

To: Community and Operations Services Committee

From: Ron Diskey, Commissioner,
Community and Operations Services Department

Report Number: CO-23-20

Date of Report: April 19, 2023

Date of Meeting: April 24, 2023

Subject: Update on South Patch/ Glen Street Community Garden and
Pepper and Berry Patch Community Garden

Ward: Ward 4 and Ward 5

File: 03-05

1.0 Purpose

The purpose of this report is to provide an update on the South Patch and Pepper and Berry Patch Community Gardens and recommend establishment of the Glen Street Community Garden.

Attachment 1 – Cordova Valley Park, Community Garden Location Map

Attachment 2 – Glen Street Community Garden Constitution

Attachment 3 – Glen Street Community Garden Policy

Attachment 4 – ED-23-90 Proposed Designated Space for Clubhouse Use

Attachment 5 – Pepper Patch Community Garden Location Map

2.0 Recommendation

That the Community and Operations Services Committee recommend to City Council:

1. That based on Report CO-23-20 dated April 19, 2023, the Glen Street Community Garden Committee be formed and assume the operations of the existing community garden located at Cordova Valley Park in accordance with this Report; and,
2. That the members of the Glen Street Community Garden Committee be recognized as volunteers of the City of Oshawa enabling the City to extend coverage under its Municipal Liability Insurance Policy; and,

3. That this report and Council resolution be sent to the Glen Street Community Garden Committee members to be incorporated into the garden policy and operating procedures.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

- Recreation Services
- Planning Services
- Durham Integrated Growers

5.0 Analysis

5.1 Background

In April 2013, Council endorsed the [City's Community Garden Procedure – Growing Oshawa](#). The Procedure was based on Council approved protocols for managing community gardens on City owned lands. The Procedure requires that a “Community Garden Committee” be formed to act in a volunteer capacity to oversee the operation of the garden and its membership in accordance with an approved Constitution. Members of the garden must follow garden policies and are required to sign assumption of risk form and release of liability waiver. Durham Integrated Growers (D.I.G.) is a valuable organization providing much needed support, advocacy, expertise and knowledge sharing for each of the gardens.

Mary Street Community Garden (located at Northview Park) and Harmony Community Garden (located at Delpark Homes Centre) operate as allotment gardens under this operating model in which members pay a nominal fee to the Garden Committee for their plot. The Field Community Garden (located at Airport's South Field) operates under a similar allotment model with no plot fees. Members are responsible for growing, maintaining and harvesting their own garden plot. These gardens are, for the most part, self-sufficient and operate through plot fees, donations and in-kind support from City staff and others.

Each garden provides fresh produce to local food banks and engages the local community to raise awareness on food security while contributing to the health and well-being of its members and the community.

In addition to these gardens, We Grow Food operated two other gardens under a license agreement. These were operated as communal neighbourhood gardens and were located at Cordova Valley Park, known as “South Patch”, and the “Pepper and Berry Patch” located on vacant city lands at the corner of Albert and John Street. In November 2021, We Grow Food notified the City that they did not want to continue operating the two communal neighbourhood gardens. In order for each of these gardens to continue to operate, a licence agreement with another interested organization would have to be established, or, a group of individuals would have to come together to form a committee to

operate each garden under the City's Community Garden Program. Local residents expressed an interest in taking on the operation of the "Pepper and Berry Patch" gardens; however, We Grow Food was not successful in finding volunteers interested in assuming the responsibility of the "South Patch" gardens. Report [CS-22-12](#) dated February 9, 2022, provides details about the transition of these gardens.

5.2 South Patch Garden/ Glen Street Community Garden

We Grow Food ceased operations of the garden known as "South Patch" located at Cordova Valley Park, shown in Attachment 1, at the end of the 2021 growing season which coincided with the closure of Cordova Valley Park during the park redevelopment that took place in 2022. During the redevelopment, the garden infrastructure (8 raised beds) were left intact in the hopes that an interested group would come forward ahead of the 2023 growing season.

