

Community Garden Policy Scan

Prepared by Dillon Consulting Limited for the Halton Food Council
November 2013



Halton Food Council



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Introduction

The Halton Food Council (HFC) was established in 2009 as an independent community council. The goal of the HFC is to increase awareness of food systems issues and opportunities, including the development of community gardens in Halton Region, by communicating with a common voice to promote action. In January 2013, the HFC received funding from the Ministry of Health and Long Term Care's Healthy Communities Fund to facilitate and support the development of community gardens in Halton through a Community Garden Policy Initiative (policy initiative).



The Burlington Central Park Community Garden, 2012

The purpose of the policy initiative is to support community gardening in Halton Region through the development of proactive policy. Specifically, the policy initiative offers recommendations for HFC in advocating for enhanced municipal policies, by-laws, and regulations and to provide safeguards for future matters.

In January 2013 the Halton Food Council retained Dillon Consulting Limited (Dillon) to undertake an external scan of academic and grey literature as well as policies, by-laws and regulations adopted by municipalities predominantly in Ontario. The external scan was undertaken by the HFC to inform an internal review of policies within Halton. However, through the work, it became apparent that municipalities of all sizes and geographies have adopted policies, processes, or, operational agreements that can provide a shared model for learning. While findings of the external scan provide key trends and novel practices around the development, operation and management of

community gardens, the policies referenced in this report represent a snapshot in time. As interest and support for community gardens grows, it is anticipated that trends around enabling policies and practices become the norm while barriers and restrictions become the exception.

This report serves as a resource for other municipalities and organizations across Ontario who are interested in developing community gardens. We hope that this resource will inspire discussion among your municipality regarding the types of policies, by-law, and regulatory considerations that facilitate the development of community gardens.

Background

A Brief History

The history of community gardens can be traced back to the allotment gardens found in European towns and cities in the mid-1800s when communal areas were allocated to local populations for families to cultivate urban vegetable gardens (Turner, Henryks, & Pearson, 2011). By the end of the century, European immigrants had introduced community gardens to North America (Waliczekz, Mattson, & Zajicek, 1996). They took the form of Liberty and Victory Gardens during the first and second World Wars, and served as “relief gardens” during the Depression of the 1930s, providing food and supplementing incomes (Williamson, 2002).

While not an especially new or novel phenomenon, community gardens are a form of urban agriculture that has gained strong interest and momentum among community groups and municipalities in recent years.

Types of Community Gardens

As community gardens have evolved in modern towns and cities, a number of different models have emerged. Generally, community gardens are located in community settings (e.g., vacant land, parks, schoolyards, places of worship) where parcels of land are allocated to individuals, or organizations who engage in the production of produce for personal use, donation to local food causes or generating revenue to reinvest in the community garden (Frumkin &



Fox, 2011). Individual community gardens can range from a collection of plots worked individually, but with some communal management, to situations where gardens are tended communally and collectively run (Stocker & Barnett, 1998). The ultimate form of community garden adopted will depend on the goals and the needs of the community that is establishing the garden. Some of the more common types are listed below (Barbolet, 2009; City of Calgary, nd):

Allotment gardens – Series of garden plots leased to individuals. Plots are cultivated individually, although common areas, such as pathways, are often managed through volunteer activities of the garden group.

Community shared or cooperative gardens – a piece of land collectively run by a group of people, who all share in the growing and harvesting of food. Members cultivate in common and divide the produce among the gardeners. These gardens may include some plots that are individual, or they can be wholly communal.



The Acton Cooperative Community Garden, 2012

Backyard gardens – garden space on private residential property shared with or leased to groups or individual gardens in the community.

Temporary gardens – community gardens established on land sited for future development.

Community orchards – fruit trees managed collectively in a similar manner to community gardens.

Institutional gardens – community gardens located on school, hospital, prison, or seniors' home properties that may focus on food provision, education, training, therapeutic value, or combinations of these goals.

Other definitions of community gardens from select organizations and municipalities

American Community Gardening Association

“Any piece of land gardened by a group of people.”

FoodShare

“Any group of people that come together to garden is a community garden. Every community garden is different and is determined by what the gardeners themselves want.”

City of Kingston

“A site operated by community members and/or a community organization where municipally owned lands are used for the growing of produce, flowers and native plants for non-profit use through individual or shared plots located on municipally owned lands.”

City of Owen Sound

“‘Community Garden’ means any planter, bed (raised or otherwise), or piece of land that is used to produce flowers, fruits, and/or vegetables as a community, neighbourhood or group initiative.”

City of Oshawa

“Community gardens are shared green spaces planned and maintained by individuals, institutions, and/or members of the community. They come in all different shapes and sizes. With the increase in environmental awareness, sustainability, and growing interest in local food production, community gardens are becoming increasingly more popular in the urban environment.”

Defining Community Gardens

Although there are many types of community gardens, most will have these common features, according to Barbolet (2009, p. 8):

- Although they can occupy both public and privately owned land, community gardens are managed publicly by a coalition of community members and organizations or government agencies.
- Community gardens may focus on community development, beautification, food production, ornamental plants, education, or therapeutic purposes.
- Community gardens may be publicly accessible to individuals wishing to become involved.
- The definition of community gardens can vary widely and can be inclusive of all of the types listed above or they can be more restrictive.

The Halton Food Council has adopted the following definition:

“Community Gardens are shared spaces where people gather together to grow fruit, vegetables, and/or flowers collectively. Community gardens can help promote food security for participants by increasing physical and economic access to adequate amounts of healthy food. Community gardens provide health, economic, educational, social, and environmental benefits to participants and the community at large.”

