

**REPORT NO. 235** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held October 22, 2014

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

**Regrets:**                    **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 following documents **BE APPROVED** by City Council:
- A)      Community Gardens on Municipal Property Policy attached as Appendix A;
  - B)      Municipal properties recommended for Community Gardens attached as Appendix B;

II.        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;

III.        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, or designates, and in financial content to the City Treasurer and to be in the approved template form or satisfactory to the City Solicitor, or designate.

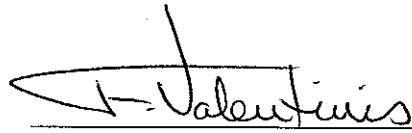
IV.        THAT the Executive Director of Parks **BE AUTHORIZED** to execute any renewals of the Community Garden Template Licence Agreement, to be satisfactory in content to the City Planner or designate and to be in an approved template form.

Carried.

**LIVELINK # 17405, GM2014**

Clerk's Note: The administrative report authored by the Environment & Sustainability Coordinator dated October 1, 2014 entitled "*Update to the Community Gardens on Municipal Property Policy*" is **attached** as background information.



  
CHAIRPERSON

  
DEPUTY CITY CLERK

NOTIFICATION:	
NAME	CONTACT INFORMATION
Steve Green	<a href="mailto:stevegreen@ymail.com">stevegreen@ymail.com</a>
Michele Leger	<a href="mailto:foodmatterswindsoressessex@gmail.com">foodmatterswindsoressessex@gmail.com</a>



**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."*

<b>LiveLink REPORT #: 17405 GM2014</b>	<b>Report Date: October 1, 2014</b>
<b>Author's Name: Averil Parent</b>	<b>Date to Standing Committee: October 22, 2014</b> #3932 jc-10/02/14:eb
<b>Author's Phone: 519 253-7111 ext. 3290</b>	<b>Classification #:</b>
<b>Author's E-mail: aparent@city.windsor.on.ca</b>	

**To: Environment, Transportation & Public Safety Standing Committee**

**Subject: Update to the Community Gardens on Municipal Property Policy**

**1. RECOMMENDATION: City Wide:  Ward(s): \_\_\_\_\_**

- I. THAT the following documents **BE APPROVED** by City Council:
  - A) Community Gardens on Municipal Property Policy attached as Appendix A;
  - B) Municipal properties recommended for Community Gardens attached as Appendix B;
- II. 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;
- III. 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, or designates, and in financial content to the City Treasurer and to be in the approved template form or satisfactory to the City Solicitor, or designate.
- IV. THAT the Executive Director of Parks **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:**

The draft Community Garden Policy (Livelink #17234) was introduced to Council at the August 25<sup>th</sup> meeting. Administration asked for the policy and associated list of recommended parks to be tabled for 30 days to allow for public comment. This was approved with motion M337-2014. The public comment period was held from August 26<sup>th</sup> to September 26<sup>th</sup> 2014 and residents could submit comments on the draft policy via email, or attend one of two public open houses.

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:**

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 shall 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.

The City of Windsor Parks department has provided a list of properties 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, Risk Management, Real Estate Services and Planning as well as the Environment and Sustainability Coordinator.

The draft Community Garden Policy as well as the list of recommended parks was tabled at the August 25<sup>th</sup> 2014 Council meeting. In addition, it was requested by Council that all residents within 120 meter/400 feet from the external property line of a pending community garden application be notified. This has been added to the Policy in section 6.3.

A public comment period was held from August 26<sup>th</sup> to September 26<sup>th</sup> 2014 where residents could submit comments on the draft policy via email, or attend one of two public open houses. A total of 27 comments were received during the comment period. All comments received are in support of the community garden policy. Formal support was received from Our West End, Pathway to Potential, Food Matters Windsor Essex and the Windsor Essex Community Garden Collective.

Several comments highlight the social and community building benefits of community gardens as well as connecting residents with good, healthy food. Based on the comments received it should be clear to applicants that the City will not provide any support to individuals and groups to incorporate as a legal entity.

