process, public awareness campaign and providing programs and services that sustain agriculture while providing for other development needs.

Urban growth plans which do not count on expansion onto farms, and programs that offer choices to landowners in zoned land also have to be given consideration.

It is easy to give land and other resources away. It is hard to stand up to pressure and criticism in support of protection of zoning measures. For all intents and purposes zoning is

putting society rights and responsibilities ahead of individual desires and development rights, sometimes not an easy choice.

Views of Farmers

The Commission heard presentations and received submissions from a number of farmers, besides the presentations by the Newfoundland and Labrador Federation of Agriculture and the Dairy Farmers of Newfoundland and Labrador. Residential development bordering agricultural land was a concern which all farmers had in common, as it usually means that the farmer has to change his practice to allow for a 300 metre buffer where he has to refrain from applying manure, fertilizer and pesticides, resulting in lower yields. They feel that the developer should provide the 300 metre buffer, not the farmer. There is much concern about the lack of available agricultural land required to expand their operations. They all mention the Land Consolidation Program as one of the more important programs to keep agricultural land in the Zone and bring idle agricultural land back into production and all strongly feel that the program requires increased funding. All farmers agree that there is a need for some kind of reasonable compensation for those non-farming landowners with land inside the Agricultural Zone.

Views of Non-Farm Landowners

Non-farm landowners with privately owned land inside the St. John's Urban Region (Agriculture) Development Area were by far the largest group who made presentations and submissions to the Commission. Almost all of these requested to have their land excluded from the Agricultural Zone in order to be able to either sell the land at a fair market value or to construct family residences. In some cases, the land is part of an estate which the family is

attempting to settle through the sale of the land. A few parcels of land were bought by developers or speculators with the view of developing the land for residential subdivisions or for commercial purposes.

Many of the non-farm landowners feel that they have waited long enough to get some reasonable return for the land which in many cases they inherited from their parents and grandparents. Some feel that they have been subsidizing the farming industry by having to rent the land they own to farmers for little return. The Commission was told by many non-farm landowners that although they had offered to sell their land to the Government under the Land Consolidation Program, the prices they were offered were too far below what they perceived to be fair market value.

City of St. John's

The City's submission and written brief was submitted at a public hearing by Councillor Keith Coombs, Chair of the City of St. John's Planning and Housing Standing Committee and Mr. Clifford Johnston, Director of the City of St. John's Planning Department.

The City of St. John's recognizes the importance of agriculture in the St. John's region and supports efforts to grow and strengthen the local farming industry. The St. John's Urban Region has the highest concentration of population in the Province and the City of St. John's understands the importance of an adequate supply of protected farmland to supply the local population with food supplies with the least amount of energy needed to transport these. The City expects, with the rise of fuel costs, that imported food will likely become more expensive and suggests that the Department of Natural Resources and the local farming industry may be looking at getting more farmland into production.

The City of St. John's states that land should be removed from the St. John's Agricultural Development Area only if it has no potential for agriculture use, or if the supply of land for non-agricultural use is not available elsewhere in the St. John's Urban Region, or if such lands are in conflict with established development patterns in the vicinity.

Buffers between agricultural uses and other land uses are important. Newly developed residential land uses should not force existing farm operations to scale back or move. The City of St. John's recommends that the City and the Department of Natural Resources jointly review the adequacy of existing standards for these buffers.

The City of St. John's strongly recommends that lands within the boundaries of the St. John's Agriculture Development Area and are also located within the boundaries of the City's designated watersheds, should be excluded from the Agricultural Development Area.

These areas identified by the City as being situated both in the Agricultural Zone and in a watershed area are: a small area in the Windsor Lake Watershed, a few small areas in the Bay Bulls Big Pond Watershed and part of the Cochrane Pond Farmland Development Project in the Thomas Pond Watershed.

Town of Portugal Cove-St. Philip's

The Town of Portugal Cove-St. Philip's is keenly aware of the significant areas within its boundaries that are currently frozen under the provincial agriculture legislation. While Council agrees that some portions of this land are clearly unsuitable for agricultural development and should be released, the Town feels there are other sections, which should remain either under provincial jurisdiction or at least be released only as agricultural land under the jurisdiction of the Town.

There are a number of active farms and horticultural operations, which are looking to expand. To that end, the Council prefers that it retain the ability to protect land, which has reasonable agricultural potential. The Council discussed this approach with local farmers and some developers who seem to agree that a cautious approach to giving up any viable farmland is the one way they prefer to see Council take.

Town of Torbay

Mr. Bob Codner, Mayor of the Town of Torbay, briefly addressed the Commission at its public hearing. The Mayor stated that the Town will continue to deal with any requests for developments on lands designated as Agriculture through the normal [Land Development Advisory Authority] process. Mr. Codner inquired if any changes in the process were anticipated.

Town of Logy Bay-Middle Cove-Outer Cove

On behalf of the Town of Logy Bay-Middle Cove-Outer Cove, Mr. David Walsh, Deputy Mayor, attended the public hearing and presented the Town's views on the Agricultural Zone in their area.

It is the position of the Town Council that any viable farmland located within their community that is presently being utilized for agriculture and has the potential to be a successful long term operation should remain under the protection of the freeze. However, the Council also feels any land that is not presently being farmed or any land that the owner wishes to discontinue using for agriculture should be removed from the Agricultural Zone.

Town of Flatrock

Mr. Kevin Parsons, Mayor of the Town of Flatrock, presented the views and wishes of the Town Council of Flatrock at the public hearing held at the Flatrock Community Centre.

The Town Council of Flatrock requests that all lands in the area of Old Flatrock Road/Pouch Cove Highway presently in the Agricultural Zone and outside the land being used as farmland be removed from the Agricultural Zone.

The Town Council has heard from owners of these lands and there is no indication that any interest exists in developing the land for agricultural purposes; however, there is interest in residential development of the properties. The Town Council is encouraging residential development and with the plans for the Torbay By-Pass Road becoming closer to reality, they anticipate much more development in the Town.

Town of Pouch Cove

Councillor Walter Butt represented the Town of Pouch Cove at an in-camera hearing and at the public hearing in Pouch Cove.

The Town of Pouch Cove requests to have a 300 feet buffer starting from Cape St. Francis Elementary School and heading east to the Lions Club along Satellite Road, taken out of the Pouch Cove Pasture which is currently within the Agricultural Zone. The reason for the request is to allow residential development (approximately 13 building lots) along the northern boundary of Satellite Road in order to increase the tax base for the Town of Pouch Cove in general and create a tax revenue from Satellite Road to help pay for the frequent snow clearing and maintenance of Satellite Road required due to the Cape St. Francis Elementary School being located there.

6. BOUNDARY REVIEW PHILOSOPHY AND RECOMMENDED CHANGES TO THE ZONE

6.1 Boundary Review Philosophy

After completing the hearings, the Commission in this section makes specific recommendations with respect to changes in the boundaries of the Zone.

Before doing so, the Commission feels that it is important to describe the methodology and philosophy used in determining those changes which are recommended. The Commission started the process with no preconceived idea of where the changes in the boundaries of the Zone would ultimately be located. The changes are only the result of a dynamic process which involved, amongst other things:

- (a) the presentation of views and information by landowners, farmers and members of the general public;
- (b) interchange of views and information between staff and members of the Commission;
- (c) review of soils and land mapping;
- (d) touring of the Zone; and
- (e) consultation with staff of the Department of Natural Resources.

There will be persons both inside and outside of Government who will view the changes recommended in this report as being too little or too far reaching in nature. The Commission can only state that the recommendations for these Zone changes were a result of deliberations with the views of preserving as much as possible the current structure of the Agricultural Zone in order to protect existing farming operations and suitable soils to allow future expansion, and at the same time being aware of the injustice and sometimes hardship the non-farming landowners, with land within the Zone, face.

Given the types of conflicting and competing demands for the use of land in the St. John's Urban Region that presently exist, the Commission is of the view that there is more of a need now than there ever was for the maintenance of an *agricultural land preservation area* in the St. John's Urban Region.

This view of the Commission was reinforced by a number of submissions and presentations from stakeholders, organizations and concerned citizens who expressed their belief in the importance of maintaining and enhancing local food security and minimizing transportation costs associated with the importation of foods from other regions.

In the Commission's view, the boundary changes recommended in this report are necessary to:

- (a) preserve the integrity and viability of the Agricultural Zone and the farm related activity in this region in the long term;
- (b) build public faith in the regulatory/administrative process; and
- (c) promote belief in the purposes and importance of the Zone amongst the general public.

