

Theme of Feedback Received: General Policy Provisions				
#	Committee Comment	Staff Remark	How comment was incorporated into the updated draft Policy/ Licence Agreement	
			Policy	Licence Agreement
1.	Proposed Community Garden locations Tot lot, Maitland Park, Comm-r-ette Park, St. George's Park, Ed Taylor Park, Bill Inglis Park, and Timber McArthur Park.	Staff propose that the policy reflect that community gardens would be permitted in the seven (7) locations. Each location meets the locational criteria for a garden and would be required to be developed in a manner consistent with the policy and under an agreement.	Appendix 'B' to Policy No.FPR001 'City Parks Pre-Approved for Community Gardens' includes a set of maps that provides the addresses and locations of the seven (7) city parks proposed for inclusion in the policy.	Among other matters, a licence agreement shall only be executed where a Community Garden is proposed on a pre-approved location.
2.	Community Gardens to be permitted through a process that would include public consultation.	Given the feedback received on the locations, staff have recommended in the draft updated Community Garden Policy that the use be limited to the seven (7) locations. Future locations being considered as part of the 5-year comprehensive review of the policy.	The policy includes that a Community Garden is a permitted park use. An application for a Community Garden that conforms with this policy does not trigger the public engagement process under the City's Recreation, Parks and Facilities Master Plan (sec.11). Furthermore, the policy provides that the number and location of Community Gardens and the availability of City-owned lands that can support Community Gardens will only be re-evaluated during the policy review period and may include the addition or subtraction of lands to be	N/A

			governed by this policy (sec.26).	
3.	I know NOTHING about apiculture but, I would be concerned about safety if my kid kicks a ball that hits a structure full of bees?? Again, maybe this isn't a 'thing' as I don't know how the bees are contained and I know it is unlikely that this will actually happen, but it is a concern.	<i>The Bees Act</i> , does not lend itself to beekeeping in public spaces. Staff have removed beekeeping from the policy.	N/A	N/A
4.	4- Step Process for Considering Community Garden Requests - I think we need to possibly revise this a bit.	The 4-Step Process for Considering Community Garden Requests has been removed from the policy. Staff have clarified the approval process for considering Community Garden Requests within the policy.	<p>The policy provides that:</p> <ul style="list-style-type: none"> i. City staff are delegated the authority to approve a Community Garden where the application: <ul style="list-style-type: none"> a. conforms to this policy; b. meets all application requirements; and c. requests the use of pre-approved lands that are not already in use by another Community Garden Collective (sec.8). ii. A proposal to establish a Community Garden 	N/A

			<p>that does not meet the criteria listed in section 8 will be refused. Staff will provide the necessary direction to the applicant, where requested, to bring the application into compliance (sec.9).</p> <p>iii. Notice of all approved Community Gardens will be provided to Council for information by reporting through the Community Services Committee (sec.10).</p>	
5.	<p>“Community gardens shall be maintained such that they beautify and enrich the City’s visual landsc** Again this is a very broad statement and beauty is in the eye of the beholder! I’ve seen some gardens in people’s front yards in this city that I wouldn’t want next door to my house.</p>	<p>This criterion has been removed from the policy. However, staff would note that the intent of this policy provision was to ensure that Community Gardens be held to the same standards for property maintenance as is required by the City’s Property Standards By-law. Staff have included a policy provision to ensure that Community Gardens be maintained in accordance with the Property Standards By-laws.</p>	<p>The policy requires that Community Garden Executives will ensure their Community Garden Collective operates and conducts itself in accordance with applicable legislation, including municipal by-laws, and in accordance with the terms of the licence agreement (sec.17.g).</p>	N/A
<p>Theme of Feedback Received: Messaging and Public Consultation</p>				

