

Staff Report

Report To: Community Services Committee
Report From: Adam Parsons, Manager of Parks and Open Space
Meeting Date: February 19, 2020
Report Code: CS-20-020
Subject: Stobbe Park Community Garden Request - Process for Evaluation and Neighbourhood Consultation

Recommendations:

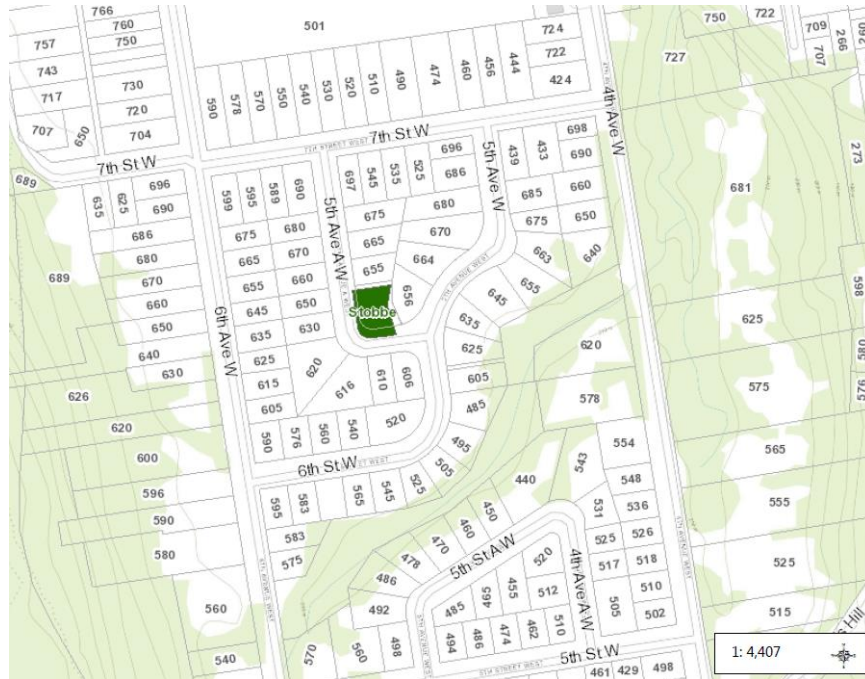
That in consideration of Staff Report CS-20-020 respecting a request to establish a community garden at Stobbe Park, Community Services Committee recommends Council direct staff to follow the process for the transition of a park's recreational use as outlined in the Recreation, Parks & Facilities Master Plan.

Strategic Initiative:

- 3.1 Promote Owen Sound as "Where you Want to Live"*
- 7. Encourage and promote participation in cultural activities and active lifestyles*
- 8. Support community safety and social inclusion*
- 11. Optimize the City's operations while maintaining or improving quality of life*
- 14. Maintain, improve and promote the use of our local parks and trails*

Background:

On January 6, 2020, Mr. Jake Bates contacted the City with a request that a community garden be established at Stobbe Park, located between 655 5th Avenue 'A' West and 656 5th Avenue 'A' West.



Mr. Bates initiated a meeting at the neighbourhood level without the City's involvement in January 2020. As a result, neighbourhood residents have contacted City staff to express concerns if the use of the park were to change.

The purpose of this report is to:

- 1) Notify Committee and Council of the request;
- 2) Outline the process identified in the [Recreation, Parks & Facilities Master Plan](#) (Attachment 1); and
- 3) Receive direction to take the steps necessary to allow staff to return to Community Services Committee and Council with a recommendation.

The City's [Community Gardens Policy](#) (Attachment 2), approved in 2011, identifies Stobbe Park as a permitted location for a community Garden.

