

THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	Office of the City Engineer	Policy No.:	
Department:	Operations	Approval Date:	May 4, 2020
Division:	Pollution Control	Approved By:	CR188/2020
		Effective Date:	May 4, 2020
Subject:	Community Gardens on Municipal Property	Procedure Ref.:	
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Prepared By:	Environment & Sustainability Coordinator		Date: May 4, 2020

1. POLICY

Community gardens are an important tool for the development of healthy communities and quality of life improvements for residents. People can grow healthy and nutritious food while having a positive impact on the environment. The City of Windsor supports and encourages the development of community gardens on municipally owned lands.

2. PURPOSE

2.1 The goals of this policy are to:

- Establish guidelines for the development and operation of community gardens on municipally owned lands;
- Establish site selection criteria;
- Facilitate equal opportunity for all residents to apply for a community garden.

3. SCOPE

3.1 This policy is applied to all City-owned land and to all community gardens located on City-owned land. It provides organizations, individuals, and neighbourhood groups the opportunity to operate a community garden on city-owned land.

3.2 Applicability of other policies:

- The policy basis for this program is strengthened by recent Federal documents including the *Food Policy for Canada* (2019) and the creation of a Canadian Food Policy Advisory Council.
- Other Provincial policies supporting Community Gardens include the *Ontario Food and Nutrition Strategy* (2012) developed by the Ontario Collaborative Group of Healthy Eating and Physical Activity, as well as the *Local Food Act* (2013).
- Windsor's Community Strategic Plan, which was adopted in February 2007, provides a vision of a durable economy and a healthy environment. Community Gardens support this vision.
- Objective C10 in the City's Environmental Master Plan (2017) aims to support education, engagement and local food production through actively

promoting the use of underutilized or vacant City of Windsor property for the use of community gardens.

- And finally, the City's current Official Plan supports the development of community Gardens through Healthy Community (Section 4), Environment (Section 5) and Land Use (section 6) policies.

4. DEFINITIONS:

The definitions of terms used in this policy are:

- Community Garden: Lands used for the growing of fruits, vegetables or flowers collectively by a group of people for non-commercial purposes. It may consist of a single or common plot of land or it may be subdivided into individual plots of land.
- City: defined as The Corporation of the City of Windsor, or its representatives.
- Community Garden Committee: A City staff committee consisting of City of Windsor administrative staff from Pollution Control (Environmental Sustainability and Climate Change Office), Planning, Parks, Risk Management and Real Estate Services who oversee the Community Garden Application process.
- Parks: The City of Windsor Parks, Recreation & Culture and Facilities department.
- Properties: A parcel of land.
- Site: A specific location within a parcel of land where a community garden will be located.

5. RESPONSIBILITY

5.1 Community Garden Committee

- Review Community Garden Applications.
- Consist of representatives from Parks, Planning, Risk Management, Real Estate Services as well as the Environment and Sustainability Coordinator.

5.2 Environment and Sustainability Coordinator

- Be the primary contact both internally for the Community Garden Committee and for the community.
- Aid community groups in filling out applications.
- Accept applications and review them with the Community Garden Committee.
- In consultation with the Parks department, define and review community garden design guidelines.
- In consultation with the Parks department, work with the applicant to finalize site plan.
- Complete and document semi-annual inspections of all Community Gardens on municipal property.
- Provide potential updates to the policy as well as keep track of outstanding applications.
- Bring any licensing agreements forward for Council approval.

5.3 Legal Department

- Assist in the development and maintenance of a Community Garden License Template, and in determining the proper legal name to be used as the Licensee in such Template.

5.4 Parks Department

- Create and maintain a list of parks that are recommended by administration for Community Gardens.
- Meet on site with applicants to go over site logistics.
- Provide mulch, water and garbage facilities at their discretion and as resources permit to the Community Gardens when needed as well as install Community Garden signage.
- If there are any issues with maintenance or compliance, Parks staff will notify the Environment and Sustainability Coordinator.
- Assist the Applicants to conduct public consultation requirements for potential Community Gardens in parks as determined by the Community Garden Committee.