In determining lands of agricultural importance, the Commission considered such factors as land use, soil suitability for agriculture, the actual and potential types of commercial farm activity in a given area, the size possibility and/or need for buffers around livestock operations, the size possibility and/or need for buffers between the Zone and non-agricultural activities, the degree of land fragmentation in a given area, conflicting land uses, the extent of non-farm development in a given area, municipal expansion plans, agriculture expansion plans, and last but not least, the views of interested stakeholders. No one factor in and of itself was governing. The reasons supplied for the boundary changes are not stand alone reasons nor reflective of a

stand alone approach. They are meant to highlight the most important of all of the above factors in a given case.

In keeping with its mandate, as stated in its Terms of Reference, the Commission has completed its examination of the current boundaries of the St. John's Urban Region (Agriculture) Development Area with a view to ensuring that only lands of agricultural importance are included in the ADA. Lands of agricultural importance are defined by the Commission as (a) lands currently in agricultural use by commercial farm operations, be they leased from Government, owned outright by the farmer concerned, or rented from local landowners; (b) lands which have a high potential for commercial agriculture development; and (c) buffers where possible and appropriate.

The following section identifies those boundary changes the Commission is proposing. An Area Summary Table of Proposed Deletions for the St. John's ADA is shown in Appendix 1. Reference maps showing the proposed boundary changes to the Zone have been included as Appendix 1. As well, an overall map showing the totality of these boundary changes is contained in Appendix 2.

6.2 Recommended Changes to the Zone Boundaries

Portugal Cove-St. Philip's

This area was characterized by a number of livestock and poultry operations along with the forage areas of Windsor Heights and Indian Meal Line. There were large hog operations, including the government's swine breeding station, two large layer farms, pullet production, an egg grading station, several large dairy farms, two greenhouse operations and a number of smaller livestock farmers. The Agricultural Zone was established in this area primarily to create

buffer zones around these livestock and poultry operations and to protect productive farmlands in the area.

In the past fifteen years, all of the livestock and poultry operations have closed or relocated outside the St. John's Urban Region (Agriculture) Development Area as well as the egg grading station and the Government's swine breeding station. Only the forage areas of Windsor Heights and Indian meal Line, inside the Agricultural Zone, are still in use and have been taken over by farmers from outside the community. Except for the two greenhouse operations and one small, recently established, organic farming operation off Witch Hazel Road, all agricultural activity in the area of Old Broad Cove Road, Beachy Cove Road, Witch Hazel Road and Neary's Pond Road-Round Pond Road has disappeared and an increasing number of residences being constructed in this area has changed the character of this area from rural to suburban.

Recommendation #1

The deletion of land, measuring approximately 9.8 acres (4 ha), to the back of the Olympic Drive, Princeton Place, Pratt Place residential development on the south side of Indian Meal Line in the Town of Portugal Cove-St. Philip's as more particularly shown on Map # 1 as Item 1.

- This area is situated between the Pratt Place residential development and a water supply area with a series of deep wells and pump house supplying part of the residential development with drinking water.
- The deletion will not further adversely affect the commercial farming operation located uphill from the already substantial residential development.
- This area is considered to have severe limitations for agriculture.

Recommendations #2

The deletion of all those lands measuring approximately 179 acres (72.5 ha) north of Indian Meal Line in the Town of Portugal Cove-St. Philip's as more particularly shown on Map # 1 as Item 2.

- This area has been used for farming in the past but all farming operations in the area have now ceased to exist, except for a small area which forms part of a nursery sod growing operation of which the main part of the operation is located outside of the Agricultural Zone.
- About 40 acres (16.2 ha) of the total of 179 acres are considered arable with moderate limitations of which less than one-quarter was developed for agriculture. The remainder of the area is considered to have severe limitations for agriculture.

Recommendation #3

The deletion of approximately 4.6 acres (1.8 ha) of land south of Indian Meal Line as more particularly shown on Map # 1 as Item 3.

- The area to be deleted is a part of a larger private property with most of its land located outside the Agricultural Zone and affecting only a small corner of the Zone.
- The entire frontage along Indian Meal Line of this area has residential development.
- The majority of the land is considered to have severe limitations for agriculture.

- Deletion of this area is thought to have little impact on existing agricultural operations in the area. A 200-300 metre wooded buffer exists between the area and the nearest farm field.

Recommendation #4

The deletion of all those lands, measuring approximately 74.5 acres (30 ha), north of Portugal Cove Road and immediately west of the Windsor Heights residential development area in the Town of Portugal Cove-St. Philip's as more particularly shown on Map # 2 as Item 4.

- Extensive residential development in Windsor Heights has encroached on this part of the Agricultural Zone.
- Impact of the deletion of this area on the neighbouring former Provincial Swine Breeding Station is thought to be minimal. The parcel between this area and the station is considered an adequate buffer. Parts of the station are presently used for nursery sod production only. There is no expectation that the station will ever be used again as a livestock operation.
- None of the area has ever been developed for agricultural production, although about 25 acres near the frontage of the area has land considered to be arable with moderate limitations. The remaining approximate 50 acres backland is considered to have severe limitations for agriculture, is unsuitable or bog land.

Recommendation #5

The deletion of all those lands, measuring approximately 808 acres (327 ha), currently within the Agricultural Zone west of Portugal Cove Road, between Old Broad Cove Road,

Beachy Cove Road, Beachy Cove Brook and Pond and Neary's Pond Road and Round Pond road, with the exception of an area on both sides of Witch Hazel Road starting at a point where Witch Hazel Road crosses a tributary of Beachy Cove Brook and continuing west for approximately 700m as more particularly shown on Map # 3 as Item #5.

- The area where the Agricultural Zone is to be maintained and which extends from 60m along the southeast side of Witch Hazel Road to Beachy Cove Brook and Pond northwest of the road will protect Bickerstaffe Farms and Nurseries and a small organic farm from encroachment of residential development.
- The Commission received a total of 24 requests from individuals and groups to have a total of some 240 acres (97 ha) of privately owned land excluded from this part of the Agricultural Zone. This includes approximately 80 acres (32.4 ha) of land which were part of a hog and layer operations (now closed) and a small parcel of land occupied by the former egg grading station. These are two of a total of four agricultural operations which have closed out or have relocated since the last review of the Agricultural Zone in 1993.
- The current boundaries of the Agricultural Zone in this area were established primarily as protective buffers around those operations which are now no longer active.
- Of the approximately 808 acres (327 ha), about 185 acres (75 ha) are considered arable with moderate limitations. The remainder of the area of about 625 acres (250 ha) are considered to have severe limitations or are unsuitable for agriculture.

Recommendation #6

Deletion of approximately 20.5 acres (8.3 ha) located west of Portugal Cove Road and adjacent to Round Pond, Windsor Lake as more particularly shown on Map 3 as Item #6.

- This area has been identified by the City of St. John's as being within the drinking watershed area of Windsor Lake. In the City's opinion, agricultural activities are not appropriate in drinking watershed areas in terms of environmental protection of the watershed.

Logy Bay-Middle Cove-Outer Cove

Agricultural activity in this region consisted mostly of a small number of dairy farms with limited land base and little opportunity to expand their land base. The most significant reason for the establishment of the Agricultural Zone in this area was to protect these dairy farms from encroaching residential development to allow them to spread manure without neighbour concerns and nuisance complaints.

Presently, only two of these dairy farms remain, one in the Logy Bay area, the other in the Middle Cove-Outer Cove area. The dairy operation in the Middle Cove-Outer Cove area relies in large measure for its forage production and manure spreading on rented land in and around the community and consequently has to deal with increased pressure from residential development, subsequently maintaining adequate buffers between residential development and agricultural land has become even more important. The majority of the agricultural land is now owned by non-farmers, who desire to sell their land for residential development. Consequently, the Commission received a number of requests to have land excluded from the Zone.

In the Logy Bay area, west of Logy Bay Road land was designated as part of the Agricultural Zone to protect a dairy farm located north of Snow's Lane from encroaching residential development. This farm is no longer operational. This part of the Zone also encompasses the Clovelly Riding Stables located on property which was once the Clover Valley Farm, and is now owned by Cabot Development Corporation Ltd., with the intention to develop this area as a residential subdivision. Immediately south of the area owned by Cabot Development Corporation Ltd. an approximately 20 acre subdivision was approved through the appeal process of the Land Development Advisory authority. This part of the Zone is now without any agricultural activity.