Page 52 of the [City's Recreation, Parks & Facilities Master Plan](#) (RPFMP), approved in January 2018, says:

In order to determine if the provision of land for such parks can be repurposed, transitioned to another use, or partially/fully disposed of, the City should undertake one of the following two approaches depending on the intended outcome (repurposing vs. disposition of lands):

Recommended Approach for Repurposing Park Lands:

- 1. City staff identify and recommend park to consider for repurposing to new recreational use. Council consideration to confirm direction, including public input.*
- 2. Assess current conditions of park and assess alternatives.*
- 3. Survey residents within 500 metres of park to gather data on park usage.*
- 4. Hold public meeting with surrounding residents and stakeholders to discuss alternatives.*
- 5. Based on public feedback, select preferred alternative and present to Committee/Council for consideration.*
- 6. Develop a preliminary design and action plan.*
- 7. Hold public meeting to discuss preliminary design and action plan.*
- 8. Present final plan to Committee/Council for approval.*

Analysis

Staff have considered the request (and neighbourhood feedback) in the context of the Community Gardens Policy and RPFMP.

On January 31 via email to Mr. Bates, and hand delivered correspondence (Attachment 3) to neighbourhood residents who had contacted the City with concerns, City staff provided an outline of the process detailed in the RPFMP and a tentative timeline for each step:

Transition of Recreational Use Process Steps	Tentative/Proposed Timeline
1. City staff identify and recommend park to consider for repurposing to new recreational use. Council	Current Step

Transition of Recreational Use Process Steps	Tentative/Proposed Timeline
consideration to confirm direction, including public input.	
2. Assess current conditions of park and assess alternatives.	April 2020
3. Survey residents within 500 metres of park to gather data on park usage.	April 2020
4. Hold public meeting with surrounding residents and stakeholders to discuss alternatives.	June 2020
5. Based on public feedback, select preferred alternative and present to committee/Council for consideration.	July 2020
6. Develop a preliminary design and action plan.	September 2020 pending the outcome of #5
7. Hold public meeting to discuss preliminary design and action plan.	October 2020 pending the outcome of #5 and #6
8. Present final plan to Committee/Council for approval.	November 2020 pending the outcome of #5, #6 and #7

Pending the outcome of the process described above, a license agreement as per the Community Gardens Policy would be established between the City and the Stobbe Park Community Gardens Collective.

The Community Gardens Policy sets parameters for financial and/or in kind support to be considered as a part of the license agreement process. Pending the outcome of the process for the transition of recreational use for Stobbe Park, financial details will be determined at a later date during the

establishment of a 3 year license agreement. The scope of financial contributions by the City are detailed in 4.1 of the Community Gardens Policy:

4.1 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. The funds allocated will be used by the Community Services Department to cover applicable direct and indirect costs in kind:

4.1.1 DIRECT: Prepare the community garden in the first year by removing the grass and turning the soil in the allocated garden location.

4.1.2 INDIRECT: Administration and management of the City's Community Garden Program, and coordination costs relating to the license agreement.

Financial/Budget Implications:

To be determined pending the outcome of the process detailed in this report and the establishment of a 3 year license agreement.

Communication Strategy:

This report to Community Services Committee

Consultation:

Pam Coulter, Director of Community Services

Kristan Shrider, Senior Manager of Property and Parks & Open Space

Amy Cann, Community Planner

Attachments:

1. Page 52 of the [Recreation, Parks & Facilities Master Plan](#)
2. [Community Gardens Policy](#)
3. Responses to Mr. Jake Bates, Mrs. Ellen Hull and Linda Zwicker

Prepared by:	Adam Parsons	Signature on File
Reviewed by:	Kristan Shrider	Signature on File
Supported by:	Pam Coulter	Signature on File
Submitted by:	Wayne Ritchie	Signature on File

- A walking distance of **300 metres** for neighbourhood parks
- A walking distance of **500 metres** for community parks

While these parks serve a wider radius (0.5 km and 1.5-2.5 km respectively), a conservative walking distance was applied to identify more accurate gaps.

While the number of parks and area of parks is sufficient (and exceeded in the case of community and city parks), there are still gaps found in Owen Sound. In particular, the City will need to consider future parkland locations in the Sydenham Heights Planning Area. This is discussed further in Section 6.8 below. Parkland gaps have been identified in the red circles on Figure 1.