The Benefits of Community Gardens

Community gardens can help to overcome a host of social, health and environmental justice challenges (Bellows et al. 2003) while contributing to the overall quality of life of residents (Waliczek et al. 1996). They encourage sustainable urban food production, improve access to healthy foods, increase food security for marginalized populations, conserve agricultural resources, increase food citizenship, and provide opportunities for community development (Wakefield et al., 2007; Baker 2004). Community gardens also provide opportunities to enhance physical activity and social capital, interaction and inclusion (Firth et al., 2011). The following provides an overview of just some of the many benefits of community gardens for municipalities and their residents.

Economic

Saving Money

Through composting, community gardens can reduce town and city waste management costs by diverting quantities of organics for conversion to soil.

Supporting Community Economic Development

Community gardens would improve property values, support neighbourhood revitalization, local economic activity, and generating economic development opportunities.

Food Security and Community Resilience

Community gardens provide citizens with access to locally grown food, helping to reduce the cost of food for families and increasing community self-sufficiency, all the while contributing to local efforts to reduce greenhouse gas emissions.

Health

Healthy Communities and Active Living

As a form of relaxation, recreation and physical activity, gardening can have a positive impact on mental and physical well-being. Furthermore, access to nutritious and fresh produce for individuals and families provides numerous health benefits.

Social & Civic

Building Skills and Awareness

Community gardens contribute to awareness of local food cycles and provide a venue for training and skills development. The establishment and ongoing management of community gardens also contribute to building community leaders.

Social Connectedness

By bringing people together, often from different age groups and diverse ethnic, cultural and economic backgrounds, community gardens play an important role in combating loneliness and isolation, improving social cohesion, building life skills and awareness, and building connectedness with our neighbours.

Environmental

Creating Green Spaces and Improving Biodiversity

Creating community gardens increases the amount of functional green spaces while protecting biodiversity in settlement areas.

Building Sustainable Communities

Community gardens promote environmental stewardship, conserve natural resources, preserve green space and reduce the heat island effect from streets and parking lots. Permeable land can reduce water runoff and alleviate demand on wastewater treatment and storm sewer systems. Direct actions by individuals can reduce food travel miles with less imported food purchased.

Community

Improving the Public Realm

By creating gathering places for residents, community gardens can add value to unused spaces and contribute to the protection and use of public places in our communities.

Neighbourhood Revitalization

Beautifying empty lots or utilizing neglected spaces by establishing community gardens can revitalize neighbourhoods.

Key Strategies for Successful Community Gardens

That there are tremendous opportunities for improving the policy environments by providing consistency in developing a community garden policy, land use regulations and municipal by-laws while providing safeguards to mitigate against any future challenges or local conflicts that may arise.

The Role of Independent Community Councils

As municipalities progress towards creating healthy and active communities, demand will grow from residents, community organizations, developers, and other stakeholders to develop community gardens in a variety of settings. With growing demand, there may also be increasing challenges to secure suitable lands, where required.

Independent community councils such as the HFC have a unique role and capacity to provide advice and council to municipal governments to develop a common vision that will encourage the development of community gardens in strategic locations that will help to sustain its operation over the long-term.

The Role of Local Governments

"The role of local governments is fundamentally a supportive and enabling one. Community gardens are successful because local gardeners are committed to making them so. When local governments open their doors and invite the community in, there is a great deal of community expertise and experience to be shared. Local governments do have a significant role to play in the process: by removing policy barriers; enacting supportive policies; providing support related to water access, land tenure, and composting; by signaling their support of community gardens in government communications; and by dedicating staff time to interact with community gardening groups."

- Source: Barbolet, 2009, p. 6

A Framework for Community Gardens

The following information lists some of the common elements which could fit into a community garden policy framework. The determination of supportive and unsupportive policies, by-laws and regulations listed below were developed based on research and successes achieved in other municipalities across Ontario.

Supportive Policies, By-laws and Regulations

- ✓ Objectives articulating municipal support for urban agriculture, food security, and community gardens.
- ✓ Clear definition of key terms to ensure a shared understanding of the concepts presented.
- ✓ Identification of target groups/populations and beneficiaries (who will benefit from this policy).
- ✓ Regulatory land use policies (e.g., Official Plan policies; zoning by-laws).
- ✓ Funding or materials provisions to maintain the long-term sustainability of existing community gardens.
- ✓ Site selection and design criteria.
- ✓ Long-term protection of lands to support community gardens.
- ✓ Partnership development opportunities.
- ✓ Community and stakeholder communications and consultation processes.
- ✓ Clearly established application processes for interested community gardening groups.
- ✓ Clear identification of municipal administrative mechanisms to respond to interests from the public, organizations, and private landowners.
- ✓ Identification of grant provisions, including the provision of materials, which may be provided by the municipality or through private donations.
- ✓ Presence of operational guidelines, including access to infrastructure.
- ✓ A monitoring and evaluation plan to address emerging issues and to measure policy outcomes and challenges.
- ✓ Clear identification of municipal supports.

Policy, By-law and Regulatory Barriers

- × Onerous risk and liability requirements.
- × Absence of policies to address competing interests for land by developers or other recreational field user groups.
- × Complex lease negotiations and lease conditions.
- × General contracting requirements and site supervision.
- × Inconsistencies and contradictions regarding support for community gardens in planning processes and municipal plans.
- × Restrictive zoning and official plan policies.

The following are considerations proposed at the local municipal level to address common gaps observed across Halton's municipalities. Policy changes to address these considerations can be acted upon over the short term, providing "quick wins" that can make an appreciable impact in encouraging community gardening in Halton.

Local Municipal Support Policies

Vision

- Secure support for community gardening, in partnership with the Halton Food Council.
- Consider language to articulate municipal support for community gardens that can be incorporated in local municipal plans (i.e., strategic plan, master plans, sustainability plan, official plan). Community gardens should be recognized for their contributions to, and alignment with, other local and regional objectives supporting healthy communities, sustainability, local food production, recreational opportunities and community development.
- The development of lower tier community gardens policies should be prepared with the objective of contributing to the achievement of local and regional healthy communities and sustainable development goals. Language should be consistent with the principles and guidelines established in Halton's Healthy Communities Guidelines.

