

Priority 2: Addressing concerns and strategies for building partnerships for Community Gardens

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Introduction

Community gardens provide more than space to grow food, they also provide community, learning opportunities, a space to learn new skills, promote biodiversity, support food security, promote active living, and revitalize neighbourhoods (Dillon Consulting 2013). However, many communities in Ontario face similar challenges when establishing community gardens in their neighbourhoods. This document contains common challenges and suggestions for how to address these individually and collectively.

The main concerns identified by the Growing Communities Network of Sustain Ontario included addressing provincial and municipal policies, especially around planning policies, soil contamination concerns, and accessibility needs, insurance costs and needs, building partnerships, and opportunities to establish land trusts. Solutions to these problems have been synthesized from across Ontario, Canada, and the world to look for commonalities and to suggest ways forward. In the following section, each of these challenges and solutions are discussed in turn before providing some concluding recommendations on next steps.

Areas of Concern and Potential Solutions

1. Provincial policies and regulations

Community gardens must adhere to provincial regulations. However, community garden organizers are not always aware of the regulations or how best to go about ensuring that they comply with overlapping systems of governance. In particular, this section explores the potential relevance of the Ontario Ministries of Municipal Affairs and Housing (MAH), Natural Resources (MNR), and Environment (MOE). It also considers important Acts and Bylaws including the Accessibility for Ontarians with Disabilities Act (AODA). A 2013 report to the Halton Food Council listed the following considerations for community gardens as they relate to provincial regulations: soil testing, respecting species at risk, noise control guidelines, odour standards, meeting accessibility requirements, adhering to pest control regulations, and following guidelines on donating food (Dillon Consulting 2013). The following section considers how community gardens can negotiate these regulations.

Firstly, there are several opportunities for community gardens and organizations to use existing provincial planning policies to advocate for community gardens. While there is no evidence of community gardens applying these provincial policies when negotiating with municipalities, since all

city councils must comply with these policies, it is likely that they have been somewhat influential in allowing for community gardens to develop in Ontario. For example, the Smart Growth for Our Community Act includes provisions to protect and promote greenspace by encouraging municipalities to plan for parks and which provide an opportunity for community garden development (MAH 2016). This Act also allows for community members to provide more feedback, an opportunity that community gardeners should be ready to take advantage of during city meetings on proposed plans for development in their community.

With respect to soil testing, the Ministry of Environment requires that a site assessment be conducted (Dillon Consulting 2013, EPA 2017). However, since most community gardens do not own the land on which they grow, they may not be responsible for this process. With respect to liability insurance purposes and in order to guarantee the safety of gardeners, it is recommended that community gardens conduct a soil test. The City of Toronto Public Health has developed a set of guidelines regarding soil testing for urban gardeners including community gardeners (2017). The US Environmental Protection Agency (US-EPA) has also released a fact sheet on soil contamination recommendations on contaminated sites (2011). Additionally, there is an opportunity for community gardens to become part of the Government of Ontario's Food and Organic Waste Action Plan by providing a venue for compost materials to be used to build soil as part of building a waste-free Ontario (Ontario 2017c).

Community gardeners should avoid establishing gardens in habitat for species at risk. If there is a concern that the garden may be disrupting habitat, the community garden can contact the Ministry of Natural Resources and Forestry regional and district office nearest them. A map is also available for a quick summary of potential species at risk in Ontario (Ontario 2017a). Additionally, community gardens can contribute biodiversity by planting both annual and perennial plants to feed a diversity of insects and birds and also by setting up birdhouses. Community gardens should strive to reduce invasive species and promote native plants which will also provide habitat for native species (TMG 2015).

Noise and odour regulations are typically limited to occasional consideration to community gardens. Noise bylaws are set by municipalities and limit the volume and timing of running loud equipment such as rototillers (Dillon Consulting 2013). Similarly, municipalities set odour limits based on the Ministry of Environment regulations and complaints from neighbours about the smell of manure, for example would be addressed by municipalities (Ontario 2017b).