#### **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.
- 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

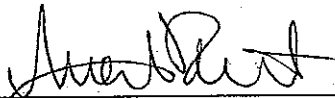
Legal Services, Real Estate & Risk Management

Planning & Building Services

Steve Green – Coordinator, Windsor Essex Community Garden Network

#### **7. CONCLUSION:**

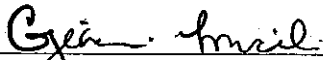
To date, the Community Gardens have been approved either directly by City Council or by Delegation of Authority report to the Chief Administrative Officer. In an effort to streamline the process, encourage applications and prompt approval of gardens, Administration supports the adoption of the Community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



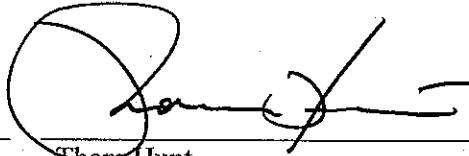
Averil Parent  
Environment and Sustainability Coordinator



Chris Manzon  
Senior Manager, Pollution Control



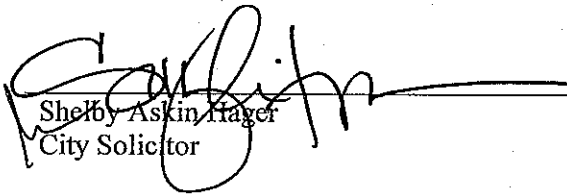
John Miceli  
Executive Director, Parks & Facilities



Thom Hunt  
City Planner/Executive Director



Mario Sonego  
City Engineer and Corporate Leader  
Environmental Protection and Transportation



Shelby Askin Hager  
City Solicitor



*For* Onorio Colucci  
Chief Financial Officer & City Treasurer  
Corporate Leader Finance and Technology



Helga Reidel  
Chief Administrative Officer

AP/jc

**APPENDICES:**

Appendix A – Community Garden Policy

Appendix B – Parks recommended for Community Gardens

**DEPARTMENTS/OTHERS CONSULTED:**

Name:

Phone #: 519 ext.

**NOTIFICATION :**

Name	Address	Email Address	Telephone	FAX
Steve Green		stevegreen@ymail.com		
Michele Leger		foodmatterswindsoressesx@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 the public consultation requirements of the application process.

### **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, 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 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 (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 shall be required to notify residents within 120 meters/400 feet from the external property line. The Community Garden Committee will provide a template notification letter and addresses to the Applicant. Further public consultation may be required at the discretion of the Community Garden Committee.