Definition

- Community gardens can be broadly defined to reflect a range of community settings, food production, operations, and management approaches.
- In considering a formal definition for community gardens, it should be focused in its intent to facilitate local food production, but provide flexibility with its use of public or private lands, and operation through a collective or allotment model.
- Within the context of Halton, community gardens have a primary role in supporting urban food production and should be focused in urban and settlement areas.
- While municipally adopted definitions for community gardens may vary within Halton Region there should be consistency within Halton.

Land Use Policies

- Consider permitting community gardens in all land use designations; as either an accessory use or main use, subject to site by site evaluation, applicable municipal by-laws, guidelines, and permits.
- Develop land use policies to protect long-term sustainability for community gardens. Develop provisions that support the expansion of existing community garden sites on adjacent lands, where plausible.
- Define where community gardens would not be appropriate, such as adjacent to steep slopes or where heavy industry and reoccurring contaminants exist, on certain lands within a Natural Hazard designation, or where its location would have a potential negative effect on adjacent natural heritage features.

Parameters

- Provide clarification regarding the production of food that is permitted, which may include vegetables, herbs, pollinator flowers, fruit, fruit bearing trees, fruit bearing shrubs, and ornamental plants.
- Define prohibited activities for Community Gardens, such as the raising of animals, livestock and poultry, and commercial agricultural operations, in accordance with provincial policies and regulations.
- Provide specifications regarding prohibited illegal plants and noxious and invasive weeds, in accordance with provincial legislation.
- Establish setbacks between community gardens and toxic trees (i.e., walnut trees) on neighbouring properties.

Funding and Support

- Explore opportunities in park capital improvement contributions through Section 37 of the Provincial Planning Act. Consider an amendment to the Official Plan to recognize community gardens within the list of community and open space facilities.
- Permit in-kind gifts or services to be donated to support the development or operation of a community garden without approval from the municipality, including compost materials contributions from the Regional Municipality of Halton, plant materials, and other project materials.
- Secure a mix of financing to sustain program funding. This can include seed money from the municipality, funds raised by municipal and community events, and private sector donations.

Good Garden Location and Design Considerations

The following locational guidelines and design parameters may be of consideration for all municipalities.

Layout and Plot Areas

- Entrance spaces should include profile plantings to enhance views/vistas.
- Plot areas should be designed in relation to the approximate number of gardens intended to cultivate the area.
- Consider internal access and movements when laying out the plot areas and ensure that there is adequate space between plot areas.
- Space between plots should be wide enough to accommodate a wheel-chair or stroller (up to 3 metres dependent upon the size of the community garden).
- Consider a mixture of grade-level plots, raised beds and table planters.
- Consider a minimum plot size of 4 feet by 8 feet for raised beds and table planters (where space is limited).
- Consider opportunities for vertical wall gardens (e.g., fences, lattices) and hanging baskets.

Site Access and Parking

- Site access locations should be flat, slip-free with little slope for easy access by all.
- Consider the use of crushed gravel or other forms of naturally-based hard surfaces (avoid wood-chips or other material which may limit access for some individuals).
- Where possible, locate community gardens adjacent to transit stops or within walking distance of a transit stop.
- Provide space for bicycle storage.
- Provide space for an adjacent loading zone, parking, either through on-street parking or shared parking areas (negotiated with an adjacent landowner), at a reasonable distance from the community garden.

Soil

- Conduct soil tests during site selection in accordance with the Ministry of Environment's *O.Reg 153, Table 1 Full Depth Background Property Use Standards*. Development on potentially contaminated sites may trigger a Record of Site Condition.
- Consider soil texture, compaction, drainage, the depth of the topsoil, nutrient and pH levels of the soil.
- Soil should have a relatively even balance of sand, silt and clay.
- Ideal topsoil conditions range from 4 to 12 inches (or deeper).

Sun and Shade

- Where possible, select sites with a southern exposure to maximize exposure to sun.
- Plot areas should generally have at least six hours of direct sunlight.
- Gardens should include some strategically located shade trees, so that gardeners have access to a cool area on hot summer days.
- Where possible, provide shade structures to reduce exposure to sun hazards and also provide a central gathering/resting area for gardeners.

Irrigation

- Provide access to multiple sources of water for irrigation, that includes active and passive watering features through rain barrels, soaker hoses, capillary watering and drip irrigation systems.
- The internal layout of the irrigation network should be designed in relation to the overall plot layout.
- Provide multiple hose hook-ups/hosebibs to reduce the need for dragging hoses long distances.
- Encourage community gardens adjacent to existing structures, enabling rainwater collection.
- Where hoses are used, provide a storage area(s) to reduce the potential for tripping.
- Use intensive planting with closely spaced plants to prevent soil from drying out quickly.
- Use groundcover and organic matter in the soil to increase the soil's water holding capacity.

Signage

- A central sign with the name of the garden should be provided at the main entrance to the garden.
- Post additional signage with hours of operation, rules/regulations, contact information, and potential hazards.

Fencing

- Fencing should comply with local by-laws. Where fencing is required, consider green-fences and vertical gardens to soften the visual effects of the fence.

Structures and Amenities

- Appropriate forms of on-site structures include tool storage sheds, garbage bins, potting tables, greenhouses, benches, and harvest tables.
- Storage sheds should be accessible for all and located adjacent to accessible pathways.
- Consider the use of solar pathway lighting and entrance lights to provide visibility and enhanced safety in evening hours.
- Where possible, consider access to washroom facilities on adjacent uses to provide convenience to community garden users.

Compost Bins

- Consider the use of on-site compost bins.
- A three-stage composter is required for every 10 to 15 standard-sized (4 foot by 8 foot) garden beds, or every 320 to 480 square feet.
- Compost bins should be well-maintained and attractively designed.

