

THE CORPORATION OF THE CITY OF WINDSOR PROCEDURE

Service Area:		Procedure No.:	
Department:	Economic Development	Approval Date:	
Division:	Environmental Sustainability and Climate Change	Approved By:	
		Effective Date:	
Subject:	Community Gardens on Municipal Property Procedure	Policy Ref.:	
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Prepared By:	Environmental and Sustainability Coordinator		Date:

1. PURPOSE

1.1. This procedure supplements the Community Gardens on Municipal Property Policy and outlines the step-by-step process for implementing and managing community gardens on municipal land.

2. SCOPE

2.1. This procedure applies 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. DEFINITIONS

- **Applicant:** The individual, group or association who applies to operate a Community Garden.
- **City:** defined as The Corporation of the City of Windsor, or its representatives.
- **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.
- **Community Garden Committee:** A committee consisting of City administrative staff who oversee the Community Garden Application process.
- **Community Garden Renewal Form:** A form used by existing Garden Coordinators or new Applicants to confirm their intent to continue operating a community garden on City property.
- **Community Gardens on Municipal Property Policy:** A document that outlines the responsibilities of all stakeholders involved in the community gardens located on municipal land.
- **Environmental and Sustainability Coordinator (ESC):** The City employee who acts as liaison with Garden Coordinators.
- **Garden Coordinator:** The individual representative of the Applicant.

- **Gardener Waiver:** The waiver signed by each individual Gardener at the Community Garden including summary of roles and responsibilities that all Gardeners must follow.
- **New Community Garden Application Form:** The Form to be completed by the Applicant interested in starting a new community garden.
- **Parks:** The City of Windsor Parks and Recreation department.
- **Properties:** A parcel of land.
- **Site:** A specific location within a parcel of land where a community garden will be located

4. RESPONSIBILITY

4.1. Community Garden Committee

- Review Community Garden Applications.
- Consists of representatives from various departments within the City of Windsor

4.2. Environmental and Sustainability Coordinator

- Contact information: emp@citywindsor.ca
- Be the lead and primary contact both internally for the Community Garden Committee and for the Garden Coordinator at each garden.
- Aid interested groups in filling out applications.
- Accept applications and review them with the Community Garden Committee.
- As required, bring requests for Community Gardens not on the pre-approved Parks list to City Council for approval.
- 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.
- Collect signed Garden Permits and all signed Gardener Waivers from Garden Coordinators.
- Communicate regularly with Garden Coordinators.
- Assist the Garden Coordinator(s) with enforcement issues arising from the Community Garden Policy, and work with the Garden Coordinator(s) and the Gardeners, whenever possible, to assist them in resolving the issue.
- Provide support to Gardeners regarding advertising and promotion opportunities for Community Garden events and projects.
- Provide potential updates to the policy as well as keep track of outstanding applications.

4.3. Garden Coordinators

- Read and sign the Garden Permit annually.

- Responsible for communication with all Gardeners in their respective Community Garden.
- Ensure that all Gardeners have signed Gardener Waivers and remain in compliance with Community Gardens on Municipal Property Procedure.
- Contact the Environmental and Sustainability Coordinator for assistance and support if concerns, questions or complaints arise.
- Consult with Environmental and Sustainability Coordinator before erecting permanent or semi-permanent structures within the garden, including fences, sheds, and additional signage.
- Take responsibility for the collective management of the Community Garden, including sourcing garden materials for the garden after the initial setup and maintaining all paths within the garden.
- Ensure the Community Garden is well maintained.
- Encourage Gardeners in the Community Garden to obey the Community Garden guidelines as described in this Policy.
- Oversee compliance with the requirements outlined in the Garden Waiver signed by individual Gardeners
- If any violation of the Garden Waiver is found, discuss the matter with the Gardener. If necessary, discuss the issue with Environmental and Sustainability Coordinator who may issue a written notice to the Gardener.

