

Staff Report

Report To: Community Services Committee
Report From: Jocelyn Wainwright, Junior Planner
Meeting Date: April 19, 2023
Report Code: CS-23-043
Subject: Community Gardens – Updated Draft Policy and Draft License Agreement

Recommendations:

THAT in consideration of Staff Report CS-23-043 respecting Community Gardens – Updated Draft Policy and Draft License Agreement, the Community Services Committee in considering the reports, public feedback, and agency and staff input recommends that City Council:

1. Finds that the updated policy is consistent with the Provincial Policy Statement and conforms to the County of Grey and City of Owen Sound Official Plans and City Zoning By-law (2010-078, as amended);
2. Finds that the public engagement feedback respecting community gardens has been sufficiently incorporated into the policy;
3. Directs staff to bring forward a by-law to approve the updated Community Gardens Policy;
4. Approves an amendment to the Property & Landscaping Improvement Grant Program Guidelines to include a Community Garden located on City property with an approved Agreement that meets the requirements of the Policy and has an executed agreement (maximum one grant per year, maximum grant 50% up to a maximum of \$5000 relating to the provision of water);
5. Approve the Draft Licence Agreement, subject to review by the City Solicitor;

6. Directs staff to bring forward a by-law to amend the Delegation of Powers and Duties By-law No. 2014-109 to delegate approval authority for:
 - a. Community Garden Applications to the Director of Community Services and City Manager, acting jointly, provided that the application is consistent with the Community Gardens Policy; and
 - b. The execution of Community Garden Agreements to the Director of Community Services and City Manager, acting jointly, provided that the Community Garden Application has been approved.

Highlights:

- In 2022, the City initiated a review of the Community Garden Policy, 2011, which included a public engagement period held between December 22, 2022, and January 30, 2023, to collect feedback from the community. The County of Grey was also requested to provide comments.
- The review has included examining Community Garden Policies from other communities, considering best practices, and evaluating the direction and support provided for Community Gardens in the Provincial Policy Statement (PPS), the County and City Official Plan, and the Recreation, Parks and Facilities Master Plan.
- The draft Community Garden Policy has been modified to reflect feedback that was collected during the public engagement period and during the Committee discussion at the February CSC meeting as well as best practices relating to other community garden policies and the City and Provincial Policy framework.
- The Property & Landscaping Improvement Grant Program Guidelines have been drafted for approval, which includes the amendment to add community gardens as eligible projects.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: Service Excellence - KR1 - Further develop a culture of learning, development, well-being and embrace new approaches to service provision

Climate and Environmental Implications:

This supports the objectives of the City's Corporate Climate Change Adaptation Plan by considering climate adaptation in the development of the City's strategies, plans, and policies.

Previous Report/Authority:

[Community Gardens Policy 2011](#)

[Draft Community Garden Policy CS-22-157](#)

Background & Proposal:

2011 Community Gardens Policy

In July 2011, Council approved a Community Gardens Policy attached to the report as Schedule 'E', which guides the placement and operation of community gardens on City-owned lands. The policy identified several parks on City property that are suitable for use as a community garden. Since 2011, community gardens have been established at St. George's Park and along the east waterfront by the Canadian Mental Health Association.

2022 Policy Review

In July of 2021, while considering a request to establish a new community garden in Stobbe Park, Council requested that the policy be reviewed.

Since September 2022, City Staff have:

- Reviewed the 2011 City Community Garden Policy;
- Reviewed Community Garden policies from other communities and best practices from other communities;
- Reviewed the PPS, County of Grey Official Plan and the City Official Plan along with the Recreation, Parks and Facilities Master Plan for

policy direction with respect to the establishment of Community Gardens in City parks.

- Consulted with the public through OurCity, the City’s online public engagement platform;
- Presented a draft policy to Community Services Committee in December 2022, and February of 2023.

The purpose of this report is to:

1. Recap the feedback received through OurCity;
2. Review the feedback received through Community Services Committee and policy best practices relating to establishing Community Gardens;
3. Review the draft policy and supporting documents, including the draft agreement; and
4. Outline the next steps.

Analysis:

i. Recap Feedback from Public Engagement Through OurCity

Public feedback was collected from December 22, 2023 to January 30, 2023 through the OurCity platform. The majority of feedback was collected via survey responses, question submissions and guestbook entries through OurCity.