Pathways

- Similar to the site access considerations, pathways should be slip-free with little slope for easy access by all.
- Consider the use of crushed gravel, wood chips, or other forms of naturally-based hard surfaces unless provision for accessible plots on hard surfaces exists.
- As an alternative to providing an exclusive network of hard-surfaced pathways, consider providing a selection of accessible pathways.

Compatibility

- Keep the garden clean and well maintained at all times.
- Post and enforce hours of operation.
- Assign highly visible plots to experienced and dedicated gardeners.
- Select sites that will present minimal probable conflicts with adjacent users (and conflicts with existing park users if the site is located on park lands).
- Consider adjacent land uses when siting sheds, storage areas, compost facilities, shade structures and gathering areas.
- Where compatibility is a concern, consider fencing and soft-scaping techniques, including shrubs and coniferous trees to buffer the garden from adjacent uses.

Adherence to Provincial Regulations

Soils

Conduct soil tests for heavy metals in accordance with the Ministry of Environment’s O.Reg. 153, *Table 1 Full Depth Background Property Use standards*. Contact the Ministry of Agriculture and Food for accredited companies. Conduct up to five soil test samples per site, at \$90 per sample.

Species At Risk

Investigate presence of species at risk for non-manicured areas to assess presence of grassland birds such as Bobolink and Eastern Meadow Lark. Avoid locating community gardens where there may be a potential to disrupt habitat for species at risk.

Noise

Noise control guidelines are established by the province, authorizing municipalities to create noise-control by-laws. By-laws may prohibit and regulate noise during certain time periods, or in certain locations, such as “quiet zones”. Adherence to municipal by-laws can be included in community gardens operating agreements or users agreements. Adherence to “quiet zones” may provide an additional safeguard to inform the location of community gardens adjacent to incompatible land uses, thereby reducing unanticipated future conflicts.

Odour

Municipal property standards by-law regulates exterior refuse storage and collection areas. In addition, the Ministry of Environment issues regulations around odour. Adherence to municipal property standards and provincial regulations around odour can be included in community gardening use agreements.

Accessibility

The Accessibility for *Ontarians with Disabilities Act* (AODA) provides accessibility standards. Proposed sites must meet Accessibility with *Ontarians with Disabilities Act* requirements.

Donation

Donations are permitted under provincial regulation. In accordance with the *Donation of Food Act, 1994* (S.O. 1994, Chapter 19), the “person, director, agent, employee or volunteer of any corporation that donates food or distributes donated food is not personally liable for any damages resulting from injuries or death caused by the consumption of the food”, unless the food was adulterated, rotten or unfit for human consumption. Clarity should be provided for each community garden specifying the intent of the gardening organization to sell produce.

Pest Control

Use of chemical insecticides, herbicides, fungicides, and fertilizers is prohibited, as per the provincial pest control regulations. Adherence to provincial regulations should be included in user agreements between community gardens organizations and the municipalities.

Examples of Community Garden Related Policies, By-Laws and Regulations

In January 2013, a scan was performed for 24 municipalities in Ontario, and another 8 municipalities outside of Ontario. The municipalities were selected with input from HFC.

Municipalities with a Community Garden Policy and Land Use Regulations

Municipality	Community Garden Policy	Land Use Regulations to Support Community Gardens
Ontario		
Town of Ajax		X
City of Barrie	X	
City of Brampton	X	X
City of Cambridge		X
Municipality of Central Elgin	X	X
Municipality of Chatham-Kent		X
Regional Municipality of Durham		X
City of Guelph	X	X
City of Hamilton	X	X
City of Kingston	X	X
City of Kitchener	X	X
City of London		X
Regional Municipality of Niagara		X

Municipality	Community Garden Policy	Land Use Regulations to Support Community Gardens
City of Oshawa	X	
City of Ottawa	X	X
City of Owen Sound	X	X
Regional Municipality of Peel		X
City of Peterborough	X	
City of St. Catharines		X
City of St. Thomas	X	X
City of Thunder Bay	X	X
City of Toronto	X	X
City of Waterloo		X
Regional Municipality of Waterloo		X
Outside Ontario		
Regional Municipality of Halifax	X	X
City of Montreal	X	X
City of Nanaimo	X	X
District of Saanich	X	X
City of Vancouver	X	
City of Victoria	X	X
City of Winnipeg	X	
International		
City of Sydney, Australia	X	X

The following table provides details regarding the specific policies, regulations and by-laws practiced by municipalities reviewed, organized by theme. The findings present a broad inventory of policies and regulations adopted by other municipalities. The findings are organized by “common” policies and regulations that were found to be pervasive of the municipalities that were scanned, and “novel” policies and regulations were found to be practiced by a smaller number of municipalities.

Inventory of Policies, By-Laws and Regulations by Category

Common	Novel
Basis for Supporting Community Gardens	
<ul style="list-style-type: none"> • Contribute to personal health and well-being. • Promote local agricultural activities, increase access to local produce, and provide an affordable opportunity for people to grow food. • Lower energy consumption, reduce transportation costs and greenhouse gas emissions. • Support municipal strategic plans and municipal sustainability plans. 	<ul style="list-style-type: none"> • Community Gardens contribute to community development, environmental awareness and education, and increased social interaction, and self-reliance (Vancouver, Peterborough, Waterloo Region, Central Elgin, London, Niagara Region). • Community Garden policies can also be an implementation mechanism to support municipal or regional Food Systems Plans (Peterborough, Thunder Bay, Waterloo, Niagara Region).
Permitted and Prohibited Activities	
<ul style="list-style-type: none"> • Activities that are commonly permitted in community gardens include the production of vegetables, herbs, pollinator flowers and/or fruit, and ornamental plants. • Activities that are commonly prohibited in community gardens include the raising of animals, livestock, or poultry. 	<ul style="list-style-type: none"> • Demonstration gardening or other instructional programming (Vancouver, Sydney, Saanich). • The production of food-bearing trees (Victoria). • The production of edible plants, trees, and shrubs are practiced in Sydney.
Types of Community Gardens	
<ul style="list-style-type: none"> • Community gardens are commonly defined as “a parcel of land for people to come together and grow fruits, vegetables, and flowers for non-commercial use”. • Many of the scanned municipalities provide a distinction between community gardens and allotment gardens. 	<ul style="list-style-type: none"> • Community gardens can also include rooftop gardens and other space managed and maintained by individuals or non-profit groups (Ajax, Cambridge). • Community Gardens can also include planter gardens and gardens with raised beds (Owen Sound).