4.4. Gardeners

- Read and adhere to the Community Garden Policy.
- Sign Gardener Waiver and comply with outlined requirements.
- Follow the direction of the Garden Coordinator regarding the guidelines.
- Contact the Garden Coordinator with any concerns and questions.
- Contact the Environmental and Sustainability Coordinator only for unresolved issues with the Garden Coordinator.
- Dispose of litter (i.e. wrappers, uneaten food, cups, etc.) into onsite garbage containers or remove from the site.
- Garden waste materials (i.e. plant material) will be managed by the Gardeners. Larger garden waste materials (i.e. tree trimmings as well as brush, leaves, stumps, etc.) should be placed at the roadside for pickup by the City of Windsor based on the Yard Materials Collection schedule.

4.5. Legal Department

- Assist in the development and maintenance of various community garden documents

4.6. 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 as needed.

- Provide mulch, water and garbage facilities at Parks' 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 Environmental and Sustainability Coordinator.
- Assist the Applicants and the Environmental and Sustainability Coordinator to conduct public consultation requirements for potential Community Gardens in parks as determined by the Community Garden Committee.

4.7. 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.

4.8. 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. IMPORTANT DATES

September 30 (Year Prior to Gardening Season)

- Environmental and Sustainability Coordinator will send out the New Community Garden Application Form, Community Garden Renewal Form, Gardener Waivers and other relevant documents via email to the current seasons Garden Coordinator by this date

October 31 (Year Prior to Gardening Season)

- The Garden Coordinator must return the completed Community Garden Renewal Form, New Community Garden Application Forms, signed Gardener Waivers and any requests to the Environmental and Sustainability Coordinator by this date

January 31

- The Community Garden Committee will review all submissions and requests, and Garden Coordinators will be notified of approval and status of requests by this date

March and April

- Garden Coordinators should begin confirming returning Gardeners and assigning plots, scheduling spring clean ups and conduct a spring check-up of the garden site

May 15

- Gardener Waivers must be submitted to the Garden Coordinator and Environmental and Sustainability Coordinator.

May-August

- Garden Coordinators should conduct a mid season inspection of plots, follow up on any maintenance or compliance issues and inform the Environmental and Sustainability Coordinator of any support or requests needed

Ongoing

- Ongoing communication will continue between the Environmental and Sustainability Coordinator and the Garden Coordinator to finalize logistics and address any outstanding items
- Gardener Waivers may be submitted on rolling basis and will be accepted up until May 15

Failure to comply to any of the above dates may result in the loss of garden privileges

6. COMMUNITY GARDEN APPROVAL PROCEDURE

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. New Community Garden 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 Environmental and Sustainability Coordinator in writing through the New Community Garden 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 October 31st to begin the site selection process for the growing season of the following year.
- Development of new Community Gardens will be considered on an annual basis, depending on interest. New Community Gardens may also be built as parks are being redeveloped, if public engagement suggests there is a need and interest.
- The City will work with the Applicant to meet all requirements for approval of a Community Garden.
- Garden Coordinators who are in good standing under their existing agreements will have first opportunity for their Community Garden location.

6.2. Site Selection Process for New Community Gardens

- 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 (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 busing
 - Any other criteria as the City may from time to time deem necessary

6.3. Renewal Process for Existing Community Gardens

6.3.1. Initial Inquiry

- The Environmental and Sustainability Coordinator will send the Community Garden Renewal Form and Gardener Waivers via email to the previous season's Garden Coordinator by September 30th of the prior year
- If the previous seasons Garden Coordinator resigns and/or steps down of their role, they must notify the City immediately and if possible, recommend/nominate a replacement
- The Garden Coordinator is responsible for reviewing documents and updating any outdated information and contacting Gardeners to confirm interest in returning for the next season

6.3.2. Renewal and Request Submission

- Garden Coordinators must submit Community Garden Renewal Form or New Community Garden Application Form, Gardener Waivers and any requests (plot expansions, infrastructure repairs etc.) to the Environmental and Sustainability Coordinator by no later than October 31st of the year prior
- Renewal forms must include contact information of the designated Garden Coordinator and a secondary contact in case the primary is unavailable

6.3.3. Committee Review and Plot Planning

- Community Garden Committee Reviews all applications and requests
- Applicants will be notified of their renewal status by January 31st

