

**REPORT NO. 224 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held July 23 2014**

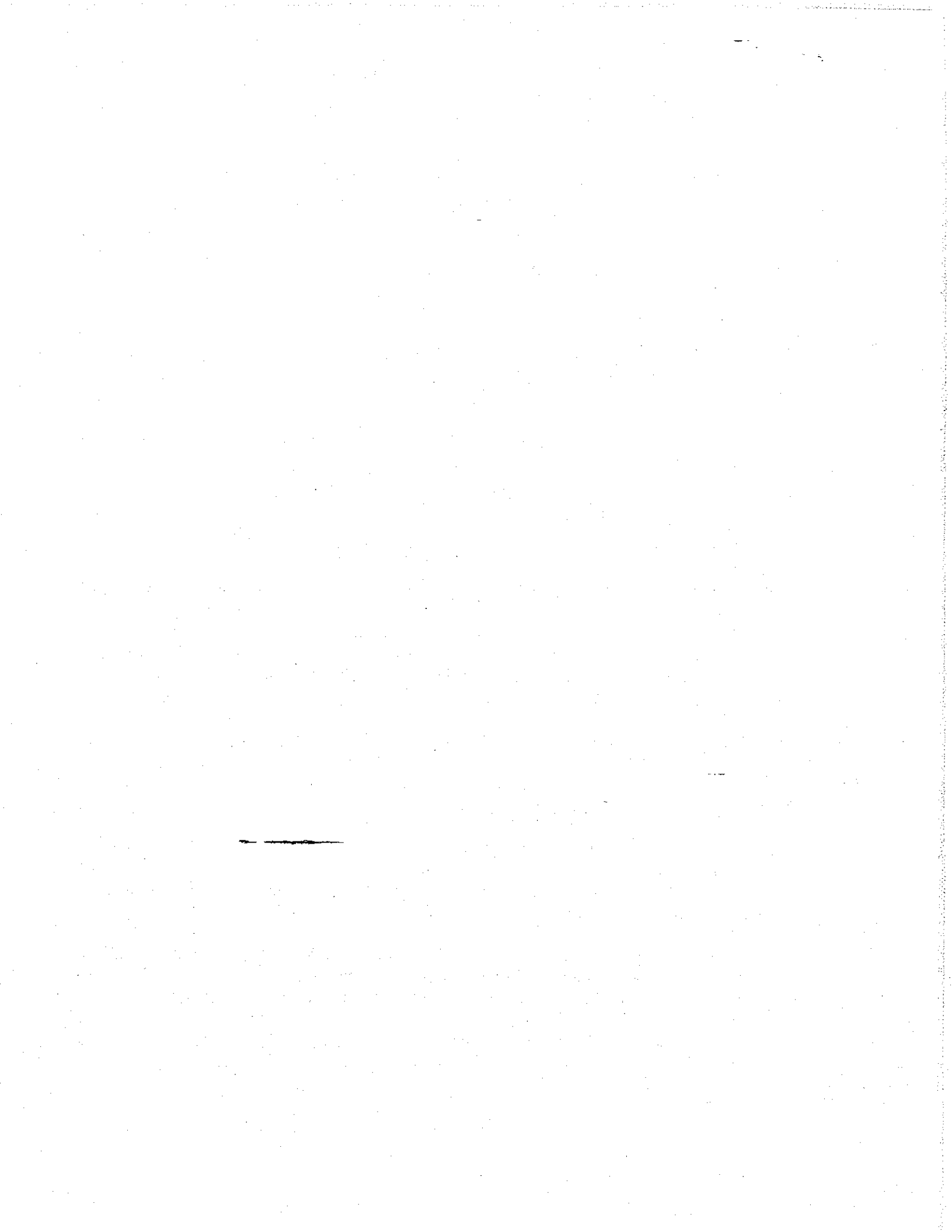
Present: Councillor J. Gignac
Councillor R. Jones
Councillor F. Valentinis, Chair

Regrets: Councillor A. Halberstadt
Councillor H. Payne

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

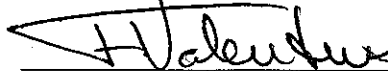
Moved by Councillor Jones, seconded by Councillor Gignac,

