

# Terms of Reference

## AGRICULTURAL ADVISORY COMMITTEE



### 1. Introduction

The Agricultural Advisory Committee (AAC) advises Council on issues important to the agricultural and agri-business community. The Committee advises Council on land use and economic development matters with respect to agriculture, and acts as a liaison between Council and the agricultural community.

The Agricultural Advisory Committee functions as an **Advisory Committee** of Council.

### 2. Objective

The primary objective of the AAC is to advise Council on sustainable agricultural land use from a multiple bottom line (i.e. cultural, economic, environmental, and social) perspective.

The AAC may function as a working group to advise on matters affecting the agri-business community as directed by Council.

### 3. Scope of Work

The AAC may provide advice to Council on matters relating to agriculture and agri-business in the City of Kelowna including:

- Applications initiated under the Agricultural Land Commission (ALC) Act, which are to be considered by Council.
  - Non-Farm Use applications for placement of fill, where the purpose is to improve land for farm use, may not be considered by the AAC, at the discretion of the **Development Planning Department Manager**.
- Applications to amend the Official Community Plan and Zoning Bylaw where the subject property is within or adjacent to the Agricultural Land Reserve (ALR).
- Applications to amend the Official Community Plan and Zoning Bylaw Amendments where the subject property is zoned agricultural or is adjacent to an agriculturally zoned parcel.
- Assisting with the comprehensive review of the following documents as they relate to agriculture and agri-business matters of the City of Kelowna:
  - Bylaws;
  - Official Community Plan;
  - Agriculture Plan;
  - Neighbourhood and Comprehensive Development Plans;
  - Farm 'Edge' Policies;
  - Culture and Heritage Plans;
  - Park and Recreation Plans; and
  - Transportations Plans.

## Agricultural Advisory Committee Terms of Reference

---

- Working with Council, at Council's request, on submissions related to agricultural issues with other levels of government.
- Other matters as referred by Council.

### 4. Criteria

Committee members are expected to be familiar with supporting plans, policies and guidelines to inform recommendations on applications and other matters. These will be provided in the orientation binder.

In reviewing applications, plans, proposals or issues as listed above, the AAC will consider the following:

- Existing relevant policies and regulations (e.g. ALC Act & Regulations, OCP, Agriculture Plan);
- The effect of the proposal on the agricultural potential of the subject property in both the near and long term;
- The effect of the proposal on adjacent ALR properties and surrounding agricultural production;
- Water and transportation issues or opportunities that are deemed to impact upon agricultural land;
- A rating of the priority or impact of the applications on the maintenance of the ALR;
- Where appropriate, possible alternatives to the proposal; and
- The identification of issues relating to the protection of the ALR land specific to the application, including the use of appropriate buffering techniques aimed at enhancing land use compatibility.

### 5. Membership

In order to provide representation from the agricultural community, the membership of the Committee should consist of five (5) voting members derived as follows:

- One (1) member from each of the following commodity groups, associations or interests, for a minimum of three (3) members:
  - greenhouse and nursery products;
  - tree fruits;
  - wine/grapes;
  - livestock/animal husbandry; and
  - agricultural processing and/or distribution (including farm retail sales).
- Up to two (2) members from the agricultural community at large and with direct agricultural interest and expertise. Examples include agricultural finance, or academia.
- One (1) alternate may be appointed to replace regular members unable to attend Committee meetings. Alternates will be chosen from the agricultural community at large.
- One member from Interior Health (non-voting) to provide input regarding community nutrition and food security.
- One member from the Ministry of Agriculture (non-voting) to provide input regarding provincial regulations and objectives.

## Agricultural Advisory Committee Terms of Reference

---

Where insufficient members can be identified to represent the specific commodity groups, associations or interests identified above, additional members may be appointed from the community at large.