In fall 2022, a group of local residents expressed interest in continuing the operation of the garden at Cordova Valley Park and they began to work extensively with D.I.G. to meet the necessary criteria for a successful garden group. The interested residents have established a volunteer garden committee, the Glen Street Community Garden (G.S.C.G.) Committee, which will act in a volunteer capacity to lead the "Glen Street Community Garden". In accordance with the City's Community Garden Procedure, the G.S.C.G. Committee has developed a Constitution, provided as Attachment 2, and the G.S.C.G. Garden Policy, provided as Attachment 3, detailing their vision for the continued operation of the garden.

The G.S.C.G. Committee is seeking to operate the existing "South Patch" garden as the "Glen Street Community Garden" commencing in the spring of 2023. In accordance with the City's Community Garden Program, the G.S.C.G. Committee members must be recognized as volunteers of the City enabling the City to extend coverage under its Municipal Liability Insurance Policy, which is in line with how other community gardens on City-owned land operate throughout the City.

As detailed in the G.S.C.G. Garden Policy, the G.S.C.G. Committee intends to operate the garden as an allotment garden in accordance with the City's Community Garden Procedure, similar to Mary Street Community Garden and Harmony Community Garden. Members will pay a nominal plot fee (\$20) and will be responsible for maintaining and growing in their own individual plots. Membership fees are used to support regular operations of the garden (i.e. water, garden tools, etc.) and are important in a successful self-sufficient garden. Membership fees can be supplemented with donations. Given inactivity, some site preparation is required including with weeding, mulching, and repairs and construction of new raised beds. The G.S.C.G. has plans to accommodate an additional 20 beds (4' x 32') and a larger communal bed. They are also planning to engage the local community through various activities in the garden.

From the Committee's application to the City, the G.S.C.G. seeks to start a new chapter in the existing community garden space, with a focus on building and supporting the community in the surrounding neighbourhood. Building off of the Committee's strengths and past experience, the garden plans engage with local community partners (local

residents, schools, churches, businesses) to connect those in the community with the garden space.

The G.S.C.G. understand that they would have exclusive use of the garden shed and will work collaboratively with the Clubhouse Licensee in use of the space as outlined in Attachment 4 (in accordance with Closed Report ED-23-90 concerning a “Proposed Licence Agreement for the Cordova Valley Clubhouse at 863 Glen Street”) to share outdoor gathering space. Space will also be provided for the Clubhouse Licensee to grow, operate and maintain their own separate garden beds.

5.2.1 Special Operating Conditions

Typically, there are a number of key criteria that should be considered when choosing locations for a community garden which may impact the successful operation of the garden:

- availability of water;
- soil conditions and quality
- access to washrooms;
- proximity to public transit
- security; and,
- accessibility

The garden has a source of water with connections to an external garden spigot. G.S.C.G. Committee will have access to water three times a week for three-hour periods, from May to October. The City will charge the G.S.C.G. for water consumption at the end of each garden season. The City charges community garden groups for water consumption to encourage water conservation and promote the principles of permaculture.

Similar to past garden operations at this site, G.S.C.G. will be required to plant and grow produce in raised garden beds. The initial growing season will take advantage of the eight (8) existing raised beds on site from previous garden operations which will accommodate eight (8) garden members. Expansion of the garden membership will be contingent on the addition of raised beds and capacity of the garden committee. The garden boundary should maintain a buffer with the neighbouring property. G.S.C.G. must work with and seek approval from Operations Services for any changes made to the site.

The site has an existing garden shed. G.S.C.G. will have exclusive access to the garden shed for storage of garden tools and materials. Operations staff will work with the Committee to arrange for access, with the Committee taking responsibility for managing access for members.

The site has connections to transit routes on Glen Street as well as limited parking facilities (11 spaces) which are shared with the other park amenities. Events or gatherings organized by G.S.C.G. must be coordinated and booked through the Facility Booking Office to ensure there will be no conflict with activities in the park which would limit access or parking.

Gardeners should be aware that the site does not have access to washroom facilities. If the Committee wish to have access to washroom facilities for a permitted event, it will be the responsibility of the Committee to determine the need and provide portable washrooms

at their own expense and in consultation with Parks Operations. The City will not be responsible for providing access to washroom facilities.

