



# Growing Our Future - Community Garden Procedure

The following document outlines the City's policy for Community Gardens on City-owned land and provides the criteria for selecting an appropriate garden site, sets out application procedures, establishes the responsibilities of the City, the Garden Committee and the membership, and outlines the operation and continued maintenance of Community Gardens by volunteers of the City of Oshawa.

## 1. Policy

Community gardens contribute to community engagement, community awareness, education, increase in self-reliance, community health through nutritional and physical activities, environmental awareness and positive social interaction and improved well-being.

The City recognizes the numerous benefits that grow out of encouraging and developing the passion for gardening within our community. The City supports community members interested in developing a community garden on City-owned land.

Community gardens support the goals of the [Oshawa Strategic Plan 2013-2018](#). Specifically, supporting community gardens will:

- Ensure an inclusive, healthy and safe community through encouraging an active and healthy population.
- Support a safer community and provide life-long learning.
- Assist in the protection and conservation of the natural environment through less waste generation, proactive environmental management and building a resilient local food system.
- Ensure respect, responsive and transparency by embedding sustainable leadership through public education and community engagement.
- Continue to ensure economic growth and sound financial future through wise land use and continued self-reliance.

The intention of the Growing Our Future Community Garden Program is to support community engagement, leadership and learning within our community by empowering volunteers to establish, operate and maintain gardens on City-owned land.

## 2. Operating Guidelines

### Community Garden Application Process

Community and neighborhood groups or individuals interested in starting a new community garden must submit a "[Community Garden Application](#)" for review and approval by the City. Applicants are encouraged to speak to other local community gardening committees and to review other community gardens across Canada. Begin initial discussions with neighbors to determine if there is a need or desire for a community garden in your neighborhood.

The intention of the application is to outline the need for a community garden, identify interested members and provide a proposed site for consideration by the City. It is recommended that 4-5 individuals interested in committing to a community garden project prepare the application.

Applications for a community garden can be submitted to the City at any time throughout the year however in order to ensure an adequate review process, applications should be received no later than September 30<sup>th</sup> (or the first business day following September 30<sup>th</sup>) in order to receive approval for the next growing season of the following year.

The City will work with the gardening group to meet all the requirements for approval on or before May 1<sup>st</sup> of the growing season.

The [Community Garden Application](#) can be found in Attachment 1.

### Eligibility

Applicants are asked to provide information on why they think there is a need for a community garden within their community. Applicants can demonstrate this by speaking to neighbours and community groups that may be interested in the benefits of community gardens.

It is recommended that those interested in starting a community garden refer to the Durham Integrated Growers (DIG) for more information on starting a community garden at [www.durhamdigs.ca](http://www.durhamdigs.ca). Preference will be given to applicants that have completed the DIG workshop on how to start a community garden.

## Site Selection Criteria

The City will support the development and growth of community gardening by working with interested community members to choose a suitable site. The City will review and assess viable sites based on the following criteria:

- Adjacent land use consists of multi-residential and single detached dwelling units. Priority will be given to gardens proposed in areas located close to multi-residential developments where ownership/access to land is limited.
- Access to amenities such as water, shelter, parking, walkways, public transit and washrooms are considered an asset; however, this will be reviewed on a case-by-case basis.
- The garden area will not interfere with other park or site uses, water drainage and site maintenance activities. Limiting factors such as trees and shade, current and future recreational activities/uses/needs will be considered.
- Suitable soil quality, slope of land and drainage.
- Distribution within the City and the location of other community gardens in the area will be considered. Preference will be given to areas that do not currently have access to a community garden.
- Demand based on local interest in a community garden and support for a garden from the surrounding community.

Future park development will consider these factors when designing and approving parks for potential future garden use. Based on previous site investigation staff determined the Legends Centre, Stone Street Park and Woodview Park met the criteria outlined above and were the most suitable locations for a community garden. However, staff will assess future requests based on the criteria for all proposed sites.

## Accessibility

Community Gardens located on City-owned property must be inclusive to all members of our community and meet the Oshawa Accessibility Design Standards, which can be viewed at [www.oshawa.ca](http://www.oshawa.ca).

## Restrictions

- The construction or operation of the garden must not alter the existing drainage of the area including filling in of existing drainage swales, etc.
- Use of chemical pesticides and fertilizers are prohibited.
- Prohibited plants are not to be planted or encouraged to grow (e.g. invasive species, illegal plants, noxious weeds etc.).
- The sale of produce from the garden is prohibited. The donation of produce to local organizations is allowed and encouraged.
- Must comply with City by-laws, rules and regulations.