5.5 Real Estate Services

- Provide input on applications received requesting the use of vacant city-owned property for a community garden.
- Create and maintain a list of vacant municipal properties that are recommended by administration for Community Gardens.

5.6 Planning Department

- Assist the Applicants to conduct public consultation requirements for potential Community Gardens on vacant lots as determined by the Community Garden Committee.

5.7 Risk Management Department

- Review, approve, and maintain insurance certificates received from Applicants.

5.8 Chief Administrative Officer

- Approve amendments to the Community Garden License Template.

6. GOVERNING RULES AND REGULATIONS

All requests for Community Gardens on City property must follow the application and site selection processes, and meet the criteria as outlined below. These criteria must be met for Community Garden approval.

6.1 Application Process

- It is recommended that Applicants consult a list of pre-approved parks and vacant lots recommended to host Community Gardens. Applications for a Community Garden in a park or vacant lot not pre-approved must be approved by Council.

- Applicants will contact the Environment and Sustainability Coordinator in writing through the Application form to express interest in developing a Community Garden on City property.
- Applications for Community Gardens can be submitted at any time throughout the year however new applications should be received by a deadline determined by the committee to begin the site selection process for the growing season of the following year.
- The City will work with the Applicant to meet all requirements for approval of a Community Garden.
- Licencees who are in good standing under their existing agreements will have first opportunity for their Community Garden location.

6.2 Site Selection Process

- Through consultation with administration a garden site plan will be prepared (as part of the Application process) and submitted.
- The garden site plan will include plot layouts and other features. Soil amendments and materials for pathways must also be defined.
- Minimum setbacks of 5 meters from the edges of the Community Garden to surrounding amenities, property lines, hedgerows and trees may be required to allow for regular maintenance in a park setting.

The City will work with the Applicant to identify and assess viable sites that meet the criteria in order to choose an appropriate site.

Site considerations include but are not limited to:

- An area that receives 6 or more hours of sunlight daily
- Availability of water (via existing water connection or ability to harvest and store in rain barrels or cisterns from the roof of an existing building.)
- In an area that will not interfere with other uses (ie. recreational)
- In an area that will not interfere with water drainage and site maintenance
- Walkable to the gardening community and accessible to parking and/or busing
- Any other criteria as the City may from time to time deem necessary

6.3 Public Consultation

- The Applicant may be required to conduct public consultation with residents in close proximity to the proposed Community Garden. Administration will assist community groups to conduct public consultation

6.4 Conditions of Use

- The Applicant must be a legal entity in its own right, and not an unincorporated association or other form of informal organization.
- The Applicant will execute the approved License Agreement in its Template form, which will include but is not limited to the applicable rules for use:
 - Produce cannot be sold;
 - Care and maintenance of the site;
 - Restrictions on use of chemicals;
 - Restrictions on use of equipment;

- Restrictions on construction, use and maintenance of any structure, including raised beds and storage shed;
 - Upon termination of the licence, return the site to its original condition;
 - The Applicant must carry insurance in an amount(s) and type(s) satisfactory to the City's Risk Management Department; and
 - The Applicant agrees to indemnify and hold harmless The Corporation of the City of Windsor from and against any losses.
- Community Garden boxes must conform to administrative design standards.
 - Applicant identifies a Community Garden Coordinator and a designate who will be the main contact with the City. The name and contact information of the Applicant's Coordinator and the designate will be provided to the City at the beginning of each season.
 - Educational activities surrounding local food are encouraged at the Community Garden site.
 - Native Plants are encouraged at the Community Garden site to promote pollinator habitat. Invasive plants are prohibited.
 - Impervious area should be limited encouraging the infiltration of storm water except where warranted for minimum accessibility considerations.

7. RECORDS, FORMS AND ATTACHMENTS

- 7.1** Community Garden Agreements will be filed and retained by the Clerks Department. Community Garden Applications will be filed and retained by the Environment and Sustainability Coordinator.
- 7.2** Community Garden Design Guidelines will be maintained by the Environment & Sustainability Coordinator and the Parks Department.
- 7.3** Community Garden Inspection form will be maintained by the Environment & Sustainability Coordinator.