6.4. Site Expansion and Reduction

- The City may consider expanding or reducing a garden site.
- The Garden Coordinator and Gardeners are responsible for managing the additional or reduced gardening activities, and there is adequate space to accommodate the change without affecting the other site uses

- To initiate an expansion or reduction, a written notice must be sent to the Environmental and Sustainability Coordinator before any activity begins and all proposed changes are subject to the Community Garden Committee's approval

6.5. Public Consultation

- The Applicant may be required to conduct public consultation with residents near the proposed Community Garden. The City will assist community groups to conduct public consultation

6.6. Conditions of Use

- The Applicant can be a legal entity, an unincorporated association or other form of informal organization or group.
- The Applicant will submit either a New Community Garden Application Form or a Community Garden Renewal Form which upon written approval from the Environmental and Sustainability Coordinator, will grant access to the Community Garden from April 1 to March 31.
- The site must be returned to its original condition after the gardening season is complete.
- Each Gardener and Garden Coordinator at the community garden would be required to sign a Waiver assuming all risks associated with their use of the community garden, and releasing and indemnifying the Corporation of the City of Windsor from any claims or actions resulting from their use of the community garden.
- It is recommended that the Applicant carries insurance in an amount(s) and type(s) satisfactory to the City's Risk Management Department but is not required
- Community Garden boxes must conform to administrative design standards.
- Applicant identifies a Garden Coordinator and an alternate contact who will be the main contact(s) with the City. The name and contact information of the Applicant's Coordinator and the alternate will be provided to the City at the beginning of each season.
- Plot assignment is on a first come, first serve basis, with the Gardener having the right of first refusal for the next gardening season.
- Garden Coordinators are responsible for ensuring that all Gardeners follow the rules that all required forms are submitted by the specified deadlines.
- Gardeners must abide by all City of Windsor By-Laws. Any issues, concerns, or disputes will be brought to the Garden Coordinator, and if unable to resolve will be brought to the Environmental and Sustainability Coordinator.
- Failure to comply with rules and submit forms on time may result in:
 - Loss of access to the garden for the current and/or upcoming season
 - Ineligibility to apply for future garden seasons
 - Delays in garden operations and access to City support and resources

7. GARDENER CONDUCT

7.1. Gardeners are expected to maintain a respectful, safe and inclusive environment within the community garden. This includes:

- Treating all Gardeners, visitors, volunteers and City staff with kindness and respect
- No abusive language or behaviour that is disorderly, rude or threatening
- Avoid loud music, disruptive behaviour or activities that may disturb other gardeners or nearby residents
- Shared tools must be used responsibly and returned to designated storage areas, if applicable, after use
- No smoking, vaping or open flames at the garden
- Gasoline and other flammable or toxic substances shall not be brought or stored on the garden site
- All vehicles must be parked in designated parking spaces and obey all City of Windsor parking by-laws
- No lewd acts (e.g., urination or defecation) are permitted
- Children are welcome but must be supervised
- Pets are permitted on the garden site but must always be supervised and control. Pet owners are responsible for picking up after their pet.
- Gardeners are expected to promptly communicate any concerns, conflicts or issues including maintenance challenges, safety concerns or interpersonal disputes to the Garden Coordinator

8. GUIDELINES FOR GARDEN PLANTINGS

- You may grow vegetables, fruits, grains, beans, herbs and flowers
- Invasive or illegal plants (including marijuana) are strictly prohibited
- Pollinator friendly plants (native flowers, milkweed etc.) are encouraged to support bees, butterflies and birds
- Companion planting is recommended to enhance growth, deter pests and improve soil health. Examples of companion plants include:
 - Beans and corn
 - Basil and tomatoes
 - Onions and carrots
 - Peppers and herbs
- Tall or spreading plants (corn, sunflowers, squash) must be planted in a way that does not shade neighbouring plots
- Cover crops may be used in the off season to enrich soil but must be cut back before seeding
- No insecticides, herbicides or synthetic fertilizers
- Selling any items from the garden is strictly prohibited. All produce must be for personal use or donation only.
- Do not allow plants to encroach on neighbouring plots or shared paths
- Impervious area should be limited encouraging the infiltration of storm water except where warranted for accessibility considerations.