G.S.C.G. should also become a member of D.I.G. who can provide support to the garden through knowledge sharing and fostering partnerships in order to ensure success of the garden.

In addition to the special operating conditions above, the G.S.C.G. must comply with the City's Community Garden Procedure by-laws such as the [Parks and Facilities By-law \(By-law 83-2000\)](#) and other regulatory requirements.

5.3 Pepper Patch and Berry Patch Community Garden

In 2022, a group of volunteers formed the Pepper Patch Community Garden (P.P.C.G.) Committee and took over the operation of "Pepper Patch and Berry Patch" at 138 and 139 Albert Street, shown in Attachment 5, from We Grow Food. The P.P.C.G. Committee was formalized under the City's Community Garden Program on February 22, 2022 through recommendations in Report CS-22-12. They operated the garden during the 2022 growing season.

As approved, the P.P.C.G. functioned as true communal garden where all members (11) help to maintain the whole garden and share in the produce rather than paying a nominal fee to maintain an individual plot as is the model in other community gardens. The P.P.C.G. began the 2022 season with support of community volunteers as well as in-kind contributions from Operations Services. The garden's water source was provided by an adjacent property whose owner was part of the P.P.C.G. Committee.

Although this community garden was established as a community space welcoming all, there were concerns related to trespassing after established hours and needle use and disposal through the garden areas. Operations staff worked with the P.P.C.G. Committee to install regulatory signage related to the authorized use of the garden. In addition, garden members were advised to contact Security and Municipal Law Enforcement Services to address specific issues as they arose.

Throughout the 2022 season, the P.P.C.G. volunteers faced a number of challenges:

- the ongoing litter, safety and security issues, leaving the P.P.C.G. Committee and volunteers spending significant amounts of time cleaning up litter and used syringes on a regular basis; and,
- the number of volunteers for the garden declined throughout the season, leaving the P.P.C.G. Committee to manage the site by themselves, which was not the intention for the garden. The P.P.C.G. Committee invested time looking for more volunteers to support the garden but was unsuccessful; and,
- the garden's water source is no longer available to P.P.C.G. as the property owner who provided the water has since moved.

For these reasons and in accordance with the City's Community Garden Procedures and the P.P.C.G. Constitution, the P.P.C.G. Committee held a vote of its membership

confirming the dissolution of the garden. The P.P.C.G. Committee provided notice to the City and subsequently removed their raised beds, water barrels and shed.

In an effort to retain this space as a community garden, staff consulted with several local community organizations to gauge interest in the continuation of the garden. In order for this garden to be viable and sustainable there would need to be a strong local presence and formal agreement with a community organization that is willing to assume leadership of the garden and volunteers. Several organizations were consulted, however, given the challenges highlighted above, none were willing to commit to taking on responsibility of the gardens.

Without support of volunteers in the community combined with the significant challenges detailed above, the space is no longer viable as a community garden. As such, the site will be cleaned up and returned to its original state. A garden may be considered in the future if a group comes forward and the space is still available.

6.0 Financial Implications

There are no significant financial implications resulting from this report. Minor maintenance costs can be accommodated in the Council approved 2023 Parks Operations Budget.

As these are community driven projects, the Garden Committee and its members are responsible for the costs associated with operating or maintaining the garden including potential costs associated with water usage, soil tests, gardening tools, compost/mulch, compost bins, fencing, storage, accessibility requirements or plant material, D.I.G. membership fees through membership fees, donations, grants and/or in-kind services of their membership.

7.0 Relationship to the Oshawa Strategic Plan

This report addresses the Oshawa Strategic Plan by responding to the goal “Social Equity” under the theme of “An Active, Healthy and Safe Community” by providing active use of public spaces, and the goal of “Environmental Responsibility” under the theme “Resilient Local Food System” by promoting and encouraging local agriculture through community gardening initiatives.



