# Urban Farming and Food Gardens: Policy Map and Rights Memo



2026

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**To:** The Winnipeg Food Council

**From:** Aaia Haji Hussein, Tiana Klippenstein

**Date:** May 22nd, 2026

**Subject:** Legal Tools to Protect Community Gardens from Urban Development

**Urban Farming and Food Gardens: Policy Map and Rights Memo**

## Executive Summary

This memo reviews urban farming and community garden policies across Canadian cities to identify legal tools protecting these initiatives from urban development pressures. The City of Winnipeg's ("Winnipeg") current framework offers strong definitions in its Zoning By-Law but lacks accessible information, coordinated policy, and meaningful legal protections that secure gardens against displacement. Across jurisdictions, three primary legal approaches emerge: zoning recognition, administrative support frameworks, and tenure mechanisms such as leases or formal agreements. Cities that rely solely on programming or policy guidance, such as Toronto and Halifax, leave gardens vulnerable to redevelopment. Cities that integrate urban agriculture directly into zoning by-laws, like the City of Hamilton, offer much stronger protection by recognizing gardens and farms as legitimate and permitted land uses. Policies that appear to be the most effective frameworks do not rely on a single tool, but rather combine legal recognition, administrative coordination, and secure tenure. Winnipeg's current model lacks this integration, leaving community gardens dependent on informal arrangements that can be withdrawn with little notice. Strengthening Winnipeg's framework will require moving past definitions and toward enforceable, accessible, and durable legal protections.

## Policy Scan

### 1) Winnipeg – Existing Policy

#### *Urban Farming – Winnipeg*

Information on urban farming in Winnipeg is not easily accessible to the average Winnipeg resident. There is no mention of the buying or selling of produce in the City of Winnipeg's Community Garden Policy[1]. The public must consult City of Winnipeg's Zoning By-Law[2] for guidance on what constitutes urban farming in Winnipeg. Per By-Law 200/2006, urban farming is split into two categories: indoor and outdoor[3].

#### *Community Gardens – Winnipeg*

Similarly to urban farming, Winnipeg has strong definitions for community gardens, but these can be difficult for the public to find. While zoning by-laws have been amended to provide guidance on where you can conduct urban gardening and what it means, there is little programming – the only involvement the City of Winnipeg advertises is seed libraries run through Winnipeg Public Libraries. Otherwise, the community gardening information pages on the City of Winnipeg website link to external community organizations for information and programs[4].

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[1] City of Winnipeg, *Community Gardening Policy*, online: <https://legacy.winnipeg.ca/publicworks/parksopenspace/CommunityGardens/PDFs/GardenPolicy.pdf>.
[2] City of Winnipeg, by-law 200/2006, *Winnipeg Zoning By-Law* (March 1 2008).
[3] *Ibid,* at 45.
[4] Winnipeg, *Gardening: Home*, (city website), (Winnipeg: City of Winnipeg Website) online: https://guides.wpl.winnipeg.ca/gardening [https://perma.cc/8AWZ-W326]

## 2) B.C.

### *Urban Farming – Vancouver*

As of 2015, Vancouver's City Council had not yet adopted a formal policy regarding urban farming[5]. A key issue discovered through consultation with the public was the "lack of specific land use policy to legitimize urban farming operations…limiting the urban farmers' ability to secure leased sites and tenure."[6]

In 2016, a report to Vancouver City Council from the Acting General Manager of Community Services, in consultation with the Acting General Manager of Planning and Development Services, proposed that the following definitions be added to the Zoning and Development By-law in order to address this issue[7]:

- Urban Farm – Class A: meaning the use of land, with or without a principal building, for the cultivation of fruits or vegetables for sale.
- Urban Farm – Class B: meaning the use of land or premises for the cultivation of fruits or vegetables for sale, and of which part or all of the use may take place in a greenhouse or other structure and may include onsite sales.

Class A farms would be permitted in all residential zones., Class B farms would be permitted in industrial and commercial zones and would allow the use of a greenhouse or other structure[8]. The definitions and proposed amendment from that report have since been added to the City of Vancouver's Zoning and Development By-Law[9].

The report also recommended a new category of business licenses for urban farms – allowing them to grow and sell produce to the public[10]. All farming businesses would be required to obtain one license per

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[5] Vancouver, *Policy Report, Development and Building*, (Vancouver, 2016) at 2 online: <https://council.vancouver.ca/20160223/documents/p1.pdf>.
[6] *Ibid*, at 6.
[7] *Ibid.*
[8] *Ibid*, at 7.
[9] City of Vancouver, by-law 3575, *Zoning and Development By-Law* (February 24, 2026), s 11.1.1 and 11.1.2.
[10] *Supra* note 5, at 7.

site (rather than one for the business as a whole) "regardless of size or location"[11], but costs would be as low as possible in order to remain accessible. Annually renewed licenses both allow the City of Vancouver to easily track the actual number and location of all urban farms year over year, and assists the urban farmers in applying for small business loans or other financing, and in securing insurance for their farming operations[12]. This has since been implemented, with Class A farms now paying $13.00 per year and Class B farms paying $277.00 per year as of 2026[13].