Recommendation #7

The deletion of all those lands, measuring 5.6 acres (2.3 ha), currently within the Agricultural Zone along the southeastern boundary of Old Pine Line in the Town of Logy Bay-Middle Cove-Outer Cove, starting from the intersection of Old Pine Line with Outer Cove Road and extending for a distance of approximately 400m along Old Pine Line and being 60m distance from the centerline of Old Pine Line. This area is more particularly shown on Map # 4 as Item 7.

- Except for a small area of about 3/4 of an acre (1/3 ha) which is part of an approximately two acre parcel of land currently used for a part-time vegetable/hay growing operation, the land is wooded and is considered to have severe limitations for agriculture. Residential infill has occurred across Old Pine Line. The Commission is of the opinion that there is an adequate buffer between this proposed deletion and agricultural land located along the northern boundary of Pine Line.

Recommendation #8

The deletion of all those lands, measuring 13.5 acres (5.5 ha), along the northern boundary of O'Rourke's Lane in the Town of Logy Bay-Middle Cove-Outer Cove between Outer Cove Road and Lower Road and being 100m distance from the centerline of O'Rourke's Lane, the same being more particularly shown on Map # 4 as Item 8.

- Considerable residential development has occurred along both sides of O'Rourke's Lane.
- This deletion will leave a buffer of about 250-500 feet (70-150m) between any future residential development and farmland used presently for growing hay south of Barn Road.
- Approximately 10 acres (4 ha) of the land recommended for deletion are considered arable with moderate limitations; these are also the areas occupied by residential development. The remaining 3.5 acres (1.4 ha) of land are considered to have severe limitations for agriculture.

Recommendation #9

The deletion of a triangular piece of land measuring approximately 2.5 acres (1 ha) west of Outer Cove Road and about 200 metres south of the intersection of O'Rourke's Lane with Outer Cove Road, as more particularly shown on Map # 4 as Item 9.

- This area is part of a larger privately owned property located outside the Agricultural Zone and an extension of an area with dense residential development fronting Outer Cove Road which was previously deleted from the Zone.

- This deletion will not further contribute to any already existing adverse effects on commercial farming operations due to existing residential development.
- Approximately half of the area is considered arable with moderate limitations. The rest of the area is considered to have severe limitations for agriculture.

Recommendation #10

The deletion of all those lands, measuring 118.7 acres (48 ha), located west of Logy Bay Road and fronting south on Snow's Lane in the Logy Bay area of the Town of Logy Bay-Middle Cove-Outer Cove and being referred to as the Logy Bay-Middle Cove-Outer Cove Zone 3 of the St. John's Urban Region (Agriculture) Development Area. This area is more particularly shown on Map # 5 as Item 10.

- This area was included in the Agricultural Zone mainly to protect a dairy farm from nuisance complaints from encroaching residential development. The dairy farm ceased operation shortly after 1993 and a large portion of the land base was sold, of which 20 acres (8.1 ha) located in the southern half of the area have recently been approved, through the Appeals Board for the St. John's Urban Region (Agriculture) Development Area, for the development of a residential subdivision. This proposed subdivision will fragment the area to such an extent as to make the remaining area unusable for adequate agricultural development, especially since the majority of the usable agricultural land immediately surrounds the proposed residential development. A small number of beef cattle are still being raised on the remaining portion of the farm located off Snow's Lane.

- Cabot Development Company Ltd. has acquired 38.25 acres (16.5 ha) of land, including the Clovelly Riding Stables, in the northern half of the area immediately adjacent and north of the 20 acres already approved for the development of a subdivision, with the intention of developing a residential subdivision.
- The 20 acres (8.1 ha) approved for residential development together with the 38.25 acres (16.5 ha) acquired by Cabot Development Company Ltd. account for half of the total area and occupy the majority of the existing developed farm land considered to have none to moderate limitations. The remainder of the area is mostly unsuitable or is bog.
- Residential development is occurring along Stick Pond Road.

Recommendation #11

The deletion of 1 acre (0.4 ha) of land, along Shines Road in the Logy Bay area of the Town of Logy Bay-Middle Cove-Outer Cove, the same being more particularly shown on Map # 6 as Item 11.

- This area was one of the areas recommended for deletion in the previous Zone boundary review in 1993 for the following reasons: (1) the land has poor potential for agriculture; (2) the land is not needed as a buffer; and (3) this deletion will not have an adverse impact on any existing agricultural activity.

Torbay and Flatrock

Agricultural activity in these areas was characterized by a dairy operation, a swine operation and two beef operations. Other activities included a greenhouse, Christmas trees and

hay production. The Agricultural Zone was established in this area to protect, especially the livestock operations, from encroaching residential development and possible ensuing nuisance complaints. During the last fifteen years, the hog and beef operations have closed and the dairy operation has converted to a dairy replacement operation which is now the only remaining livestock farm in this area. The hog operation was converted to a vegetable farm with some nursery sod production. Part of the land belonging to one of the beef operations has been acquired by the Connors' dairy farm and is used for forage production. Still extensive forage/hay production occurs along the Old Flatrock Road off Pouch Cove Line in the Town of Flatrock.

Recommendation #12

The deletion of all those lands, measuring 3 acres (1.2 ha), up to 60 metres to the east of the centre line of Pouch Cove in the Town of Flatrock, starting at a point along Pouch Cove Line about one-half of a kilometer north from the intersection of Pouch Cove Line with Wind Gap Road and continuing north along Pouch Cove Line for approximately 1 kilometre, same being more particularly shown on Map # 7 as Item 12.

- Extensive residential infill has occurred across the road, which will affect the long term ability to farm this area.
- The land close to the road in this area is considered to have moderate to severe limitations for agriculture.

Recommendation #13

The deletion of a parcel of land, measuring approximately 3 acres (1.2 ha) along the southeastern boundary of Wind Gap Road, in the Town of Flatrock, beginning at a point along Wind Gap Road about 350 metres northeast of the intersection of Wind Gap Road with Pouch Cove Line and continuing northeast along the road for a distance of approximately 200 metres and being 60 metres distance from the centre line of the road. The same being more particularly shown on Map # 7 as Item 13.

- This area contains part of the frontage of a private property which is part of a farming enterprise and is required for farm related residential development to safeguard the continuation of the farming enterprise.
- This road frontage is not used for agricultural production as the land has little or no potential for agriculture.

Recommendation #14

The deletion of all those lands measuring 16.2 acres (6.6 ha) east of the intersection of Howlett's Road and Doody's Lane in the Town of Torbay as more particularly shown on Map # 7 as Item 14.

- Considerable residential development has occurred along both sides of Howlett's Road and Doody's Lane.

Recommendation #15

The deletion of all those lands, measuring approximately 167.5 acres (67.8 ha), currently within the Agricultural Zone west of the proposed highway corridor for the Torbay By-Pass Road, in the Town of Torbay and as more particularly shown on Map # 7 as Item 15.

- Two small beef operations traditionally occupied small portions of this area prior to 1993 in the vicinity of Byrne's Lane and Whitty's Lane where their farmsteads were located. The bulk of their land was located further north and has been transferred to a dairy farm and remains in the Agricultural Zone.
- An additional 13 acres was used for hay production of which approximately 5 acres were used by a local dairy farmer until recently. The remainder of the area is wooded.
- An adequate buffer remains between this area and any developed farmland to the north and northwest.
- Of the total of 167.5 acres (67.8 ha) about 15 acres (6 ha) are considered arable without limitations, some 27.7 acres (11.2 ha) are considered arable with moderate limitations. These arable areas mostly occupy small, narrow ridges scattered throughout the area. The majority of the area is considered to have severe limitations or is unsuitable for agriculture.

Recommendation #16

The deletion of all those lands, measuring approximately 11.5 acres (4.7 ha), off Bauline Line in the vicinity of Three Island Pond Road, as more particularly shown on Map # 7 as Item 16.

- This area is not required as a buffer for existing or potential agricultural land.
- The land is considered to have severe limitations for agriculture production.

Pouch Cove

The Agricultural Zone in the Pouch Cove area has essentially been reflective of the Pouch Cove Pasture and until recently there were no known development pressures in this area. The only deletion from the existing Agricultural Zone in recent years has occurred here, to allow the construction of a school. Besides the Pouch Cove Pasture itself, the Agricultural Zone consists of an area of approximately 160 acres (64.8 ha) southeast of the pasture. The Commission has not been made aware of any requests for development, both agricultural and non-agricultural, for this area in the past, nor is there any outlook for any further agricultural development for this area.