6.6 Proposed Process for Transition of Use

If the City wishes to consider transition of use for parkland in Owen Sound, staff and Council should be cognisant of parkland provision and the impacts of removing land from the parks system. Direction from Council and staff shall be based on data such as bookings (sports fields), usage and public input.

Subject to Council direction, the City should consider ways to transition parks/portions of these parks to other recreational purposes. For example, sports fields could expand use to host large outdoor events. Alternatively, large parks could be reduced in size to encourage better usage of space. Parcels could be sold and developed to leverage funds for other recreational improvements. The funds leveraged from selling off parcels of larger parks could

help offset costs for improvements at highly used parks including Harrison Park, Kelso Beach Park and sports fields.

In order to determine if the provision of land for such parks can be re-purposed, transitioned to another use, or partially/fully disposed of, the City should undertake one of the following two approaches depending on the intended outcome (repurposing vs. disposition of lands):

Recommended Approach for *Repurposing* Park Lands:

1. City staff identify and recommend park to consider for repurposing to new recreational use. Council consideration to confirm direction, including public input.
2. Assess current conditions of park and assess alternatives.
3. Survey residents within 500 metres of park to gather data on park usage.
4. Hold public meeting with surrounding residents and stakeholders to discuss alternatives.
5. Based on public feedback, select preferred alternative and present to committee/Council for consideration.
6. Develop a preliminary design and action plan.
7. Hold public meeting to discuss preliminary design and action plan.
8. Present final plan to Committee/Council for approval.

COMMUNITY GARDENS POLICY

STRATEGIC INITIATIVE:

- The City should identify itself as the hub for agricultural based businesses and market its agricultural assets and opportunities.
- The City should be governed by the principles of sustainable development and planned growth in retaining long-term lifestyle and economic opportunities.
- The City should give a high priority to the implementation of plans and policies aimed at enhancing and revitalizing the City's Downtown Core and Waterfront.
- The City should ensure that its planning documents are updated to reflect good planning policies.
- The City should encourage public / private partnerships to achieve the City's planning and development objectives.
- The City should promote the objectives of 'Healthy Communities' through program and facility development.
- The City should play an advocacy role in identifying and promoting health needs in the community.

BACKGROUND

Municipalities are increasingly investigating aspects of urban agriculture, such as community gardening, in order to pursue 'healthy community' goals and to establish local food strategies. These local food strategies examine a region's outlook as it applies to the capability of the area to procure and produce enough food to fulfill the population's requirements.

Community gardens transform passively-used green space into productive garden plots. Community garden projects rely on community volunteers, who plant, tend, and harvest different types of fruit, vegetable and flower crops each season. These projects are often the result of partnerships between community members, municipal governments, and private stakeholders. The produce garnered from a community garden project can be sold through local food markets (e.g., Farmers' or 100-Mile Markets), donated to local food banks or charitable meal programs, and/or shared among the participant gardeners.

Community garden projects provide the opportunity for numerous community and individual gains, including (but not limited to):

- Mental and physical health promotion through the activity of food production;

- The opportunity for social engagement with family, neighbours and fellow gardeners;
- Contribution to the creation of a sustainable local food economy;
- Development of important food production and gardening skills;
- The opportunity to re-establish the community's understanding of the importance of agriculture and local food systems; and
- Contribution to civic enrichment and beautification.

POLICY OBJECTIVE

The purpose of this policy is:

- i) To initiate steps toward a food sovereignty strategy for the City of Owen Sound;
- ii) To provide every citizen the opportunity to access healthy food and a healthy lifestyle;
- iii) To promote the tenets of a healthy community;
- iv) To establish the City's willingness to support and enter into community partnerships for food procurement; and
- v) To guide the placement and operation of community gardens on City-owned lands.