Today, all urban farms in Vancouver are required to be under a lease if they are not operated by the owner of the property[14].

(1) **Large lot farms on industrial or commercial land awaiting redevelopment** (often involving growing in movable planters and urban farming as a short-term or interim land use) are under a lease arrangement with the landowner.

(2) **Urban farming on public land** uses either a lease arrangement and a Memorandum of Understanding with the Vancouver Board of Education when using land on school property, or a lease agreement and development permit with the City of Vancouver when on city-owned land.

(3) In **residential areas**, each urban farm business typically grows on multiple sites in residents' backyards or front yards. These are governed by lease arrangements with the landowner or homeowner.

Class A outdoor urban farms do not require a developmental permit as long as the growing area does not exceed 325m squared[15], and any development permit (or waiver of a development permit) for either class of urban farm is time limited to 1 year[16].

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[11] *Ibid.*
[12] *Ibid.*
[13] City of Vancouver, by-law 4450, *License By-Law* (November 5, 2025), Schedule A: 2026 Business License Fees at 83.
[14] *Supra* note 9, s 11.1.1.8 and s 11.1.2.5.
[15] *Ibid*, at s 4.8.1(v).
[16] *Ibid*, at s 1.1.1.11 and s 11.1.2.6.

***Community Gardens – Vancouver***

Vancouver has a robust community garden network with over 110 active community gardens, per its website. Community gardens on City of Vancouver land and located in parks are operated by non-profit organizations through operating agreements with the City of Vancouver or the Park Board, as applicable[17].

Community gardens on private property are managed by the property owner, sometimes in collaboration with other companies or community organizations18. There is a map on the City of Vancouver's website with a current listing of all community gardens across Vancouver, alongside the garden organizer and their contact information for each19, allowing residents to easily look up active gardens in their area and get involved.

Regarding regulation, Vancouver community gardens are split into two categories: those located within parks, and those on private property.

*a) Community Gardens in Parks*

Any community garden, or other agriculture project, must be operated by a non-profit, operate at no cost to the park, and must be open and accessible to all members of the public in order to be granted permission to operate in a Vancouver park[20]. All agriculture projects in city parks are time limited, so operators must sign a license agreement with the Vancouver Parks & Recreation Board (Park Board) at the outset of the project[21]. The standard term is 5 years, but each will be evaluated on a per-project basis. These agreements can also be extended if the project is operating according to their license agreement, and meeting the 10 requirements specified by the Board[22] that ensure they are serving the community:

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[17] Vancouver, *Community Gardens and Orchards*, (city website), (Vancouver: City of Vancouver Website) online: https://vancouver.ca/people-programs/community-gardens.aspx [ https://perma.cc/98S7-9CMK].
[18] *Ibid.*
[19] *Ibid.*
[20] Vancouver, Vancouver Board of Parks and Recreation, *Park Board Urban Agriculture Policy*, (Vancouver: 2015) at 2-3 online: <https://vancouver.ca/files/cov/park-board-urban-agriculture-policy.pdf>.
[21] *Ibid*, at 2.
[22] *Ibid.*

**(1)** "The duration of urban agriculture on the site is time-limited, according to the terms of the license agreement. The standard term for the license agreement will be five (5) years, however this will be evaluated with each project. The Park Board may consider the granting of multiple terms providing the project is operating according to the license agreement and meeting these criteria.

**(2)** Grow primarily edible, art and craft, and/or Indigenous plants.

**(3)** Grow plants for the purposes of: a. project member and community benefit; b. skills and capacity building; c. arts and culture; d. benefitting pollinators; e. donating to charitable causes; and/or f. collaborating with other programs taking place in Park Board parks or facilities.

**(4)** Do not sell products from the project; some exceptions may apply upon discussion and approval with Park Board staff.

**(5)** Actively encourage and support a diversity of community members (e.g. age, ability, cultural background, etc.) to participate in the garden from conceptual stages through to ongoing operations. Park Board Urban Agriculture Policy 2015 2.

**(6)** Ensure accessibility of garden to people with a variety of abilities.

**(7)** Provide open access to the project at all times; locked barriers are not permitted.

**(8)** Provide signage that includes information about the purpose of the garden, the organisation that sponsors it, how to get involved, and emphasises that the garden is open to all members of the community.

**(9)** Follow the Vancouver Urban Agriculture Guide, updated regularly and including design, operation, and maintenance guidelines to ensure accessible, productive, safe, healthy, tidy, and community-oriented gardens.