#	Council/ Committee/ Agency comment	Staff comment	How comment was incorporated into the updated draft Policy/ Licence Agreement	
			Policy	Licence Agreement
1.	How can we educate neighbours and community members in a concise and proactive manner when it comes to concerns about community gardens.	<p>The Community Gardens webpage on the City's website will be updated to reflect the updated policy and contain relevant information, descriptions and pictures of the types of gardens e.g. medicine gardens, vegetable gardens, orchards etc. are permitted under the policy and show examples what they could pictures of what they could look like.</p> <p>Directions on how to report a concern will be provided on the City Community Garden webpage. Incidences of vandalism or concerns that a Community Garden does not comply with the Community Garden Policy must be reported to the City's By-law Enforcement Officers. Generally, incidents of vandalism on city-owned property are handled by City Police and By-law Enforcement jointly.</p> <p>Staff are considering including a QR code to the Community Gardens Webpage on water bills for residents within 100 m of the City-parks pre-approved for Community Gardens.</p>	N/A	N/A
2.	Neighbours should not have veto powers – Instead we would consult to identify community needs and incorporate those ideas into the	The survey results indicated widespread support for community gardens in the seven (7) Pre-approved City Parks for Community Gardens. In total, 76% of	N/A	N/A

	<p>design like the City did with the 'Ryerson' park redesign. To that end, I think it would be more appropriate to require a collective to host community information / discussion events rather than devise a neighbourhood voting system which would then require us to enshrine a buffer zone within which a single 'neighbourhood' controls a single park within it's "territory"</p>	<p>survey respondents supported the seven (7) City-owned parks proposed as suitable locations for community gardens.</p> <p>The policy does not prohibit or provide direction against Community Garden Collectives from consulting with the community or neighbourhood, however it is not required.</p>		
3.	<p>Is there to be ANY further input from residents adjacent to these proposed gardens, or is the previous public consultation in the process of amending this policy being deemed sufficient? I think we need a system of consultation/buy-in from people in the immediate vicinity for this to work</p>	<p>Survey participants were asked to indicate whether they supported an approach where further consultation with the neighbourhood surrounding each community garden location should be required or if public consultation on the proposed policy is sufficient to locate community gardens properly. The majority of respondents (58%) support the approach that public consultation through the proposed policy is sufficient to properly locate community gardens.</p> <p>The Official Plan includes that the City will support community gardens through initiatives which may include offering City parkland as community garden sites where appropriate (Sec.6.1.11.2b).</p> <p>The policy provides that a policy review period will occur at least once every five</p>	<p>An application for a Community Garden that conforms to this policy will be subject to a staff-delegated approval process (sec.8).</p> <p>A Community Garden is a permitted park use. An application for a Community Garden that conforms with this policy does not trigger the public engagement process under the City's Recreation, Parks and Facilities Master Plan (Sec.11).</p> <p>The policy review process is fully described in Secs. 25-27.</p>	N/A

		(5) years. The policy review period may include a public engagement component.		
4.	On the survey there was 3 respondents who stated to take Ed Taylor Park off the list although only one gave any reasoning. If there is no other public consultation required, how do we ensure that we recognize that there was some opposition to the park but we feel that it is in the community interest to proceed? I know you can't please everyone, but if I was asked to give feedback on if a particular park should be removed from the list, provided feedback to remove a park but then see that the park is on the list to move forward imminently I am not sure how happy I would be	<p>Setting a goal of 100% support is not attainable. Further consultation will not achieve complete support or consensus.</p> <p>Section 3.11.1.b of the OP provides that Community Gardens are among the permitted uses in lands designated 'Open Space'. The establishment of a Community Garden is a use that is expected in a City Park.</p> <p>Should a member of the public wish to register a complaint related to a Community Garden there are avenues to do so. Directions on how to report a concern will be provided on the City Community Garden webpage. Incidences of vandalism or concerns that a Community Garden is not in compliance with the Community Garden Policy must be reported to the City's By-law Enforcement Officers. Generally, incidents of vandalism on city-owned property are handled by City Police and By-law Enforcement jointly.</p>	A Community Garden is a permitted park use. An application for a Community Garden that conforms with this policy does not trigger the public engagement process under the City's Recreation, Parks and Facilities Master Plan (Sec.11).	
The theme of Feedback Received: Internal Checklist				
#	Council/ Committee/ Agency comment	Staff comment	How comment was incorporated into the updated draft Policy/ Licence Agreement:	
			Policy	Licence Agreement
1.	Given this uncertainty, how will the application criteria checklist be managed? I recognize that the	The internal checklist has been deleted from the Community Gardens Policy and application review process. Requests to	A proposal to establish a Community Garden will be initiated by submitting a	N/A

