

Committee of the Whole Report For the Meeting of February 25, 2015

To: Committee of the Whole **Date:** February 11, 2016
From: Thomas Soulliere, Director, Parks, Recreation and Facilities
Subject: 'Growing in the City' – Part 1: Urban Food Production on City-owned lands

RECOMMENDATION

That Council:

1. Adopt the revised Community Gardens Policy (2016);
2. Approve the land inventory of City-owned property for community food production;
3. Endorse a new Urban Food Tree Stewardship pilot program;
4. Adopt the revised Boulevard Gardening Guidelines, and instruct staff to prepare associated bylaw amendments.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with updated policies and guidelines to support urban food production in the public realm, as part of the 'Growing in the City' project. This includes:

- An updated Community Gardens Policy;
- An inventory of suitable City-owned land for community food growing;
- A pilot program to facilitate an increase in the number of food-bearing trees in City parks; and,
- A final set of Boulevard Gardening Guidelines.

A separate report (Part 2) will provide Council with recommendations relating to City regulations and small-scale commercial urban farming on lands not owned by the City.

In May 2015, Council approved 'Growing in the City', a year-long initiative to update and expand policies and guidelines to support urban food production and boulevard gardening in the City of Victoria. The 'Growing in the City' project is intended to advance several key directives in the 2015 – 2018 Strategic Plan and Official Community Plan for a more sustainable local food system.

The City conducted two phases of public engagement to help guide the creation of the recommendations being presented to Council. The first, intended to gauge overall public support for increasing food production in the City, confirmed support for expanding opportunities of all varieties of food production across the City. Based on the feedback received from the first phase of engagement, staff prepared potential revisions to bylaws, guidelines, regulations and policies.

These potential revisions were presented to the public at a draft policy review workshop and open house, and an associated online survey, in December 2015. Results from this phase of engagement indicated a high level of support for all potential revisions presented to Council for consideration in this report. The two engagement reports are attached as Appendix A and Appendix B.

The Community Gardens Policy, originally approved in 2003, outlines the process for the creation and retention of community garden sites on City-owned lands. This includes guidelines for site selection, conditions of use, City resources, and use agreements. A number of revisions are recommended to Council that will improve opportunities for residents to initiate and participate in community gardens. The updated policy is attached as Appendix C.

An inventory of City-owned lands that are suitable for community gardening is attached as Appendix E. The land inventory lists 64 sites throughout the City as potential sites for future community gardening projects. Following Council approval of this inventory, the information will be added to the City's VicMap program for public access.

A new 'Urban Food Tree Stewardship' pilot program is attached as Appendix F. This new program responds to the desire of Victoria residents to increase the number of food-bearing trees planted on public land, as well as the objectives of the Official Community Plan and Urban Forest Master Plan. The 'Urban Food Tree Stewardship' pilot program will enable residents, in partnership with a community organization, to plant and maintain small groupings (5 or fewer) of food-bearing trees in a City-owned park or green space by entering into a maintenance agreement with the City of Victoria.

Finally, a revised version of the Boulevard Gardening Guidelines is attached as Appendix G. This version proposes an adjustment to address concerns identified about safety and maintenance of these gardens.

A final phase of the 'Growing in the City' project is planned for spring 2016, and will include public outreach and education about updated policies, regulations and guidelines, as well as outreach to strengthen partnerships and align program delivery goals with non-profit organizations, key landowners, and other stakeholders.

PURPOSE

The purpose of this report is to present Council with updated policies and guidelines to support urban food production in the public realm, as part of the 'Growing in the City' project. This includes:

- An updated Community Gardens Policy;
- An inventory of City-owned land suitable for community gardening;
- A pilot program for increasing the number of food-bearing trees in City parks; and,
- A final set of Boulevard Gardening Guidelines.

A separate report will provide Council with proposed updates to City regulations to better support small-scale commercial urban farming.

BACKGROUND

The City of Victoria recognizes urban gardening and food production as a valuable community activity that contributes to health and well-being, positive social interaction, connection to nature,

environmental education, creating healthy and diverse ecosystems, neighbourhood building, and food security.

