

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning and Environment Committee

**From:** George Kotsifas, Planning and Economic Development

**Subject:** OZ-9332/City of London-Encouraging the Growing of Food in Urban Areas- Information Report

**Date:** June 21, 2021

## Recommendation

That, on the recommendation of the Director, Planning and Development, the attached background report, including draft proposed London Plan and Zoning By-law amendments to implement directions contained in the Council-approved Urban Agriculture Strategy, **BE CIRCULATED** for public review and comment in advance of a Public Participation Meeting to be scheduled at a later date.

## Executive Summary

### Purpose and Effect of Recommended Action

The proposed London Plan and zoning by-law amendments would provide more flexibility for the growing of food on City of London lands located within the Urban Growth Boundary. This will implement actions identified in the Urban Agriculture Strategy, adopted by Council in November 2017. This information is being circulated to provide for public consultation prior to final amendments being recommended at a future public participation meeting before the Planning and Environment Committee.

### Rationale of Recommended Action

1. The draft amendments to the London Plan Food Systems chapter, and to Zoning By-law Z.1 provides more opportunities to allow for the growing of food within the City's Urban Growth boundary (UGB).
2. Before the final amendments are recommended and considered by City Council, public and urban agriculture community input is required.

## Linkage to the Corporate Strategic Plan

The proposed amendments implement three strategic areas of focus of Council's Strategic Plan;

1. Strengthening Our Community;
2. Building a Sustainable City; and,
3. Growing Our Economy.

## Analysis

### 1.0 Background Information

The Urban Agriculture Strategy was adopted by Council in November 2017. The Strategy identified five broad categories: growing, processing, distribution, food loss and recovery, and education and connection as the basis of the Strategy. Under each category, community-identified priorities were described, and a series of actions were identified for these priorities. For each action, roles were identified for each of the partners (Urban Agriculture community, Agencies and City).

The Goals of the Strategy are to:

1. Develop a strategy to direct urban agriculture efforts in the City of London;
2. Address all aspects of urban agriculture within the city and present policy and regulation amendments where necessary;
3. Determine the roles and responsibilities of the City and community in the implementation of the strategy;
4. Address gaps that may exist in providing for urban agriculture; and,
5. Outline criteria for pilot site selection and/or urban agriculture projects.



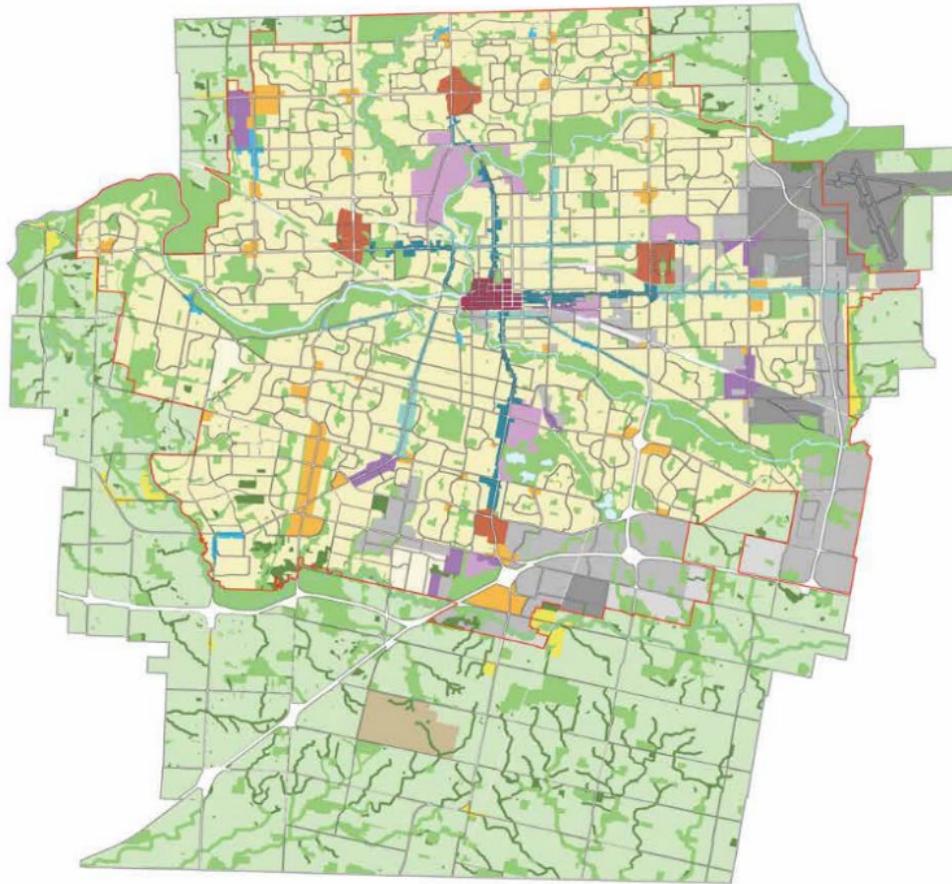
This review will address the second and fourth goals of the strategy.