Approximately five (5) emails and three (3) phone calls were also received. All feedback collected during the public engagement period has been compiled and attached to the report as Schedule ‘G’.

Using the analytic tools provided through OurCity, staff were able to determine that the Community Gardens project had a total of 482 visitors, 118 surveys were completed, six (6) visitors wrote entries in the guestbook, and two (2) questions were submitted during the public engagement period.

To promote awareness of the project, staff issued a media release on December 23, 2022, which shared the project on the City’s social media channels, including Facebook, Twitter, and Instagram. Additionally, on January 20, 2023, Staff circulated a mailed notice to residents within 100 metres surrounding the proposed community garden locations outlined in the

draft Community Gardens Policy. This mail out was to approximately 1300 homes.

In a review of the feedback that was received, staff found that the concept of establishing community gardens in the City was positive. The feedback supports:

- Increasing the number of parks or spaces that are suitable locations for community gardens;
- Setting a maximum percentage of a park that can be occupied by a community garden, and,
- Requiring minimum setbacks in addition to a vegetative buffer or fence between the community garden and other uses.

Concerns that have been raised relate to:

- locating community gardens,
- garden maintenance,
- security and the threat of vandalism,
- potential user groups of community gardens, and
- the impact community gardens may have on diminishing other uses within City parks.

The survey asked respondents whether any locations should be added to the list of suitable locations. 63% of respondents indicated that they were either in favour of adding more locations to the list in general or specifically noted a park or area of town that should be included in the list of suitable locations for community gardens. The west side of the City, and the downtown area were mentioned as areas of the City that would benefit from additional community garden locations.

Survey participants were asked to indicate whether they supported an approach where further consultation with the neighbourhood surrounding each community garden location should be required, or if public consultation on the proposed policy is sufficient to properly locate community gardens.

The majority of respondents (58%) of the responses, support the approach that public consultation through the proposed policy is sufficient to properly locate community gardens.

It merits note that this survey question had a high response rate of approximately 90% or 107 responses out of a possible 118. Furthermore, using the project reporting tools on OurCity, staff were able to see that there was a significant uptick in the number of visitors to the Community Gardens Project page following the mail out on January 20, 2023, to the residents living within 100 m of the proposed community garden locations. It is likely that the activity on the Community Gardens project webpage including survey participation particularly after January 20th is by residents within the mail-out areas.

Staff recommends that any Community Gardens in the seven (7) proposed locations in the policy would be approved by staff subject to meeting the policy and entering into an agreement with the City. The Community Gardens Policy in the seven (7) proposed locations, notes that applications for proposed community gardens in these locations will not require further public consultation.

County of Grey Comments

The draft was also circulated to the County of Grey.

County of Grey staff provided comments that were supportive of the draft policy and provided recommendations for further alignment with the County's Climate Change Action Plan (CAPP), Going Green in Grey.

Comments from the County of Grey, along with staff remarks and how the feedback has been incorporated into the draft updated policy are attached to the report in Schedule 'H'.

ii. Review the feedback received through Community Services Committee and policy best practices relating to establishing Community Gardens

Committee Feedback

The Committee feedback from the meeting on February 15, 2023 has been grouped into themes.

This feedback, along with staff remarks and how the committee comments have been incorporated into the draft updated policy have been attached to the report in Schedule 'F'.

Community Garden Policies and Best Practices

As noted, staff have reviewed community garden policies from other communities. A 2013 policy scan completed by Dillon Consulting for the City of Hamilton provides an excellent summary of considerations for community gardens. It merits note that the City of Owen Sound 2011 policy was one of the policies reviewed.

These considerations are summarized in the following table with a notation on how they have been incorporated into the draft policy.