The 'Growing in the City' project is a year-long initiative to update and expand policies and guidelines for urban food production and boulevard gardening in the City of Victoria. This project is intended to advance several key directives in the Official Community Plan and Strategic Plan towards the City's goals for a more sustainable local food system.

The Official Community Plan (OCP) directs the City to review and develop policy to increase the number of allotment gardens, commons gardens, edible landscapes, food-bearing trees and other types of food production activities, including the following:

- Identify the land types and potential City-held sites where different food production activities might be supported (17.4.1);
- Identify the responsibilities of participants (17.4.2);
- Identify mechanisms to encourage and support food production on City-held lands, other publicly-held lands, and on private lands (17.4.3);
- Identify mechanisms to acquire land for food production purposes, where appropriate (17.4.4); and,
- Work with community groups to develop pilot projects for the planting, maintenance and harvesting of food-bearing trees on suitable City-held lands (17.8).

The 2015 – 2018 Strategic Plan seeks to 'Enhance Public Spaces, Green Spaces and Food Systems'. The actions related to food production are:

2015 Actions

- Create a micro-grant for volunteer coordination of commons and community gardens. (Note: through the 2015 Financial Plan, Council also created a Community Garden Volunteer Grant program, which funds a coordinator for each neighbourhood.)
- Develop long-term policies for food security and boulevard gardening including an inventory of City-owned land for food production and improved coordination of food systems resources and initiatives in the city.
- Learn from Vancouver's success in creating a community garden on Davie Street private property and replicate the model on available private properties in Victoria, including downtown.
- Allocate existing resources in Parks and other departments to implement food security initiatives.
- Strengthen the relationship between the City of Victoria and School District 61 in order to maximize the benefit of School lands and facilities.

2016 Actions

- Introduce new partnerships with citizens and groups to increase food cultivation on public and private land.

In May 2015, Council approved the 'Growing in the City' project charter and the delivery of six key initiatives:

1. An inventory of City-owned land for community food growing;
2. A review and update of the Community Gardens Policy;
3. Voluntary guidelines for food production in multi-unit, mixed use developments and other types of housing;

4. Guidelines for food-bearing trees on City-held lands;
5. A review of City regulations and policies to explore the opportunity for, and implications of, supporting expanded small-scale commercial urban agriculture; and,
6. A final version of the Boulevard Gardening Guidelines.

Overview of Public Engagement

Phase 1 (June 2015 – October 2015)

From June 2015 – October 2015, the City conducted the first phase of public engagement for the 'Growing in the City' project. The objective was to gauge public support for a variety of food production opportunities in the City, and to solicit feedback on what is currently successful, what could be improved, and what program areas are currently missing or should be expanded. The engagement consisted of the following opportunities to provide input:

- An online survey with a short and long version;
- 3 pop-up engagement stations at local farmers' markets;
- A "round-table" event with representatives of the Urban Food Table (compiled of local stakeholders); and,
- A series of one-on-one meetings between City Staff and urban food system experts, including food growers, distributors, purchasers, and community gardeners.

The City received over 800 responses to the online survey, and met with more than 30 experts involved in the local food system. The results from the engagement indicated a high level of support for increasing opportunities for food production in the City.

- 98% support for increasing the number of community orchards in Victoria;
- 94% support for increasing the number of boulevard gardens in Victoria; and,
- 91% support for increasing the number of community gardens in the City.

A complete engagement summary from Phase 1 is attached as Appendix A.

Phase 2 (November 2015 – January 2016)

Based on feedback received through the first phase of engagement, staff prepared potential changes to policies, guidelines and regulations intended to make projects related to food production simpler, faster, and more effective. These included:

- Proposed revisions to the Community Gardens Policy;
- Proposed revisions to the Interim Boulevard Gardening Guidelines;
- Mechanisms for increasing the number of food-bearing trees planted around the City; and,
- Potential adjustments to City regulations in support of commercial food production.