The Accessibility for Ontarians with Disabilities Act (AODA) requires that community gardens meet accessibility requirements (Dillon Consulting 2013). The Act recommends that municipalities establish Accessibility Advisory Committees who follow provincially mandated Public Spaces Standards (AODA 2016). MORE HERE.

In Ontario, all pesticides including herbicides, insecticides, fungicides are prohibited for cosmetic use by the Pesticide Act (2017). Community gardens are not considered exempt because they are not deemed agricultural (ibid). Licensed exterminators can be hired if pest problems become

significant, however, a variety of integrated pest management practices and soil management practices should be adopted as the community garden norms in order to reduce the risk of pest problems. These practices include maintaining healthy soil, watering plants at the base since wet leaves are susceptible to disease, removing dead plant material that may harbour pests or diseases, using barriers such as row cover or fencing, or picking off problematic insects by hand.

Finally, if community gardeners wish to donate their produce, they must comply with the provincial government's Donation of Food Act (1994) which states that individuals and organizations are not liable for damages caused by the consumption of food unless the food was rotten or unfit for human consumption (Dillon Consulting 2013).

2. Insurance

Navigating the details of insurance policies and the requirements for community gardens can be a burden to volunteers who often run community gardens. However, most municipalities require liability insurance for community gardens. In some jurisdictions, community gardens have negotiated a License of Occupation (LOC) with the municipality which covers the community garden activities under the city's own insurance policy, so long as they comply to the terms of the agreement (CGRN, no date). This only applies to community gardens located on public land where an LOC has been negotiated, otherwise, community gardens must find their own insurance. For example, a community garden on public land without an LOC would still need to have insurance, as would a community garden on private land. Some private landowners may be willing to extend their liability insurance coverage to the community garden. In addition, community gardens may be asked to sign a 'Hold Harmless' or 'No Harm' clause which would be signed by all participants in the community garden which would absolve the landowner of liability in the case of injury (CGRN, no date).

The American Community Garden Association (ACGA) provides liability insurance to eligible community gardens throughout the US (ACGA, no date). They have negotiated collective liability insurance for community gardens that become members of the ACGA and which agree to the terms listed on their website (ibid). Similarly, the Farmers' Markets of Ontario also provide this service to members (Farmers' Market Ontario, no date). There is a potential to explore a collective liability insurance similar to this one in the US that would cover either all community gardens in the country, or province-by-province.

3. Partnerships

Community gardens should consider building partnerships to create new opportunities and success. Collaboration and wider public support can contribute to the long-term achievements towards improving food security, skill development, and increasing biodiversity.

Community gardens and schools

Schools are community hubs and can provide both educational and social networking opportunities for gardens. LifeCycles, based in Victoria, BC has been working on a Growing Schools program for over 20 years and has excellent resources on building community gardens on school properties

(Lifecycles Project 2005). Things to consider include planning lessons in conjunction with the garden, growing over the summer, and working with neighbours. Also in BC, Making it Happen (no date) and A Rocha (no date) provide details online on how to establish and maintain school gardens. There are many ways to make connections to the curriculum through gardening and the practical aspect provides an additional benefit of getting children out of the classroom (see Lifecycles Project 2005 for curriculum suggestions).

Community gardens and private entities

Establishing partnerships with private entities another opportunity to promote gardening to the public. In addition, many businesses are interested in being involved in their communities, in demonstrating corporate social responsibility, and in engaging their employees. Businesses may also be able to provide more than garden space, they may also be able to provide funding and in-kind support through employee volunteerism. The Ottawa Food Action Plan includes descriptions of municipal policies from across Ontario (see Appendix H2 – Municipal-Level Initiatives to Support Gardening on Private Lands) (Just Food 2014). The City of Victoria (2016) Community Gardens Policy indicates how the municipality provides support for businesses and community gardens including helping them build relationships and provide funding. In addition, many faith groups are open to working together with community gardens, especially as this fits in well with existing projects such as food donation or soup kitchens which they may also be involved with (HSC 2015). Hospitals may also be interested in establishing community gardens on their property as they can provide a space for patients to visit while also supporting community nutrition efforts (Handley et al. 2017, Toronto Urban Growers 2016).