Mike Saulnier, Director,
Operations Services



Ron Diskey, Commissioner,
Community and Operations Services Department

CO-23-20

Attachment 1: Cordova Valley Park
Community Garden Location (formerly "South Patch")

GLEN STREET

4.5m

Buffer to adjacent property

COMMUNITY GARDEN AREA

GARDEN SHED

WATER SOURCE

CLUBHOUSE

EXISTING COMMUNITY GARDEN SIGNS

WOODCHIP AND COMPOST DELIVERY AREA

REDEVELOPED PARKING LOT LIMITS

11 PARKING SPACES

— Glen Street Community Garden
— Property Boundary

Note: Orthophotography does not reflect park redevelopment.
ORTHOPHOTOGRAPHY provided by © First Base Solutions Inc., 2021

Prepared by Operations Policy & Research - February 2023

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Glen Street Community Garden Constitution

1. Name

The name of the organization shall be Glen Street Community Garden.

2. Aims

Vision

Strengthening our community through growing food and relationships.

Mission

Our mission is to strengthen our neighbourhood by creating a garden where people can get to know each other, grow, and learn together.

Objectives

Strengthen our neighbourhood by nurturing healthy relationships within the garden and community.

Strengthen our neighbourhood by growing and learning to grow nutritious food together.

Strengthen our neighbourhood by fostering skills development together.

3. Membership

Membership is voluntary and open to all individuals and organizations that agree with the Glen Street Community Garden (G.S.C.G.) vision, mission and objectives and who are willing to actively participate according to their abilities.

Membership will begin as soon as the annual membership payment is made and the City's Assumption of Risk and Liability Waiver has been submitted to the Committee.

A list of all members will be kept by the Membership Coordinator.

Ceasing to be a Member

Members may resign their Glen Street Community Garden membership at any time in writing to the secretary.

Any member who has not paid their membership fee will be contacted by the Garden Committee, who will then decide whether that member is deemed to have resigned

Revocation of Membership

Any offensive behaviour, including racist, sexist or inflammatory remarks, will not be permitted. Anyone behaving in an offensive way or breaking the Glen Street Community Garden equal opportunities policy and/or pertinent City of Oshawa policy may be asked not to attend further meetings or to resign from the Glen Street Community Garden if an apology is not given or the behaviour is repeated. The individual(s) concerned have the right to be heard by the Glen Street Community Garden Committee, accompanied by a support person, before a final decision is made. City of Oshawa policy may override Committee policy, depending on circumstances.

4. Equal Opportunities

Glen Street Community Garden will not discriminate on any grounds including gender, race, colour, ethnic or national origin, sexuality, disability, religious or political belief, marital status, financial situation or age.

5. Officers and Garden Committee

The business of the Glen Street Community Garden will be carried out by a G.S.C.G. Committee elected at the Annual General Meeting.

The G.S.C.G. Committee will meet as necessary and not less than 8 times per year.

The G.S.C.G. Committee will consist of no less than 5 members and no more than 7 members of the membership assembly and can include the following:

Chair, who shall provide overall executive coordination and public relations related to the G.S.C.G. as well as chair both the general and committee meetings.

Admin Coordinator, who shall be responsible for the taking and distribution of minutes and all documents.

Membership Coordinator, who shall be responsible for keeping records of members and assigning plots in consultation with the Garden Coordinator.

Financial Coordinator who shall be responsible for maintaining financial accounts.

Garden/Education Coordinator, who shall provide technical assistance and skills development to garden members and work with volunteers and agencies to promote learning.

The Garden Committee may also designate additional positions on the Committee as needed and which may include:

Communications Coordinator, overall communication strategies and media relations for the G.S.C.G..

Accessibility Coordinator, who shall ensure that accessibility to the garden is maintained.

Fundraising/Community Support Coordinator, who shall develop symbiotic partnerships with community organizations to support the G.S.C.G. and the community.

The G.S.C.G. Committee will be elected and/or confirmed by the membership assembly for one year periods.

To hold a position on the G.S.C.G. Committee an individual must be a member in good standing, active, maintaining and adhering to the rules and regulations of the Glen Street Community Garden.

In the event of an officer standing down during the year a replacement can be appointed by the G.S.C.G. Committee until the next Annual General Meeting.

Any G.S.C.G. Committee Member not attending a meeting without apology for three months will be contacted by the Garden Committee and asked if they wish to resign.