- Community gardeners may garden at their own convenience between the hours of 6am to 10pm, seven days a week from April 1 to October 31; and from 6 a.m. to 6 p.m. from November 1 to March 31. No on-site activity will be conducted outside this timeframe.
- The Community Garden site shall stay within the area approved by the City. The Committee must provide written requests to expand or reduce the garden area, erect structures or alter the garden to the City prior to the undertaking of any work for consideration.

## Approval

Once City staff approves the garden site, the applicant(s) must form a Community Garden Committee. Applicants with experience should consider volunteering their experience and time on the Committee.

The following are roles and tasks that should be considered when establishing the Committee:

- Executive Chair: Provide the overall executive coordination and public relations related to the Community Garden.
- Communications Coordinator: Provide overall communication strategies and media relations for the Community Garden.
- Finance Coordinator: Provide overall financial and resource management necessary to operate the garden.
- Membership Coordinator: Develop and track the community garden membership.
- Education/Garden Coordinator: Provide technical assistance and skills development to garden members and work with volunteers and agencies to promote learning.
- Administration Coordinator: Record and distribute minutes and correspondence and maintain documentation.

The composition of the Committee will ultimately depend on the purpose and size of the community garden.

Work in the garden will not commence until the following is completed. The Community Garden Committee must then develop a Community Garden Constitution, which outlines a Vision, Mission, Objectives and Membership Information including Garden Rules and Regulations and Governance/Decision Making Model. The development of a Membership Application, which outlines the terms and membership fees to be paid to the Committee for undertaking work at the garden. A report to Council will be prepared, which will include the Community Garden Committee members and the Garden Constitution, to recognize the members of the Community Garden Committee as

volunteers of the City. The Community Garden Committee will then oversee the garden as per the City's Community Garden Procedures and according to the Garden Constitution.

Review an [Example Constitution](#) provided in Attachment 2.

### **City of Oshawa Volunteers**

Upon Council approval, the Community Garden Committee members will be recognized as City of Oshawa volunteers. This allows the City to extend coverage under its Municipal Liability Insurance Policy pertaining to the operations of the Community Garden Committee. The liability coverage extends ONLY to the volunteer committee members and its' running of the committee, not to the member gardeners or gardening.

### **Funding**

Funding for the Community Garden is the sole responsibility of the Community Garden Committee and its membership. Where possible City staff can provide assistance in completion of grant applications, provide in-kind support and may make available the necessary matching dollar value as budget allows.

### **Waste Management**

The City will not provide waste collection services for the garden area. The Committee and its members are responsible for removing litter and debris. Leaf and yard waste can be composted on-site as long as the compost bin is managed according to best management practices and the resulting material utilized on the gardens themselves.

### **Garden Closures**

Once approved the agreement with the City of Oshawa for the use of the site for the purpose of a community garden will be for a term no less than 1 year with the right to four additional 1 year automatic renewals.

Written notice must be provided to the City of Oshawa in the event that the Community Garden Committee and its members no longer wish to manage and maintain the garden before the term is complete. The City may wish to undertake a public input process to determine if there are other community members interested in assuming the garden responsibilities. If there is insufficient interest the City will not pursue further, and the Committee and its members are responsible for removing the garden structures and yard waste.

The City of Oshawa reserves the right to cancel an agreement with a Community Garden Committee as a result of non-compliance, park operational needs and other issues that may arise as a result of the garden. The City will provide the Committee with 1-year written notice prior to closure of the garden.

## **Reporting Requirements**

On an annual basis following the Annual General Membership Meeting the Community Garden Committee shall provide the City with an update on garden activities from the year before including membership information, number of plots, plot sizes, number of returning gardeners, Garden Membership Fees, special garden programs, donations and activities achieved as a result of the garden and its members. The Community Garden Committee shall also provide the City with an outline of the proposed work for the upcoming year if applicable, for example expanding the number of plots, increasing the membership fees or installation of shade structures, etc. A year-end financial statement must also be submitted to the City.