**(10)** Operate at no cost to the Park Board. The exception to this is that prior to the first season, Park Board staff may assist with site preparation, the details of which will depend on the type of project. Park Board staff will also winterize the water supply in the spring and fall of each year."[23]

If the 10 requirements are met, and park land is determined to be the most suitable location for the project, further public consultation may be requested. Consultation is required for proposed gardens larger than 250m², pollinator projects over 500m², or fruit and nut tree plantings of over 20 trees[24]. Smaller gardens and tree planting projects, as well as edible landscaping projects, and small beekeeping projects only require Park Board approval, but community consultation may be requested at the park General Manager's discretion[25].

The non-profit society in charge of the proposed garden must further submit their final project design, an operating plan, a construction and operating budget including their secured funding sources, proof of two million dollars in liability insurance to the Park Board, along with the license agreement – signed and approved by both the non-profit organization (NPO)'s Board and the Park Board General Manager[26]. During operations, the NPO is responsible for paying their annual license fee (typically $1.00 per year), and providing annual updates with their contact information, basic project details like the size of the waitlist for plots and any plans for new infrastructure, and proof of insurance.[27]

*b) Community Gardens on Private Property*

Typically, development permits are not required for community gardens on privately owned land[28]. To qualify as a community garden, it should follow the design guidelines set out in the City of Vancouver's *Urban Agriculture Guidelines for the Private Realm* (including clear, safe routes for public access, an irrigation

[23] *Ibid*, at 2-3.
[24] *Ibid*, at 3.
[25] *Ibid.*
[26] *Ibid*, at 4.
[27] *Ibid.*
[28] *Supra* note 17.

source that covers the entire garden, a storage shed for keeping shared tools, etc.[29]) and ensure at least 5% of the plots available are accessible raised garden beds as described in the *Accessible Community Garden Guidelines*.[30]

[29] Vancouver, Planning, Urban Design and Sustainability Department, *Urban Agriculture Guidelines for the Private Realm* (Vancouver: 2009) at s 3.1 online: <https://guidelines.vancouver.ca/guidelines-urban-agriculture-private-realm.pdf>.
[30] Vancouver, the Joint Subcommittee on Accessible Community Gardens, City of Vancouver Persons with Disabilities Advisory Committee and Senior Advisory Committee *Background and Details Accessible Community Garden Guidelines 2011*, (Vancouver: 2011) at 1-2 online: <https://vancouver.ca/files/cov/Community-Gardens-Accessibility-Guidelines-2011.pdf>.

### 3) Alberta

#### *Urban Farming (Urban Agriculture) – Calgary*

Calgary is currently in the process of updating their zoning by-law, but has been making urban agriculture centered changes since 2016.

In November 2016, the city conducted an online public survey to determine barriers and opportunities for food production, processing and contribution[31]. Based on the resulting public feedback, the city created 13 potential ways to increase food production, processing and distribution via their current by-laws. Two open houses were held to gather further public feedback on the proposed changes, before a first set of by-law amendments was created. The Land Use By-law amendments resulting from this process were approved by Council in 2017[32]. These amendments included new "food production" uses being added to the by-law (to accommodate indoor models of food production including hydroponic, aquaponic, aeroponic and aquaculture in the Industrial and Commercial districts), clarifying the definition of "Extensive Agriculture"[33] to allow for small buildings and greenhouses, a definition for "Intensive Agriculture", and making "Brewery, Winery and Distillery" a permitted use in Industrial-General and Industrial-Redevelopment districts[34].

Today, "urban agriculture" is used to describe for-profit urban farming in Calgary, and is defined under *Calgary Land Use By-law 1P2007*, s 320.1 as a use where plants are grown outdoors for a commercial purpose[35], that may include the use of ancillary buildings[36] and must not include permanent outside storage of goods, materials or supplies[37]. Other than the definition, there is very little in the Zoning By-law related to urban agriculture. Through the Highfield Regenerative Farm pilot project launched in 2017, Calgary developed a leasing process for urban farms on vacant city-owned land, with an aim to increase urban

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[31] Calgary, City of Calgary: Sustainability Strategies, *Land Use By-law amendments: food growing, processing and distribution*, by Kristi Peters Snider, (Calgary: 2019) online: https://www.calgary.ca/planning/land-use/food-amendments.html [https://perma.cc/7HH8-7J5K].
[32] *Ibid.*
[33] City of Calgary, by-law 1P2007, *Land Use By-Law* (15 September 2025) at s 217.1.
[34] *Supra* note 31.
[35] *Supra* note 33, at s 320.1 (a).
[36] *Ibid*, at s 320.1 (e).
[37] *Ibid*, at s 320.1 (g).

agriculture on vacant land through short-term leases with the City of Calgary[38] as well as developed urban agriculture guidelines, and approvals and regulation information for urban farms[39].