G.S.C.G. Committee meetings will be open to any member of the Glen Street Community Garden wishing to attend, who may speak with permission of the committee but not vote.

6. Meetings

Annual General Meeting (A.G.M.)

The Glen Street Community Garden will be governed by the G.S.C.G. Committee and by the general membership through the use of General Membership meetings.

The Glen Street Community Garden Annual General Membership meeting will take place annually and at a time and location determined and agreed upon by the Garden Committee.

All members will be notified in writing at least 3 weeks before the date of the meeting, giving the venue, date and time.

Nominations for the G.S.C.G. Committee may be made to the Admin Coordinator before the meeting, or at the meeting.

Each paid membership is entitled to one vote, whether it is one individual, family or organization.

Quorum for the Annual General Meeting will be based on majority vote of membership present (50%+1).

The G.S.C.G. Committee will conduct the meeting with the general membership to include:

At the A.G.M.

The G.S.C.G. Committee will present a report of the work of the Glen Street Community Garden

The G.S.C.G. Committee will present the accounts of the Glen Street Community Garden for the previous year.

The officers and the Committee for the next year will be elected.

Any proposals given to the Admin Coordinator at least 7 days in advance of the meeting will be discussed.

Special General Meetings

The Admin Coordinator will call a Special General Meeting at the request of the majority of the G.S.C.G. Committee or at least 8 other members.

The meeting will take place within 21 days of the request.

All members will be given two-weeks-notice of such a meeting, giving the venue, date, time and agenda and notice may be by telephone, email or post.

Quorum for the Special General Meeting will be based on majority vote of membership present (50%+1).

General Meetings

General Meetings are open to all members and will be held at least up to twice per year or more often if necessary.

All members will be given two weeks notice of such a meeting, giving the venue, date, time and agenda, and notice may be by telephone, email or post.

Quorum for the General Meeting will be based on majority vote of membership present (50%+1).

G.S.C.G. Committee Meetings

G.S.C.G. Committee meetings may be called by the Chair or Admin Coordinator. Committee members must receive notice of meetings at least 7 days before the meeting.

The quorum for G.S.C.G. Committee meetings is when the majority of its members are present (50% + 1).

7. Rules and Procedures for Meetings

All questions that arise at any meeting will be discussed openly and the meeting will seek to find general agreement that everyone present can agree to.

If the number of votes cast on each side is equal, the chair of the meeting shall have an additional casting vote.

8. Finance

An account will be maintained on behalf of the Glen Street Community Garden at a bank agreed by the Garden Committee. Three cheque signatories will be nominated by the Garden Committee (one to be the Financial Coordinator). The signatories must not be related nor members of the same household.

All payments will be signed by two of the signatories.

For cheque payments, the signatories will sign the cheque.

Records of income and expenditure will be maintained by the Financial Coordinator and a financial statement given at each meeting.

All money raised by or on behalf of the Glen Street Community Garden is only to be used to further the aims of the group, as specified in item 2 of this constitution.

9. Amendments to the Constitution

Amendments to the constitution may only be made at the Annual General Meeting or a Special General Meeting.

Any proposal to amend the constitution must be given to the Admin Coordinator in writing. The

proposal must then be circulated with the notice of meeting.

Any proposal to amend the constitution will require a two thirds majority of those present and entitled to vote.

10. Dissolution

If a meeting by simple majority, decides that it is necessary to close down the group it may call a Special General Meeting to do so.

If it is agreed to dissolve the group, all remaining money and other assets, once outstanding debts have been paid will be donated to a local charitable organization. The organization will be agreed at the meeting which agrees the dissolution.

The Constitution was agreed at the _____ 2023, AGM.