## **3. Responsibilities**

### **The Applicant shall:**

- understand the nature of community gardening and have done some background research on other community gardens. It is recommended that applicants enroll in DIG community garden workshop to gain an understanding of the responsibilities and nature of community gardens;
- establish a group of community members interested in starting and operating a community garden (4-5 individuals committed to the project is recommended);
- submit a Community Garden Application to the City;
- follow the City's Community Garden Procedure;
- work with the City to locate a suitable site for the garden on City property;
- assist the City in promoting the garden within the surrounding neighborhood and the community; and
- assist the City in the formation of the Community Garden Committee.

### **The City of Oshawa shall:**

- review and approve the Community Garden Application based on an evaluation of the site to ensure it meets the site selection criteria outlined above;
- work with interested parties to locate a suitable location and area on City property, if available, for the development of a Community Garden based on the guidelines noted above;
- support the applicant by working with the interested members to establish a Garden Committee, which will be responsible for operating the community garden, and provide technical support to establish the Committee including the organization of initial meetings;
- assist with the preparation of a suitable site plan which should indicate layout of plots and any proposed structures or fences;

- upon Council approval, recognize the members of the Community Garden Committee as City of Oshawa volunteers to allow for coverage to be extended under its Municipal Liability Insurance Policy pertaining to the operations of the Community Garden Committee;
- provide reasonable meeting space for the Committee and Annual membership meetings as requested;
- arrange for the initial preparation of the site including staking out the garden area, grading the site where necessary and applying compost and wood mulch to the area (subject to availability);
- review work plans;
- maintain the grass around the garden in accordance with City Standards;
- make reasonable efforts to ensure there is access to water and washrooms;
- assume no responsibility or liability for the Community Garden or for the Community Garden Organization, including but not limited to, tools, equipment and produce; and
- review the Community Garden operations on an annual basis to ensure that it is operating in accordance to the City's Procedure and the Community Garden Constitution.

### **The Community Garden Committee shall:**

- have in place an agreement with the City for a term no less than 1 year with the right to four additional 1 year automatic renewals;
- comply with the City's Community Garden Procedure, as well as applicable By-laws, Regulations and Guidelines including the Oshawa Accessibility Design Standards;
- develop a Community Garden Constitution that outlines a Vision, Mission, Objective and Membership Information including Garden Rules and Regulations for its members, and Governance/Decision Making Model to ensure fairness and respect for gardeners and their plots, materials and equipment, and the City's land and infrastructure for approval by the City;
- hold an Annual General Membership meeting at least once a year to which City staff will be invited to attend;
- provide the city with a report summarizing garden activities and future garden plans on an annual basis for review and consideration;
- manage, develop and maintain the garden at no cost to the City in accordance with the City's Community Garden Procedure and the approved Community Garden Constitution;
- review the Constitution on an annual basis and update the City as necessary or upon request;
- pay the City for annual water consumption as per the terms agreed to by the City;



- accept responsibility for all operating costs, fencing or portable washrooms, if desired, damage to the site and crops, and site security;
- operate the garden in compliance with all federal, provincial and local laws and regulations;
- hold harmless the City of Oshawa and not make any claim against the City for any reason whatsoever with respect to a Community Garden and/or its operation;
- develop specific Terms of Use for the garden plots which consider the City's Community Garden Procedure and the Community Garden Constitution and include (but are not limited to) the following:
  - self-management responsibilities
  - rental fees
  - access procedures for gardeners
  - require all community garden members to sign an agreement for use of garden plots indicating their compliance with the rules and regulations
  - garden plots must be maintained to a minimum standard of aesthetics and orderliness
  - set out the hours of operation and use
  - residents of the City of Oshawa shall be given priority for use of the garden plots
  - the Community Garden Committee may revoke the community gardeners use agreement for reasons of non-compliance
- post and provide the Terms of Use and the Constitution to all members.
- oversee the volunteers and members to ensure compliance.
- revoke a community gardener's use agreement and privilege at the request of the City.
- make available a maximum of 2 plots at no cost to the City with first right of refusal for City programming such as summer camp.
- prepare the garden plot for planting, maintain the garden plot throughout the year and clean up the garden plot by November 1<sup>st</sup> of each year.
- supply their own seeds, fertilizer and tools for proper preparation and cultivation of crops.

Review the [Community Garden Membership Template](#) in Attachment 3.

## 4. Alternative Approaches

Alternative management options may be considered. Recognizing that each community garden and community group is unique the City understands the need to consider a variety of garden management styles. Not-for-profit organizations may request to utilize city owned property to establish a community garden under a License Agreement with



the City. This would require the Licensee to obtain and maintain Commercial General Liability Insurance in an amount specified by the City among other conditions. Each application will be considered on a case by case basis.