## 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.

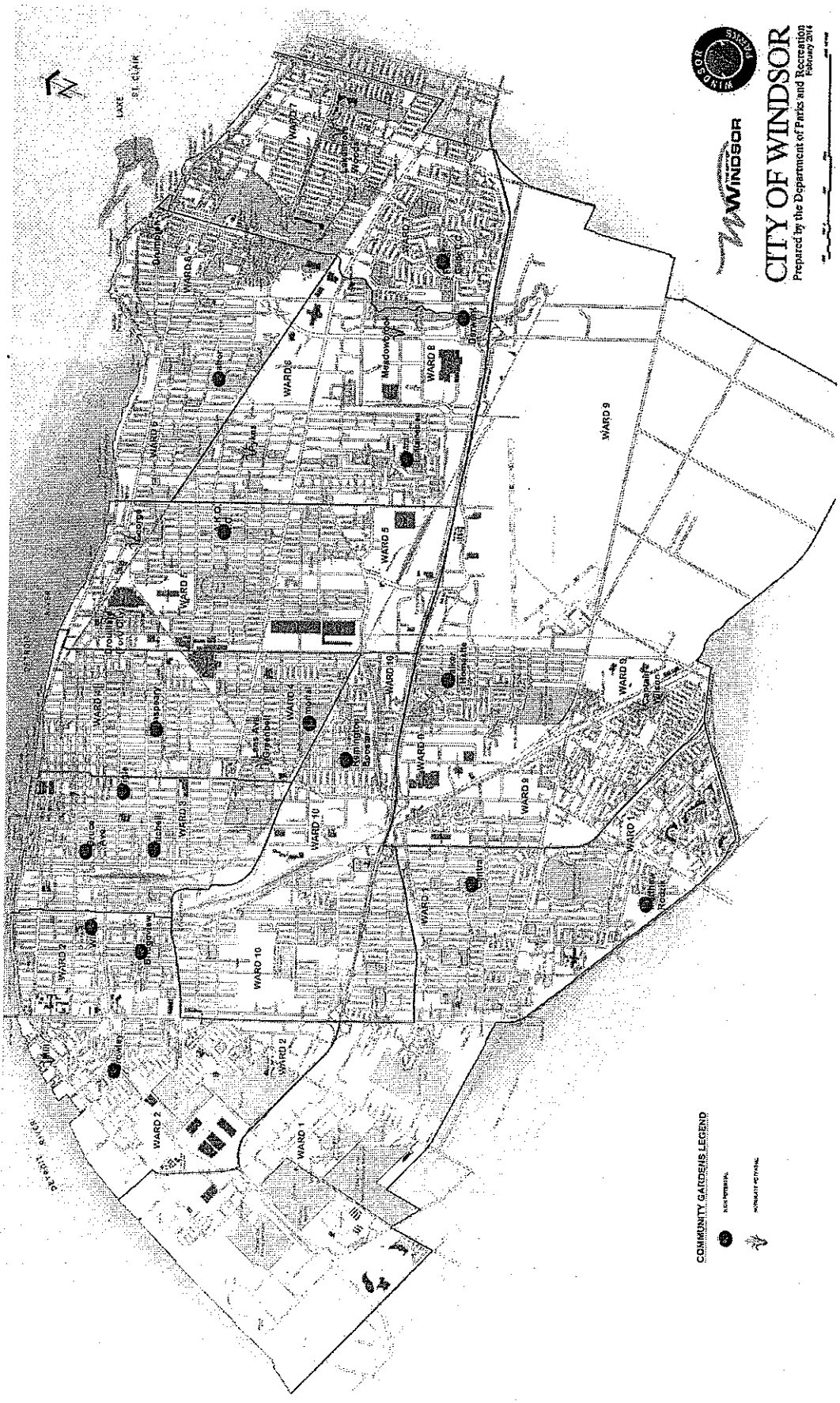
7. **RECORDS, FORMS AND ATTACHMENTS**

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.



<b>Ward</b>	<b>Property</b>	<b>Potential</b>
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