The second phase of public engagement solicited feedback on the potential changes, through:

- A "round-table" meeting with the Urban Food Table;
- A draft policy review workshop and open house; and,
- An online survey.

Over 300 residents participated in the second phase of public engagement. Overall, responses offered a high level of support for the potential changes. Feedback from this round of consultation also informed additional minor revisions to the potential changes that are represented in the final

draft policies included in this report.

A complete engagement summary from Phase 2 is attached as Appendix B.

ISSUES & ANALYSIS

Community Gardens Policy

The current Community Gardens Policy was adopted in 2003. The role of the policy is to outline the process for the creation and retention of community garden sites on City-owned lands. This includes guidelines for site selection, conditions of use, City resources, and use agreements. Community gardens in the City of Victoria typically include one or more elements of three categories:

1. Commons Garden: A communal garden area maintained and managed by community volunteers, where any harvest produced is available to the public.
2. Allotment Garden: Individual garden plots that are rented, maintained and harvested by individual member gardeners.
3. Community Orchard: A grove of fruit or nut trees where a community organization is responsible for the care, maintenance and harvesting of trees, with food going to the community.

Based on the initial citizen feedback, potential revisions to the policy were presented to the public in the second phase of public engagement, and the following key revisions have been included in the updated Community Gardens Policy (attached as Appendix C):

1. An expanded definition of 'Community Garden'

The existing Community Gardens Policy defines a community garden as “a plot of land where community volunteers from a non-profit society produce food, flowers, native and ornamental plants, edible berries and food perennials on public or private lands.” Results from public consultation indicated that this definition was not inclusive enough of all types of gardening, including maintaining native and cultural landscapes.

The revised definition expands the types of activities that can be considered a community garden, to better reflect the wide range of activities of interest to the residents of Victoria. The revised definition states:

For the purposes of this policy, a community garden is a piece of land gardened collectively by members of the community, in partnership with a non-profit society. Community gardening includes, but is not limited to, the following types of activities:

- *Growing annual and perennial food plants, medicinal plants, and flowers*
- *Growing indigenous, cultural and native plants*
- *Pollinator gardens and hobby beekeeping*
- *Permaculture projects*
- *Fruit and nut trees*
- *Demonstration farming*
- *Edible landscaping*

Feedback from the public engagement indicated 94% support for this revision as it will create more inclusive opportunities for gardening.

2. Removing the ability to restrict garden membership by neighbourhood of residence.

Under the existing policy, the decision to restrict garden membership to those who live in the neighbourhood is made by the operating non-profit society. Feedback from consultation indicated that restrictions to allotment garden membership by neighbourhood of residence is challenging for residents of dense or smaller neighbourhoods such as Downtown, Harris Green or North and South Jubilee. Results from the land inventory also indicate that City-owned land with gardening potential is not equally distributed throughout neighbourhoods, making it difficult to establish new community gardens equitably across the City.

A new provision in the updated Community Gardens Policy states:

- *Membership in allotment gardens may not be restricted by neighbourhood.*

This new provision is anticipated to make access to allotment garden plots more equitable, and also make it possible for residents to gain access to garden plots in areas of the City they commonly frequent, including near their workplace. The new provision will apply to new projects, and will not impact current operating agreements for existing community gardens. However, when license agreements for existing community gardens come up for renewal, they will be required to amend their operating agreements in alignment with this new provision. City of Victoria residents will continue to be given priority membership.

Results from the public consultation indicated 79% support for this revision. Feedback in support of this change indicated that it would increase gardening opportunities near workplaces, will take pressure off wait-lists, and create more equitable access. Feedback not in support of this change included concerns that gardening outside of the neighbourhood of residence could increase car travel to garden plots and erode sense of community.