Community Garden policy consideration	Details	How incorporated into the updated draft policy
Location	<ul style="list-style-type: none"> • Proximate to a residential area • Transit service available • Existing City park • Park is equal or greater than 0.1 ha • Topography flat • Park available for a community garden in each quadrant of the City – east, west, north and south • Availability of water service 	The seven (7) parks selected for inclusion in the policy were reviewed with respect to these criteria. Staff have determined that the proposed parks are generally consistent with the locational criteria.
Parking	On-street parking is available in proximity to each of the seven (7) parks selected for inclusion in the policy.	The draft Community Gardens Policy does not require additional parking. Comments from Engineering staff indicate that the increase in motor vehicle traffic

Community Garden policy consideration	Details	How incorporated into the updated draft policy
		<p>resulting from Community Gardens will be minor.</p> <p>The City’s Public Works & Engineering Department provided comments regarding parking and traffic in review of the proposed Community Garden at Stobbe Park. At that time Engineering staff anticipated that the increase in traffic would be equivalent to the addition of four detached homes in the neighbourhood, equating to 24 new trips per day during the gardening season.</p> <p>This level of additional traffic would not trigger a traffic study through a site plan application review for a developer and is considered well within the capacity of the existing road network.</p> <p>On-street parking is available in proximity (at the park or within a block or two) to each of the seven (7) parks selected for inclusion in the policy.</p>
Sun and shade	Within the identified parks, locations should be selected as part of developing a garden site plan that provides exposure to the sun (6 hours/day optimum).	The policy does not require Community Gardens be sited according to optimizing sun exposure; however, when reviewing a community garden site plan, staff may offer recommendations to strategically locate garden types i.e. locating vegetable gardens in an area where 6 hours of sun/ day can be achieved.

Community Garden policy consideration	Details	How incorporated into the updated draft policy
Water/Irrigation	<p>Provide a water source:</p> <ul style="list-style-type: none"> • This may include a connection to the City’s water system through an approvals process with the Public Works Division • This may include on-site water storage for irrigation. <p>It is the responsibility of the Community Garden Collective to provide a water source to the Community Garden.</p>	<p>The policy requires that a plan for water use, water storage or access to water meets the satisfaction of the Manager of Parks and Open Space and the Manager of Public Works or their designates (sec.13.c).</p> <p>Community Gardens may include water storage containers and / or a hose bib connected to municipal services, subject to conditions (Sec.15.d and e).</p> <p>The Landscape Grant Guidelines of the Community Improvement Plan includes a draft amendment which would allow:</p> <ul style="list-style-type: none"> • Community gardens on city land to be eligible; • Garden Executive has to be in second year of gardening to be eligible; • Water source is the only eligible cost; • Maximum grant is up to half of actual cost, upset limit \$5000; and, • Maximum of one (1) grant approved/ year for the installation of a water source connected to municipal services.
Signage	A small sign within the garden area for identification.	Community Gardens are required to have signage that identifies the Community Garden and the Community Garden Collective. The

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		City encourages that the signage include contact information for the Community Garden Executive (Sec.13.e).
Fencing the border of garden area	<p>A fence to identify the border of the garden and protect the garden from wildlife is an optional feature of a Community Garden.</p> <p>It merits note that the fencing around the garden area is different from a 'privacy fence', which is required to create a buffer between a Community Garden and an adjacent residential use, where a Community Garden has a setback of less than 10 m from the residential use (Sec.14).</p>	<p>To delineate the Community Garden from the rest of the park the policy requires that gardens must have 4" x 4" dimensional lumber posts at each corner of the garden to be installed at a height of 4' above grade. Posts must be installed to a sufficient depth below grade to ensure the post remains stable (sec.14.f).</p> <p>Community Gardens may include border fences (Sec.15.c), however, this is not required.</p>
Accessory structures and other amenities, such as benches and potting tables	Accessory structures and amenities must be contained within the approved Community Garden area, which is subject to setback regulations.	<p>The policy provides Community Garden setback regulations under Sec. 13.</p> <p>The policy permits accessory structures such as tool sheds or composting receptacles, provided they are built in accordance with current building, property standards, and zoning regulations in effect (sec.15.a)</p> <p>All structures, such as a tool shed, and amenities, such as a bench, rain barrel, potting table etc., must</p>

