

## Staff Report

---

**Report To:** Community Services Committee  
**Report From:** Jocelyn Wainwright, Junior Planner  
**Meeting Date:** December 14, 2022  
**Report Code:** CS-22-157  
**Subject:** Draft Community Gardens Policy

---

### Recommendations:

THAT in consideration of Staff Report CS-22-157 respecting a Community Garden Policy Update, the Community Services Committee recommends that City Council:

1. Find the draft Community Garden Policy update to be consistent with the Provincial Policy Statement and conforms with the County of Grey Official Plan, City of Owen Sound Official Plan, City of Owen Sound Recreation, Parks & Facilities Master Plan: 2018-2028, and other applicable policy and legislation;
2. Direct staff to publish the draft Community Garden Policy update attached as Schedule 'A' onto the City's online public engagement platform "Our City" during a public engagement period from December 15, 2022 to January 16, 2023;
3. Direct staff to circulate the draft Community Garden Policy update attached as Schedule 'A' to the County of Grey for comment; and
4. Direct staff to amend the Community Improvement Plan Landscaping and Property Improvement Grant Program Guidelines to allow that Community Garden Executives on behalf of a Community Garden Collective may be recognized as 'tenants' of City-owned lands.

## Highlights:

- In 2011, the City of Owen Sound approved a Community Garden Policy, which is intended to guide the placement and operation of community gardens on City-owned lands.
- The purpose of this report is to present staff progress in the review exercise, which began in September 2022, and present the proposed draft Community Garden Policy to Committee and Council for consideration and direct staff to proceed to a public engagement based on the draft.
- The updated policy includes a framework for processing applications that is consistent with the County of Grey Official Plan, City of Owen Sound Official Plan, City of Owen Sound Recreation, Parks & Facilities Master Plan: 2018-2028.
- The updated policy revises several items and includes clarification on the policy's scope, the community garden application process and policy goals, objectives, and alignment with the City's OP.

## 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

## Previous Report/Authority:

[Community Gardens Policy 2011](#).

## Background & Proposal:

In July 2011, Council approved the Community Gardens Policy attached hereto as Schedule 'B', which guides the placement and operation of community gardens on City-owned lands. The policy identified several sites on City property that are suitable for use as a community garden. Since 2011, community gardens have been established successfully at:

- St. George's Park – 510 10<sup>th</sup> Street East. The Fresh Roots Food Forest located in this park is run by the Canadian Mental Health Association (CMHA) Grey Bruce;
- Charlie Kelly Parkette – 602 2<sup>nd</sup> Avenue East; and
- Along the East harbourfront wall (also part of the CMHA project).

The City of Owen Sound Community Garden Policy review process was initiated following the direction of resolution [R-210719-020](#) from the Community Services Committee meeting on July 7, 2021.

[R-210719-020](#) "THAT in consideration of the Community Services Committee minutes dated July 7, 2021 respecting Item 8.a.1 being the establishment of a community garden at Stobbe Park, City Council:

1. Does not approve the recommendation in Item 8.a.1;
2. Directs staff to undertake a full review of the Community Gardens Policy, save and except Stobbe Park which would be removed as a permitted community garden location; and
3. Directs staff to include public input in the Community Gardens Policy review."

The resolution was the result of a request made to the City in January 2020, to establish a community garden at Stobbe Park, located between 655 5<sup>th</sup> Ave 'A' West and 656 5<sup>th</sup> Avenue 'A' West,

Since this time, City Staff has undertaken a background review of applicable planning policies to update the policy direction of the Community Garden Policy. The purpose of this report is to present staff progress in the review exercise and present the proposed draft Community Garden Policy to Committee/ Council for consideration and direct staff to proceed to a public engagement based on the draft.

## **The Proposal**

The Community Garden Policy review was initiated to:

- Update the City's Community Garden Policy;
- Guide the placement and operation of community gardens within the City. It is intended that the consultation through this process will establish locations where community gardens would be permitted without further consultation;
- Ensure consistency with applicable planning policies (consistent with the Provincial Policy Statement and conforms with the County of Grey Official Plan, City of Owen Sound Official Plan, City of Owen Sound Recreation, Parks & Facilities Master Plan: 2018-2028); and,
- Remove Stobbe Park from the Council-endorsed list of lands suitable for community gardening initiatives as directed by Council.

## **Analysis:**

The Community Garden Policy Update is consistent with the City's Official Plan, which implements provincial direction, guiding long-term land use planning decisions and sets the framework to shape the physical, economic, and social development of the City.

### **A. Policy Context**

#### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) establishes the province's land use planning policy framework. The PPS calls for the wise use and management of lands in the interest of creating healthy, resilient communities. The PPS speaks directly to the provision of public spaces, recreation, parks, trails, and open space to create a complete community. The PPS states that healthy, active communities should be promoted by planning for safe public spaces that meet the needs of pedestrians, foster social interaction, and facilitate community connectivity (Sec.1.5.1 a).