3. Increased staff support for new community garden projects

Feedback from meetings conducted with stakeholders recommended increased staff support for new garden projects, especially in locating land and conducting public consultation. As per the 2015 – 2018 Strategic Plan, a new Food Systems Coordinator position has been added to the staff team. With the addition of this new position, additional support will be available for garden projects:

- Assistance in helping groups find suitable land for new projects, including providing information on City-owned lands that may be suitable for gardening projects, and assisting with connections between community groups, land owners, and other potential partners;
- Working with successful applicants to complete project proposals; and,
- Helping to conduct public consultation for new garden sites on City-owned land.

4. A simpler, more streamlined application system for new projects

Feedback from meetings conducted with current community gardeners and other stakeholders indicated that the process for starting new community gardens can be confusing and slow. A more streamlined application process will introduce a new 'Expression of Interest' route, requiring only critical information from project coordinators to begin the process of building a new garden. The new approach will have a single annual intake period, and is anticipated to:

- Simplify the process of getting a new community garden project started;
- Help the City set priority projects each year;
- Expedite the process of having garden projects approved, by having a single reporting period to Council for the necessary land agreements; and,

- Better align new garden projects with the City's annual grant application deadlines.

A date for the Expression of Interest will be set at June 1, 2016 for the first year, to allow garden development for the following growing season. This date will be reassessed once the review of the City's grant program has been completed.

Community Gardens on Private Lands: BC Assessment Reclassification

As directed in the 2015 – 2018 Strategic Plan, staff conducted a review of the mechanisms used to encourage community gardens on private lands, including the community garden at Davie Street and Burrard Avenue in Vancouver.

The most effective tool for encouraging community gardens on private lands appears to be through property owners taking advantage of land reclassifications through BC Assessment. In the City of Vancouver, the reclassification of new community gardens from commercial to recreational tax class has encouraged the growth of community gardens on vacant and private lands, including the community garden at Davie Street and Burrard Avenue. Some vacant properties in the City of Victoria are classified as commercial, utility or industrial but others are residential. Should a residential property be reclassified by BC Assessment as recreational, the taxes would increase since the recreational tax rate is higher than the residential. However, commercial, utility or industrial properties would benefit from a reclassification to recreational. Similar to permissive tax exemptions, while an individual property owner may benefit from a reclassification, there is no impact on the overall revenue the City collects from property taxes since the taxes would simply be shifted to other properties within the same tax class.

The City has no direct involvement in this process and no change to existing City of Victoria policy or procedures would be required.

The City of Vancouver is not involved in the development or maintenance of temporary garden spaces on private property. A non-profit organization has formed to work with the community and property owners to build, manage and remove temporary gardens on vacant private lands. Funds to design, build, and remove the gardens are typically paid for by the property owner, using a portion of the tax savings. Issues around tax classification are dealt with between the property owner and BC Assessment.

Further details on this topic are included in Appendix D.

Inventory of City-owned Land for Community Gardening

An inventory of City-owned lands technically suitable for community gardening is attached as Appendix E. The inventory considered all properties owned by the City, including both pervious and impervious surfaces. Drawing on best practices from inventories in other North American cities, sites were assessed based on the following features:

- Existing land issues: Sites leased to others, including those occupied by School District 61 were removed from the inventory. Designated heritage sites, sites with existing land trusts and sites used for other community programming, were included in the inventory, but ranked as unsuitable.
- Physical features: Sites with steep slopes, rocky and uneven surfaces, and designated natural areas/sensitive ecosystems were removed from the inventory.
- Growing conditions: Sites presenting highly unfavourable growing conditions, such as high

exposure to salt spray and wind, were removed from the inventory.

The land inventory located 60 potential sites across the City. These sites have been grouped into four suitability rankings (Ranking #1 being the most suitable):

Ranking #1: Sites with a large amount of open space (more than 1,000 sq.m.)

Ranking #2: Sites with a moderate amount of open space (between 100 sq.m. and 1,000 sq.m.)

Ranking #3: Sites with a small amount of open space (less than 100 sq.m.)

Ranking #4: Sites with a large amount of open space (more than 1,000 sq.m.), but currently used by other community programming (e.g. off-leash areas, sports fields, ball diamonds) or with land trust or heritage designations.