- I. **THAT** the Community Gardens on Municipal Property Policy and associated documents **BE TABLED** for a minimum of 30 days to allow for public comment; and
- II. **THAT** the following documents **BE APPROVED** by City Council at the time of consideration:
 - A) Community Gardens on Municipal Property Policy attached as Appendix A as amended to include the following change to notification Section 6.3 of the policy to read "The applicant shall be required to notify residents in close proximity..."
 - B) Municipal properties recommended for Community Gardens attached as Appendix B;
- III. **THAT** the Chief Administrative Officer **BE AUTHORIZED** to approve a Community Garden Template Licence Agreement or Renewal Agreements, as the case may be; **AND FURTHER** that the Delegation of Authority Bylaw (208-2008) **BE AMENDED** to reflect that such authority has been granted;
- IV. **THAT** ~~the Chief~~ Administrative Officer **BE AUTHORIZED** to execute the Community Garden Licence Agreement, to be satisfactory in content to the Executive Director of Parks & Facilities, or designates, and to be in the approved template form or satisfactory to the City Solicitor, or designate.
- V. **THAT** the Executive Director of Parks & Facilities **BE AUTHORIZED** to execute any renewals of the Community Garden Template Licence Agreement, to be satisfactory in content to the City Planner or designate and to be in an approved template form;
- VI. After the tabling of the policy, that the results **BE PRESENTED** at a future meeting of the Environment, Transportation & Public Safety Standing Committee.
Carried.



Clerk's Note: The report of the City Engineer entitled "Community Gardens on Municipal Property Policy" dated June 23, 2014 is attached as background information.