Sec. 1.8 of the PPS includes provisions for energy conservation, air quality and climate change and directs policy to maximize vegetation within settlement areas, where feasible (1.8.1 g).

The City recognizes community gardens as valuable community resources that provide open space and a local food source, offer recreational and educational opportunities, and build social connections. Community gardens' location shall consider compatibility, other park uses, prior and adjacent land uses and lot area.

#### **County of Grey Official Plan**

The entire City of Owen Sound is designated as a 'Primary Settlement Area' in the 2019 [County of Grey Official Plan](#). The County OP promotes a full range of residential, commercial, industrial, recreational, and institutional land uses within Primary Settlement Areas.

Sec.7.12 of the County OP provides principles and policies to support and encourage parks and open space. Community Gardens are among the listed forms of parks that municipalities are encouraged to provide (Sec.7.12.6)

Land use policies and development standards are to be in accordance with the local Official Plan. Staff request that the Community Services Committee direct staff to circulate the policy to the County for comment as part of the public engagement process.

## **City of Owen Sound Official Plan**

Sec.6 and Sec.7 of the City of Owen Sound Official Plan ([OP, 2021](#)) include provisions to guide the placement and development of Community Gardens within the City including:

*Sec.6.1.11 provides policies specific to Community Gardens*

*Section 6.1.11.1 The City recognizes community gardens as valuable community resources that provide open space and a local food source, offer recreational and educational opportunities, and build social connections. The location of community gardens shall give consideration to compatibility, other parks uses, prior and adjacent land uses and lot area.*

*Sec.6.1.11.2 The City will support community gardens through initiatives which may include:*

- a. Promoting the awareness of community gardening;*
- b. Where appropriate, offering City-owned lands as community garden sites, such as undeveloped parcels, City parkland, and unopened road allowances; and,*
- c. Collaboration with the [County of Grey](#).*

*Sec.6.1.11.3 Regulation for community gardens will be implemented through:*

- a. The Community Gardens Policy, which should include a list of City lands suitable for community gardening initiatives endorsed by Council; and*
- b. The Zoning By-law and Recreation Parks and Facilities Master Plan, which shall regulate the siting and sizing of buildings and structures associated with community gardens and shall permit community gardens where appropriate.*

*Sec.7.2.2.1 The City shall, in partnership with a variety of organizations, adopt a healthy living strategy incorporating, among other matters, improved fitness, activity, nutrition, health and well-being of all residents.*

*Sec.7.4.1.1 The City shall promote health in its population by providing for and supporting a variety of public recreational uses, programs and facilities throughout the City, accessible to people of all areas of diversity. The City will also play a leadership and partnering role in the provision of recreational services and facilities on a regional level.*

*Sec.7.4.1.2 The major components of City recreational services shall consist of a system of open space, public parks, trails, sports facilities and recreation facilities, as well as the programming of these resources. Expansion redevelopment and extension of facilities, parks and trails and associated programs will be encouraged where financially feasible partnerships are developed and community needs are addressed.*

Provisions of Sec.6 and Sec.7 of the OP have been incorporated throughout the updated community gardens policy to ensure that the goals and objectives of the OP respecting community gardens can be achieved during the implementation of the policy. Staff find that the proposed policy conforms to the City's Official Plan policies.

### **City of Owen Sound Zoning By-law (2010-078, as amended)**

As amended, the definition of a Public Park in the City's Zoning By-law 2010-078 includes greenhouses, botanical gardens, and similar uses. Given the definition in the Zoning By-law, community gardens are considered a permitted use under the definition of a Public Park.

*'Park, Public' means a 'public use' as defined herein and established as a park, playground or playfield which may include therein one or more conservation areas, athletic fields, field houses, arenas, community centers, bleachers, stadiums, swimming or wading pools, beaches, picnic grounds and shelters, greenhouses, botanical gardens, children's farms, zoos, bandstands, skating rinks, golf and miniature golf courses, campgrounds, race courses, pavilions, ski courses, ice rinks, tennis courts, bowling greens, marinas, washrooms, curling rinks, refreshment and other concessions accessory thereto, and similar uses.*

Section 5.16.4 Public Park of the Zoning By-law's General Provisions notes that a public park shall be subject to the zone regulations of the Open Space (OS) zone. The provisions also require that a public park have a minimum lot frontage of 12.0 m. Public parks are a permitted use in all zones (except the Agricultural zone) of the City's Zoning By-law.

The provisions and regulation of the City's Zoning By-law, 2010-078, as amended, have been incorporated into the proposed Community Garden policy and staff find that the proposed policy conforms to the City's Zoning By-law 2010-078, as amended.

### **City of Owen Sound Community Improvement Program (CIP) Landscaping & Property Improvement Program Guidelines**

In December of 2020, City Council approved a new [Community Improvement Plan \(CIP\)](#) for the City, including 12 financial incentive programs, one of which is the Landscaping and Improvement Grant Program, attached as Schedule 'C'.