After the Strategy was approved by Council and an Urban Agriculture Steering Committee was established to direct the implementing the Strategy, the urban agriculture community, agencies and the City started projects to implement directions of the Strategy. In 2019/2020 the City approved three zoning by-law amendments which focused on the distribution component of the Strategy; Farm Gate Sales (PEC - November 18, 2019), 21 Norlan Avenue (PEC- December 2, 2019) and Household Sales (PEC- July 15, 2020) which all provided improved access to fresh produce for City residents.

This review will consider changes in London Plan policies and Zoning By-law regulations to allow the growing of food on all lands within the UGB.

### 1.1 The Focus of this Study

This study will focus on urban agriculture which occurs on lands within the urban growth boundary as opposed to rural agriculture which occurs on lands outside the urban growth boundary (see below)



**Note** - Urban Growth Boundary is red line

Both urban and rural agriculture involve the growing of food but the scale of the activity is typically different and the use of mechanical equipment for rural agriculture is needed because of the scale of operation. Urban agriculture tends to be more labour-intensive, and is most often for personal use.

The study is also only focused on the “Growing” component of the Urban Agriculture Strategy, specifically focusing on urban farms and urban foodscaping, and does not include livestock such as backyard chickens. The intent of the proposed draft amendments is to encourage growing on vacant lands, underutilized lands, vacant buildings, rooftops and converted shipping containers. Growing in parks and City rights of way will be reviewed, discussed with others and further additional changes may be recommended later.

Currently the London Plan policies and Zoning By-law regulations do not provide clear direction on where growing is allowed. Other City processes such as the Site Plan process, Streets By-law, Parks and Recreation Area By-law and Special Events Manual also can impact the growing of food. The Ontario Building Code also impacts the building of structures which are a component of urban agriculture. These by-laws and processes will also be reviewed, discussed with others and further additional changes may also be recommended later.

This study focuses on planning policies and zoning by-law regulations that impact the growing of food. As mentioned above there are other non-planning policies, regulations and processes which can impact urban agriculture, but these will not be part of this study. They will be briefly discussed because a number of them are interconnected with planning policies, but further discussions are required with others before changes are made.

Although the intent of this study is to make changes to encourage the growing of food there are other considerations, we must address in recommending any amendments. These include potential land use impacts, health and safety concerns, the undermining of other planned uses, impacts on natural heritage and hazards and on-going maintenance. All will be considered through the study.

## 1.2 Genesis of the Study

In 2020 the London Food Bank proposed to construct a greenhouse as part of their facility in London South to grow fresh food for their clients. In pursuing this initiative, they experienced a series of issues, including the need for a zoning by-law amendment to permit the greenhouse.

In August, 2020, representatives of the London Food Bank appeared before Planning and Environment Committee. The initial request from the Food Bank was to waive application fees for a greenhouse to be built on the Food Bank property; however, it was determined that policy and regulation changes were also required before building permits could be issued. As a waiver of fees was not possible, it was recommended that the City initiate an application on their behalf. It was also noted that staff resources were not available to lead this project. The London Food Bank, through their Consultant (John Fleming, former City Planner), would provide the staff resources to undertake the background research to support the application.

This review was combined with two urban agriculture related projects on the Long Range Planning and Research 2021 Work Program; allowing greenhouses within the Urban Growth boundary and a review of where growing of food is permitted within industrial areas in the regulations and zones of the Zoning By-law.

On August 25, 2020 Municipal Council resolved that:

*The Civic Administration **BE DIRECTED** to initiate the requested City-wide application on behalf of the London Food Bank, with respect to the removal of barriers to growing food; it being noted that the Planning and Environment Committee reviewed and received a communication dated July 30, 2020, with respect to this matter.*

Initial discussions between City staff and the Food Bank have led to a desire to complete a broad review of the London Plan policies and Zoning by-law regulations focused on the growing of food. The City is responsible for managing the project and for any final recommendations related to possible Official Plan and/or zoning by-law amendments. The consultant for the London Food Bank is providing the background research and draft recommendations that will be used by staff to support any future recommended policy or by-law amendments.

In the interim, the Food Bank was issued a temporary building permit for their greenhouse, which expires the end of December 2021. This will allow this study to be completed. A full building permit will be required later for the greenhouse.