LiveLink #17231 SR2014

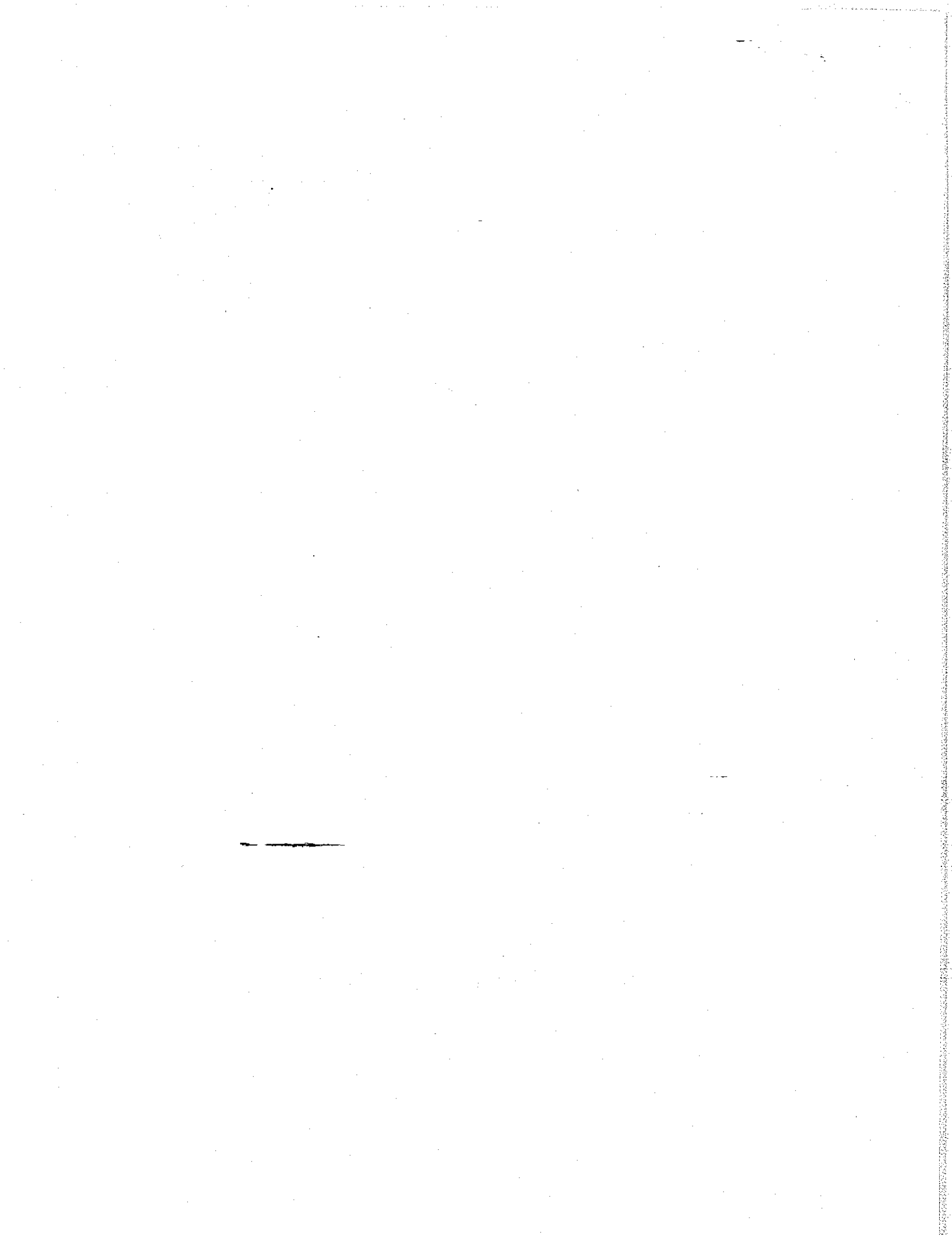


CHAIRPERSON



SUPERVISOR OF COUNCIL SERVICES (A)

| NOTIFICATION: | | | | |
|---------------|----------------|----------------------|--------------|------------|
| <i>Name</i> | <i>Address</i> | <i>Email Address</i> | <i>Phone</i> | <i>FAX</i> |
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THE CORPORATION OF THE CITY OF WINDSOR
Environment, Transportation & Public Safety Standing Committee –
Operations

**MISSION STATEMENT:**

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

| | |
|---|--|
| LiveLink REPORT #: 17234 SR2014 | Report Date: June 23rd 2014 |
| Author's Name: Averil Parent | Date to Standing Committee: July 23, 2014 #3855 jc (07/09/14:eb) |
| Author's Phone: 519 253-7111 ext. 3290 | Classification #: |
| Author's E-mail: parent@city.windsor.on.ca | |

To: Environment, Transportation & Public Safety Standing Committee

Subject: Community Gardens on Municipal Property Policy

1. RECOMMENDATION:

City Wide: Ward(s): ___

- I. THAT the Community Gardens on Municipal Property Policy and associated documents **BE TABLED** for a minimum of 30 days to allow for public comment; and
- II. THAT the following documents **BE APPROVED** by City Council at the time of consideration:
 - A) Community Gardens on Municipal Property Policy attached as Appendix A;
 - B) Municipal properties recommended for Community Gardens attached as Appendix B;
- III. THAT the Chief Administrative Officer **BE AUTHORIZED** to approve a Community Garden Template Licence Agreement or Renewal Agreements, as the case may be; **AND FURTHER** that the Delegation of Authority Bylaw (208-2008) **BE AMENDED** to reflect that such authority has been granted;
- IV. THAT the Chief Administrative Officer **BE AUTHORIZED** to execute the Community Garden Licence Agreement, to be satisfactory in content to the Executive Director of Parks & Facilities, or designates, and to be in the approved template form or satisfactory to the City Solicitor, or designate.
- V. THAT the Executive Director of Parks & Facilities **BE AUTHORIZED** to execute any renewals of the Community Garden Template Licence Agreement, to be satisfactory in content to the City Planner or designate and to be in an approved template form.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

Community partners in Windsor and Essex County have been working collaboratively to address food security issues. The chief outcome of this work has been the start up and expansion of several community gardens in Windsor.

A community garden generally occurs when land is used for the growing of fruits, vegetables or flowers collectively by a group of people for non-commercial purposes. The land may have both individual plots for individual produce consumption as well as community plots where produce is donated to the community through food banks. Community gardens can occur on publicly or privately owned lands, and are usually managed collectively by a not-for-profit group or organization.

To operate a successful garden requires a dedicated group of individuals who cooperatively maintain the garden by watering, weeding, harvesting and donating the produce as required. A community garden can be located almost anywhere a willing group of individuals resides, with proper permission from landowners.

The number of community gardens in Windsor is now being tracked as part of the City of Windsor's Report on the State of our Environment. The number of community gardens in Windsor has risen from 1 in 2004 to 8 in 2013 (Figure 1).