9. MAINTENANCE

9.1. Plot Maintenance

- Gardeners are expected to maintain their plots consistently. A neglected plot is defined as one that is overgrown with weeds, not visibly tended for an extended period, encroaches on neighbouring plots and/or pathways and/or creating a nuisance or hazard to others

9.2. Weed and Grass Maintenance

- Garden plots must actively be maintained throughout the growing season and is at the responsibility of the Gardeners.
- The Garden Coordinator must regularly inspect the garden to ensure that Gardeners are actively maintaining the areas around their plots and shared areas are free of any overgrowth
- The Garden Coordinator is responsible for reporting any major overgrowth or inaccessible areas to the Environmental and Sustainability Coordinator if City support is needed
- Gardener's must maintain any common areas and help with general garden work at the site, including grass cutting and regular weeding in the area immediately surrounding the garden boxes
- Gardeners are encouraged to prepare the gardens for end of season by clearing it and disposing of it appropriately in the compost

9.3. Waste Management

- The Garden Coordinator is responsible for monitoring and managing yard waste generated within the community garden, especially during seasonal clean-ups or after major maintenance activities
- Gardeners are responsible for removing dead, diseased and rotting plants immediately
- Contact Environmental and Sustainability Coordinator to coordinate additional Yard Waste Pick-up if waste amount exceeds regular City pick-up amounts

9.4. Locks and Security

- The Garden Coordinator is responsible for maintaining the locks on gates, sheds and storage
- Lock combinations and keys must be shared with authorized Gardeners and the Environmental and Sustainability Coordinator

9.5. Mulch, Soil and Compost

- The Garden Coordinator is responsible for informing the Environmental and Sustainability Coordinator of any mulch, soil and compost requests
- The Environmental and Sustainability Coordinator will arrange the delivery of piles of soil or mulch as requested
- Placing soil, mulch and compost in relevant areas is at the discretion of the Garden Coordinator and the Gardeners

9.6. Water Storage and Access

- Each garden will have a water source, including a rain barrel, rain tote, a tap from a nearby building or a direct waterline
- The Garden Coordinator and Gardeners are responsible for any damage and maintenance to the rain barrels. This includes ensuring that the rain barrels and totes are emptied and stored properly (if applicable) to prevent cracking and damage.
- The Environmental and Sustainability Coordinator will coordinate with Parks to ensure that municipal water lines are properly shut on before the growing season and shut off after the growing season

9.7. Garden Beds

- The Garden Coordinator must regularly inspect garden beds for signs of damage, rot or instability
- Notify the Environmental and Sustainability Coordinator if a bed is completely damaged or poses a safety risk
- Ensure that Gardeners are not expanding beyond their assigned space or damaging shared infrastructure
- Native Plants are encouraged at the Community Garden site to promote pollinator habitat. Invasive plants are prohibited.

9.8. Fencing

- Fences will not be constructed as part of initial new community garden development, but they may be considered if serious theft or damage occurs
- Report structural damage to the Environmental and Sustainability Coordinator
- Ensure the fence line is free of weeds, debris and overgrowth

9.9. Sheds and Storage

- The maximum size for storage facilities should be no bigger than 8 feet high, 10 feet wide and 10 feet long
- Distribute keys or lock combinations to authorized Gardeners
- Maintenance of storage sheds are at the discretion of the Garden Coordinator and Gardeners

10. EDUCATION AND COMMUNITY ENGAGEMENT

10.1. Garden Coordinators are encouraged to foster a culture of learning and collaboration within the community garden

10.2. Garden Coordinators may fulfill this responsibility through a variety of approaches including:

- Collaborating with the Environmental and Sustainability Coordinator to develop or distribute educational materials via email, boards or group chats.
- Organizing seasonal workshops or hands on demonstrations
- Encouraging Gardeners to exchange tips, experiences or techniques
- Partnering with local schools or organizations to offer educational sessions or volunteer opportunities

- Installing informational signage in the garden to highlight success projects, native plants, pollinator species or sustainable practices

11. RECORDS, FORMS, AND ATTACHMENTS

- Community Gardens on Municipal Property Policy
- New Community Garden Application Form
- Community Garden Renewal Form
- Gardener Waiver