Today the City of Calgary's *Farm the City* program supports community groups, non-profits, and organizations in partnership with local growers by allowing them to apply to use vacant City of Calgary land for community gardens, raised garden beds, urban farms (for donation or sale), school or youth-based food education gardens, and supporting infrastructure (such as soil preparation, irrigation or fencing)[40].

***Community Gardens – Calgary***

There are many community gardens within the City of Calgary – as of April 2012, when CalgaryEATS![41], the City of Calgary's food action plan, was published there were 52 private and 59 public gardens in Calgary[42]. The plan distinguishes between 6 types of community gardens:

**(1)** **Public community gardens** are offered in partnership between The City of Calgary Parks and community-based organizations. They are subject to all policies and by-laws governing public lands and are defined "as a piece of land gardened by a group of 10 or more people."[43] Once approved, in addition to the use of city-owned land, new community gardens can receive up to "up to $5,000 in support (in-kind) from The City of Calgary."[44] This "[f]unding is not available for established community gardens."[45]

**(2)** **Private community gardens** are non-City of Calgary gardens and may be operated by a private organization. Many are supported through the *Calgary Horticultural Society* via the *Community Garden Resource Network* – a project connecting new gardeners with experienced Master Gardeners

[38] Calgary, City of Calgary, *Farm the City*, (Calgary: 2026) online: https://www.calgary.ca/environment/programs/farm-the-city.html [https://perma.cc/6P3C-3YC3].
[39] *Ibid.*
[40] *Ibid.*
[41] Calgary, The City of Calgary, Calgary Food Committee, and the Calgary Foundation, *CalgaryEATS!*, (Calgary: 2012) online: <https://www.calgary.ca/content/dam/www/pda/pd/documents/calgary-eats/calgaryeats-full-food-system-assessment-action-plan-for-calgary.pdf>.
[42] *Ibid*, at 52.
[43] *Ibid.*
[44] *Ibid.*
[45] *Ibid.*

(horticulturists, experienced practitioners and industry experts volunteering to educate new gardeners via the *Calgary Horticultural Society*'s Master Gardener program[46]), aimed at assisting groups of gardeners to get new gardens started and to strengthen existing community gardens.[47]

**(3)** **Communal community gardens** are free to participate in, and all members share in both the gardening work and the food harvested. A portion of the harvest is donated to families in need or charitable organizations in order to increase access to fresh, local food. This model is used in Sunnyside Shared Garden in Calgary.[48]

**(4)** **Allotment Gardens (also called private gardens)** are a series of garden plots which are rented out to individuals, typically for the purpose of food production[49]. "Parcels are cultivated individually, and common areas are often managed through volunteer activities of the garden group. They generally are located outside of neighbourhoods and aren't related to a specific community."[50]

**(5)** **Community Orchards** are a piece of land (ranging in size from several trees surrounding a parking lot in Ralph Klein park, to much of the 30 acre Baker Park) gardened by a group of people for the purpose of producing fruit on trees and shrubs for community benefit and education.

**(6)** **Brownfield Gardens** are formerly contaminated commercial or industrial property which has been remediated and abandoned, or underused but now is in use for food production – usually from raised beds to avoid contamination of food.

Per the City of Calgary's website, only city land can be used for community gardens and "the approval process can vary with private, provincial and other city-owned lands as some lands may be vacant

[46] Calgary Horticultural Society, "Master Gardener" (2026), online:< https://www.calhort.org/whats-happening/master-gardener/> [https://perma.cc/9VYY-9QKY].
[47] *Supra,* note 41.
[48] *Ibid.*
[49] *Ibid.*
[50] *Ibid.*

now, but have a future purpose. The City of Calgary has the authority to approve community gardens only on lands within our inventory."[51]

To qualify as a City of Calgary community garden, gardens on public land "are expected to provide an educational component and community benefit beyond individual garden bounty."[52]

All soil brought onto public lands must be tested beforehand, and a copy of the soil diagnostic must be provided to the City of Calgary as a requirement for development of public land. Environmental review of each site on public land are conducted by The City of Calgary Parks and Recreation department and can result in site specific conditions (i.e. minimal soil disturbance)[53].

Similarly to Vancouver, members of community gardens cannot sell their produce. The City of Calgary specifies, "[c]ommunity gardens on public land are subject to the Parks & Pathways By-law and individuals cannot sell/benefit from access or use of public lands."[54] There is no mention of community gardens in the Calgary Land Use By-law 1P2007 – like Vancouver, Calgary has no standard definition for community garden and therefore minimal guidance regarding land use. The only governance from the city related to community gardens on Park land – otherwise community gardens seem to have been left to the private sector: with the majority facilitated by either non-profit organizations or private individuals, and little protection offered by by-laws or other regulation.