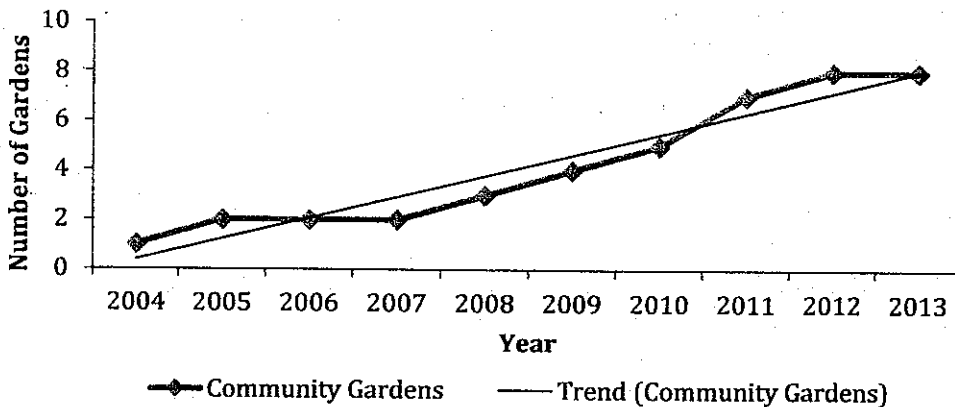


Figure 1 - Number of Community Gardens in Windsor

There are currently three community gardens on City of Windsor property – Ford City Community Garden, Bruce Park Community Garden, and Derwent Park Community Garden. There are many benefits to having community gardens in neighbourhoods, such as increasing access to locally grown food, increasing biodiversity and improving a sense of community.

3. DISCUSSION:

To accommodate the recent demand for access to land for community gardens, many municipalities in Canada are implementing community garden programs and policies. Ontario municipalities that have community gardening programs for municipally owned land include but are not limited to Guelph, Toronto, London, Mississauga, Kingston and Waterloo. Some municipalities provide funding and/or resources to the community gardens.

As part of the update to the City of Windsor Zoning By-law, the following definition of a Community Garden was approved and has been identified as a permitted use in any zone.

"Community Garden" means a single or common plot of land or land subdivided into individual plots for the growing of fruits, vegetables or flowers collectively by a group of people primarily for non-commercial purposes.

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 of which would be improved with additional Community Gardens in Windsor.

Finally, the City's current Official Plan indirectly encourages the development of community Gardens through supportive policies in the Healthy Community (Section 4), Environment (Section 5) and Land Use (section 6) chapters.

The Community Gardens on Municipal Property Policy (Appendix A) provides a structure and process for community gardens on City-owned property. The requirements to apply for a community garden on City-owned property are explained in the policy. Public consultation may be required as part of the application process. Information about how to apply as well as the application form will be uploaded to the City of Windsor website.

Parks & Facilities has provided a list of property recommended for community gardens (Appendix B). Parks were evaluated based on access to water, parking, a community centre or school, as well as being the appropriate size to accommodate a community garden.

A Community Garden Committee will be formed to process community garden applications and will include representatives from Parks & Facilities, Risk Management, Real Estate Services and Planning as well as the Environment and Sustainability Coordinator.

4. RISK ANALYSIS:

- Resource Risk - Implementation of this program does not require additional funding from the City. The departments involved have adequate resources to implement the program. A deposit will be collected and the licence will require the site to be returned to the condition it was found in as outlined in the terms of the Agreement. This risk is considered unlikely to occur and of low impact.

- Timing Risk - In order for this program to be implemented for the 2015 growing season the City should begin accepting applications in the Fall of 2014. This risk is considered unlikely to occur and of low impact.
- Cross-Corporate Impact Risk - Members of the internal Community Garden Committee have agreed to participate in the program. This will likely involve meeting yearly to discuss and select applications. This risk is considered unlikely to occur and of low impact.
- Community Impact Risk - There are already some community gardens established in Windsor. By encouraging community gardens in Windsor it is hoped that community involvement and beautification will occur. This risk is considered unlikely to occur and of low impact.
- Political Risk - There are currently three community gardens on City of Windsor property. This risk is considered unlikely to occur and of low impact.
- Other Risk - Applicants must be legal entities and be able to provide insurance in an amount (s) and type(s) satisfactory to the City's Manager of Insurance and Risk, and hold harmless the Corporation of the City of Windsor from and against any losses. This risk is considered unlikely to occur and of low impact.

5. FINANCIAL MATTERS:

The Community Gardens on Municipal Property Policy does not require any additional funding.

The Parks department will deliver mulch to gardens at their discretion and install garden signage provided by the City.

A maximum of \$2,000 annually from the Environmental Master Plan operating budget (Pollution Control) will be provided to provide educational signage for the community gardens.