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		be shown on the site plan in accordance with Sec.13.b.
Compost receptacles	<p>Compost receptacles are permitted as Community Garden amenities.</p> <p>It merits note that the Property Standards By-law regulates the use of compost (sec.2.2.1.10).</p>	<p>Community Gardens may include composting receptacles (15.a).</p> <p>Location to be shown on the site plan submitted with the community garden request (Sec.13.b).</p> <p>The Property Standards by-law is used for enforcement as well as the required community garden licence agreement.</p>
Waste receptacles	Staff anticipate that gardening activities will require waste receptacles to dispose of items such as string, nursery pots, plastic packaging etc.	City will provide one (1) waste receptacle per Community Garden and undertake waste collection no less than once every two (2) weeks (Sec.18.a).
Provisions to ensure compatibility - with adjacent residential uses is achieved (Privacy fences, planting strips, setbacks etc.).	<p>Compatibility with adjacent residential uses is an important consideration in locating Community Gardens. Staff have included a number of provisions in the Policy to ensure that Community Gardens is a compatible use within the neighbourhood and are adequately buffered from adjacent residential uses, including:</p> <ul style="list-style-type: none"> • required minimum setbacks; 	<p>1. Section 13 provides that Community Gardens are required to have the following:</p> <ul style="list-style-type: none"> • maximum lot coverage of ten per cent (10%) of the total area of the park; • minimum front yard setback of 6.0 m from the lot line; • minimum rear yard setback of 3.0 m from the lot line; • minimum interior side yard setback of 3.0 m from the lot line; and

Community Garden policy consideration	Details	How incorporated into the updated draft policy
	<ul style="list-style-type: none"> • maximum lot coverage requirement; • planting strip or privacy fence; • requirements that Community Gardens must adhere to municipal by-laws and policies including, but not limited to the Noise Control By-law, Property Standards By-law, and Zoning By-law etc. • limits the number of Community Gardens to one (1) garden per park. • Staff have adjusted the length of the licence agreement for first-year Community Gardens to ensure that the Community Garden is compatible use with the neighbourhood. 	<ul style="list-style-type: none"> • minimum exterior side yard setback of 6.0 m from the lot line. <p>2. The policy requires either a 'privacy fence' or 'planting strip' be installed to create a buffer between a Community Garden and an adjacent residential use, where a Community Garden has a setback of less than 10 m from the residential use and a privacy fence or plating strip does not currently exist (Sec.14).</p> <p>For clarity, a number of terms such as lot line, setback, planting strip, privacy fence etc., are defined in Section 4. Definitions.</p> <p>3. The policy requires that the Community Garden Executive ensures that their Community Garden Collective operates and conducts itself in accordance with applicable legislation, including municipal by-laws, and in accordance with the terms of the licence agreement (Sec.17.g.). The municipal by-laws would include but not be limited to Noise Control By-law and Property Standards By-law.</p> <p>Furthermore, under the responsibilities of the City, the policy provides that the City</p>

Community Garden policy consideration	Details	How incorporated into the updated draft policy
		<p>will inspect Community Gardens to ensure compliance with this policy and the related licence agreements, where necessary (18.c.).</p> <p>4. The policy provides that only one (1) Community Garden is permitted in each pre-approved location regardless of the garden size (sec.6).</p> <p>5. The policy includes that each license agreement will have a minimum of one (1) year term to start. Upon the one (1) year anniversary of the license agreement, the community garden executive and the City may mutually agree to extend the agreement to a three (3) year term, with an option to renew (sec.21).</p>
Compatibility - with other park uses	Compatibility with existing park uses is important.	<p>The site plan should avoid existing uses such as playgrounds or playing fields that would disrupt use by existing park uses.</p> <p>10% maximum lot coverage will ensure that sufficient area remains for other users and uses.</p>
Accessibility	Accessibility is an important consideration for all park uses. The City's Multi-Year Accessibility Plan 2019-2023 , does not provide direction on removing barriers for people with	The Community Garden Principles attached to the draft Policy as Appendix 'A', encourages that Community Gardens include accessibility features that employ the tenets of barrier-free design, such as raised beds constructed at different heights, table planters,