DEFINITIONS

'Community Garden Collective' means all gardeners who contribute to the productive operation of their respective community garden. Reference to the 'Collective' includes the 'Executive'.

'Community Garden Executive' means a group of 2 or more individuals who agree to represent and administer the operations of the community garden project.

'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.

POLICIES

1. PROMOTING HEALTH & PARTNERSHIPS:

- 1.1 Community gardens are encouraged to establish distribution partnerships with local food markets (e.g., Farmers' or 100-Mile Markets) and local food banks or charitable meal programs.
- 1.2 Use of herbicides and pesticides in community gardens shall be regulated in accordance with provincial legislation.
- 1.3 Participation in any community garden project must be peaceful, cooperative and inclusive.

- 1.4 Community gardens shall be used as a tool to beautify and enrich the City's visual landscape.
- 1.5 Community organizations, such as Community Living, Safe 'n Sound, the Children's Aid Society, and the Canadian Mental Health Association, are encouraged to participate in community garden initiatives.
- 1.6 Community Garden Collectives shall foster inter-generational interaction. Children and youth of all ages shall be permitted and encouraged to participate in community garden projects. Community Garden Collectives are encouraged to set aside plots for exclusive use by children.
- 1.7 Community gardens are encouraged to enter into partnerships with local schools, businesses, and other enterprises to help realize community garden project goals. This includes assistance with garden infrastructure, administration and maintenance.

2. LOCATING COMMUNITY GARDENS:

- 2.1 Community gardens may be located on City-owned lands indicated on Schedule 'A' attached hereto.
- 2.2 Notwithstanding Clause 2.1, if a person/group wishes to locate a community garden on City-owned lands not specified in Schedule 'A', the proponent may submit a written request to the Community Services Department for consideration by the Community Planning & Heritage Advisory Committee.
- 2.3 Private landowners, including schools, churches, and other community groups are encouraged to initiate community garden projects.
- 2.4 Private lands may be used for community gardens, subject to the land owner's explicit authorization and cooperation with the community garden executive.
- 2.5 No community garden shall be placed on lands zoned 'Hazard' (ZH) in the City's Zoning By-law; otherwise, zoning shall not limit the placement of a community garden.
- 2.6 No community garden shall be placed on any site that is known or suspected to have contaminated soils.
 - 2.6.1 In accordance with O. Reg. 153/04 of the Environmental Protection Act, only lands where the current or last know use was residential, parkland, or agricultural will be considered for a community garden site on City-owned or managed lands.
- 2.7 Where possible, community gardens should be located on lands in close proximity to the City's trails or public transit systems for increased pedestrian access.
- 2.8 All community gardens shall be considered for integration into new and existing City Walking Tours.
- 2.9 All community gardens shall be located such that easy access by pedestrians, cyclists, and persons with disabilities is facilitated.

- 2.10 Where possible, community gardens should be located with priority on lands within walking distance (400-800 metres) to areas with higher proportions of affordable and social housing units.

3. OPERATIONS & AMENITIES:

- 3.1 Each community garden shall operate under the supervision of a planning committee or 'Community Garden Executive', as defined in this policy.
- 3.2 The Community Garden Executive shall operate transparently and cooperatively with the community garden collective, other groups, and members of the community as a whole. A Community Garden Executive may include an existing organization.
- 3.3 The Community Garden Collective shall act responsibly and democratically, and are encouraged to establish and operate under rules, which govern the fair and inclusive operation and administration of the Collective.
- 3.4 Community garden projects located on City owned lands must be not-for-profit operations.
- 3.5 Subject to approval from the City, the Collective may place small compost receptacles and water barrels on the garden site.
- 3.6 Subject to approval by the City, the Collective may fence the garden area.