	<p>purpose of the policy and checklist is to streamline decision-making; however, it seems challenging to be specific enough to cover every potential option. So might there be an opportunity for a group to make the decisions? As there is currently a pending application which creates some urgency, I wonder if we could use it as a pilot project to help solidify future policies and processes.</p>	<p>establish community gardens will be processed using an application form and be subject to a staff delegated review and approval process. Submission requirements for community garden applications include but are not limited to Site Plans which shall illustrate the layout and dimensions of the proposed community gardens and must conform to the Community Gardens policy to be approved.</p>	<p>complete application using the Community Garden Application Form in effect at the time of the application (sec.7). Furthermore the policy clarifies the process for considering applications to establish Community Gardens by providing that City staff are delegated the authority to approve a Community Garden where the application:</p> <ul style="list-style-type: none"> a. conforms to the policy; b. meets all application requirements; and c. requests the use of pre-approved lands that are not already in use by another Community Garden Collective (sec.8). <p>Lastly, the policy clearly outlines that a proposal to establish a Community Garden that does not meet the criteria listed in sec.8 will be refused. Staff will provide the necessary direction to the applicant, where requested, to bring the application into compliance (sec.9)/</p>	
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2.	<p>The definition of a ‘vegetative buffer’ needs to be clarified as we discussed at the meeting to specify whether this is for the whole garden or just the side abutting residential neighbours. It does not make sense to me to have a vegetative buffer on one side of a pollinator garden for instance. I also wonder whether this would apply to street facing sides of the garden if there are residential neighbours across the way.</p>	<p>The term ‘vegetative buffer’ has been replaced with ‘planting strip,’ and has been clarified in the policy.</p> <p>Furthermore, the policy identifies under what circumstances a planting strip is required and provides direction on how this requirement must be satisfied.</p>	<p>The Policy includes that a ‘Planting Strip’ means a maintained continuous hedgerow of evergreens or deciduous shrubs that form a vegetative screen between 1.5 m high and 2.0 m at maturity. The plant material used in the planting strip shall be subject to approval by the Manager of Parks and Open Space prior to planting (Sec.4).</p> <p>Where a Community Garden:</p> <ol style="list-style-type: none"> a. has a setback from the residential use that is less than 10 m; and b. does not have an existing planting strip or privacy fence between the Community Garden and the residential use, <p>the Community Garden Collective must install a planting strip or privacy fence immediately adjacent to the residential use and the planting strip or privacy fence must span the length of the Community Garden on the side</p>	
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			of the Community Garden adjacent to the residential use.	
3.	<p>a. Comments about parking and requirement on internal checklist. Wasn't aware this would include street parking.</p> <p>b. I think this should be removed. All public parks abut streets.</p> <p>c. On the checklist, is it necessary to have sufficient parking as a criteria? In this policy the only public parks that would be considered for a community garden are parks that have already been identified. Don't we already believe there is sufficient parking to allow the park to be on the list? Some may see that on the checklist and believe there may need to be ample parking and people will be coming from all over to garden. I believe that in reality most people in the collective would be within walking/biking distance from the park.</p>	<p>As noted, the internal checklist has been deleted from the policy. On-street parking is available in proximity (at the park or within a block or two) to each of the seven (7) parks selected for inclusion in the policy. Parking provisions are discussed further in the <i>Community Garden Policies and other Best Practices</i> section of the report.</p> <p>All seven (7) parks locations proposed have streets that permit on-street parking, which is considered sufficient for the use.</p>	N/A	N/A
4.	<p>Transit lay outs and plans are beyond the control of community groups and garden collectives. I think that we can remove this as a consideration with the</p>	<p>The internal checklist, which referenced this criteria item has been deleted from the policy. Staff concur with the Committee's comment that the criteria for Community Gardens to be within</p>	N/A	N/A