In kind support from the Planning department may be required to help with public notification.

6. CONSULTATIONS:

Parks & Facilities

Risk Management

Legal

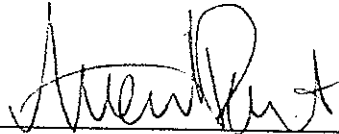
Planning

Real Estate Services

Steve Green – Coordinator, Windsor Essex Community Garden Network

7. CONCLUSION:

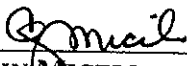
To date, the Community Gardens have been approved either directly by City Council or by Delegation of Authority report to the Chief Administrative Officer. In an effort to streamline the process and encourage applications and prompt approval of gardens, Administration supports the adoption of the Community Garden Policy and Licence Agreement to support and encourage the development of community gardens on select City of Windsor properties.



AVERIL PARENT
Environment and Sustainability Coordinator



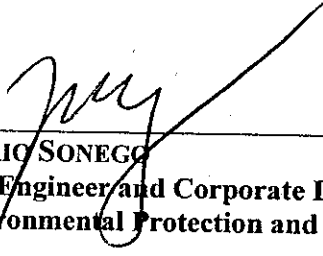
CHRIS MANZON
Senior Manager, Pollution Control



JOHN MICELI
Executive Director, Parks & Facilities



THOM HUNT
City Planner/Executive Director



MARIO SONEGO
City Engineer and Corporate Leader
Environmental Protection and Transportation



SHELBY ASKIN HAGER
City Solicitor



TONORIO COLUCCI
Chief Financial Officer & City Treasurer
Corporate Leader Finance and Technology



HELGA REIDEL
Chief Administrative Officer

AP/jc:eb

APPENDICES:
Appendix A – Community Garden Policy
Appendix B – Parks recommendation for Community Gardens

DEPARTMENTS/OTHERS CONSULTED:
Name:
Phone #: 519 ext.

NOTIFICATION: *July 11, 2014 CS*

| Name | Address | Email Address | Telephone | FAX |
|---------------|---------|-----------------------------------|-----------|-----|
| Steve Green | | stevegreen@ymail.com | | |
| Michele Leger | | foodmatterswindsoressex@gmail.com | | |

THE CORPORATION OF THE CITY OF WINDSOR

POLICY

| | | | |
|---------------|---|-----------------|-----------|
| Service Area: | Office of the City Engineer | Policy No.: | |
| Department: | Operations | Approval Date: | |
| Division: | Pollution Control | Approved By: | |
| | | Effective Date: | |
| Subject: | Community Gardens on Municipal Property | Procedure Ref.: | |
| | | Pages: | Replaces: |
| Prepared By: | Averil Parent | | 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 and recommend approval of 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 CAO approval.
- Where a renewal template is approved, renewal of agreements will be approved by the Executive Director of Parks & Facilities.

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, subject to recommendation by the City Solicitor.
- Execute licensing agreements.

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 1st 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 31st 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 (i.e. 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 buses
- 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.