Community gardens and city property

Some municipalities have policies to promote community gardens including policies on how to establish gardens on public lands. For example, the Community Garden Council in the Waterloo Region (no date) has a list of municipal policies from the City of Cambridge, City of Kitchener, and City of Waterloo. Similarly, the City of Victoria (2016) has a policy to support community gardens including a policy on building gardens on city boulevards (City of Victoria, no date). Other opportunities to develop community gardens exist with libraries and community centres since both of these can use gardens as learning spaces. Many community centres have dietitians who can use gardens as a tool to teach about nutrition, while regular children's programming can also use the garden space for learning and play (HSC 2015). Meanwhile, the Cornwall Public Library has recently announced a rooftop garden will soon be built on its current facility and would host a variety of community events including book club meetings and yoga classes (Seebruch 2017).

Community gardens and utility companies

Utility companies own land that may be suitable for the development of community gardens including along power line corridors. For example, a pilot project in Toronto is proposed to include a mix of community and private gardening projects in Hydro One corridor (Sherman 2015). However, these sites face additional challenges including the possibility of soil contamination and concerns around electromagnetic fields (Sherman 2015, Toronto Medical Officer of Health 2008). A 2009 report entitled "Cultivating Potential: Planning of Urban Agriculture in Toronto's Hydro Corridors"

suggests opportunities for developing community gardens and other urban agriculture projects in Hydro corridors in urban centres (Danyluk 2009). The most significant barrier at this point is that since most of this land is owned by the Ontario government, restrictions to access involve attaining a recreational licence and thus far these have been difficult to obtain (Danyluk 2009).

Community gardens and universities

Like community gardens at primary or secondary schools, community gardens at universities can provide important educational purposes. Often run in partnership with campus Offices of Sustainability or by student unions, these gardens can even be used by professors to teach course material (AASHE 2010). For example the Association for Advancement of Sustainability in Higher Education recognizes the role of campus gardens in meeting sustainability goals on campuses (AASHE 2010). “The Garden Guide” by the Real Food Challenge in the US discusses the details of establishing community gardens with university students including how to build student support and work with facilities management. In Canada, Meal Exchange hosts a Campus Garden Network for community gardens on university campuses and provides a space for these community gardens to share resources and discuss concerns (Meal Exchange 2012).

Social Housing and New Housing Developments

Opportunities to work with housing authorities and developers to establish gardens as part of the design of new housing developments are increasing as the benefits of gardening are being increasingly documented. Residents can enjoy the aesthetics of having a garden even if they themselves do not garden which can contribute resident retention (HSC 2015). These gardens can be established by working with residents directly or by contacting property managers and staff. The Housing Services Corporation (2015) provides suggestions on how to build these relationships. In addition, section 1. discussed how community gardens can work with urban planners to ensure that community gardens are included in new housing development designs.

4. Land trusts

Often formed to protect neighbourhoods from the effects of gentrification, land trusts have also been used to provide garden and farm space in urban areas. Toronto’s Parkdale Neighbourhood Land Trust was established by residents to address housing issues in that neighbourhood (PNLT, no date a). The Milky Way Garden is a new partnership between the Parkdale Neighbourhood Land Trust and Greenest City to set up a community garden in the community (PNLT, no date b). An example of a land trust that incorporates community gardens and urban agriculture is the Greater Boston Community Land Trust Network which has a partnership with the Urban Farming Institute that teaches agriculture and gardening skills and employs many local residents (Larson 2016). While land trusts are a relatively new initiative, the potential to promote community gardens and urban agriculture is significant as the community can set their own planning agenda.