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	<p>disabilities within Community Gardens.</p> <p>Staff note that there are many ways to improve accessibility in Community Gardens through the use of barrier-free design, which have been reflected in the Community Garden Principles.</p>	<p>portable container gardens, and garden pathways featuring stable, hard packed paving materials with visual markers etc. (sec.8).</p> <p>These are not mandatory but encouraged.</p>
Restrictions on plant, species, and materials	<p>Staff have identified plants, species and materials that should not be permitted in Community Gardens as they may pose a health and safety risk, are illegal, or would negatively impact the long-term use of City Park land.</p> <p>Specifically, the draft policy prohibits the planting of species at risk, an example of which is <i>Juglans cinerea</i>, Butternut tree. Staff recognize the importance of the protection of species included in the Endangered Species Act, however, Community Gardens are not an appropriate location for the cultivation of these plant species as their</p>	<p>The following are prohibited in Community Gardens:</p> <ul style="list-style-type: none"> • Cannabis; • any plant and or fungi which is listed in or produces one or more substances included in Schedule I, II, III, IV, or V of the <i>Controlled Drugs and Substances Act</i>, S.C. 1996, c.19, such as psilocybin or psilocin; • invasive species of plants; • noxious weeds, as determined by the <i>Weed Control Act</i>, R.S.O. 1990, c.W.5; • endangered species, as determined by the <i>Species at Risk Act</i>, S.C. 2002, c.29; • pressure-treated wood; and • railway ties (sec.16).

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	presence would impose significant protective measures that would restrict the long-term use of the City’s parkland.	
Permitted Construction Materials	Staff anticipate that Community Gardens will feature items such as raised beds, and water storage containers such as totes or rain barrels, which will be used to support the cultivation of plants for human consumption.	The draft policy provides that water storage containers and raised beds may be permitted, provided that they are constructed from food-safe materials (sec.15.e and f).
Insurance	Staff have included provisions in the draft policy requiring that the Community Garden Executive is required to provide proof of insurance. The licence agreement further specifies the criteria that the required insurance policy must meet.	The policy requires that Community Garden Executives provide proof of insurance naming the City as an additional insured to the satisfaction of the City (Sec.17.c). The licence agreement further specifies that the Community Garden Executive will maintain liability insurance in the amount of two million dollars (\$2,000,000), such policy to include the City as a named insured and to include a clause that the insurer will provide notice to the City if the insurance is cancelled for any reason (licence agreement sec.14).
Record of site Condition	The City’s Official Plan provides that the City will require the submission of a Record of Site Condition	A Record of Site Condition (ROSC) is not required for any of the seven (7) parks proposed for inclusion in the policy. Therefore, the policy

Community Garden policy consideration	Details	How incorporated into the updated draft policy
	<p>where development is proposed on, or adjacent to, a known or potentially contaminated site per the Environmental Protection Act. Generally, record of site conditions are required where there is a proposed change of use of a property from industrial or commercial use to residential parkland use.</p> <p>Staff have reviewed the Historic Landfill Site Reviews prepared for Grey County in March 2015, by Azimuth Environmental Consulting Inc. Of the seven (7) City Parks Pre-Approved for Community Gardens, one park, St. George’s Park was identified as a potential Historic Landfill site. The report includes the landfill at St. George’s Park (MOE Landfill ID Number X2083), on Table 3: Site Cleared Due to Insufficient Risk and indicates that the Landfill operated for 6 months and was closed in 1956.</p> <p>For further clarity, the report provides that for certain sites, such as St. George’s Park, sufficient information indicates that</p>	<p>does not include provisions relating to the requirement of a ROSC.</p>

Community Garden policy consideration	Details	How incorporated into the updated draft policy
	<p>the sites do not pose an inherent risk to human health or the surrounding environment.</p> <p>As noted in Table 3, all the sites are located within the communities of Owen Sound, Hanover, and Meaford and are greater than 34 years old, with some greater than 50 years old. Given the age of these sites, there is limited potential for both methane and leachate generation, as the waste source would have been depleted long ago. These locations were also noted to be relatively small, with most sites being smaller than 1 ha, with no observable waste mound and in most cases are currently developed. This would likely indicate that there was no historic landfill, the wastes were removed historically prior to property development, or that the amount of waste was insignificant such that it did not inhibit the ability to develop the property (sec.5.3).</p> <p>It merits note that there is an established Community Garden in St.</p>	

Community Garden policy consideration	Details	How incorporated into the updated draft policy
	George’s Park, the majority of the garden consists of raised beds situated on the tennis courts. Staff do not anticipate the Community Garden at St. George’s Park poses a threat to human health and safety.	
Public Consultation	<p>During the public engagement period, survey participants were asked to indicate whether they supported an approach where further consultation with the neighbourhood surrounding each community garden location should be required, or if public consultation on the proposed policy is sufficient to properly locate community gardens.</p> <p>The majority of respondents (58%) of the responses, support the approach that the public consultation through the proposed policy is sufficient to properly locate community gardens.</p>	<p>The policy includes that a Community Garden is a permitted park use.</p> <p>An application for a Community Garden that conforms with this policy does not trigger the public engagement process under the City’s Recreation, Parks and Facilities Master Plan (sec.11).</p>
Approval Process for	Staff have clarified the approvals process for	The draft policy provides that:

Community Garden policy consideration	Details	How incorporated into the updated draft policy
Community Garden requests	requests to establish Community Gardens.	<ul style="list-style-type: none"> i. City staff are delegated the authority to approve a Community Garden where the application: <ul style="list-style-type: none"> a. conforms to this policy; b. meets all application requirements; and c. requests the use of pre-approved lands that are not already in use by another Community Garden Collective. (sec.8) ii. A proposal to establish a Community Garden that does not meet the criteria listed in section 8 will be refused. Staff will provide the necessary direction to the applicant, where requested, to bring the application into compliance (sec.9). iii. Notice of all approved Community Gardens will be provided to Council for information by reporting through the Community Services Committee (sec.10).

iii. Updated draft Policy and Supporting Documents

Based on the policy context, the review of other community garden policies, public and committee feedback, the draft Community Garden policy has been updated.

In 2023, the City will launch a corporate-wide, multi-year policy review project. The project will consolidate and reorganize the City's current policies, make policies easier to find and ensure we review policies regularly. Additionally, the project is standardizing how policies are developed, approved and published.

The Community Garden policy update is being used as a pilot for this project. As such, the policy is published in the required policy format with a second illustrated version consisting of diagrams, photos and a preamble that includes reference to supporting policies and the benefits of community gardens to the community attached to the report as Schedule 'A'.

The updated draft policy includes:

Policy Statement

The Policy Statement provides the context in which the policy was developed.

Purpose

The purpose or in other words, the intent of the policy is to establish the placement and operation of Community Gardens on City-owned land.

Scope

The scope outlines the reach of the policy, specifically that the policy applies only to Community Gardens located on a City Park Pre-Approved for Community Gardens as specified by Appendix 'B' of this policy.

Definitions

For clarity and ease, the policy includes the definitions for a number of terms that are referred to in the policy such as 'lot line', 'setback', 'planting strip', and 'privacy fence' etc.

Policy

The Community Gardens subsection that details the City's approach to establishing the placement and operation of Community Gardens on City-owned by:

- Clarifying the process for approving or denying requests to establish Community Gardens;

- Regulating items that can be brought into a Community Garden (e.g. controlled or illegal substances);
- Regulating where a Community Garden can be sited within a City Park Pre-Approved for Community Gardens;
- Outlining the responsibilities of the City and the Community Garden Executive;
- Outlining the intent and purpose of the License Agreement that shall be executed for each Community Garden Collective. A draft License Agreement has been attached to the report as Schedule 'C';
- Providing that Community Garden Collectives may seek funding under the Community Improvement Plan through the Landscaping & Property Improvement Program grant for the purposes of installing a water source connected to municipal services in an approved Community Garden; and
- Detailing the policy review process.

Related Information and Resources

A number of internal and external resources are provided for the convenience of the reader to seek out additional information that has been used to inform and or guide this policy.

Appendices

- Appendix 'A' – Community Garden Principles, are the principles that the City encourages Community Garden initiatives to adhere to.
- Appendix 'B' City Parks Pre-Approved for Community Gardens, offer relevant information about the City's vision for the use of Community Gardens and provide a map of the Pre-Approved Community Garden locations.

Revision History

A table is provided to track the revision history of the policy.

iv. Outlining Next Steps:

The next steps for the Community Garden Policy update are:

1. Committee considers the draft and makes a recommendation to Council;
2. City Council adopts by by-law the Community Garden Policy;
3. City Council approves amendments to the City's Community Improvement Plan, Property & Landscaping Improvement Grant Program Guidelines to add Community Gardens as an eligible project, subject to certain criteria, including compliance with the Community Garden Policy and executing a Community Garden Agreement with the City;
4. Staff finalize the community garden application form, sample site plan and webpage;
5. City Council authorizes an amendment to the Delegation of Powers Bylaw to delegate to the Director of Community Services and City Manager the authority to approve a community garden where an application is consistent with the Community Gardens Policy and the applicant has entered into an agreement with the City of Owen Sound. These delegated approvals would be brought to CSC for information; and,
6. Staff request the City solicitor to review the draft Community Garden Licence Agreement.