Recommendation #17

The deletion of 2.8 acres (1.1 ha) of land along the northern boundary of Satellite Road, being located up to a distance of 185 metres to the west of the western boundary of the Cape St. Francis Elementary School property and 60 metres to the north of the centre line of Satellite Road in the Town of Pouch Cove as more particularly shown on Map # 8 as Item 18.

- This area, which is currently within the boundaries of the Pouch Cove Pasture, is located between the Cape St. Francis Elementary School and residential development along the intersection of Pouch Cove Road and Satellite Road.
- This area is wooded and has little potential for agriculture.

Goulds-Kilbride

The Goulds-Kilbride area, excluding the Goulds forage area, is the largest contiguous block of land within the boundaries of the St. John's Urban Region (Agriculture) Development Area. This area represents the core of the Agricultural Zone and from an agricultural perspective is critical to agriculture in the St. John's area. Historically the Goulds-Kilbride area was one of the more important agricultural regions in the Province and has some of the best soils and land suitable for agricultural production on the Avalon Peninsula. The majority of the dairy farms is located in this area and it also has the greatest potential to provide vegetables to the St. John's market. This area has a large amount of agricultural land under non-farmer ownership which can be used for forage production, manure spreading and vegetable production.

The proximity of this land to the home farms as compared to the Goulds forage area represents savings in time and money and has superior soil quality. The farmers from the Goulds-Kilbride area and the non-farmer land owners were the most vocal in expressing their desire for an enhanced and expanded Land Consolidation Program.

Recommendation #18

No changes be made to the boundaries of the Goulds-Kilbride Agriculture Zone. The Commission received a number of requests from individuals, groups and Estates to have the land they own excluded from the Zone. While the Commission fully understands the desire of non-farmer land owners to realize a fair return for their land or use their land as they see fit, the Commission also understands the detrimental effect development of these lands for purposes other than agriculture can have on the use of surrounding agricultural land and industry. The

Commission is of the opinion that any zoning changes in this area, which they regard as representing the core of the entire Agricultural Zone, would be irresponsible.

Recommendation #19

Inclusion of those lands in the St. John's Urban Region acquired or to be acquired in the future by the Province under the Land Consolidation Program and which are outside the boundaries of the St. John's Urban Region (Agriculture) Development Area, together with appropriate buffers.

This will safeguard these lands from encroachment by other incompatible land uses to allow full use of these Provincially owned agricultural lands.

Recommendation #20

Subject to Recommendation #6, the request of the City of St. John's for removal of certain watershed areas from the Agricultural Zone should be referred for the joint consideration of the Department of Natural Resources (Forestry and Agrifoods Agency) and the Department of Environment and Conservation.

Recommendation #21

It is the opinion of the Commission that the current system of periodic reviews of the Agricultural Zone boundaries be discontinued and Government should consider an alternative means to address any future concerns.

Rationale

It came to the attention of the Commission during the review that notice of the review created an atmosphere of anticipation by non-farm land owners. As a result, any negotiations between farmers and land owners for potential land acquisition were placed on hold. Agreements to rent land to farmers were also deferred. Developers began to step up activity for the acquisition of lands within the Zone. Notice of the review revived old animosities and resentment by land owners who feel that they are unjustly done by. All of this serves to create instability and uncertainty for the agricultural industry. It is imperative that if we are to grow the agricultural industry in this Province, the industry needs to have a level of comfort and security going forward regarding its most important asset, its land. Opening up the Zone to periodic reviews mitigate against this stability.

Recommendation #22

The Department of Natural Resources investigate the feasibility of including lands of agricultural importance in the Bay Bulls and Witless Bay Line areas into the St. John's Urban Region (Agriculture) Development Area.

A dairy operation is located in the Bay Bulls area with a sufficiently large land base to be self-sufficient in forage production, which is not common among the dairy operations on the North East Avalon Peninsula. Inclusion of these lands in the Agricultural Zone will protect these lands from an ever increasing demand for land for residential development due to urban expansion in St. John's southward. This information was brought to the attention of the Commission after the completion of hearings. No hearings were scheduled

for this area and no presentations were solicited since the Agricultural Zone did not extend to the Bay Bulls area. The Commission, therefore, refrains from making a definitive recommendation on the inclusion of these lands and refers this matter for the Department's consideration.

Recommendation #23

Agricultural Support Programs, and more specifically the Land Consolidation Program, should be reviewed and reassessed as an instrument to develop and sustain an agricultural land bank in the Zone.

Two issues became imminently clear to the Commission during the hearings. Good agricultural land is at a premium in the Agricultural Zone and must be protected if we are to sustain or grow the agricultural industry. This was voiced strongly not only by farmers, but also by all special interest groups and indeed some non-farming land owners. Subsequently, good farm land currently owned by non-farming land owners must be retained within the Zone. Furthermore, other lands, even though they may not be suitable for agriculture, may be needed for buffering purposes. These, too, need to be protected.

Even though these concepts may be supported by these non-farming land owners, they claim that this creates an inequitable and unjust situation of having their lands frozen and being unable to realize a fair return for their assets. For the most part, these lands are owned by estates, beneficiaries of estates, and families of farmers who are no longer in the industry. In some cases, they rent their lands for agricultural use, subsequently, in their opinion, subsidizing the agricultural industry. There is no doubt that the agricultural industry needs these lands and without access to this rented land, the industry could be in serious difficulty.

Keeping these lands within the Zone raises the question of compensation. To date, the Land Consolidation Program has attempted to address this issue. This Program has met with a positive response from all stakeholders. However, feedback to the Commission generally stated that the Program was underfunded and that assessment values provided under the Program were inadequate. It is possible that not all land owners will be accommodated. The Program cannot be expected to compete with the prices of speculative real estate developers. Furthermore, parties who have bought up land within the Zone on speculation of resale should not be considered in equal priority to long time owners. It may be necessary therefore, to revisit the Land Consolidation Program with a view to reassessing and evaluating the policies regarding the purchase of lands. Guidelines affecting the assessment and valuing of land may have to be reviewed. Lands for negotiations under this Program should be prioritized and long term (10 year) buyouts may be an option.

APPENDIX 1

Area Summary Table

of

Proposed Deletions

Area Summary Table of Proposed Deletions

Proposed Deletion	Hectares	Acres
1	4.0	9.8
2	72.5	179.1
3	1.8	4.6
4	30.1	74.5
5	327.1	808.4
6	8.3	20.5
7	2.3	5.6
8	5.5	13.5
9	1.0	2.5
10	48.0	118.7
11	0.4	1.0
12	5.6	13.8
13	1.2	3.0
14	6.6	16.2
15	67.8	167.5
16	4.7	11.5
17	1.1	2.8
Total	587.9	1,452.9