The land inventory is intended to provide guidance in assessing the feasibility of sites for gardening activities; community projects on these sites will still be subject to public consultation. The inventory is not intended to be exclusive, and sites not included in the inventory are not automatically excluded from hosting community gardening activities.

Pending Council approval of this inventory, staff will provide this information to the public through the City's 'VicMap' mapping program.

Urban Food Tree Stewardship Pilot Program

Results of public consultation from Phase 1 demonstrated that residents of Victoria support increasing the number of fruit and nut trees planted in the City (93% of survey respondents). Food-bearing trees are seen as an important asset to the City, contributing to community building, food security, enhancement of the urban forest, and provide a source of affordable food production.

Along with the benefits above, food-bearing trees also present certain potential challenges when grown in public spaces. These include:

- Intensive maintenance requirements (annual pruning, regular watering during establishment, collection of harvest during fruit-bearing months, etc.);
- High susceptibility to pests and rodent issues, particularly in relation to fallen fruit;
- Management of collection, ownership and distribution of harvest;
- Allergy concerns (i.e. nut allergies);
- Property or vehicle damage from falling fruit and nuts;
- Trip or slip hazards if fruit falls on pedestrian pathways; and,
- Safe harvesting conditions.

A new 'Urban Food Tree Stewardship' pilot program (attached as Appendix F) has been developed as a tool to expand the number of fruit and nut trees planted around the City, while recognizing and mitigating the associated challenges. This program will enable residents to plant and maintain a small number (five or fewer) of fruit and/or nut trees in a park or open space in their neighbourhood through a simple partnership agreement between a community organization and the Department of Parks, Recreation and Facilities. Plantings of more than five trees and projects with understory plantings will continue to be considered a type of community garden, and will be subject to the terms of the Community Gardens Policy.

This pilot program is aligned with the Urban Forest Master Plan and is intended to increase the number of food-bearing trees in City parks, while partnering with community organizations to provide those trees with the necessary level of care and maintenance. This program also responds to direction from the Official Community Plan to: *Work with community groups to develop pilot*

projects for the planting, maintenance and harvesting of food-bearing trees on suitable City-held lands (17.8).

Groups interested in participating in this program would be responsible for the trees for the duration of the life of the tree, including:

- Selecting and purchasing the trees, in consultation with City Parks staff;
- Planting the trees;
- Committing to daily maintenance of the site during fruit bearing months, to ensure all fallen fruit is gathered off the site daily;
- Committing to weekly visits to the site during non-fruit bearing months; and,
- Watering, pruning, weeding, mulching and maintaining the trees, at no cost to the City, including locating a water source.

Community organization and the 'Food Tree Stewards' will be asked to submit a tree location plan for review and approval by staff and canvas immediate neighbours to demonstrate support for the project. Depending on the location and anticipated impact of the project, staff may also choose to conduct additional public consultation, including erecting signage on the site to solicit feedback from park users.

Staff recommend that this program be introduced as a five-year pilot program. This will allow the program to be evaluated annually and at the end of the term. This evaluation will assess the program demand, effectiveness in meeting objectives, and potential improvements to practices and policies.

Boulevard Gardening Guidelines

An updated version of the Boulevard Gardening Guidelines is attached as Appendix G. Results of public consultation indicated that the Interim Boulevard Gardening Guidelines, introduced in September 2014, have been largely effective. Many residents suggested that boulevard gardens provide benefits to their neighbourhood, including adding character, encouraging positive social interactions, providing more space to garden, and making sidewalks more interesting.

The City has received few complaints about boulevard gardens since the introduction of the Interim Guidelines. The primary concern received through public consultation was the need to introduce a mechanism to deal with abandoned or unsafe gardens. In response, a 'Garden Upkeep and Removal' section has been added to the revised version of the guidelines:

6.2 Garden Maintenance and Upkeep: It is the homeowner's responsibility to keep their boulevard garden well-maintained and operating within the guidelines established by this document. The City of Victoria does not monitor the state of gardens on boulevards, and will respond to issues on a complaint-basis. If you feel that a boulevard garden in your neighbourhood poses a safety risk or has been abandoned, you may first wish to speak with the adjacent homeowner. Complaints about boulevard gardens can be directed to parks@victoria.ca. Homeowners will be notified when a complaint is received about their boulevard garden.