	understanding that Owen Sound parks are situated such that they are accessible to their immediate neighbourhoods.	proximity to transit stops are outside the scope of the policy. It merits note that existing transit stops are located within a walkable distance of a block or two of each of the seven (7) parks selected for inclusion in the policy.		
5.	Similarly I think we can remove this condition as most parks in Owen Sound are not connected to a 'trail network' but are accessible by roads and sidewalks.	The internal checklist, which referenced this criteria item has been deleted from the policy.	N/A	N/A
6.	I don't believe that soil conditions or depth should be a factor given the ubiquity of raise bed gardens and the possibility of augmenting soil. There are also some garden types and plants that would not need full sun	The internal checklist, which referenced this criteria item has been deleted from the policy. Staff would note that it is important that soil being brought into Community Gardens are safe for cultivation.	The policy provides that Community Gardens are required to have soil suitable for cultivation (sec.13.f).	The licence agreement requires that the Community Garden Executive agree to use only soil suitable for cultivation, ensure that any soil brought into the Community Garden from an outside source is purchased from a garden centre or nursery and provide proof of purchase for soil to the Manager of Parks and Open Space (sec.8.h).
7.	I wonder here if we need to specify types of composters like the ones that the City already provides to residents?	The City's Property Standards By-law regulates the use of composters. Staff have included provisions in the policy and licence agreement to ensure that	The policy provides that Community Gardens may include accessory structures	The licence agreement requires that the Community Garden Executive

		any composting activities in Community Gardens are done in accordance with the Property Standards By-law.	such as composting receptacles (sec. 15.a)	agree to ensure that any composting activity is done in accordance with the Property Standards By-law, including but not limited to that all compost be kept in closed containers that are designed to compost plant material, minimize the release of odours that negatively impact adjacent private lands, and resist intrusion by common pests (sec.8.g).
8.	I also wonder how the provision of waste receptacles lines up with current waste management in city parks. Do they all have garbage cans already and would the City or the collective be responsible for emptying these?	Staff recognize the potential need for waste and compost receptacles available in a Community Garden. The policy provides that the City will be responsible for waste collection at Community Gardens.	The policy includes that the City will provide one (1) waste receptacle per Community Garden and undertake waste collection no less than once every two (2) weeks (sec.18.a).	The licence agreement provides that the City agrees to deliver one (1) waste receptacle to the Community Garden and undertake waste collection at least once every two (2) weeks during the cultivation period (sec.7.c)

9.	<p>a) Where a community garden is slated to be adjacent to a home, I want to make sure we have a sufficient set back from the residential property. Not sure what an appropriate number is, but the larger the better in my opinion.</p> <p>b) I believe that gardens should conform to the other zoning and land use requirements. For instance, I wouldn't be able to control whether my neighbour has a flowerbed on their side of a fence. Further, under current park conditions there is nothing to stop kids from playing games right up to a property line. Imposing stricter requirements for gardens seems disproportionate although I understand the setbacks as currently proposed</p>	<p>Staff have included that Community Gardens are required to meet the minimum required front yard, rear yard, interior side yard, and exterior side yard setbacks to ensure that there is adequate buffering between Community Gardens and neighbouring residential uses. The required setbacks included in the policy are a sufficient distance to ensure that City mowers will be able to maintain the grass around the Community Garden within the park.</p>	<p>The policy includes that Community Gardens are required to have: a dimensioned site plan showing the location and area of the Community Garden and setbacks from the park property boundaries, subject to the following provisions:</p> <ul style="list-style-type: none"> i. maximum lot coverage of ten per cent (10%) of the total area of the park; ii. minimum front yard setback of 6.0 m from the lot line; iii. minimum rear yard setback of 3.0 m from the lot line; iv. minimum interior side yard setback of 3.0 m from the lot line; and v. minimum exterior side yard setback of 6.0 m from the lot line (sec.13.a). 	N/A
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10.	<p>Were these considerations [availability of a water source] already determined in the naming of the City endorsed locations?? Or is this still an ongoing process where even the endorsed locations are subject to further consideration?? Needs a bit of clarification here.</p>	<p>The availability of a water source was not an initial consideration of the locational criteria, however, providing a source of water was included as a common policy consideration within the policy scan completed by Dillon Consulting for the City of Hamilton.</p> <p>Staff have included several policy provisions that permit access to a water source and water storage within a Community Garden. Furthermore, staff have amended the Community Improvement Plan Landscaping & Property Improvement Grant program Guidelines to include funding opportunities for projects to install a water source connected to municipal services in Community Gardens.</p>	<p>The policy requires that a plan for water use, water storage or access to water that meets the satisfaction of the Manager of Parks and Open Space and the Manager of Public Works or their designates (Sec.11.c).</p> <p>Community Gardens may include water storage containers and or a hose bib connected to municipal services, subject to conditions (Sec.13).</p> <p>The Landscape & Property Improvement program grant under the Community Improvement Plan is recommended to the amended to allow that:</p> <ul style="list-style-type: none"> i. Community Gardens with a licence agreement with a three (3) year term are eligible; ii. Installation of a water source connected to municipal services is 	
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			<p>the only eligible project;</p> <p>iii. Maximum grant is up to half of actual cost, upset limit of \$5,000; and</p> <p>iv. Maximum of one (1) grant approved/ year for the installation of a water source connected to municipal services.</p>	
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The Theme of Feedback Received: Definitions That Should be Included in the Policy