APPENDIX 2

Maps 1-8

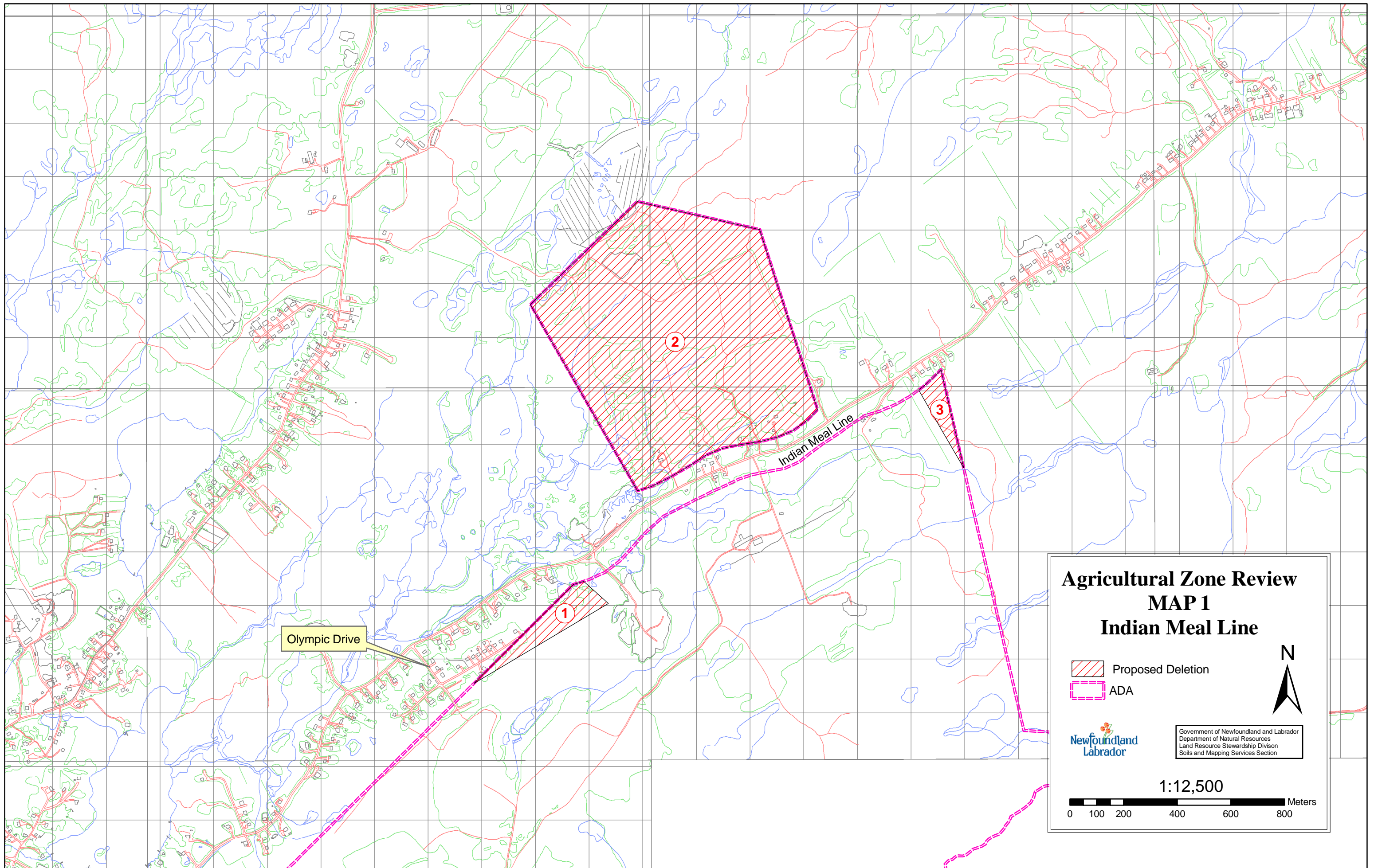
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Proposed Deletions

DISCLAIMER

The land use information contained within these maps was compiled from various sources. It may or may not accurately portray base mapping, property boundaries, or land information and cannot be used as a legal property document.



Discrepancies may occur between datasets used in the map overlay for reasons such as: different map projections, accuracy level of data collection techniques, data transfer processes, data age and map production distortions.



Olympic Drive

Indian Meal Line

Agricultural Zone Review MAP 1 Indian Meal Line

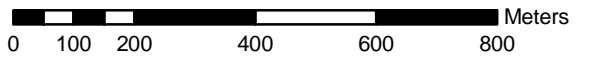
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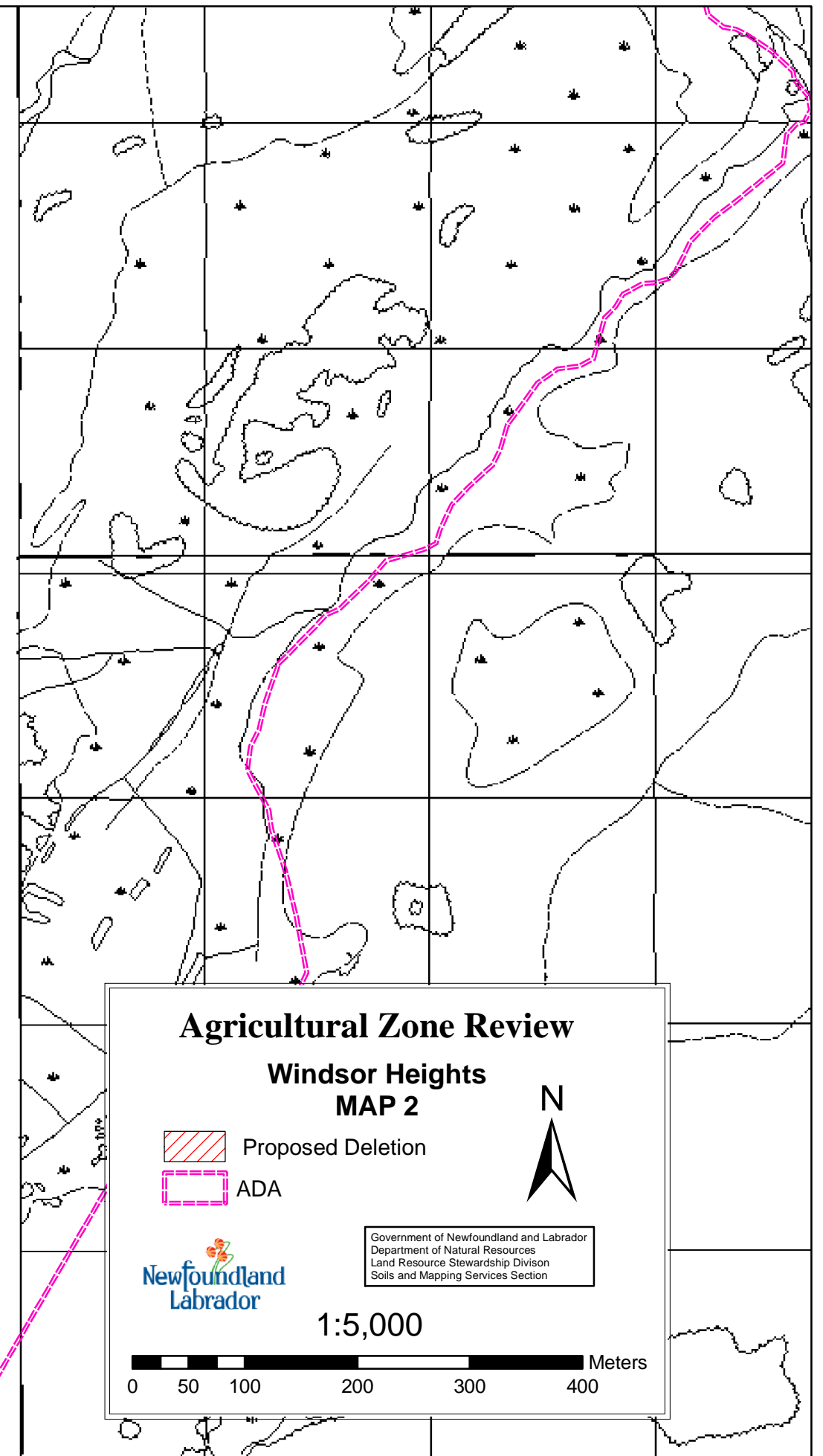
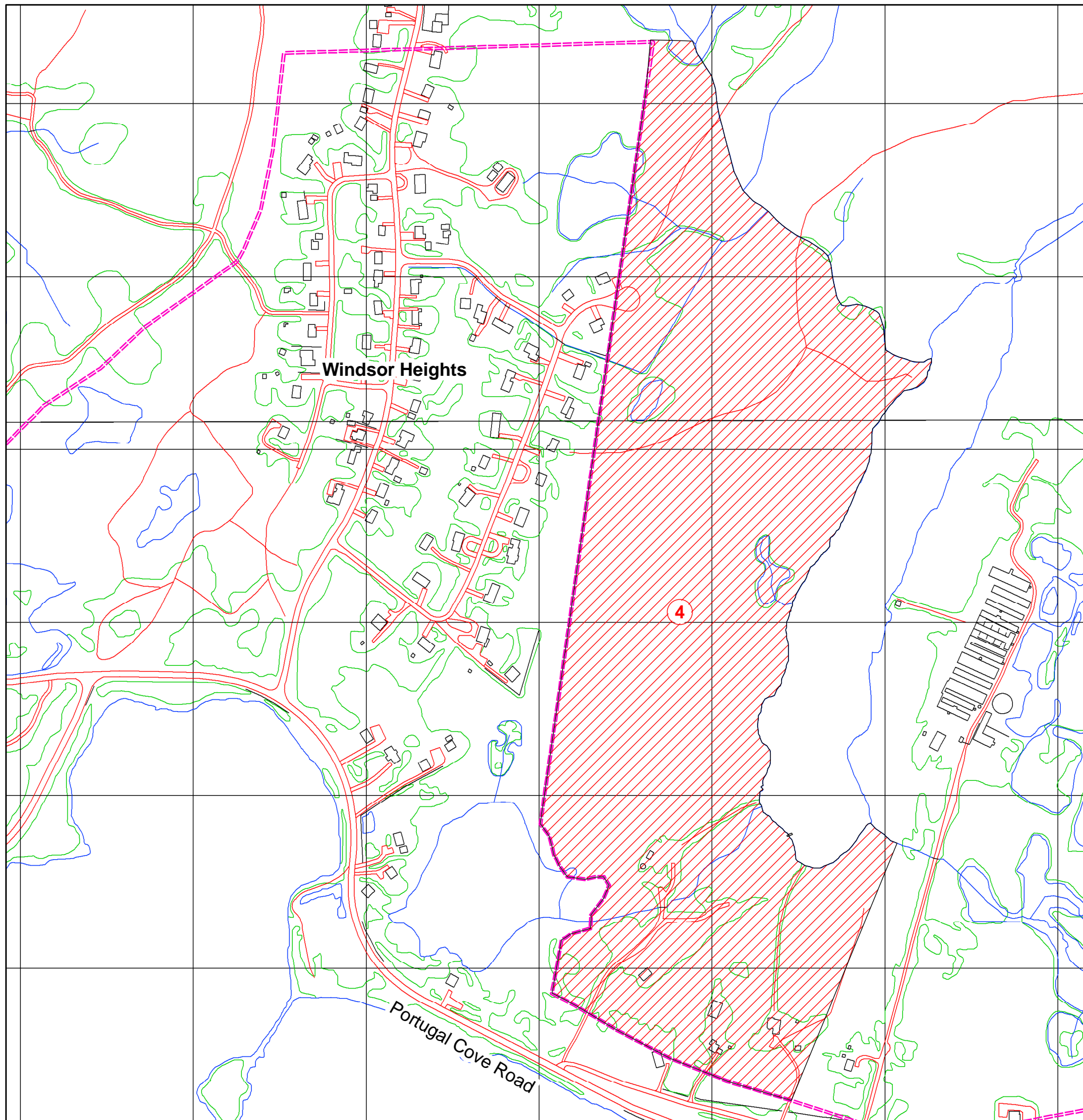