Common	Novel
<p>Allotment gardens are commonly defined as “gardens which involve the leasing of public lands to individuals for the specific purpose of growing food (for personal consumption)”.</p>	<ul style="list-style-type: none"> • Some municipalities define “Community Gardens” to include allotment gardens, shared plots (gardeners pay a fee to the municipality to register and rent their own plot), and/or donation gardens (Saanich, Vancouver, Barrie, Thunder Bay). • Novel forms of community gardens include communal gardens comprised of food forests (edible groundcovers, shrubs and trees), verge gardens¹, and school kitchen gardens operating programs involving local residents and the school community (Sydney).
Municipal Leadership, Roles and Responsibilities	
<p>The following responsibilities are often undertaken by municipalities to facilitate the development, or support the operation of, community gardens on public lands. These roles and responsibilities are included in a municipal community garden policy, or by-laws:</p> <ul style="list-style-type: none"> • Undertakes awareness and knowledge building opportunities for gardeners. • Assists applicants in identifying viable sites. • Provides information on how to develop and maintain community gardens. • Coordinates application process, (i.e., liaise with various city departments regarding the approvals and work with the applicant (community garden group) to meet approval requirements). • Maintains communications with gardeners, and a local round table committee. • Provides consultation and communication support, including consultation process with neighbours through surveys, (onsite) meetings, petitions, or outreach. 	<p>The following responsibilities are can be undertaken by municipalities to facilitate the development, or support the operation of, community gardens on public lands:</p> <ul style="list-style-type: none"> • Develops a database of potential suites for community gardens, including publicly owned or controlled land and privately owned lands (Peterborough, Nanaimo). • Provides annualized core funding to non-profit managing the community gardens program (London). • Establishes an annual community gardens start-up and enhancement fund (Kingston, Kitchener). • Provides funding from the community gardens start-up and enhancement fund for the development of donation plots (Kingston). • Provides information on other sources of funding (Kingston). • Offers municipally-owned lands as new community garden sites, such as vacant, undeveloped or underutilized parcels (Central Elgin) and closed road right-of-ways (City of

¹ Verge garden: the practice of growing ornamental, native or edible plants on the footpath, commonly practiced in Australia

Common	Novel
<ul style="list-style-type: none"> • Undertakes initial site preparation and/or start-up prior to the first growing season, (i.e., rototilling, staking, tiling, wood mulch delivery, provision of topsoil). • Develops license/user agreements. • Maintains grass(mowing) around the perimeter of the garden, rototilling, and waste removal, as needed. • Supplies and empties recycling and trash containers. • Provides rain barrels. 	<p>Waterloo).</p> <ul style="list-style-type: none"> • Grants access to regionally owned lands (Region of Waterloo). • Undertake site assessments, including facility accessibility design (Guelph), and utility locates (Toronto). • Provides advertising, promotion and networking events (Kingston, Vancouver, Kitchener). • Provides recreation programming at community garden sites (Saanich). • Provides hardscaping, such as access to the garden by pathway or a flat surface (Kingston). • Conducts regular inspection (Barrie). • Removes all produce, crops, or personal property left after growing season (Barrie). • Provides recreation programming at community garden sites (Saanich). <p>The following responsibilities are cited among municipalities who permit the development of community gardens on private lands:</p> <ul style="list-style-type: none"> • Sets up a land trust and encourage private landowners to dedicate lands as permanent community garden sites (Kitchener). • Provides in-kind support where applicable, appropriate, and allowable by both the City and the property owner (Guelph). • Establishes permanent agricultural easements to secure lands for community gardens in perpetuity (Ajax). • Assists with site development activities such as site planning and design, surveying, clearing, and irrigation improvements (Saanich).
Partnerships	
<ul style="list-style-type: none"> • Partnerships are commonly encouraged with community groups, neighbourhood groups (people who are interested 	<ul style="list-style-type: none"> • A community garden policy can encourage or communicate specific partnerships to promote community gardens. For

Common	Novel
<p>in community gardens) or gardening organizations, and communicated in municipal official plans.</p>	<p>example, the City of Guelph has a partnership with the Upper Grand School Board and other partners (undefined) to support the development of community gardens on school sites (Guelph).</p> <ul style="list-style-type: none"> • Community gardens are encouraged to enter into partnerships with local schools, businesses, and other enterprises (Owen Sound). • Other partnerships can include faith groups, cooperative housing, hospitals, schools, daycare centres, and other community groups (Toronto). • The London Community Resource Centre (LCRC) has managed community gardens in London since 2002. The LCRC is a non-profit volunteer driven agency that promotes sustainability and self-sufficiency. LCRC is responsible for program coordination, site management, gardener registration, program supplies and providing an alternative source of water where necessary. The City of London provides LCRC with funding and support to coordinate and manage community gardens.
Plot Size	
<ul style="list-style-type: none"> • Specific dimensions are not identified in many of the Community Gardens Policies or land use regulations. Sizes are determined by the municipality, and vary by location and site considerations. 	<p>The following lists specific dimensions included in a community gardens policies:</p> <ul style="list-style-type: none"> • Recommended plot size of 2.4 metres by 3 metres (8 feet by 10 feet) (Brampton). • Recommended size of 1.5 metres by 4.5 metres (5 feet by 15 feet) for a single plot and 3 metres by 4.5 metres (10 feet by 15 feet) for a double plot (Barrie). • Expansions or reductions in the size of existing gardens are permitted and subject to site plan approval (Guelph). • A fixed size of 25 metres by 50 metres (82 feet by 164 feet) for all community gardens (Hamilton).

