



The Corporation of the City of Cornwall
Regular Meeting of Council
Report

Department: Planning, Development and Recreation
Division: Planning
Report Number: 2021-68-Planning, Development and Recreation
Prepared By: Kathleen Rendek, Project Coordinator
Meeting Date: April 26, 2021
Subject: Community Gardening and Urban Agriculture Update

Purpose

To provide Council with an update on By-laws related to community gardening and urban agriculture as recommended by report 2020-314-Planning, Development and Recreation received on June 22, 2020.

Recommendations

That Council receive Report 2021-68-Planning, Development and Recreation.

Financial Implications

There are no financial implications based on the recommendations of this report.

Strategic Priority Implications

Content provided in this report supports three of Council's Strategic Priorities, namely:

1. Being leaders in sustainability and climate change,
2. Developing waterfront through recreational activities, and
3. New Businesses and Economic Development.

Background / Discussion

At the Regular Council Meeting of May 11, 2020, Council requested for Administration to prepare a report on By-laws related to outdoor gardening, community gardening, and urban agriculture production. The resulting report 2020-314 Planning, Development and Recreation (PDR) received on June 22, 2020 outlined the many ways in which the City, local institutions, and community organizations have supported the food-growing efforts of Cornwall residents and businesses. The report mentioned several efforts, including:

- By-Laws to allow the cultivation of fruits, vegetables, trees, and shrubs on private property,
- Permitting community gardening activity on public and private lands,
- Seasonal yard waste collection, free compost and wood chips, and water treatment services,
- In-kind support for food and gardening events and activities,
- Amending the Special Event By-law #2015-194 to exempt farmers' markets from that business licensing by-law (By-law #2017-091), and
- Permitting the development of three urban agriculture businesses over the last 6 years.

While preparing report 2020-314 PDR, staff noted a lack of municipal definitions, provisions, and plans for community gardening and urban agriculture in key municipal documents. As such, it was recommended that Administration define and consider these items during the Comprehensive Zoning By-Law review and Recreation Master Plan development.

The following report provides an update on draft provisions for zoning and additional suggestions for urban agriculture policy development.

Community Gardens – New Definition, Provisions, and Recommendations

Planning and Development - Comprehensive Zoning By-law Review

There is a growing demand for access to community gardens, however report 2020-316 PDR noted a lack of a municipal by-law to define and outline the process for establishing new community gardens. As recommended, Planning staff and WSP Consultants have included a new definition and general provisions for a community garden, which will be presented to Council as part of the Comprehensive Zoning By-law review later this year.

As defined in the draft document a Community Garden:

- shall mean communal premises open to community members and operated and maintained by a public authority, resident association, or similar organization, for the small-scale cultivation of plants including vegetables, fruits, grains, flowers, or herbs for personal use, consumption, or donation, and not for commercial purposes.



See Attachment 1 - Draft Comprehensive Zoning By-law 2021, page 15.

The definition was designed to encompass various community growing activities, however, also limit community gardens from commercial activity should they be located on commercially zoned land. This stipulation is important as the draft Zoning By-Law General Provision 3.8 will now permit a community garden on:

- Residential, Commercial, Institutional, Open Space, Rural Zones, and Employment Zones (subject to minimum distance separation requirements), and
- On hydro corridor lands as a secondary use (subject to the primacy of the electricity transmission and distribution facilities and approval from hydro provider).

Following feedback from the Raisin River Conservation Authority, restrictions will apply on land in the floodplain, Provincially Significant Wetland, and within proximity to a waterbody and stormwater management facility.

To consider the entire draft provision and restrictions, see Attachment 2 – Draft Comprehensive Zoning By-law 2021 page 50-51.

Building and By-Law

As noted in report 2020-316 PDR, there is no municipal application process for establishing a new community garden, however staff will develop a permit

process following the approval of the new Comprehensive Zoning By-Law definition and provisions. A permit process would allow staff to better manage applications, approval, and annual inspections.

Recreation and Facilities

Similar to the draft Comprehensive Zoning By-law, the final version of the City of Cornwall Recreation Master Plan (RMP, for presentation to Council April 26th, 2021) defines community gardens as:

- small plots of land that are collectively maintained by a group of people or stewardship organization to produce fruit, vegetables, and / or flowers (page 102).

In several sections, the RMP highlights the importance of community food gardens for helping residents to stay physically and socially active, connect with nature, respond to food insecurity, and engaging with environmental stewardship (page 15, 21, 102, 115). The final point is further emphasized by RMP Recommendation 64 (High Priority) which lists community gardens as a tool for working with community partners to support “outdoor education, stewardship and climate change mitigation initiatives” (page 131).