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Department of Natural Resources
Land Resource Stewardship Division
Soils and Mapping Services Section






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Agricultural Zone Review
Windsor Heights
MAP 2

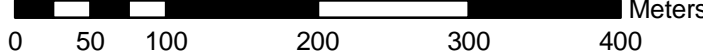
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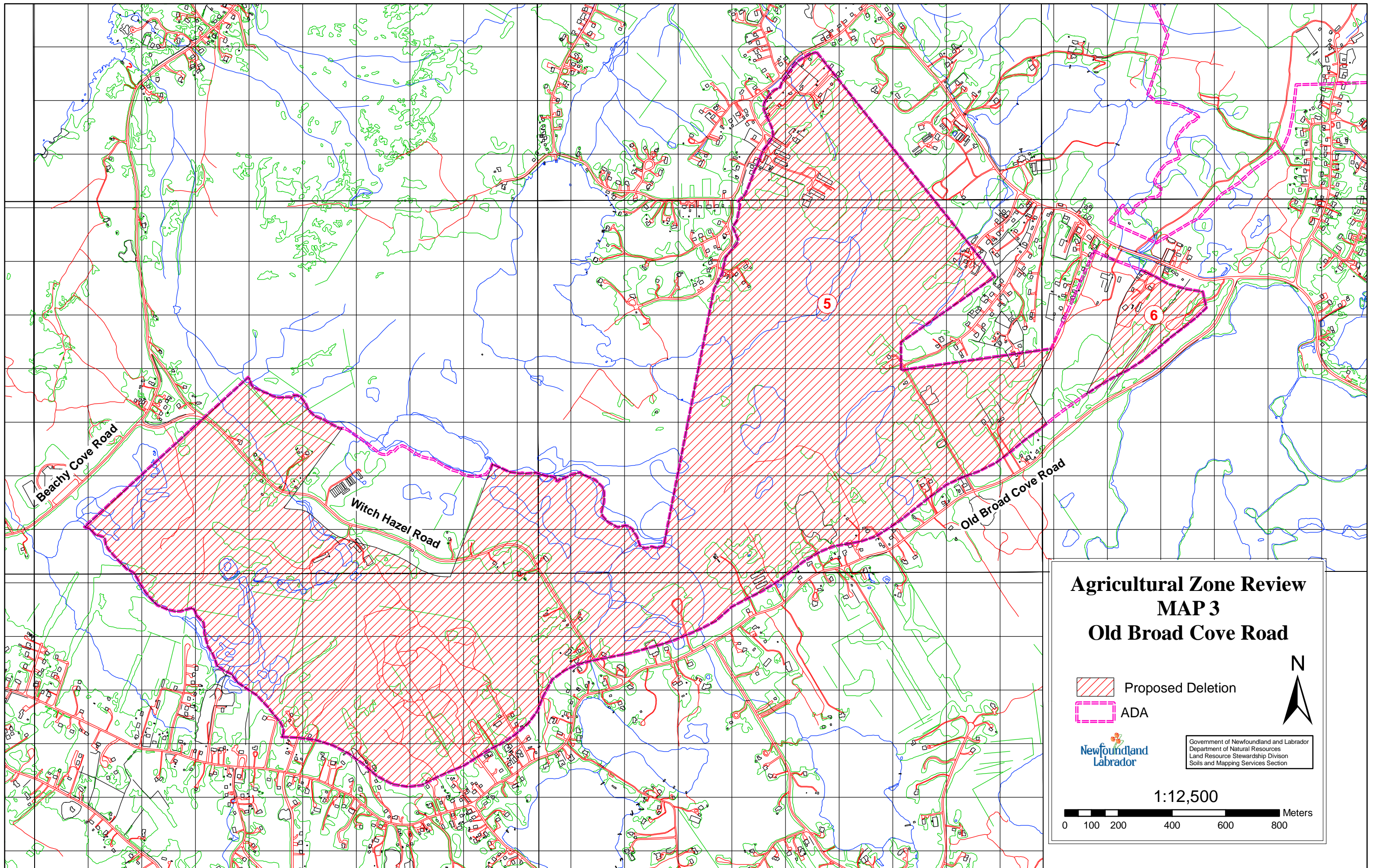
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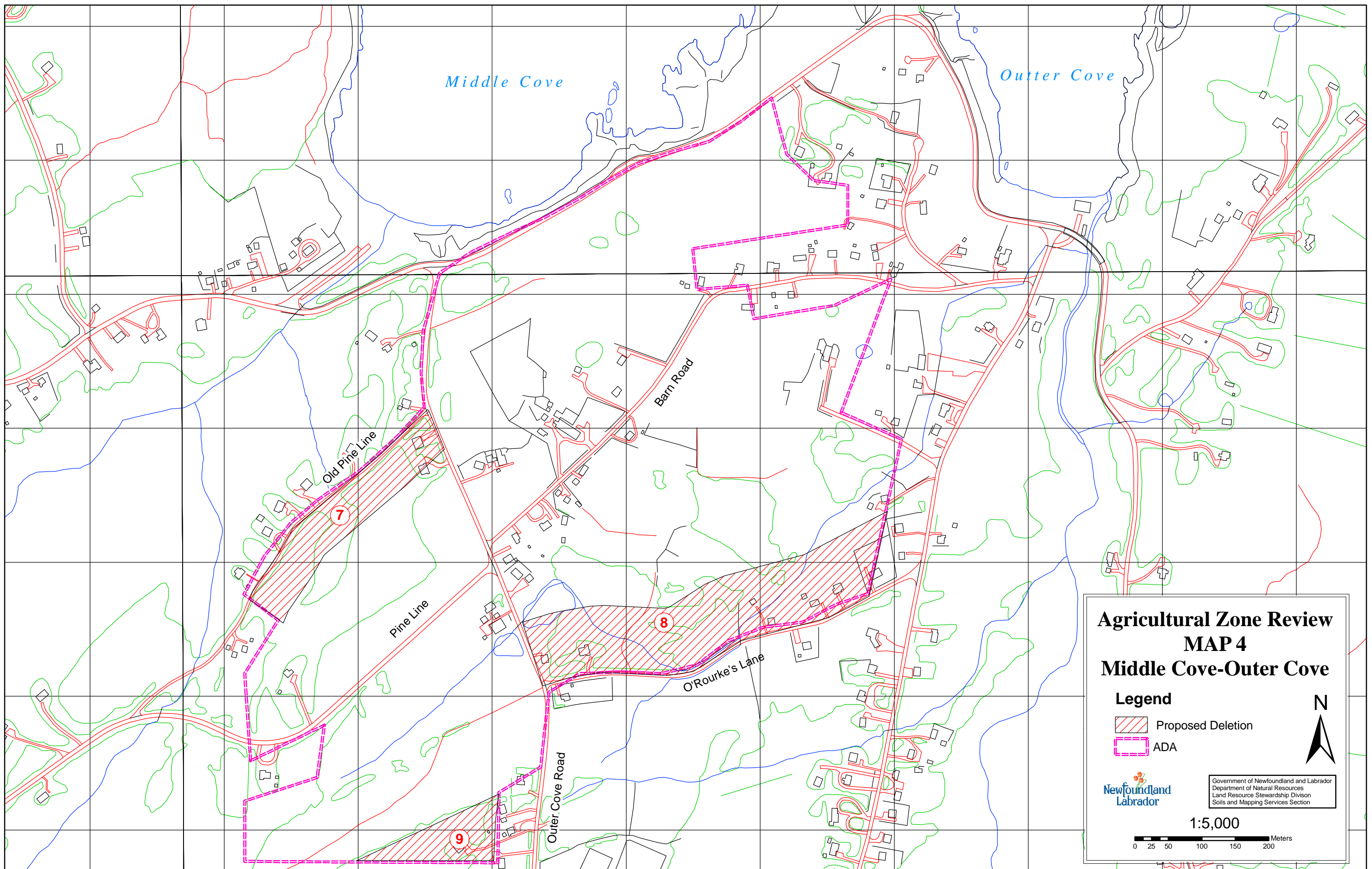