4. THE CITY'S ROLE:

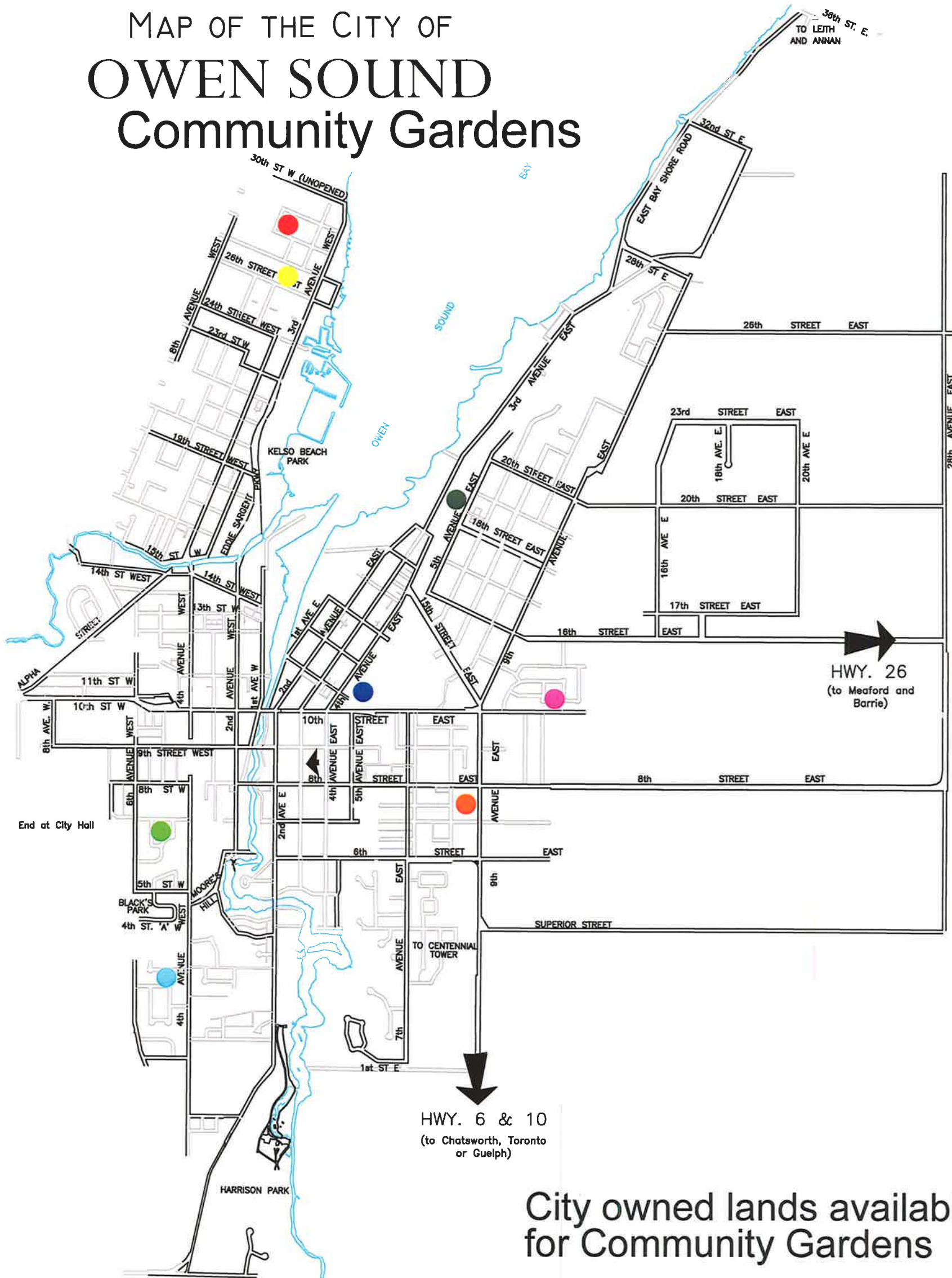
- 4.1 That City Council will endeavour to allocate a portion of its budget to the Community Services Department, Parks Division to support the establishment of community garden projects. The funds allocated will be used by the Community Services Department to cover applicable direct and indirect costs in kind:
 - 4.1.1 DIRECT: Prepare the community garden in the first year by removing the grass and turning the soil in the allocated garden location.
 - 4.1.2 INDIRECT: administration and management of the City's Community Garden Program, and coordination costs relating to the license agreement.
- 4.2 The City shall encourage and nurture its relationship with community gardeners.
- 4.3 The City will dedicate a new webpage(s) of the City's Website to encourage, promote, and administer the network of community gardens within the City.
 - 4.3.1 The community gardens webpage(s) will be a primary hub that connects stakeholders of all types.
 - 4.3.2 The City shall create a public register of all community gardens – the 'Community Garden Register' – in order to provide a central reference point for members of the community to encourage participation in community garden projects.