[51] Calgary, City of Calgary, *Community Gardens FAQ,* (Calgary: 2026) online: https://www.calgary.ca/communities/community-gardens-faq.html [https://perma.cc/3ADH-CXX7].
[52] *Ibid.*
[53] *Ibid.*
[54] *Ibid.*

### 4) Saskatchewan

#### *Urban Farming (Market Gardening) – Regina*

Regina has no existing protections for urban farming (referred to as "market gardening" in their materials). Gardening for profit is not allowed in Regina's community gardens, as per the Community Garden Policy "produce and other plants grown on site are for the personal use of those using the garden or for donation to a non-profit organization"[55], and urban farming is not mentioned in the City of Regina's zoning by-law. While "home-based businesses are permitted in all residential and commercial zones (except the highway zone), as are community gardens ... Market gardens are not mentioned by that term in the by-law."[56]

#### *Community Gardens – Regina*

Community gardens receive "a better level of policy support"[57] than other forms of urban agriculture, but community garden presence in the City of Regina is still minimal, with only 9 active community gardens today.[58] Community gardens throughout Regina are operated by community associations, zone boards, and Grow Regina (a community garden established in partnership with the City of Regina and the Regina Food Bank).[59] The City of Regina's Community Gardens Policy was approved June 21, 2006 and last updated April 2015.[60] The guidelines apply to all requests for community garden space on city-owned property, and define community gardens as "a recreation or community development activity operated by a non-profit organization on land used by the non-profit organization to grow vegetables, flowers, or other plants for the personal use of those using the garden or for donation to a non-profit organization. The garden may be divided into plots that are assigned to individuals or families; however, the non-profit organization retains

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[55] Osazuwa Osayomwanbor, *Farming in the City: Investigating the Policy Implications for Urban Farming in* Regina, (Regina: Food Regina, 2017) at 9.
[56] *Ibid*, at 11.
[57] *Ibid*, at 14.
[58] Regina, City of Regina, *Community Gardens & Flowers*, (Regina: 2026) at Community Gardens heading online: https://www.regina.ca/parks-recreation-culture/parks/gardens-flowers/[ https://perma.cc/CZ9S-YKF8].
[59] *Ibid.*
[60] Regina, City of Regina, *Community Gardens Policy*, (Regina: 2015) online: <https://www.regina.ca/export/sites/Regina.ca/city-government/city-council/.galleries/pdfs/Community-Gardens-Policy.pdf >.

responsibility for the management and operation of the garden."[61] Similarly to Vancouver and Calgary, Regina also uses lease agreements, co-signed by the City of Regina and the non-profit organization that manages and operates the garden to manage land use[62].

There are several steps to establish a new community garden. Those hoping to start a new garden are told to refer to the map of community gardens[63] to see if there is already an existing garden in their area, then to read the City of Regina's community garden policy[64] and form a community garden group with their neighbours and residents adjacent to the proposed location. Then they must:

**(1)** contact their local Community Association (CA) to see if the CA supports the idea;

**(2)** find a non-profit organization who will manage and operate the garden – similarly, to Calgary community gardens and Vancouver community gardens, city-sanctioned community gardens are not permitted to be run by groups of individuals, presumably for insurance purposes but creating a bottleneck regarding the creation of new community gardens; and

**(3)** create and send a garden proposal to gardens@regina.ca.

The proposal is then subject to a review process including a review of the proposal by the City of Regina Community Consultant, followed by proposers meeting with city staff to refine the proposal (including city staff recommending a different location if the proposed location is unsuitable), preliminary approval and formal city review, proposers leading a community consultation with support from city staff, community approval, and finally report to council[65]. If approved, a lease agreement will be signed by the City of Regina and the non-profit[66]. All garden construction must be organized, managed by and paid for by the non-

[61] *Ibid,* at 1.
[62] Regina, City of Regina, *How to Start a Community Garden Infographic*, (Regina: 2026) at 1 online: <https://www.regina.ca/export/sites/Regina.ca/parks-recreation-culture/parks/.galleries/pdfs/How-to-Start-a-Community-Garden.pdf>.
[63] *Supra* note 57.
[64] *Supra* note 61.
[65] *Ibid.*
[66] *Ibid.*

profit[67]. The City of Regina notes that it typically takes between one year and 16 months to complete all of these steps for one site[68].