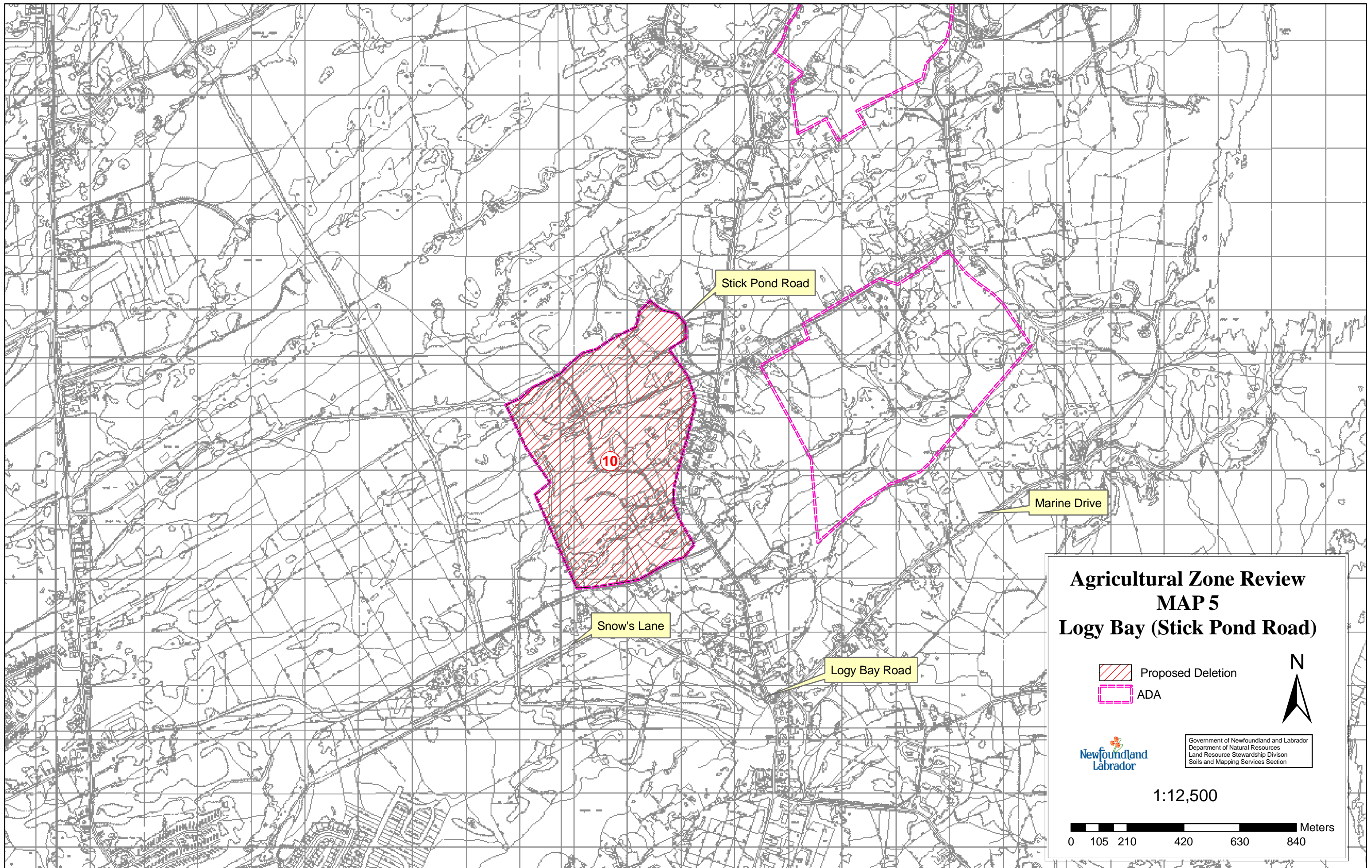
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 Land Resource Stewardship Division
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**Agricultural Zone Review
MAP 5
Logy Bay (Stick Pond Road)**