Community Garden Boxes, Lamoureux Park

Acknowledging a growing interest in community health and wellbeing services, the RMP anticipates that Cornwall will soon experience an increased demand for outdoor assets like community gardens (page 21). That said, before establishing new parks, the RMP instead recommends “making better use of existing park sites, keeping parks relevant, and improving connectivity and accessibility by adding new elements ... [like] community gardens” (Section 7.5 Park Maintenance, Design and Renewal, page 115).

As a final point, the RMP clarifies that future community gardens should be established near higher density neighbourhoods and have access to water and parking (page 21, 102).

The final version of the Cornwall Recreation Master Plan is available online:
https://www.cornwall.ca/en/play-here/resources/Master-Plan-Update/20-600-Recreation-Master-Plan_final_April-2021.pdf

Farmers' Markets and Urban Agriculture – Food Produced For Sale

Planning and Development - Comprehensive Zoning By-law Review

While not identified by report 2020-316 Administration did realise while reviewing the draft Comprehensive Zoning By-Law that there was no definition or general provision for farmers' markets or urban agriculture.

In recent months, staff have worked with WSP to propose that farmers' markets be permitted in the General Commercial, General Institutional, Commercial Business District, and Open Space Zones. These four zones will ensure that existing market activities can continue to operate without a minor variance, while also creating select opportunities for future market and local food economic development efforts.

As outlined in report 2020-316 PDR, urban agriculture refers to the growing, processing, and distribution of food and food-related products for commercial uses. Private property producers who are interested in selling their produce must follow the provincial standards and regulations governed by the Ontario Ministry of Agriculture, Farming and Rural Affairs.

One does not require a Cornwall business license to grow and sell produce however, the farmer must be properly zoned, follow the applicable zoning setbacks and building permit requirements, may need to have their soil tested for contamination, and register with the Eastern Ontario Health Unit.



Pitt Street Garden, Cornwall

After considering urban agriculture by-laws from other Ontario municipalities, staff and the WSP consultants are considering the concept of "Micro Urban Horticulture", a new definition which would permit the production of fruit, vegetables, and ornamental plants for commercial purposes. By opting for the term horticulture, the definition would automatically exclude any potential for

livestock, bees, and large farming equipment which are sometimes permitted by urban agricultural by-laws. The zoning definition and provisions would be developed to allow for the existing urban growing activities of Pitt Street Garden and Fieldless Farms and allow for new opportunities in the future.

Economic Development

Food processing is identified as a target sector in the Economic Development Strategic Plan. The plan also speaks to leveraging green/eco opportunities (clean air, walking/cycling paths, local food initiatives) to help promote Cornwall to residents, visitors, and investors.

Further development of urban agriculture activities, along with Farmers markets and commercial kitchen facilities, would support ongoing entrepreneurial and tourism sector growth. Much of this work is now the focus of the Eastern Ontario Agri-food Network (EOAN), an organization supported by City Council as part of the 2021 Budget. Pending direction from Council, Administration could work more closely with the EOAN to develop a unique urban horticulture business guideline, license, property standard guidelines, and resources for urban growers. Similar resources exist in other Ontario municipalities.

Recreation and Facilities

The 2020 Cornwall Pop-Up Pilot Program was a success however, staff received several requests to expand the program to allow for food products. In preparation for the 2021 season, staff have discussed the opportunity with the Eastern Ontario Health Unit and are now working to expand the program to allow for low-risk food business at some point during the season. Low risk food items include fruits, vegetables, maple syrup, and honey, and processed foods produced in a commercial kitchen. Due to health and safety concerns, the program would probably not permit prepared foods which typically require on-site access to water and electricity as per the Health Protection and Promotion Act, RR)1990, Reg. 562: Food Premises.

Conclusion

By developing a definition, permitting community gardens across multiple zones, and encouraging gardening as part of the recreation portfolio, Administration expects to satisfy all current and future demands for community gardens. Similarly, by establishing a definition and provisions for farmers' markets, Administration expects to meet the need of markets in the community. Finally,



Administration continues to work with WSP consultants on a definition and the provisions for commercial urban growing, which will be presented to Council over the next few months as part of the Comprehensive Zoning By-law review and approval process.

Report Approval Details

Document Title:	Community Gardening and Urban Agriculture Update - 2021-68-PDR.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 Cornwall Draft-ZBL Jan-14-2021 Definition of Community Garden.pdf- Attachment 2 Cornwall Draft ZBL Jan-14-2021 Community Gardens 3.8.pdf
Final Approval Date:	Apr 21, 2021

This report and all of its attachments were approved and signed as outlined below:

Mary Joyce-Smith - Apr 21, 2021 - 1:23 PM

Mark A. Boileau - Apr 21, 2021 - 1:57 PM

Maureen Adams - Apr 21, 2021 - 3:01 PM