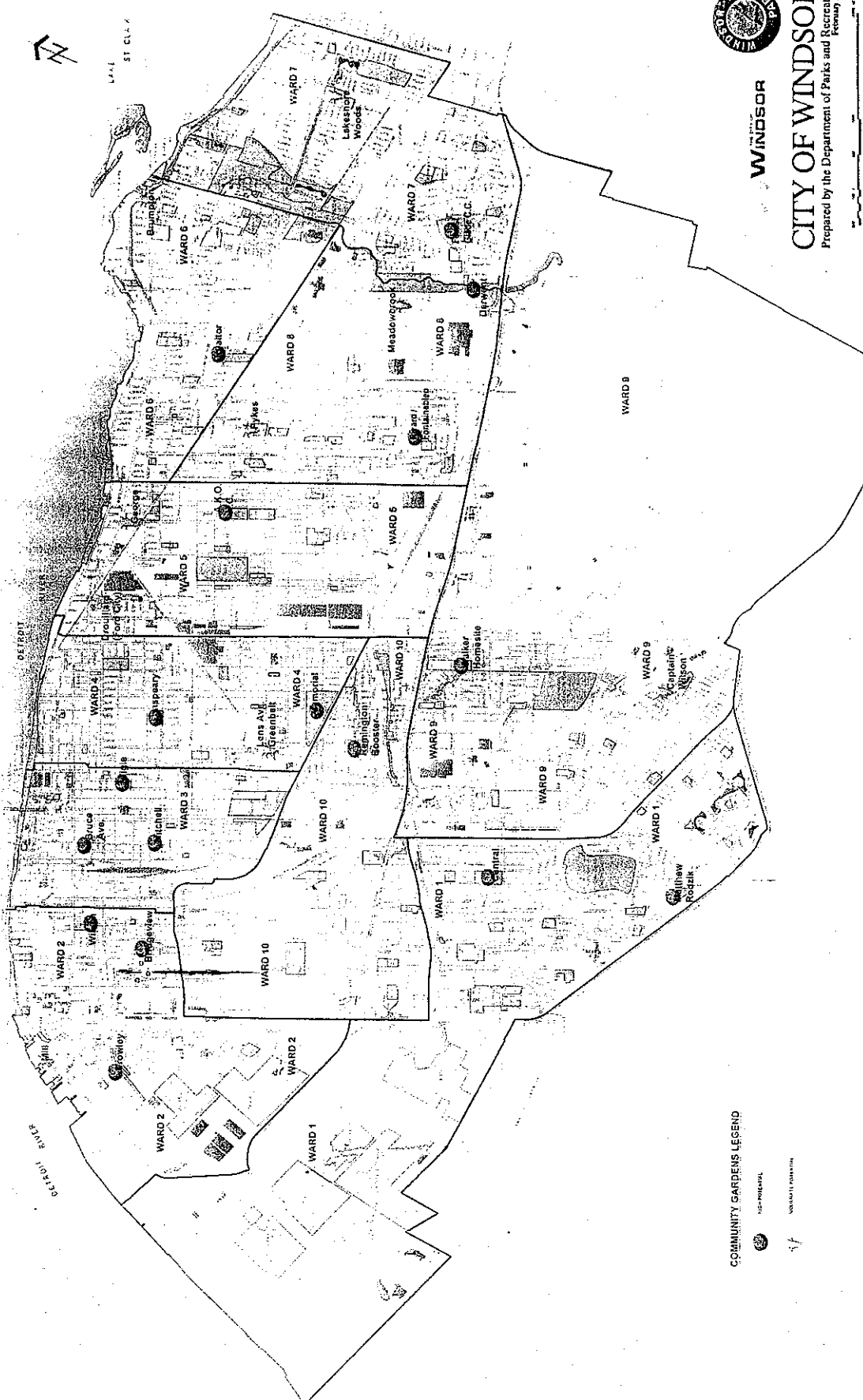
7. **RECORDS, FORMS AND ATTACHMENTS**

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.

**List of Municipal Properties recommended by
Administration for Community Gardens**

These parks were selected based on the following criteria: Water availability, good drainage, parking availability, located near a community centre, pool, or school, proximity to demographic, direct sunlight availability, and size availability.



| Ward | Property | Potential |
|-------------|-------------------------------|------------------|
| 1 | Matthew Rodzik Park | High |
| 1 | Central Park | High |
| 2 | Mill Street Park | Moderate |
| 2 | Crowley Greenbelt | High |
| 2 | Wilson Park (Adie Knox arena) | High |
| 2 | Bridgeview Park | High |
| 3 | Bruce Park | Current |
| 3 | Mitchell Park | High |
| 3 | Wigle Park | High |
| 4 | Lens Avenue Greenbelt | Moderate |
| 4 | Memorial Park | High |
| 4 | Lanspeary Park | High |
| 5 | George Park | Moderate |
| 5 | Drouillard (Ford City) | Current |
| 5 | A.K.O Park | High |
| 6 | Brumpton Park | Moderate |
| 6 | Realtor Park | High |
| 7 | Lakeshore Woods | Moderate |
| 7 | Forest Glade Community Centre | High |
| 8 | Derwent Park | Current |
| 8 | Meadowbrook Park | Moderate |
| 8 | Pykes Park | Moderate |
| 8 | Rivard-Fountainbleu Park | High |
| 9 | Captain Wilson Park | Moderate |
| 9 | Walker Homesite | High |
| 10 | Remington-Booster Park | High |



WINDSOR

CITY OF WINDSOR
 Prepared by the Department of Parks and Recreation
 February 2014

COMMUNITY GARDENS LEGEND

-  RESIDENTIAL
-  COMMERCIAL