Glen Street Community Garden Policy

(2023, AGM)

Membership Privileges and Responsibility

Privileges:

- Privilege to 1 plot with Active Membership
- Privilege to participate in decisions through Annual General, Special General and General meetings.
- Privilege to provide input on garden operation through the Coordinator or Suggestion Box provided
- Privilege to reasonable share of designated Garden resources (Water, Compost, Equipment) within the garden site as available.
- Privilege to be informed and share garden opportunities
- Privilege to a full garden orientation on paid Membership
- Privilege to retain assigned plot in subsequent year/s
- Privilege of the regular maintenance of accessible garden pathways

Responsibility:

- Responsible to paid annual scaled membership fee of \$20.00 for Active Garden Membership. The garden does not want the fee to be a barrier to participation in the garden, please speak to the Garden Coordinator for options.
- A surcharge for water may be added in the future if needed.
- Responsible to maintain soil health and cultivation of the Assigned Garden Plot
- Responsible to plant plot by June 1st. Failure without justifiable cause will result in the reassignment of plot to someone on the waiting list.
- Responsible to have plot cleaned out by November 1st
- Responsible to volunteer an equivalent of 4 hours per month divided between participation in the Garden, Communal garden, G.S.C.G. Committee and/or major events.
- Responsible to participate in General Garden Set Up and Garden Clean Up as abilities allow
- Responsible to maintain plots and pathways surrounding assigned plot in a weed free condition
- Responsible to take all garbage home each time you leave garden site
- Responsible to conserve water
- Responsible not to share the access code with others not named on the Membership Application
- Responsible to notify Garden Coordinator if need to abandon plot.
- Responsible to supervise adults, children and pets brought into the garden site.

Rules and Regulations

1. Members may gather produce only from the plot assigned to them, or from another plot only when given the express permission of the member to which it was assigned.
 - Any infraction of this rule will mean a timely meeting with the G.S.C.G Committee to discuss situation. The outcome could mean the loss garden privileges for the balance of that season and for the whole of the next year. All actions taken must be documented, signed off by two directors and a copy of the decision given to the involved member/s.
2. All plots must be maintained in as weed free a condition as possible. If, in the opinion of the coordinator[s], this rule is not followed, a verbal request to rectify the situation will be issued.
 - If the plot has not been weeded to the satisfaction of the coordinator[s] after another week, a written request to the same effect will be issued.
 - If the member fails to comply within one [1] week, the plot will be cleared and the member will lose garden privileges for the remainder of that season.
 - If the plot has to be cleared, it will be cleared by two Committee members and documentation of the entire process will be made and a copy given to the garden member.
3. No use of chemical pesticides/fertilizers
4. Clean and care for shared garden equipment and other garden property
5. Put all organic garden debris, including weeds without seed heads, into the compost.
6. No smoking of any kind.
7. Pets not allowed in the garden unless service animals.
8. No riding bikes, scooters, skateboards, roller blades or running in the garden.
9. Members' plants should not be allowed to grow across pathways, or they face the prospect of having them trimmed. The same procedure for un-weeded beds will be followed

Failure to adhere to above responsibilities and rules and regulations without due cause will result in Membership not being renewed or movement to the bottom of Wait List.