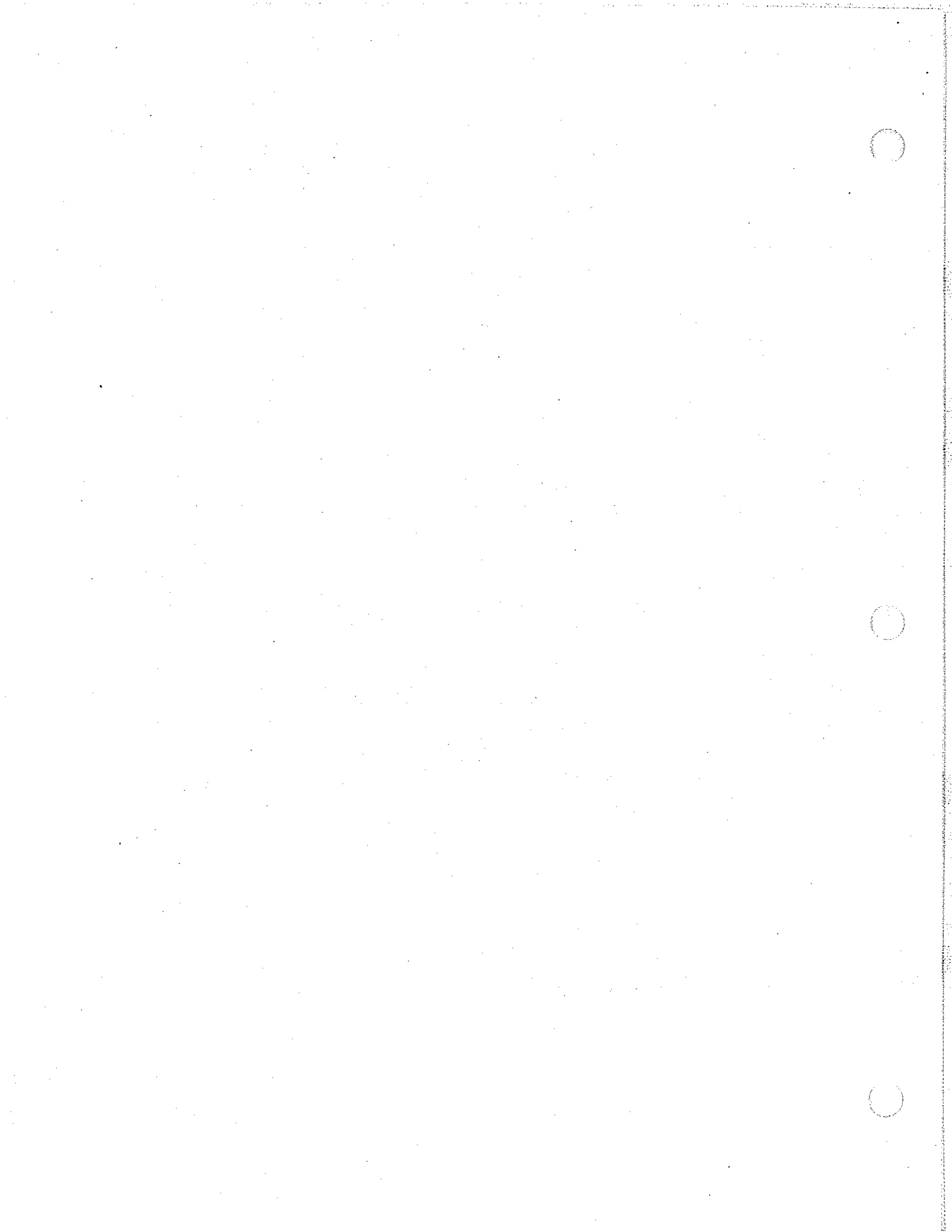


**WINDSOR**  
City of Windsor

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

**COMMUNITY GARDENS LEGEND**

-  PARK GREENHOUSE
-  COMMUNITY GARDEN





**NOV 17 2014**

ADDITIONAL  
INFORMATION

**From:** david hanna

**Sent:** Friday, November 14, 2014 12:06 PM

**To:** clerks

**Cc:** david hanna

**Subject:** Item 235, "Community Gardens Report" of the Environmental, Transportation and Public Safety Standing Committee"

ITEM NO. ~~REPORT NO. 235~~  
ENVIRONMENT  
TRANSPORTATION & PUBLIC  
SAFETY STAND. COMMITTEE

**Re: Report # 235 of the Environment, Transportation & Public Safety Standing Committee of October 22, 2014 ie. "Community Garden Template Licence Agreement or Renewal Agreements" for City of Windsor Council Meeting of November 17, 2014**

The Mayor and City Council of the Municipality of Windsor.

Although I see great progress in the City of Windsor providing a template for the expansion of potential Community Gardens in the City of Windsor, I believe that some factors have been overlooked and need consideration for amendment. On **page 10** of this report is a list of City Parks selected for potential Community Gardens based on City criteria. I believe that that **list needs to remain flexible to further additions and not constrained as it is**. I can think of several City owned areas that should also be considered for Community Garden potential.

1. **Willistead Park**, in old Walkerville has highly motivated constituency. It is close to schools, has water and electricity, is accessible and historically had its own former Estate Greenhouse and still has the (now empty) former Gardener's Cottage Gatehouse which could be actively used for meetings. A small Community Garden at Willistead Park could be of a unique geometric design that would enhance the heritage of the Manor House and this heritage designated Park. In fact would be much more appropriate than excessive Asphalt paths that are currently being abused by oversized and inappropriate City maintenance equipment. Community gardens can be limited to bicycle wagon access and achieve the dual purpose of small scale food production, sociability and educational enhancements as well increasing safety by more contentious eyes on the Park. It would be a serious oversight and diminish landscape professional credibility to deliberately exclude Willistead Park for a Community Garden and potential formation of a new Stewardship Committee to enhance the Park's other landscape features.
2. **Huron Lodge** located in South Windsor, adjacent to the St. Clair College Horticulture School also needs to be considered as potential return of a Community Garden that would bridge generations and potentially involve the College Horticulture program.
3. **South Windsor Arena Area** and Community Centre near former Oakwood School. Historical precedent as a former outdoor teaching school.

David Hanna

Ward One Resident