#	Committee Comment	Staff Remark	How comment was incorporated into the updated draft Policy/ Licence Agreement:	
			Policy	Licence Agreement
1.	Rain Gardens	Rain Gardens have been removed from the policy as they are not compatible with Community Garden activities. Rain Gardens are discussed further in Schedule 'H' County of Grey Comments.	N/A	N/A
2.	Pollinator Gardens	Staff have included a definition of 'pollinator garden' in the policy.	"Pollinator Garden" means an area that is planted and maintained for the purpose of providing a natural habitat to pollinator species. Pollinator gardens are encouraged to consist mainly of native plant species (sec.4).	N/A
3.	Food Garden	Staff have included a definition of 'Food' Garden' in the policy.	"Food Garden" means any planter, bed (raised or otherwise), or piece of land	N/A

			that is used to produce fruits, herbs, spices, and/or vegetables (sec.4).	
4.	Orchard	Staff have included a definition of 'Orchard' in the policy.	"Orchard" means a maintained planting of trees that produce nuts or fruits for human consumption (sec.4).	N/A
5.	Ornamental Garden	Staff have included a definition of 'Ornamental Garden' in the policy.	"Ornamental Garden" means a planting area that may be planted for aesthetic purposes (sec.4)	N/A
6.	Indigenous Garden	Staff have included a definition of 'Indigenous Garden' in the policy.	"Indigenous Garden" means a garden that is used for the purposes of fostering Indigenous culture, teachings, community gathering, and traditions, including but not limited to, food gardens, medicine gardens, and ceremonial gardens (sec.4).	N/A
7.	Community Garden Executive	Staff have clarified the definition of 'Community Garden Executive' in the policy.	<p>"Community Garden Executive" means one (1) individual, or other legal entity, who agrees to:</p> <ul style="list-style-type: none"> a. represent a Community Garden Collective; b. administer the operations of a community garden project; and enter into an agreement with the 	N/A

			City of Owen Sound respecting the Community Garden (sec.4).	
8.	Vegetative Buffer	Staff have deleted the term 'Vegetative Buffer' and have replaced it with the term 'planting strip' in the policy.	"Planting strip" means a maintained continuous hedgerow of evergreens or deciduous shrubs that form a vegetative screen between 1.5 m high and 2.0 m at maturity. The plant material used in the planting strip shall be subject to approval by the Manager of Parks and Open Space prior to planting (sec.4).	N/A
The Theme of Feedback Received: Areas Not Covered under the Community Gardens Policy				
#	Council/ Committee/ Agency comment	Staff comment	How comment was incorporated into the updated draft Policy/ Licence Agreement:	
			Policy	Agreement
1.	Pollinator garden would not be considered a community garden if it's in an existing city flower bed or planting area.	Staff have clarified the scope of the policy. The policy does not apply to existing flower beds or planting areas that are established or maintained by the City.	This policy applies to Community Gardens on City-owned property, which are limited in location to the lands specified in Appendix 'B' to this policy and for greater clarity, do not include plantings or gardens operated by the City (sec.3).	N/A
2.	a. What about community gardens NOT located on City owned land? Do they need to be mentioned in this policy? Like if a school	The policy is only applicable to those properties in Appendix 'B' "City Parks Pre-Approved for Community Gardens" of the policy.	The policy provides that the number and location of Community Gardens and the availability of City-owned lands	N/A