Complaints, Problems and Idea Proposals

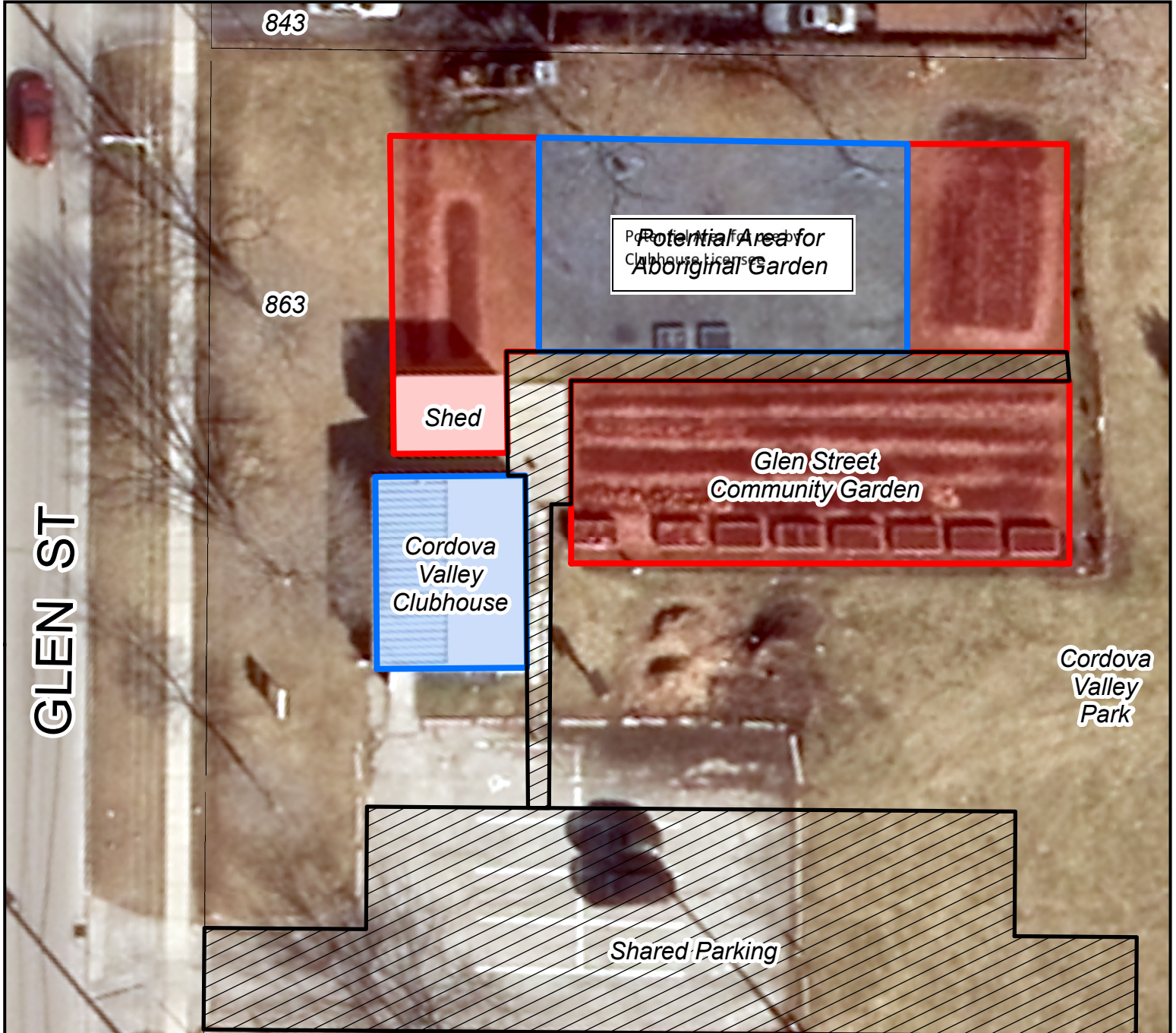
All problems, complaints, and idea proposals are to be submitted in writing to the G.S.C.G. Committee through the Garden Coordinator or Chair for consideration and decision.




The G.S.C.G. Committee will consider all such written submissions in light of the vision, mission and objectives of the Glen Street Community Garden, in view of the approved plans for the Garden year, and other issues the Garden might be facing.

The G.S.C.G. Committee may request the member who authored the written submission to attend a G.S.C.G. Committee meeting for more information and/or clarification.

The decision of the G.S.C.G. Committee will be considered final.

Subject: Economic and Development Services proposed designated space for Clubhouse use



-  Exclusive use of B.A.C.C. Clubhouse Licensee
-  Exclusive use of Glen Street Community Garden subject to Community and Operations Services Committee consideration of a future staff report
-  Non-exclusive shared use between B.A.C.C. and Glen Street Community Garden for Parking and Access

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Attachment 5: Albert Street and John Street East
Community Garden Location (formerly "Pepper Patch Community Garden")

COMMUNITY GARDEN
AREA

JOHN STREET EAST

ALBERT STREET

COMMUNITY GARDEN
AREA

MEMORIAL
PARK

JOHN STREET EAST

AREA OF FOCUS

SIMCOE STREET SOUTH

CELINA STREET

ALBERT STREET



0 5 10 m

 Pepper Patch Community Garden
 Property Boundary

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Prepared by Operations Policy & Research - February 2023



0 50 100 m