If multiple (3 or more) complaints are received by the City in a single calendar year, the homeowner will receive a thirty (30) day written notice to respond and remedy the situation. If the situation persists beyond the 30 day window, the City reserves the right to remove the boulevard garden, at the cost of the homeowner.

Complaints received under this new clause will be filed with the Parks Division, and assessed by staff. Complaints will be considered valid for abandoned gardens or safety concerns, and not for disagreements about garden aesthetics.

Following adoption of the updated Boulevard Gardening Guidelines, staff will prepare the associated revisions to the City's Streets and Traffic Bylaw and any other required bylaw revisions, for reading at a future Council meeting.

Next Steps

Following the adoption of revised policies and guidelines, a third and final phase of the 'Growing in the City' project will focus on public outreach and engagement. Based on themes emerging from public engagement and direction from the Strategic Plan, the final phase of this project will include:

- Developing educational materials to support new policies and guidelines:
 - Voluntary guidelines for food production in multi-family, mixed-use and other types of housing;
 - A list of recommended food tree species, and tree planting and maintenance guidelines, in support of the Urban Food Tree Stewardship Pilot Program;
 - Development of a food program identity, including online forms, educational materials, signage and additional resources.
- Strengthening partnerships and aligning program goals amongst stakeholders:
 - Meeting with large landowners, including School District 61, Vancouver Island Health Authority, Greater Victoria Harbour Authority, faith-based organizations, and the Province of British Columbia to share information and encourage urban agriculture initiatives in the city;
 - Meeting with non-profit organizations and community groups with urban food agendas, to support networking, capacity-building, partnership development, and program delivery goals.

OPTIONS & IMPACTS

Staff recommend that Council:

1. Adopt the revised Community Gardens Policy (2016);
2. Approve the land inventory of City-owned property for community food production;
3. Endorse a new Urban Food Tree Stewardship pilot program;
4. Adopt the revised Boulevard Gardening Guidelines, and instruct staff to prepare associated bylaw amendments.

2015 – 2018 Strategic Plan

The recommended option is consistent with Objective 8: Enhance Public Spaces, Green Spaces and Food Systems.

Impacts to Financial Plan

Implementing the policies, guidelines and bylaw revisions outlined above are not anticipated to result in resource implications not already captured within the proposed 2016 – 2020 Financial Plan.

The 2016 – 2020 Financial Plan anticipates grant funding for 6 neighbourhoods through the Community Garden Volunteer Coordinator Grant program. The allocation of funds in 2015 was \$6,000 per neighbourhood. The construction of new community gardens in additional neighbourhoods may require increased grant funding in future years.

Official Community Plan Consistency Statement

The recommended option is consistent the Chapter 7: Food Systems of the Official Community Plan, which directs the City to review and develop policy to increase the number of allotment gardens, commons gardens, edible landscapes, food-bearing trees and other types of food production activities.

CONCLUSIONS

The 'Growing in the City' project has affirmed the strong desire of residents to increase opportunities related to food production and food security. The recommendations included in this report, relating to City-owned land, are designed to respond to this desire, by expediting approval timelines, offering greater information-sharing and project support, and broadening the types of projects considered for approval.

Respectfully submitted,


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Report accepted and recommended by the City Manager: _____

Date: _____

List of Attachments

- Appendix A: Engagement Summary Report (Phase 1)
- Appendix B: Engagement Summary Report (Phase 2)
- Appendix C: Community Gardens Policy (2016)
- Appendix D: BC Assessment Reclassification
- Appendix E: Inventory of City-owned land for community gardening
- Appendix F: Urban Food Tree Stewardship Pilot Program
- Appendix G: Boulevard Gardening Guidelines