The purpose of Landscaping & Property Improvement 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. The program is implemented through the [Landscaping & Property Improvement Grant Program Guidelines](#), which describe the program incentives, eligible applicants and projects.

Community gardens support community improvement by enhancing the natural setting and built heritage of the City. Staff recommend the following amendments to the CIP Landscaping and Property Improvement Grant Program Guidelines to allow community garden collectives to access the grant program in support of establishing and maintaining community gardens within City-owned public parks:

- Amend Section 5.0 to include that a Community Garden Executive, acting on behalf of a Community Garden Collective, is considered as authorized tenants where an approved community garden is located on City-owned lands (under an agreement) and is among the eligible parties to apply to receive grant funding under this program.
- Amend Section 6.0 to include Community Gardens as an eligible project for grant funding under this program.

## **B. Updated Draft Community Garden Policy**

Below is a list outlining a general overview of the areas that have been updated within the Community Garden Policy:

- Structures the policy basis to highlight how the City's Community Garden Policy complies with the provisions of the PPS, the City's OP and the Grey Bruce Health Unit Community Gardening Guidelines;
- Provides additional policy background information, which includes the recognition that community gardens provide an opportunity to increase the number of accessible spaces within the City;
- Includes additional policy objectives regarding consistency with the PPS, the City's OP, Zoning By-law and the Recreation Parks and Facilities Master Plan to ensure that the scale and scope of

- community gardens are appropriate and to create opportunities for inclusive spaces;
- Redefines Community Gardens to allow more flexibility in what may be permitted within a community garden to meet a broad spectrum of community needs;
  - Includes additional provisions to Section 1. Promoting Health & Partnerships, which among other matters, suggests a variety of garden types such as pollinator gardens, edible gardens, sensory gardens, and Indigenous gardens that may be suitable within a community garden;
  - Includes a new "General Provisions" section (Sec.2), which speaks to how community gardens shall be treated in the Zoning By-law and outline Community Garden application process;
  - Amends the "Locating Community Gardens" section (Sec.3, formerly Sec.2) to include additional provisions to require that Community Gardens be located to avoid diminishing other uses of a park and that applications for Community Gardens shall consider a site's existing conditions and adjacent uses among other matters;
  - Provides updates to Sec.5 (formerly Sec.4) "The City's Role", which among other matters identifies that the City shall consider applications for community garden funding through the City's CIP Landscaping & Property Improvement Grant;
  - Provides a process for the City and Community Garden Collective to install a water source for a community garden and identifies which parties are financially responsible for costs associated with water installation and annual water fees;
  - Removes Sec.4.1 of the 2011 policy, which stated that City Council will endeavour to allocate a portion of its budget to the Community Services Department, Parks Division to support the establishment of community garden projects. Removes subsequent Sec.4.1.1 and Sec.4.1.2;
  - Introduces Section 6. "The Community Garden Collective's Role" as a new section to outline their responsibilities and function;
  - Introduces additional provisions to Sec.7 (formerly, Sec.5) "The Licence Agreement," regarding termination of an agreement, expansion of a Community Garden, the parties whom may enter into an agreement;
  - Removes Stobbe Park from the list of City-owned lands available for Community Gardens. The revised list of City-owned lands available



for Community Gardens has been attached as Schedule 'A' of the updated Community Gardens Policy;

- Introduces an application form for processing Community Garden requests attached as Schedule 'B' of the updated Community Gardens Policy; and
- Implements the 4-step process for considering community garden requests attached as Schedule 'C' of the updated Community Garden Policy.

### **Financial Implications:**

A portion of the annual CIP budget may be used towards funding community garden projects where an application for the Landscaping and Property Improvement Grant Programs is successful.

Potential costs of annual water charges for water usage by community gardens on City-owned lands.

### **Communication Strategy:**

Staff are requesting direction from the Community Services Committee to publish the draft Community Garden Policy update attached as Schedule 'A' onto the City's online public engagement platform "Our City" and to circulate the updated draft version of the policy to the County of Grey during a public engagement period from December 15, 2022 to January 16, 2023.

### **Consultation:**

As part of the Communication Strategy Staff will consult with City Departments including Public Works and Engineering concerning the feasibility of installing a water source for community garden projects on city-owned parks.

### **Attachments:**

Schedule 'A': Draft Community Gardens Policy 2022

Schedule 'B': Map of Community Garden Program Area

Schedule 'C': Community Garden Application Form

Schedule 'D': 4-Step Process for Considering Community Garden Requests

Schedule 'E': Community Garden Policy, 2011

Schedule 'F': Landscaping and Property Improvement Grant Program  
Guidelines

**Recommended by:**

Jocelyn Wainwright, Junior Planner

Pamela Coulter, Director of Community Services

**Submission approved by:**

Tim Simmonds, City Manager

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