### **6. Qualifications**

The following are considered to be minimum qualifications to serve on the Committee:

- resident of the City of Kelowna;
- available to attend most AAC meetings;
- commitment to the AAC's objectives;
- ability to objectively review complex applications and planning considerations;
- understanding of the agricultural planning framework and planning instruments including, but not limited to Kelowna's OCP, Zoning and other bylaws with respect to agricultural land use, Local Government Act, and Agricultural Land Commission Act; and
- access to a computer and an e-mail address in order to receive and respond to communications and information including meeting packages.

### **7. Appointment and Term**

The Committee will run concurrent with the four year Council term. Members will be appointed by Council.

Council may, at any time, remove any member of the Committee and any member of the Committee may resign at any time upon sending written notice to the Chairperson of the Committee. In the event of a vacancy occurring during a regular term of office, the vacancy may be filled for the remainder of that term upon resolution of Council.

Committee members who are absent for three consecutive meetings shall forfeit their appointment, unless such absence is authorized by resolution of the Committee.

Members of the Committee shall serve without remuneration.

### **8. Chairperson**

Unless appointed by Council the Committee shall elect a Chairperson and if applicable Vice-Chair, annually. In the absence of the Chairperson and Vice Chairperson, the Committee may elect an Acting Chairperson from those members present at that meeting. The Chair may appoint sub-committees to deal with any special matters coming within the scope and jurisdiction of the Committee. Any sub-committee so created will report to the Committee.

All committee members will be provided a training session by the City on procedures for Committees of Council.

### **9. Meeting Procedures**

The Chairperson will call meetings of the Committee on a monthly basis unless there are no items to be reviewed in a particular month. Generally, all meetings will be held on the second Thursday of each month, in City Hall. Alternate dates may occur where special circumstance demand.

The Committee will recognize that each meeting requires a significant commitment of staff resources

## Agricultural Advisory Committee Terms of Reference

---

and meetings should therefore be held when there are clear items of business to address in accordance with the scope of work.

A special meeting may be called by the Chairperson, or at the request of any three Committee members, or the **Development Planning Department Manager**. Notice of the day, hour, and place of special meeting will be given at least three days prior to the meeting, by providing a copy of the notice for each member of the Committee and the Office of the City Clerk for posting.

Unless otherwise authorized by the *Community Charter* or City of Kelowna Council Procedure Bylaw No. 9200 as amended, or replaced from time to time, all meetings will be held in open session and in a location accessible to the public.

A majority of the Committee members, three (3), will represent a quorum. A meeting will not proceed if a quorum cannot be achieved. Members must make a reasonable effort to notify the staff liaison at least two (2) working days before the meeting if they are unable to attend.

The order of business is to be set out in an agenda package and provided to the Committee members in advance of the meeting. Items for the agenda, including presentation materials, will be forwarded to the Office of the City Clerk at least seven complete working days prior to the meeting date for agenda preparation and posting for the public on the City's website.

Minutes of the meetings will be prepared by the Office of the City Clerk and signed by the Committee Chair, or Acting Chair for the meeting for which the minutes pertain. Originals of the minutes will be forwarded to the Office of the City Clerk for safekeeping. Once adopted, minutes will be posted for public viewing on the City's website.

### **Conflict of Interest**

Committee members must abide by the conflict of interest provisions of the *Community Charter* and City of Kelowna Council Procedure Bylaw No. 9200 as amended, or replaced from time to time.

Members who have a direct or indirect pecuniary interest in a matter under discussion are not permitted to participate in the discussion of the matter or to vote on a question in respect of the matter. They must declare their conflict and state the general nature of their conflict, and then leave the meeting or that part of the meeting where the matter is under discussion.

The member's declaration must be recorded in the minutes, and the Committee member must not attempt in any way, whether before, during or after the meeting to influence the voting on any question in respect of the matter.

### **Voting**

Committee members have a responsibility to make decisions based on the "criteria" established in Section 4, above.

All Committee members, including the Chair, vote on every question unless they have declared a conflict and left the meeting. Members who do not indicate their vote, or have left the meeting without declaring a conflict, are counted as having voted in favour of the question. If the votes are equal for and against, the question is defeated.