## 1.3 Process to Date

The project was initiated in early March 2021. The Public Notice on the review was provided on March 31, 2021 to all internal City Departments, agencies and urban agricultural groups requesting initial comments. Londoner Notice was provided April 1, 2021.

During March and April, presentations by the consultant and staff were given at meetings with the Urban Agriculture Steering Committee (UASC), Friends of Urban Agriculture (FUAL), Agriculture Advisory Committee (AAC), Advisory Committee on the Environment (ACE) and Middlesex London Food Policy Council (MLFPC). An overview of the project, discussion with the members of the committees, and a request for initial comments on issues they had faced in the past doing urban agriculture projects.

In April a series of meetings were held between Long Range Planning and Research and staff from Zoning; Site Plan; Building; Parks and Recreation; Neighbourhood, Fire and Children's Services, and Engineering to describe the project and get initial feedback on the proposed amendments and other ideas to reduce barriers to urban agriculture.

## 1.4 Other Municipalities Review

A number other Canadian municipalities have established approaches to urban agriculture.

The City of Toronto started to support urban agriculture in the City in 1993. In 2002 policies were developed for rooftop gardens and by 2006 policies to support urban agriculture were approved in their Official Plan City-wide. In 2009 Council resolved to support urban agriculture efforts. An introductory report “*Scaling up Urban Agriculture in Toronto; Building the Infrastructure-Opportunities and Barriers*” was produced in 2010 and an Urban Agriculture Action Plan (Grow TO Process) was adopted in October 2012. In 2013 an Urban Agriculture Program was introduced, including a City Sector Steering Committee, a staff working group and a work plan.

Since that time the City has been allowing the growing of food by non-profit groups in public parks, community centres, housing co-ops, apartment buildings, community health centres, universities, schools and churches not only on the ground but also on rooftops. The City also allows growing in front yards and allows backyard gardens to be harvested by non-residents. Toronto has also allowed the construction of greenhouses at seniors’ residences, schools and community centres.

The City of Vancouver is another Canadian municipality which has a long history of supporting urban agriculture. A Food Policy Council was established in 2004, a Food Charter was adopted in 2007, the Greenest City 2020 Action Plan and Food Strategy were completed in 2013, a new urban agriculture policy was completed in 2015 and Vancouver is currently preparing urban farm guidelines. Vancouver permits “as-of-right” growing in your own personal garden, community gardens, urban farms and in some cases on boulevards: has a Urban Farming Guidebook and has a urban farming business license category.

The cities of Ottawa, Edmonton and Hamilton have also made policy and regulation changes to implement urban agriculture. Some highlights include;

- Ottawa has a Development Reserve (DR) Zone which allows agricultural uses within the urban area and has a separate Urban Agriculture By-law.
- Edmonton has had urban agriculture zoning since 2013 and requires a development permit and site plan application for urban outdoor farms, urban gardens and urban indoor farms.
- Hamilton prepared a report in 2013 on current policies and practise for urban agriculture, established an urban agriculture working group and co-ordinated changes through the Neighbourhood Development Strategy Office. They make a distinction of purpose for urban agriculture, ie. Non-profit vs. profit and limit scale of urban agriculture to less than 1 acre.

## 2.0 The Background Study

The attached Background Study prepared by the consultant outlines the intent and rationale for the study, some of the London Plan policies and Zoning By-law Z-1 regulations which have impacted urban agriculture activities and suggested possible amendments to address those impacts. Rationale for the proposed amendments is also provided.

The proposed amendments are to the London Plan and Zoning By-law Z-1. The Background Study also notes that other City processes, such as the Site Plan Approval process, may also require changes to be supportive of urban agriculture, however these require further discussion. A future report will include recommended final amendments to the London Plan and Zoning By-law Z-1 but may include possible changes to other City By-laws and processes arising from the consultation. Separate reviews and reports may be undertaken to address other related processes which impact the growing of food in urban areas.

### **3.0 Future Process**

Following Council's direction, the background report will be circulated to the urban agriculture community, agencies and other City Departments for comments, and possible further meetings, over the summer months.

For the general public, Londoner notice will be provided again. The City's Urban Agriculture webpage is currently being updated for AODA compliance, and when completed, will serve as a "one-stop" resource for urban agriculture information and this project.

It is expected that a final report, with recommended amendments, will be presented to Planning and Environment Committee (PEC) at a public meeting in the fall of 2021.

### **Conclusion**

The Background Study, which includes possible amendments to the London Plan and Zoning By-law Z-1 is intended to initiate discussion and lead to possible changes to encourage and support the growing of food within the City's urban growth boundary.

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## Appendix A – Background Study