- 4.3.3 The City will maintain a current list of City lands available for community garden projects. This list shall be updated and posted on the City's Website each spring.
- 4.4 Other than regular lawn care and waste management, the City shall not be responsible for maintenance of community gardens beyond the initial tilling of the soil in year one of the project's operation.
- 4.5 The City shall not be held liable or responsible for any damage or losses to produce, materials, or the garden itself.
- 4.6 The City's in-kind contributions (as noted in Section 4.1) and promotion of any community garden project is subject to funding availability from year-to-year.

5. THE LICENSE AGREEMENT:

- 5.1 All community garden projects located in City-owned or managed lands must enter into a license agreement with the City.
- 5.2 A standard term of a license agreement is to be three (3) years, with an option to renew.
- 5.3 The purpose of the license agreement is twofold:
 - 5.3.1 To outline the specific details of operation, management, administration, and maintenance of a community garden project; and
 - 5.3.2 To outline the responsibilities of each stakeholder to one another.
- 5.4 The members and contact information of the Community Garden Executive will be specified in the license agreement.
- 5.5 The 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.
- 5.6 Where community gardens are placed on private lands and the City's participation is requested/required, license agreements are required in accordance with the provisions of this Section 5. The cost of the license agreement shall be borne by the land owner and/or the Community Garden Executive.
- 5.7 At the end of a group's license agreement term, that same group shall have the right of first refusal to enter into a subsequent agreement with the City for use of the same community garden. Prior to the end of the agreement, the Executive shall submit written request to the Community Services Department if it wishes to enter into a new agreement.

MAP OF THE CITY OF OWEN SOUND Community Gardens



City owned lands available for Community Gardens

- Tot Lot
- Maitland Park
- Stobbe Park
- Comm-r-ette Park
- St. George's Park
- Ed Taylor Park
- Bill Inglis
- Timber McArthur

From: Parsons, Adam
Sent: January 31, 2020 9:40 AM
To: 'Jake Bates'
Cc: Shrider, Kristan; Cann, Amy; Coulter, Pam
Subject: RE: Stobbe Park Community Garden Collective meeting

Hi Jake,

Thanks for meeting with us on Friday.

The key takeaways from our meeting are:

- The City's Community Gardens Policy, established in 2011, identifies Stobbe Park as a candidate location for the establishment of a community garden
- Section 6.6. of the City's Recreation Parks and Facilities Master, approved in 2018, established a process for repurposing or transitioning the use of parkland.
- These documents set out the guidelines of how we will approach your request
- I will be preparing a report for the Community Services Committee soon to confirm the process

This is what we anticipate for next steps and projected timelines:

- 1) Identify and recommend a park to consider for repurposing to a new recreational use.
- We are here now.
- 2) The city will assess the current condition of Stobbe Park when the snow lifts - estimated/tentative April
- 3) A survey of residents who live within 500m of the park to gather park usage data - estimated/tentative April
- 4) A public meeting will be scheduled to consult with residents and stakeholders on the proposed alternatives for the park - estimated/tentative June
- 5) Based on the above, a preferred alternative will be selected and presented to Council as a recommendation via a staff report - estimated/tentative July
- 6) Should the community garden alternative be selected, a preliminary design will be prepared by the Community Garden collective with input from City Staff - estimated/tentative September
- 7) Pending the above, a public meeting to discuss the preliminary design and action plan - estimated/tentative October
- 8) Pending the above, present a final plan to Committee as a recommendation to Council- estimated/tentative November

Pending the outcome of the process described above, 3 year license agreement as per the Community Gardens Policy would be established between the City and the Collective. I would anticipate an agreement executed by bylaw to be finalized sometime in the early portion of 2021.