### **Comments in Public or to the Media**

When speaking in public or to the media on an issue, Committee members must distinguish

## Agricultural Advisory Committee Terms of Reference

---

whether they are speaking as a member, a representative of another agency or community group, or as an individual. Committee members must convey the public interest and remember that they represent the Corporation of the City of Kelowna.

### **Contact with the ALC Commissioners or Staff**

Committee members will not discuss active files with applicants or ALC staff and Commissioners. Rather, Committee members will direct applicants, ALC staff and Commissioners to the City's staff liaison or City Manager if additional information or clarification is required.

### **10. Scheduled Delegations**

If an application is a scheduled item on the meeting agenda, and following the presentation of the application by staff, the applicant will have the opportunity to speak to the item and/or answer questions from the committee to a maximum of five (5) minutes.

The Committee may, from time to time, invite resource people or delegations to participate in a Committee meeting. Individuals or delegations must be authorized by the City Manager and identified in advance as an item on the meeting agenda.

### **11. Reporting to Council**

Where appropriate, recommendations of the Committee will be adopted by a motion of the Committee prior to consideration by Council. Unless otherwise directed, the **Community Planning Department** will forward the Committee recommendations to Council as part of a comprehensive report on the issue, development proposal or bylaw.

The staff liaison will provide status updates on applications the Committee has considered through regular reporting of decisions of Council to the committee.

The Office of the City Clerk will forward the Committee's meeting agendas and minutes electronically for circulation to all members of Council.

### **12. Budget**

The routine operations and any special initiatives of the Committee will be funded by allocations within the Community Planning & Strategic Investments Division budget.

### **13. STAFF SUPPORT**

The **Community Planning Department** will provide the staff liaison and technical support for the Committee.

Support functions include the following:

- forwarding all agenda items to the Office of the City Clerk at least seven working days prior to the meeting date for agenda preparation and posting as a public notice;
- receiving all correspondence, and preparing correspondence and reports on behalf of the Committee;
- reviewing and returning draft minutes to the Office of the City Clerk to finalize prior to adoption by the Committee;
- reporting back to the Committee with status updates on applications the Committee has

Agricultural Advisory Committee  
Terms of Reference

---

- considered;
- maintaining a list of outstanding issues for Committee action in accordance with the Committee’s scope of work and Council’s direction; and
- providing all members with a detailed orientation binder at the beginning of the term, including a ‘cheat sheet’ of planning terms. This binder is to be returned to staff at the end of the term.

The **Office of the City Clerk** will provide meeting management and recording support for the

Committee. Support functions include the following:

- organizing and preparing the meeting agendas, in conjunction with the Chair & staff liaison;
- receiving and organizing all agenda-related presentation materials and/or hand-outs prior to the meeting date for inclusion in the agenda package;
- distributing the agenda packages to Committee members;
- posting all meeting notices and agendas for the public in accordance with the statutory timelines;
- preparing draft minutes, and providing the final minutes to the City Clerk and staff liaison;
- maintaining the records of the Committee, including posting and retaining minutes for the public record;
- circulating agendas and minutes electronically to all members of Council; and
- providing an annual check-in with the Committee, including meeting management training as necessary.

The Office of the City Clerk, in conjunction with the staff liaison, will initiate recommendations to Council for Committee appointments and maintain an updated list of appointees, including the date they were appointed.

Endorsed by Council:	December 18,
2000 Revised & Endorsed by Council:	August 26, 2002
Revised & Endorsed by Council:	November 18,
2002 Revised & Endorsed by Council:	October 19, 2009
Revised & Endorsed by Council:	February 13, 2012
Revised & Endorsed by Council:	May 6, 2013
Revised & Endorsed by Council:	April 13, 2015
Revised & Endorsed by Council:	Dec 10, 2018
Revised & Endorsed by Council:	January 10, 2022