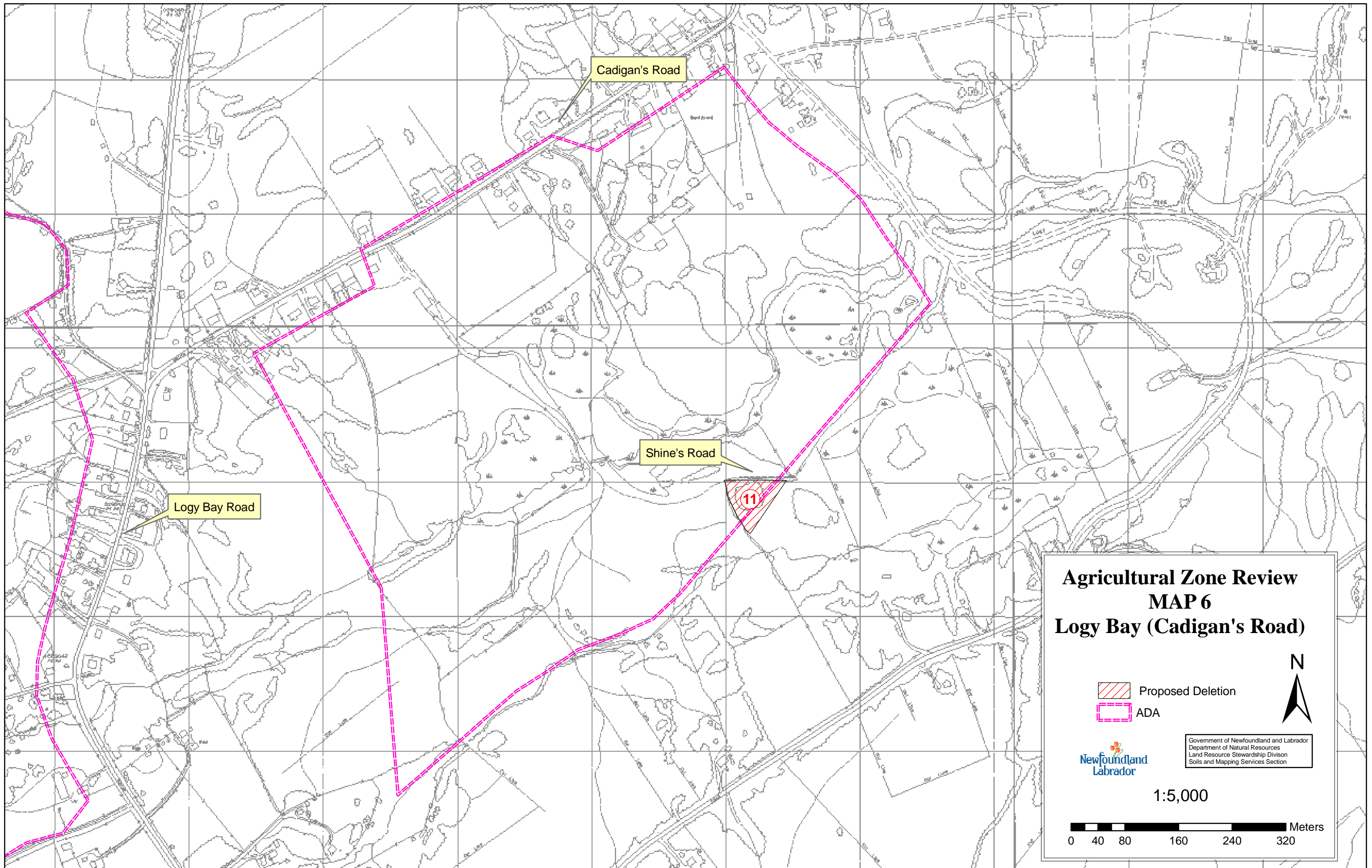
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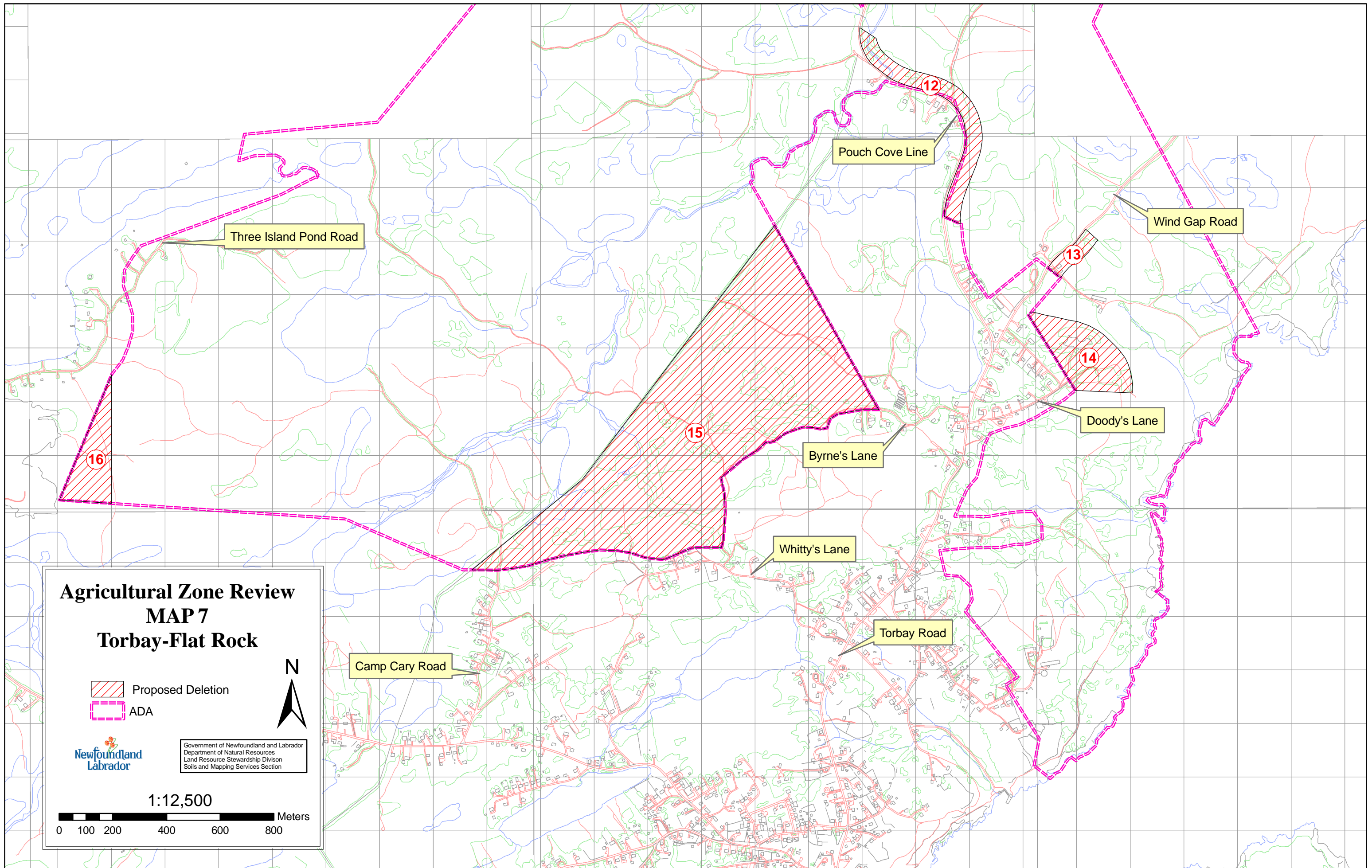
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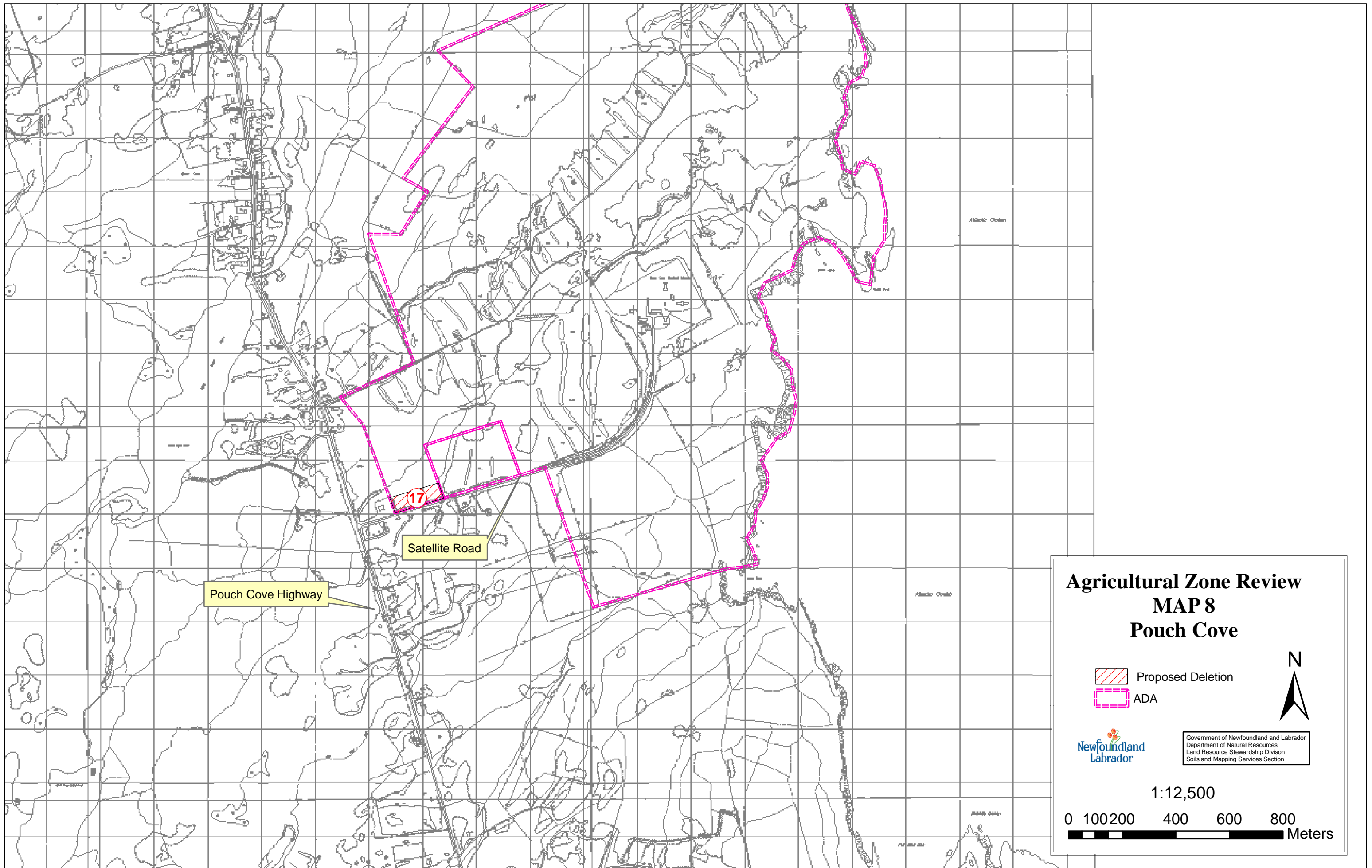
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APPENDIX 3

Overview Map of St. John's Urban Region (Agriculture) Development Area with Proposed Deletions

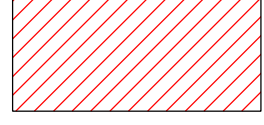

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Agricultural Zone Review Overview of Proposed Changes

Legend

-  Proposed Deletion
-  ADA

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Department of Natural Resources
Land Resource Stewardship Division
Soils and Mapping Services Section