[67] *Ibid.*
[68] *Ibid.*

**5) Ontario**

***Urban Farming & Community Gardens – Hamilton***

The City of Hamilton uses zoning law to define and protect community gardens and urban farms directly. From 2014 to 2015, the City passed By-law Nos. 14-273[69] and 15-107[70] amending Zoning By-law 05-200[71] to define and permit "community garden" and "urban farm" uses in residential, institutional, commercial, mixed-use, park, open-space, downtown, and neighborhood zones. City of Hamilton by-laws were also amended in 2014 to define "community garden" as land used for growing and harvesting plants, grains, vegetables, or fruits for the sole use, donation, or consumption of the people working the garden, and to define "urban farm" as land used for growing edible plants that may be sold on-site. The City of Hamilton's by-law recognizes community gardens and urban farms as permitted zoning uses in residential, institutional, commercial, mixed-use, and community park zones. This matters for issues of permanence because the City of Hamilton has not merely licensed or informally tolerated these activities; it has embedded them in the zoning regime itself, which gives the activities legal status as land uses rather than temporary permissions. The City of Hamilton's approach also creates a distinction between gardens and farms. The urban farm definition allows buildings and structures such as greenhouses, hoop houses, cold frames, and produce stands, while the community garden definition is limited to personal use, donation, or consumption.

Urban farms are permitted as principal use (min. 0.4 ha lots) or ancillary use in residential zones provided they comply with:

**(1)** maximum building area of 280 $m^2$ (no single building may be over 140 $m^2$);

**(2)** farm stands are ≤18.5 $m^2$; and

**(3)** greenhouses have 7.5 m setbacks and maximum height of 10.5 m.

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[69] City of Hamilton, By-law 14-273 to Amend Zoning By-law No 05-200 (Hamilton: City of Hamilton) online: <https://www.hamilton.ca/sites/default/files/2022-06/14-273.pdf>

[70] City of Hamilton, By-law 15-107 to Amend Zoning By-law No 05-200 (Hamilton: City of Hamilton) online: <https://www.hamilton.ca/sites/default/files/2022-07/zoningby-law05-200-section7-2-p2zone-nov2021.pdf>

[71] City of Hamilton, *Zoning By-law No 05-200* (Hamilton: City of Hamilton), online: < https://www.hamilton.ca/build-invest-grow/planning-development/zoning/zoning-by-law-05-200> [https://perma.cc/BXE5-NVVP]

Community gardens follow accessory structure rules but face no minimum lot size. Hamilton garden guidance recommends written leases (3-5 years preferred, with renewal options, and $1 per year common rate) over licenses. This zoning and lease structure gives City of Hamilton gardens substantially stronger protection than the City of Winnipeg's informal 30-day rentals.

In addition, the City of Hamilton's City Enrichment Fund partially funds the Neighbour to Neighbour: Community Garden Network. Neigbour to Neighbour is a multi-service organization leading poverty prevention in Hamilton.[72] Their Community Garden Network serves as a hub for resources and information regarding community gardens in Hamilton.[73] They also provide annual reports, with the most recent being from 2024. The report includes information about the year's engagement, statistics, and garden openings and closures, although it does not release the causes of closures.[74] Another feature of the Community Garden Network website is the Legal and Policy Information section[75], which makes the legal aspects of community gardens accessible and transparent.

A recent release, on May 5th, 2026, from the City of Hamilton shares that a community garden, Powell Park Community Garden, is temporarily closed.[76] The public service announcement (PSA) shares that the garden, "is temporarily closed as a precautionary measure following the discovery of soil contamination."[77]The PSA further states, "The City recognizes this space is an important source of fresh food and a valued community gathering place and understands the impact this closure will have on residents

[72] Neighbour 2 Neighbour Centre, "Community Garden Networking Program" (n.d.), online: Neighbour to Neighbour Centre <https://www.n2ncentre.com/neighbour-to-neighbours-community-food-centre/community-garden-networking-program/>
[73] *Ibid.*
[74] Neighbour 2 Neighbour Centre, *Hamilton Community Garden Network: 2024 Annual Report* (Hamilton: Neighbour 2 Neighbour Centre, 2024), online: N2N Centre <https://www.n2ncentre.com/wp-content/uploads/2025/10/HCGN-2024-AnnualReport-.pdf>
[75] Hamilton, Public Works Department, *Community Garden Policy* (Hamilton: City of Hamilton, 2010), online: City of Hamilton <https://www.n2ncentre.com/wp-content/uploads/2019/04/City-of-Hamilton-Community-Gardening-Policy-Hamilton-Public-Works-Department.pdf>
[76] Hamilton, "Powell Park community garden temporarily closed as precautionary measure" (5 May 2026), online: City of Hamilton <https://www.hamilton.ca/city-council/news-notices/news-releases/powell-park-community-garden-temporarily-closed>
[77] *Ibid.*

who use it."[78] The transparency from the City of Hamilton regarding the closure helps characterize how the City regards community gardens.