The city has identified that community gardens are supported on City lands. I do appreciate your open participation in the process to ensure that your request aligns with neighborhood preference and the City's established policies and processes. I recognize that this may seem somewhat onerous from the outset. It is important that we ensure transparency as we consider the transition of use of a green space that has remained largely undisturbed for a generation or more.

Adam Parsons
Manager of Parks and Open Space
aparsons@owensound.ca
519-376-1440 x 1221

Community Services Department
Adam Parsons, Manager of Parks
And Open Space
City of Owen Sound
808 2nd Ave East
Owen Sound, Ontario N4K 2H4



Tel: 519 376-4440 ext.1221

Fax: 519 371-0511
aparsons@owensound.ca
www.owensound.ca

January 31st, 2020.

Ellen Hull



Owen Sound, Ontario

Delivered by Hand

Re: Stobbe Park Community Garden Request

Dear Mrs. Hull,

Thank you for meeting with myself and Kristan Shrider to discuss your views on the Stobbe Park Community Garden.

As discussed in person Thursday, January 30, 2020 at City Hall, the purpose of this letter is to outline the City's process for considering the request as it relates to the City's Community Gardens Policy and considering a change in recreational use of a park, detailed in the City's Recreation, Parks and Facilities Master Plan.

- The City's Community Gardens Policy, established in 2011, identifies Stobbe Park as a candidate location for the establishment of a community garden;
- Section 6.6. of the City's Recreation Parks and Facilities Master, approved in 2018, established a process for repurposing or transitioning the use of parkland;
- I will be preparing a report for the Community Services Committee soon to confirm the process.

These documents set out the guidelines of how we will approach the request. I have outlined the process described in the Recreation Parks and Facilities Master Plan and ascribed an anticipated timeline:

- 1) Identify and recommend a park to consider for repurposing to a new recreational use. - We are here now.
- 2) The city will assess the current condition of Stobbe Park when the snow lifts - estimated/tentative April
- 3) A survey of residents who live within 500m of the park to gather park usage data - estimated/tentative April
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Pending the outcome of the process described above, 3 year license agreement as per the Community Gardens Policy would be established between the City and the Collective.

The city has identified that community gardens are supported on City lands. I do appreciate your open participation in the process to ensure that your comments are included in the public consultation phase of the process. It is important that we ensure transparency as we consider the request for transition of use of a green space that has remained largely undisturbed for a generation or more.

Yours very truly,

Adam Parsons
Manager of Parks and Open Space

cc. Pam Coulter, Director of Community Services via email
Kristan Shrider, Senior Manager of Property and Parks via email
Amy Cann, Community Planner via email

Community Services Department
Adam Parsons, Manager of Parks
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www.owensound.ca

January 31st, 2020.

Linda Zwicker



Owen Sound, Ontario

Delivered by Hand

Re: Stobbe Park Community Garden Request

Dear Mrs. Zwicker,

Thank you for meeting with myself and Kristan Shrider to discuss your views on the Stobbe Park Community Garden.

As discussed in person Thursday, January 30, 2020 at City Hall, the purpose of this letter is to outline the City's process for considering the request as it relates to the City's Community Gardens Policy and considering a change in recreational use of a park, detailed in the City's Recreation, Parks and Facilities Master Plan.

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Yours very truly,

Adam Parsons
Manager of Parks and Open Space

cc. Pam Coulter, Director of Community Services via email
Kristan Shrider, Senior Manager of Property and Parks via email
Amy Cann, Community Planner via email