

**THE CORPORATION OF THE CITY OF WINDSOR  
POLICY**

Service Area:	<b>Office of the City Engineer</b>	Policy No.:	
Department:	<b>Operations</b>	Approval Date:	<b>August 25<sup>th</sup> 2014</b>
Division:	Pollution Control	Approved By:	<b>M337-2014</b>
		Effective Date:	<b>August 25<sup>th</sup> 2014</b>
Subject:	<b>Community Gardens on Municipal Property</b>	Procedure Ref.:	
<b>Review Date:</b>	<b>August 2019</b>	<i>Pages:</i>	Replaces:
Prepared By:	Environment & Sustainability Coordinator		Date:

**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 underlying policy basis for this program comes from recent Federal documents including *Resetting the Table: A People’s Food Policy for Canada* (2011) produced by the People’s Food Policy Project, and *Enough for All: Household Food Security in Canada* (2013) released by the Conference Board of Canada. Both documents reference community gardens as a way to address food security issues and promote a healthy lifestyle.
- 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* which was read for the first time in early 2013 by the Ontario legislature.
- 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.

- The Environmental Master Plan aims to improve watershed management, biodiversity, air quality and community involvement. All would be improved upon with additional Community Gardens in Windsor.
- 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 committee consisting of City of Windsor administrative staff from Pollution Control, Planning, Parks & Facilities, Risk Management and Real Estate Services who oversee the Community Garden Application process.
- Parks: The City of Windsor Parks & 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 & Facilities, 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.
- Accept applications and review them with the Community Garden Committee.
- Provide potential updates to the policy as well as keep track of outstanding applications.
- Aid community groups in filling out applications and conducting public consultation.

##### **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 & Facilities Department**

- Create and maintain a list of properties that are recommended by administration for community gardens.

- Meet on site with an approved Applicant to go over site logistics.
- Provide mulch at their discretion to the Community Gardens when needed as well as install Community Garden signage.
- Monitor the garden to ensure it is maintained. If there are any issues with maintenance or compliance, Parks staff will notify the Environment and Sustainability Coordinator.
- Bring any licensing agreements forward for Council approval.

### **5.5 Real Estate Services**

- Provide input on applications received requesting the use of vacant city-owned property for a community garden.

### **5.6 Planning Department**

- Assist the Applicants to conduct any public consultation requirements as determined by the Community Garden Committee.

### **5.7 Risk Management Department**

- Review, approve, and maintain insurance certificated 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 the list of parks recommended to host Community Gardens. Applications for a Community Garden in a park not recommended by administration 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. Approvals from the City for complete applications should be received by the Applicant on or before April 1<sup>st</sup> for the growing season of that year.
- Applicants who would like to renew their licence may submit a renewal application. This must be received by August 31<sup>st</sup> of the term of their existing agreement. Renewal Applicants who are in good standing under their existing agreements will have first opportunity for their Community Garden location.

## 6.2 Site Selection Process

- 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 including structures such as compost bins or storage sheds. 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 park maintenance.

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 Notification

- The Applicant may be required to notify residents in close proximity to the proposed Community Garden. If this is required the Community Garden Committee will provide a template notification letter to the Applicant.

## 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 Manager of Insurance and Risk; and
  - The Applicant agrees to indemnify and hold harmless The Corporation of the City of Windsor from and against any losses.
- 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.

**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.