Common	Novel
Accessibility Standards	
<ul style="list-style-type: none"> • Accessibility standards are silent for many of the municipality’s policies regarding community gardens. • Municipalities include requirements for community gardens to meet <i>Accessibility for Ontarians with Disabilities Act</i> regarding five accessibility standards: customer service, transportation, information and communication, employment and the built environment. 	<ul style="list-style-type: none"> • Land use regulations can include a requirement that community gardens comply with <i>Facility Accessibility Design Manual Standards (FADS)</i>, which apply to new facilities that are owned, leased, or operated by the municipality. FADS can specify the use of crushed gravel pathways to plots and garden amenities, raised bed (18 inches above the ground survey) and other accessibility features. In addition, the manual specifies that 10% of the area of the plant beds must be accessible (Kingston, Guelph). • Accessibility guidelines can also be developed by a regional municipality, to provide lower-tier municipalities with directions for complying with accessibility standards. <i>Barrier-Free Community Gardens</i> is a document produced by the Regional Municipality of Waterloo that that is aligned with region’s accessibility strategy (Waterloo).
Risk/Liability and Safety	
<ul style="list-style-type: none"> • Policies to ensure the safety of gardeners are vague and often silent in Community Gardens Policies or municipal by-laws. • Community Gardens Policies often include “rules of operation” which are to be presented to each gardener. Agreements and waivers must be signed by each gardener. These rules commonly request that “community gardeners protect their own safety and the safety of others while engaging in gardening activities for gardens (on public and private property)”. • By-laws are silent with regards to the use of combustible materials, such as planters made of rubber tires. 	<p>Some municipalities include policies that are address liability, risk, and safety:</p> <ul style="list-style-type: none"> • A municipality can assist in selecting sites that are safe (Toronto). • Guidelines can also be provided by the municipality to ensure a safe water supply (St. Thomas). • Liability insurance was not commonly identified on many of the Community Gardens Policies or municipal by-laws that were reviewed. One community garden policy specifies that “gardening organizations and/or groups must carry Public Liability Insurance of \$2 million that explicitly indemnify, defend and hold harmless the City from and against any damage or injury to any person or any real property” (Kingston).

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	<ul style="list-style-type: none"> In Owen Sound, where community gardens are permitted on publicly owned and private lands, a license agreement must contain the details of the Public Liability Insurance obtained by the Community Garden Executive indemnifying the property owner and/or the City against any loss or injury of persons or property. All details regarding insurance will be examined on a case-by-case basis by the City in collaboration with the Executive.
Sun Exposure	
<ul style="list-style-type: none"> Official Plan policies often identify that community gardens be located in suitable locations having maximum exposure to (direct) sunlight. Climate and geography can provide specific direction regarding sun exposure. 	<p>Specific policies are found in some municipal official plans:</p> <ul style="list-style-type: none"> Sites are to be located in areas where they are to receive at least six hours of sunlight per day, and away from trees (Guelph, Toronto, Brampton). Winnipeg’s community garden policy requires sites to receive sunlight between 10am to 2:00pm.
Access to Water and Conservation	
<ul style="list-style-type: none"> Community gardens commonly require access to municipally-treated water infrastructure (as per standard regulations and permits). City of Toronto provides additional detail regarding site selection criteria that community gardens be located away from underground pipes or utilities. Most municipalities identify water as a limited resource, and advise gardeners to collect and use rainwater for irrigation. Rain barrels are often provided by the municipality to supplement municipal water. Municipalities are also commonly responsible for performing repairs and maintenance (of the water source). 	<ul style="list-style-type: none"> Locational requirements can provide additional detail that requires access to a water source that is “free from pollution, harmful organisms or impurities” (Central Elgin). Gardeners may have to abide by local water conservation policies and practices (Peel Region expects that the practice of Waterless Wednesdays is adhered to). Site selection criteria can specify that water be available and stored in rain barrels or cisterns such as the roof of an existing building (Guelph). Discounted fees are not identified in many of the municipalities included in the policy scan. In Saanich, water is provided by the municipality at a special discounted rate. In London, agreements with neighbours are in place at 5 garden locations and the non-profit administering the

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	gardens pays the London Hydro water bill for the growing season, May through September.
Soil and Drainage	
<ul style="list-style-type: none"> • There is a large degree of variance regarding policies and regulations concerning soil and drainage. It is understood that sites should be located on lands that are free from contamination. 	<ul style="list-style-type: none"> • A by-law can specify that “any water leaving the garden is not contaminated by sediment, fertilizer, manure or excessive organic matter that might pollute waterways” (Sydney). • Requirements for soil testing vary across the municipalities that were under review. Soil testing is undertaken by the municipality in Kingston, and costs associated with soil testing for new gardens or expansions of existing gardens are often funded through the municipal enhancement fund (Kingston). • In Central Elgin, a Phase 1 Environmental Site Assessment may be required to ensure that the soil is free from contaminants and the site is suitable for gardening and food production. • An assessment guide can provide direction for municipal staff to assess potential sites for contamination (Toronto). • As part of the site selection process, community gardens are to be located in areas that will not interfere with water drainage. Changes to the existing drainage are also prohibited during construction or operation. This includes filling in of existing drainage swales, or redirecting the natural overland flow of water (Guelph).
Odours	