Other resources

The following are helpful resources from Ontario and beyond that have addressed similar questions as this report and have a variety of recommendations. These reports and guidelines may be helpful in answering specific questions that have not otherwise been addressed in this report.

- With respect to understanding provincial and municipal planning processes, two guides may be helpful:
 - The Community Improvement Planning Handbook from 2008 was written by the Ontario Ministry of Municipal Affairs and Ministry of Housing to help community members understand the planning process and how they can be involved: <http://www.mah.gov.on.ca/Page1297.aspx>.
 - Similarly the Citizens' Guide to Land-use Planning also describes the planning process: <http://www.mah.gov.on.ca/Page338.aspx>
- Opportunities for Growth: An Urban Agriculture Toolkit by Sustain Ontario
https://sustainontario.com/custom/uploads/2017/02/SustainOntario_UrbanAgToolkit.pdf
- The Community Garden Toolkit: Who It's For and How to Use it by Housing Services Corporation:
<http://tcgn.ca/wp-content/uploads/2015/08/HSC-CommunityGardenToolkit-Inside.compressed.pdf>
- Community Gardens Toolkit from Food Banks Canada:
<https://www.foodbankscanada.ca/getmedia/de53293a-2fc3-4e42-82e6-60da8fcb2558/Community-Gardens-Toolkit-v2.pdf.aspx>
- The Toronto Food Policy Council published an urban agriculture action plan in 2012 called GrowTO. While focused on Toronto, this report also provides useful examples from around the world on successful community garden projects:
<http://www.toronto.ca/legdocs/mmis/2012/pe/bgrd/backgroundfile-51558.pdf>
- City Farmer is based in Vancouver and provides extensive articles on urban gardening issues from around the world: <http://www.cityfarmer.info/>
- Dillon Consulting's report to the Halton Food Policy Council provides a summary of community garden needs and regulations:
<http://sirepub.halton.ca/councildocs/pm/16/May%2020%202014%20Health%20and%20Social%20Services%20MO1214%20%20Halton%20Food%20Council%20Progress%2020122014%20%20MO1214%20attachment%202pdf%20173641.pdf>
- OMFRA's Online Gardener's Handbook (2010) provides extensive resources and information on successful gardening in the province of Ontario:
<http://www.omafr.gov.on.ca/english/crops/gardbk/ghtoc.html>

Recommendations

Sustain Ontario is ideally situated to assist community gardens in addressing some of these challenges. In particular, several challenges would be best addressed collectively, especially those that require additional expenses that would pose a considerable burden to individual organizations or community groups. The following are recommendations for where Sustain Ontario and the Community Growing Network would be able to have the most significant impact.

1. **Developing Supportive Policies:** Sustain Ontario is ideally situated to help communities advocate for changes to municipal policies that support the development of more community gardens. For example, municipalities should be encouraged to develop Urban Agriculture Programs that would support a diversity of urban gardening and agriculture activities across city departments (TFPC 2012).
2. **Collective Liability Insurance:** As a province-wide actor, Sustain Ontario is well suited to following the example of the American Community Gardening Association and negotiate a collective insurance plan that covers all community gardens in the province. This could save individual community gardens from the burden of the cost while also sharing the risk involved amongst a larger network. Details such as how many gardens could be involved and what kinds of guidelines community gardens would have to follow in order to be eligible for such coverage would have to be negotiated with the insurance provider.
3. **Soil testing:** Sustain Ontario could also negotiate a suitable rate for soil testing from a reputable company. Since the needs of community gardens are not the same as farmers and others who use these services, by negotiating with a company and recommending that all community gardens use the same company, this could result in better services to community gardens while also ensuring the company is aware of the needs of community gardens and can provide them the services they need. The Certified Organic Association of BC (no date) has a list of companies that provide soil testing which may be a good place to begin reaching out to relevant companies. This would also make it more feasible for community gardens to conduct soil testing, which regardless of whether or not it becomes mandatory required by provincial or municipal regulations, would usually still be in the best interests of the community garden.

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