	<p>or local organization puts one on property, is there any need for municipal regulation over these at all? Or should it be stated this Policy ONLY applies to Community gardens on City-owned lands?</p> <p>b. “Notwithstanding Clause 3.a, if a Community Garden Collective wishes to locate a community garden on City-owned lands not specified in the Council endorsed list...” ** Does this application exist? What are the criteria for Community Services Committee/Council to apply in the decision making of approving/dismissing the application? Public input? This really needs to be tightened up.</p> <p>c. “The City shall continue to identify City lands to be added to the Council endorsed list of lands suitable...” ** Again as I mentioned before, an established list of</p>	<p>Staff include policy provisions that direct the addition or subtraction of lands included in Appendix ‘B’ “City Parks Pre-Approved for Community Gardens” to take place during policy review periods.</p> <p>Furthermore, staff anticipate that within the next five years leading up to the next scheduled policy review, new locational criteria may be identified through the experience of establishing Community Gardens under this policy, which may help determine a park’s suitability for Community Garden use.</p>	<p>that can support Community Gardens will only be re-evaluated during the policy review period and may include the addition or subtraction of lands to be governed by this policy (sec.26).</p>	
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	criteria/process etc would be beneficial to clarify			
The theme of Feedback Received: Participation in Community Gardens				
#	Council/ Committee/ Agency comment	Staff comment	How comment was incorporated into the updated draft Policy/ Licence Agreement:	
			Policy	Licence Agreement
1.	The Community Garden Collective shall act responsibly and democratically, and are encouraged to establish and operate under rules..." ** Are there established rules/guidelines already developed elsewhere that we can provide or adopt as approved operating guidelines?? I think there is too much room here in this for things to go sideways.	This criteria has been removed from the policy, but has been reworded in "Appendix A Community Garden Principles" to encourage that Community Gardens are inclusive spaces.	<p>The Community Garden Principles include that the City encourages:</p> <ul style="list-style-type: none"> a) Community gardens be inclusive spaces that welcome all members of the community to partake in a shared enjoyment of gardening, being in nature, learning, and cooperation. b) Participation in any community garden project be peaceful, cooperative and inclusive. <p>It merits note that these statements are not required but are encouraged.</p>	N/A

Theme of Feedback Received: The Licence Agreement				
#	Council/ Committee/ Agency comment	Staff comment	How comment was incorporated into the updated draft Policy/ Licence Agreement:	
			Policy	Licence Agreement
1.	“The Community Garden Executive, on behalf of the CGC must enter into a Licence Agreement with the City.” ** Does this Licence agreement exist? Should it be reviewed? What happens if an executive member resigns from the collective and they have signed the agreement...	Staff have developed a draft Licence Agreement attached to the report as Schedule ‘C’.	N/A	See Schedule ‘C’ attached to the report.
2.	“Prior to gaining access to the Community Garden all current and new members of the CGC must sign and submit a waiver to the City”. ** Implications for CGC/city if someone from community goes onto the designated garden site and injury/damage occurs who has not signed a waiver?	Staff have clarified several provisions concerning liability in the licence agreement.	The policy requires that a licence agreement be executed for each Community Garden Collective (sec.20)	<p>The licence agreement requires that the Community Garden Executive agrees to ensure all members submit a completed liability waiver to the City prior to accessing their Community Garden. The liability waiver form will be provided by City staff (sec.8.n).</p> <p>Furthermore, the licence agreement requires that the Executive will maintain liability</p>

				insurance in the amount of two million dollars (\$2,000,000), such policy to include the City as a named insured and to include a clause that the insurer will provide notice to the City if the insurance is cancelled for any reason (sec.14).
3.	<p>Termination of a license agreement if “The Community Garden is deemed to be causing excessively negative impacts to the surrounding neighbourhood” **</p> <p>Pretty broad statement allowing for different interpretations of negative impacts, but maybe needed to give City leeway in ability to terminate???</p>	Staff have clarified the process for the termination of a licence agreement.	N/A	The City may, in its sole discretion, terminate this Agreement for any reason during the initial term or renewal term by providing three (3) weeks’ written notice to the Executive (sec.9).