***Community Gardens – Ottawa***

The City of Ottawa combines municipal support with a broader planning framework for food production. The City of Ottawa's zoning and planning materials recognize community gardens in residential yards, on lots where they are a permitted use, in market gardening contexts, and in the Community Gardening Network, and permits community gardens to sell, donate, or share produce in certain circumstances. Ottawa's Official Plan language also recognizes community-based food production as part of the City of Ottawa's long-term planning vision, including edible landscapes, community gardens, and small and mid-scale urban farms.[79]

Ottawa shows how a city can move beyond a narrow "hobby gardening" model and treat community gardens as part of a broader urban food policy.

For tenure duration, Ottawa-area community gardens on National Capital Commission urban lands are typically granted an initial term of three years, with possible renewal or extension based on performance and need. This structure is a step up from informal access because it creates a formal renewal process, but it still treats garden use as conditional rather than permanent. Ottawa is therefore a useful comparator for Winnipeg because it shows how a city can use program administration and time-limited renewals to support gardens without creating permanent land-use protections.

***Community Gardens – Toronto***

Toronto's community garden framework sets out a multi-step process intended to avoid establishing gardens on sites that are likely to be displaced by future development.

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[78] *Ibid.*
[79] City of Ottawa, *Official Plan* (Ottawa: City of Ottawa), online: https://ottawa.ca/en/planning-development-and-construction/official-plan-and-master-plans/official-plan [https://perma.cc/23WY-4XZH]

The City of Toronto requires confirmation that:

**(1)** there is not another community garden in the area;

**(2)** the City of Toronto owns the location;

**(3)** the space is not already in use or reserved for future use;

**(4)** that the site has water access, safe soil, and sufficient sunlight; and

**(5)** community consultation was organized through the local Ward Councilor's office before approval is granted.[80]

If the proposal is approved, The City of Toronto supports installation by providing soil, compost, water access, fencing, bed borders or raised planters, a storage shed, tools, and plants for the first year. That process gives community gardens better administrative stability.[81]

### Toronto Community Housing Corporation (TCHC) Gardens

Toronto Community Housing gardens are more technical and less permanent. Toronto Community Housing Corporation (TCHC) states that it has an interim policy and procedure for tenant-led gardens on TCHC property. The tenant materials explain that the tenant garden agreement is "at will," meaning TCHC can revoke the right to use the garden space at any time. The FAQ also notes that garden plots are assigned for two gardening seasons.[82]

### Regent Park: Redevelopment and Garden Displacement

Regent Park is a large social housing community in downtown Toronto that has been undergoing a multi-phase redevelopment since the mid-2000s. The project replaces aging low-rise public housing with a

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[80] City of Toronto, "Community Gardens" (n.d.), online: City of Toronto <https://www.toronto.ca/explore-enjoy/parks-recreation/places-spaces/beaches-gardens-attractions/gardens-and-horticulture/community-gardens/> [https://perma.cc/L97A-9A7B].
[81] City of Toronto, *Community Garden Policy & Procedures* (Toronto: City of Toronto), online: https://www.toronto.ca/explore-enjoy/recreation/community-gardens/ [https://perma.cc/C9MT-4GN6].
[82] Toronto Community Housing, "Community Gardens" (n.d.), online: Toronto Community Housing <https://torontohousing.ca/programs-and-tenant-engagement/community-programs/community-gardens#section_1_jump> [https://perma.cc/M939-254Z].

mix of new buildings, streets, and amenities intended to create a mixed-income neighbourhood.[83] As the built form of the area has changed, long-standing community gardening spaces have also been reshaped and, in many cases, displaced. Since 2005, the Regent Park revitalization in Toronto has involved demolishing ground-level community gardens where residents had grown culturally significant crops (such as bitter melon, squash, eggplants, and chilies) for decades. In their place, the redevelopment of the neighbourhood has introduced more costly rooftop garden plots that are less accessible to low-income residents.[84]

- **Pre-revitalization**: Regent Park had abundant backyard and front yard plots, balcony gardens, and communal spaces where immigrant families preserved food traditions and reduced grocery costs through growing their own food crops. Long-term Regent Park resident Sayed Laskar maintained flowers and a 40 by 40 foot community garden at 259 Sumach St. for over 20 years, and Regent Park resident Nadia Islam's family rented backyard plots for $10 per month through TCHC before revitalization began[85].
- **During redevelopment:** Ground plots were eliminated as land was redeveloped; school gardens lost connectivity to community kitchens; and ethnic grocery stores were displaced. New rooftop gardens use lottery systems with very limited plots (only 12 garden beds for over 200 households[86]) resulting in the loss of access to community gardens for many.
- **Post-revitalization:** "Lots of actual agricultural knowledge was lost"; rooftop garden plot access is now exclusive to residents of specific buildings, and subscription-based at increased costs (such as $20 per month as opposed to previous $20 per year rates in pre-revitalization buildings[87]) vs. the previous free or comparatively low-cost ground plots. Many replacement solutions are not currently