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<ul style="list-style-type: none"> • Specific policies or regulations regarding odours are not included in many municipal community gardens policies. • Municipal by-laws provide regulations regarding composting. 	<p>Examples of by-laws concerning odours are presented below:</p> <ul style="list-style-type: none"> • Under the <i>City of Nanaimo’s Zoning By-Law</i> (no.4500), an urban food garden is permitted in all zones provided that it does not create odour “any greater, or more frequent than experienced in under normal circumstances wherein no urban food garden exists (Nanaimo). • Under the <i>City of Hamilton’s Municipal By-Law</i> (No.03-1 18), containers used for waste must be “closed, emptied, rinsed, or cleaned when not in use, to prevent the escape of offensive odours”. This by-law specifies that “containers should be kept in a rear yard located against a building, structure or fence”. Specific details are required to address vegetation and waste related to community gardens (Hamilton). • The <i>City of Thunder Bay’s Yard and Maintenance By-Law</i> (By-Law #68-2008) regulates the size of compost piles, which must be no larger than: 1 m³ (3.25 ft³) and 1.8 m metres or 5.9 ft. in height. Compost must be enclosed on all sides by concrete blocks or lumber, or be maintained within 205 l or 45 gal gallon container, a metal frame building with a concrete floor, or a commercial plastic enclosed container designed for composting (Thunder Bay).
Parking	
<ul style="list-style-type: none"> • Municipalities commonly identify parking as a locational criteria. Sites must be accessible to (adequate or available) parking or bussing. City of Kingston specifically identifies that proposed sites with availability and accessibility to parking will be given priority. 	<ul style="list-style-type: none"> • <i>The City of Thunder Bay Zoning By-Law</i> provides “no minimum” regarding the number of parking spaces that are required for community garden use. • Under <i>Zoning By-Law 2008-250 Consolidation</i>, parking is not required for a community garden (Ottawa).

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Fencing and other structures	
<ul style="list-style-type: none"> • Among the municipalities included in the review, structures are permitted and must be in compliance with zoning and building requirements. Installation of any fencing, boards or any other materials to enclose the individual garden plots requires consent from the municipality. • Fencing is not a requirement among any of the municipalities included in the scan. 	<ul style="list-style-type: none"> • Structures or barriers preventing access to the general public are prohibited, unless there are specific security concerns (Kingston, Toronto and Vancouver). • Only temporary fences, structures or storage facilities are permitted, but must comply with by-laws and regulations, must not require a building permit, and must be easily movable (Thunder Bay and Kitchener). • Accessory structures such as garden sheds are permitted, but shall be minor in scale and secondary to the primary permitted land use (Ajax).
Presence of Animals	
<ul style="list-style-type: none"> • The literature review reveals that policies and municipal by-laws are silent with regards to the presence of other onsite animals, such as the placement of fish in rain barrels. • There are no policies, regulations or by-laws found concerning exposure to bee stings. 	<p>Policies regarding the presence of animals vary:</p> <ul style="list-style-type: none"> • In Oshawa, Guelph and Barrie, pets are prohibited in the garden. • Where pets are permitted, they must be kept on a leash, and pet owners are required to remove animal feces (Barrie, Toronto). • Toronto has a specific by-law that prohibits the composting of animal feces. • In Vancouver, bees may be kept in community gardens in accordance with the City's hobby beekeeping bylaw (No.7985). The bylaw permits a maximum of two hives per parcel of land less than 10,000 sq. ft.
Plants	
<ul style="list-style-type: none"> • Among the municipalities included in the review, noxious weeds, illegal and aggressive plants and trees are prohibited in community gardens. 	<ul style="list-style-type: none"> • Tall crops such as corn are prohibited unless it can be demonstrated that they will not shade plots of other gardeners (Barrie). • Woody plants are cited among the prohibited plants for some municipalities. In Toronto, woody plants are

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	permitted on community gardens with permission from the Parks and Recreation Department.
Pest Control	
<ul style="list-style-type: none"> Among the municipalities included in the review, chemical pesticides and fertilizers are prohibited, as per the Province of Ontario's Pesticide Act 63/09. This Act prohibits chemical insecticides, herbicides, fungicides and fertilizers in all community gardens. Insecticidal soaps, compost and composting manures may be used. 	<ul style="list-style-type: none"> None.
Signage	
<ul style="list-style-type: none"> Signage is required to identify the area as a community garden. 	<ul style="list-style-type: none"> None.
Theft and Vandalism	
<ul style="list-style-type: none"> Community gardens policies requires that vandalism be reported to the Garden Coordinator. 	<ul style="list-style-type: none"> None.
Produce Consumption	
<ul style="list-style-type: none"> Among the majority of the municipalities under review, zoning does not permit produce that is grown in community gardens to be sold for-profit. 	<ul style="list-style-type: none"> The sale of produce may be permitted for fundraising purposes for garden projects, provided that applicable permits and licenses are in place (Kingston and Peterborough). Produce can be donated to food banks or other organizations (Kingston, Peterborough, and Owen Sound). In Kingston and Hamilton, donation plots are intended to be used to produce food that is donated to a local food bank, soup kitchen, or other related organization. In London, gardeners may participate in the London Grow-A-Row program that provides fresh produce to the London and Area Food Bank.

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Security of Tenure and Tenant Agreements	
<ul style="list-style-type: none"> User agreements specify the term of use, management responsibilities, user fees, and access procedures. The standard term of the agreement/permit is three years and must be signed between the landowner (municipality or private), and the organization. 	<ul style="list-style-type: none"> Standard term of the user agreement can also be 5 years (Vancouver, Nanaimo).
Waitlist Management	
<ul style="list-style-type: none"> Not cited in many community garden policies 	<ul style="list-style-type: none"> Waitlist management in Community Gardens Policies indicate that “gardeners are placed on a waiting list in priority sequence if all plots are rented” (Barrie, Vancouver, Saanich and Oshawa).
Operational Plans	
<ul style="list-style-type: none"> Municipalities are generally silent regarding requirements for annual operational plans. 	<ul style="list-style-type: none"> The City of Guelph requires that evaluation and statistical reporting be undertaken by the Garden Group and provided to the City. Annual reports should collect information regarding the number of gardeners, number of plots, size of plots, waiting list, number of returning gardeners, fees to gardeners, and plots that are accessible to gardeners with physical disability.
Monitoring	
<ul style="list-style-type: none"> Municipalities are generally silent regarding requirements for monitoring plans. 	<ul style="list-style-type: none"> A community garden policy should be reviewed annually. In Guelph, the interdepartmental community gardens staff team will meet a minimum of twice per year to review the program and or community garden applications. The Community Engagement Coordinator will meet with the Community Gardens Working Groups a minimum of 6 times per year to monitor and evaluate the program community wide.