Regardless of the management style it is important to ensure that the local community is engaged and there is commitment from a core group of volunteers to help establish and run the garden. This document can be used as a starting point to ensuring a sustainable garden and committed group to manage the garden and engage the community.

There are also a number of options for operating a community garden beyond an allotment style garden. For example neighbors or not-for-profit organizations may choose to start a collective community garden that is communally managed by members who work cooperatively to care and maintain the garden. Collectively members decide what to plant and all share in the harvest. Working collectively as volunteers this type of garden would benefit the local neighborhood as there is no assigned plot to a specific individual.

## **5. More Information**

For more information on Community Gardening in the City of Oshawa please contact Service Oshawa or visit [www.oshawa.ca](http://www.oshawa.ca). Those interested in starting a community garden are asked to contact Durham Integrated Growers who have valuable information and workshops geared toward new garden groups at [www.durhamdigs.ca](http://www.durhamdigs.ca).

# Appendix 1: Community Garden Application Form

# Community Garden Application Form

In accordance with the Growing our Future Community Garden Procedure the City of Oshawa is committed to supporting community engagement, leadership and learning by empowering volunteers to establish, operate and maintain gardens on City-owned land. Residents, community organizations and groups wishing to establish a community garden on City-owned land must review the Community Garden Procedure and complete the following application.

## 1. Applicant information

Please provide information for the main point of contact for this community garden Request.

Date:	
Contact Name:	
Affiliation or Organization: (if applicable)	
Mailing Address:	
Telephone:	
Email:	

## 2. Other interested community members

Please provide a list of names and contact information for other individuals who are interested in being part of this community garden.

Name 1:		Email/ Phone	
Name 2:		Email/ Phone	
Name 3:		Email/ Phone	
Name 4:		Email/ Phone	
Name 5:		Email/ Phone	

### 3. Site Information

Please describe the proposed location including the address or park name and specify the proposed location of the garden within the park property. You can use an air photo, such as Google Map, to indicate the exact location.

### 4. Interest and Experience

Describe your interest in developing a new community garden and include relevant experience with community gardening, volunteering, leadership and community development.

## 5. Community Involvement

Briefly describe how the local community will be involved in the project. For example, have connections been made with community groups and organizations or is there support from other organizations and/or businesses for funding.

## 6. Garden Vision/Plan

Please tell us about your vision for the garden, which could include the number of plots, structure or features. This could also include an attached sketch or physical plan of the garden.

# For Office Use Only


Site meets requirements:

Yes:

No:

Comment

# Attachment 2: Community Garden Constitution Example



# Community Garden Example Constitution

## 1. Vision

Nourish our community through growing together.

## 2. Mission

Our mission is to nourish our community by creating a vibrant, healthy, inclusive garden where people can gather and grow together.

## 3. Objectives

Nourish our community by providing a place where we can all gather, learn and share.

Nourish our community by growing healthy relationships and nutritious food together.

## 4. Membership

Membership is open to all local individuals and organizations that agree with the Community Garden vision, mission and objectives; fulfill membership responsibilities; and are willing to participate actively according to their abilities. Member rights and responsibilities are:

- one plot with a paid Garden Membership in good standing.
- participate in decisions through the Annual General Meeting each March. Each paid membership is entitled to one vote, whether it is one individual or one organization.
- provide input on garden operation through the Garden Coordinators or other collective means.
- reasonable share of designated Garden resources (Water, Compost, Equipment) within the garden site.
- be informed of and share in garden opportunities.
- a full garden orientation on paid Membership.
- retain assigned plot in subsequent year/s with attendance at the Annual Membership Meeting each March and providing the membership is in good standing. Attendance is mandatory except in extenuating circumstances discussed with the Membership Coordinator. If absent, plot may be reassigned.

## Responsibilities

- Responsible to pay the annual membership fee for individual Garden Membership. The garden does not want the fee to be a barrier to participation in the garden. Please speak with the Garden Coordinator for other options.
- Responsible to maintain soil health and cultivation of assigned garden plot.
- Responsible to plant plot by June 1st and to have plot cleaned up by November 1st. Failure without justifiable cause will result in reassignment of plot.
- Responsible to volunteer equivalent of 4 hours per month divided between participation at garden events and maintenance of common garden areas.
- Responsible to participate in work to open the garden in the spring and garden closure in the fall.
- Responsible to maintain plots and pathways surrounding assigned plot to be weed free.
- Responsible to take all garbage home each time you leave the garden site.
- Responsible to conserve water.
- Responsible not to share access code with others not named on Membership Application where applicable.
- Responsible to notify Garden Coordinator if needing to abandon plot or when away for extended periods.
- Responsible to supervise children and guests brought to the garden site.