Financial Implications:

Community Improvement Plan Landscaping & Property Improvement Grant Program

Staff have amended the Community Improvement Plan Landscaping & Property Improvement Grant Program Guidelines to include that community gardens are eligible projects under the program and that Community Garden Executives may be recognized as eligible applicants where an approved community garden is located on City-owned lands and the required Licence Agreement containing a term of three (3) years has been executed.

It merits note that Community Garden Collectives are not eligible to apply for the Landscaping & Property Improvement Grant Program in the Community Garden's first year in operation and that the City will approve up to one (1)

grant per year for projects to install a water source connected to municipal services in a Community Garden.

The purpose of the program is to encourage property owners and tenants of land to improve their properties, including parking areas, through the installation of appropriate landscaping, fencing, exterior lighting, pedestrian connections, street furniture, and patios. Community gardens projects are aligned with the purpose of the programs as gardens may be considered as installation of appropriate landscaping. Staff are recommending that eligible community garden projects under the Landscaping & Property Improvement program shall only include water servicing installation subject to the criteria described in the Community Garden policy. Furthermore that the City may provide up to one (1) Landscaping & Property Improvement Program grant for Community Garden projects per year.

The City Parks Pre-Approved for Community Gardens are located outside of the Landscaping & Property Improvement Grant Program's priority areas. The program provides a capital grant up to 50 per cent (50%) of the eligible costs, to a maximum of \$5,000 for eligible projects located outside of a priority area identified by the City's Landscaping and Property Improvement Grant Guidelines.

Communication Strategy:

The City's website has a page dedicated to community gardens. Once finalized, the updated Policy and application forms will be put on Community Gardens page of the City's website.

Consultation:

Planning staff have consulted with the City's Manager of Parks & Open Spaces, County of Grey Planning & Development staff as well as the Public Works & Engineering Services Division and Corporate Services on the policy and CIP program guidelines. The City's Manager of Legislative Services and Manager of Parks & Open Space were a significant support in drafting the updated Policy.

It merits noting that with any project that has had significant public consultation and feedback from staff, other agencies, as well as Committee

complete consensus on the draft policy would be difficult to achieve. As noted, the draft community garden policy has been developed considering the Provincial Policy Statement, the City's Official Plan, the Recreation, Parks and Facilities Master Plan, other community garden policies and best practices, and public and committee input.

The draft agreement does provide for termination by the City with 3 weeks notice.

The policies and the implementation of the Community Garden licence agreement along with existing by-laws, including but not limited to the Property Standards By-law, Noise Control By-law, Noxious Weeds will work to ensure that if an established Community Garden is not compatible and there are issues with the operation in a particular park that the agreement can be terminated, and use removed.

The policy provides that a policy review period shall be initiated at least once every five (5) years or earlier if legislation changes impact the policy or Community Gardens are established in all seven (7) pre-approved locations (sec. 25)

Attachments:

Schedule 'A': Community Gardens Policy, 2023, *Illustrated Version*

Included within the Community Gardens Policy, 2023, *Illustrated Version* are the following Appendices:

- Appendix 'A' – Community Gardens Principles
- Appendix 'B' - City Parks Pre-Approved for Community Gardens

Schedule 'B': Community Gardens Policy, 2023

Included within the Community Gardens Policy are the following Appendices:

- Appendix 'A' – Community Gardens Principles
- Appendix 'B' - City Parks Pre-Approved for Community Gardens

- Schedule 'C': Draft Licence Agreement
- Schedule 'D': Application Form and Example Site Plans
- Schedule 'E': Community Gardens Policy, 2011
- Schedule 'F': Community Services Committee Policy Feedback
- Schedule 'G': Public Engagement Feedback
- Schedule 'H': County of Grey Comments
- Schedule 'I': CIP Landscaping and Property Improvement Guidelines
- Schedule 'J': Guiding Policy

Recommended by:

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For more information on this report, please contact Jocelyn Wainwright at jwainwright@owensound.ca or 519-376-4440 ext.1250.