Funding Sources

The following provides a snapshot from some municipalities regarding funding sources to cover capital, operational, or management costs associated with community gardens.

Municipal Funding

City of Kingston

In Kingston, community gardens can choose to incorporate as a non-profit entity to access a wider variety of grant opportunities.

City of Guelph

In Guelph, the municipality will provide assistance during the site selection process by applying for grants to promote accessibility for all people (as per FADMS). Funding for community gardens is the sole responsibility of the Community Garden Working Group of the Guelph Wellington Food Round Table and the individual garden groups at each community garden site. When possible and for the purpose of grant applications the City of Guelph will make available dollar value information related to the in-kind support provided by each department supporting the Community Garden Program.

Regional Municipality of Halifax

In the Regional Municipality of Halifax, community organizations are responsible for all expenses associated with operating and maintaining the garden. Municipal staff provides assistance with capacity building and volunteer training opportunities.

City of Kingston

In Kingston, the municipality establishes an annual community gardens start-up and enhancement fund to cover the development of new Community Gardens, the enhancement/maintenance of existing Community Gardens, and the development of donation plots. The fund can also be applied to the cost of obtaining Public Liability Insurance. The municipality may consider additional funding to help cover the cost of raised beds. A fee structure may be developed (must ensure equal access and opportunity to all community members).

City of Kitchener

In Kitchener, the City will establish a small fund for start-up costs, normally not to exceed \$2,000 per garden.

City of Sydney, Australia

In Sydney Australia, the City will support the development of community gardens through its grants and sponsorships programs. The City will also consider funding: urgent repair of items that pose a significant safety risk; public signage and educational materials for the community garden; a limited supply of mulch, manure, soil and plants to community gardeners.

City of London

In London, the City has also provided annualized core funding to the London Community Resources Centre to support the management of London's Community gardens Program (\$38,000 in 2010).

City of Hamilton

In Hamilton, an annual budget of \$20,000 was established in the 2011 budget to support the community garden policy as part of the City's Forestry and Horticultural budget. This budget supports the development of five gardens per year. The policy recommends that staff prepare the site for the initial garden season. The cost to set up one (1) community garden (25 meters x 50 meters) is projected to be about \$4,000. Staff suggests the creation of five (5) new gardens this size each year creating a new budget line item request of \$20,000 to support the *Community Garden Policy and Procedures*. These costs assumed the site was an open parcel of land covered with grass. The direct costs for site preparation included staking out the four corners, removing and disposing of sod and bringing in compost or topsoil as well as roto-tilling the site. The indirect costs included administrative efforts from Legal, Operations and Waste Management and Risk Management to coordinate license agreements. There are no anticipated ongoing operating costs to the City following the initial garden setup activities outlined above. A minimal amount of administrative costs will be incurred by staff to review and renew license agreements with each Garden Collective at the end of each three (3) year license term.

City of Owen Sound

In Owen Sound, 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. The funds allocated will be used by the Community Services Department to cover applicable direct and indirect costs in kind.

Other Funding Sources

Communities in Action Fund

This fund aims to bring about physical activity through community sport and recreation (such as gardening) in Ontario.

Earth Day Canada Community Environment Fund

In partnership with Sobeys this fund provides grants up to \$20,000 depending on the project requirements to support local environmental initiatives and projects in Ontario.

EcoAction

This fund, operated by Environment Canada, supports programs that protect, rehabilitate or enhance the natural environment and build the capacity of communities to sustain activities in the future. Deadlines are February 1st and October 1st of each calendar year.

Fiskars Project Orange Thumb

Project Orange Thumb is committed to encouraging, sharing and inspiring creative expression in gardening projects that contribute to neighbourhood beautification, community involvement, horticultural education and sustainable agriculture.

Green Apple School Program

This program was created by Metro to encourage students to participate in the development of a healthier environment. They award grants of \$1,000 to elementary and high schools with ideas for green projects in their communities.

Ontario Horticultural Association Special Project Fund

OHA provides \$500 grants to its Societies for projects that involve long lasting benefit to individual Societies or community such as the planting of trees and shrubs and perennials. It does not cover the purchase of annuals or hardscaping materials.

The Home Depot Canada Foundation Community Grant Program

The Home Depot Canada Foundation grant awards grants up to \$5,000 to Canadian registered charitable organizations or municipalities undertaking affordable, sustainable local neighbourhood improvement projects that incorporate environmentally responsible practices. Grants are made in the form of cash and/or Home Depot gift cards for the purchase of tools and materials. Eligible projects include building, rebuilding, painting, refurbishing, landscaping and planting. Preference is given to projects that make use of volunteer service.

The Rebuilding Nature Grant Program

For community groups to cover the costs of tools and building projects, native plants and trees, and other expenses in support of environmental stewardship projects. *Amount:* \$1,000, \$3,000 or \$12,000 plus \$2,000 in The Home Depot gift cards.

Trillium Funding

Grants are available through the Trillium Foundation's Community Capital Fund.

Walmart Evergreen Green Grants

These grants are designed for community-based restoration and stewardship initiatives in urban and urbanizing areas, including naturalization, restoration and stewardship, and community food gardens. *Amount:* up to \$10,000.

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