## **Rules and Regulations**

- No use of chemical pesticides/fertilizers.
- Loud music is prohibited.
- Vehicles must not be driven into the garden. Personal mobility devices excepted.
- Gardening activities must take place during daylight hours.
- No person shall profit from the sale of any plant items grown in the garden.
- Clean and care for shared garden equipment and other garden property.
- Put all organic garden debris including weeds without seed heads into the compost.
- Pick only from own assigned plot unless given permission by Member assigned the plot.
- Illegal plants are not permitted.
- Trees and other woody plants are not permitted on individual plots.
- No smoking in the garden area.
- No pets allowed in the garden area.
- Members shall hold harmless the City of Oshawa and shall have no claim against the City for any loss or damage that occurs in connection with the use of the garden.

## 5. Meetings

Community Garden Annual General Meeting will take place once a year at a time and location determined and agreed upon by the Community Garden Committee. The Community Garden Committee will meet not less than 6 times per year at times and locations determined by the members of the Committee.

## 6. Decision Making and Quorum

The Legends Community Garden Committee will strive for consensus, but where consensus is not possible then decision-making will be made by majority vote and must have quorum (50%+1) will be considered when the majority of its members are present only members of the Committee can vote at Committee meetings.

Decision-making at the Annual General Meeting will be based on majority vote of membership present (50%+1).

## 7. Governance

The Community Garden will be governed by the Community Garden Committee and decisions made by the Membership at the Annual General Membership Meeting. Decisions will follow democratically recognized agreeable procedures to conduct business. The Community Garden Committee's mandate is to:

- Uphold the Community Garden Constitution.
- Coordinate Community Garden activities and functions.
- Represent the Community Garden at public forums.
- Act as a liaison to the City of Oshawa.

The Community Garden Committee will be elected and/or confirmed by the membership assembly for one or two year periods. The Community Garden membership has the power to revoke and/or make changes to documents and Committee mandate by the majority of its members at a duly called membership meeting. The Committee has the power to appoint an individual member to fill temporarily a vacated Committee position. This same position will be up for election at the next membership meeting.

The Committee can include a minimum of 6 members to hold the following positions:

- Executive Chair – overall executive coordination and public relations
- Communication Coordinator – overall communication strategies and media
- Finance Coordinator – overall – overall financial and resources management

- Membership Coordinator – overall membership development
- Education\Garden Coordinator – overall technical assistance and skills development
- Administration Coordinator – record and distribute minutes and correspondence and maintain documentation

# Attachment 3: Community Garden Membership Application and Consent Template

# COMMUNITY GARDEN: Membership Application and Consent Form

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Postal \_\_\_\_\_

Phone/E-mail: \_\_\_\_\_

## 2. Terms and Conditions

Membership is voluntary and open to all local individuals and organizations that agree to the Terms and Conditions. The Terms and Conditions apply with the use of the garden by me or the organization to which I belong or any of my guests.

Please check the option you are applying for:

Option 1	<b>\$(insert fee)</b> for a <b>(insert plot size)</b> garden plot.	
Option 2	<b>\$(insert fee)</b> for a <b>(insert plot size)</b> garden plot.	
Option 3	<b>\$(insert fee)</b> for an accessible raised garden plot.	
Option 4	<b>\$(insert fee)</b> for an Organization or Association.	

Fee must be paid before this Membership Agreement comes into effect.

I consent to the use of my photo image being in materials and media for the purpose of promoting the community garden and garden activities.

I have read, understand and agree with the Vision, Mission and Objectives of the **(insert name of the Community Garden)** and agree to abide by its terms of membership responsibilities, rules and regulations as stated in the **(insert name of the Community Garden)** Constitution and the City of Oshawa's Community Garden Procedure.

Total Amount Paid:	
Signature of the Applicant:	
Date:	

Personal information on this form is collected in pursuant to Section 11 of the Municipal Act and will be used for the purpose of allocating community garden space. Questions about this collection should be directed to the City of Oshawa's Freedom of Information and Privacy Co-ordinator at 905-436-3311.