[83] City of Toronto, *Regent Park Revitalization* (Toronto: City of Toronto), online: [https://perma.cc/RNV9-72MD].
[84] Saima Islam et al. (the Growing Regent Park Group), "Community Gardens and Food Security in Toronto's 'Growing Regent Park'" (9 April 2025), *Growing Regent Park* (XRPL), online: https://www.uoftxrpfocus.com/growing-regent-park/community-gardens-and-food-security-in-torontos-growing-regent-park [https://perma.cc/4EBQ-R9HC].
[85] *Ibid.*
[86] *Ibid.*
[87] *Ibid.*

feasible for use, such as the rooftop garden at Daniels Spectrum Cultural Centre that is inaccessible to residents due to missing railings (a $70K fix to address)[88].

[88] *Ibid.*

## 6) Quebec

### *Community Gardens – Montréal*

Montréal has developed a municipal framework for urban agriculture that uses citywide strategy and borough-level administration. The City of Montréal adopted its first community garden program in 1975, and since the 2002 municipal reorganization, boroughs have been responsible for managing community gardens. In 2021, Montreal adopted an Urban Agriculture Strategy that sets out objectives related to consolidating existing practices, supporting new projects, improving data collection, and strengthening governance.

The City of Montréal's regulatory approach is not based on a single by-law. Instead, it operates through several planning and policy instruments, including the Montréal Metropolitan Area Planning and Development Scheme, the 2020–2030 Climate Plan[89], and the Montréal 2030 Strategic Plan. The urban agriculture strategy identifies areas of intervention that include resident and community gardening, commercial urban agriculture, ecological practices, and regulatory coordination. The document also notes that some boroughs have adopted their own rules or policies to authorize specific forms of urban agriculture, including temporary uses and small-scale educational farming projects.

The city has approximately 96 community gardens and about 8,500 plots, and roughly three-quarters of garden sites benefit from a special zoning designation[90], keeping them protected. For gardens located on private land, the City of Montréal uses five-year leases. Community garden management and funding vary by borough, and that operating budgets and capital investments differ across the city.[91]

The Urban Agriculture Strategy identifies land scarcity as a major issue for the development of community gardens and urban agriculture in Montréal.[92] It also states that nearly 240 social and collective

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[89] Ville de Montréal, "Urban Agriculture Strategy: Adapting to Climate Change" (web page), online: Ville de Montréal https://montreal.ca/en/articles/urban-agriculture-strategy-adapting-to-climate-change-18674 [https://perma.cc/W4LU-U6U7]

[90] *Ibid.*

[91] Ville de Montréal, *Montreal's Community Gardening Program* (Montréal: Ville de Montréal, 2006), online: <http://ville.montreal.qc.ca/pls/portal/docs/page/librairie_en/documents/montreal_community_gardening_program.pdf> [https://perma.cc/K573-U9AT]

[92] Ville de Montréal, *Stratégie d'agriculture urbaine 2021-2026* (Montréal: Ville de Montréal, 2021) https://portail-m4s.s3.montreal.ca/pdf/vdm_strategie_agriculture_urbaine_corrigee_2023.pdf

urban agriculture initiatives were identified in the Greater Montréal area in 2021, with most located in 11 boroughs. These initiatives include community, educational, and institutional gardens, as well as open gardens, and are primarily supported by non-profit and public organizations.

## 7) Maritimes

### *Community Gardens – Charlottetown*

The City of Charlottetown Community Garden Policy designates community gardens as permitted use in Open Space (OS) Zone of the Zoning and Development By-law. The policy prioritizes municipal land but authorizes "partner gardens" on private property with explicit landowner permission.[93]

Groups interested in starting a community garden apply via a formal proposal to The City of Charlottetown. The City of Charlottetown then assesses zoning compliance and community benefit before executing a Memoranda of Understanding (MOUs). Equity prioritization targets neighborhoods lacking green space. All approved groups enter into MOUs with the City of Charlottetown that specify the roles of those involved with the community garden, responsibilities, access terms, and maintenance standards. The City of Charlottetown supports implementation through site planning assistance, budget support, liability insurance, and funding connections.

### *Urban Farming & Community Gardens – Halifax*

The City of Halifax operates a municipal program distinguishing community gardens from urban agriculture. The Community Garden Program authorizes non-profit societies to manage gardens on city-owned land, requiring a "common area" for shared upkeep alongside individual plots.[94] Last updated in 2018, the City of Halifax has a community garden handbook. The document specifies how long the agreement lasts (3-years with the option to renew), funding, risk management, and rules associated with using municipally

[93] City of Charlottetown, *Community Garden Policy* (Charlottetown: City of Charlottetown) City of Charlottetown, *Zoning and Development By-law* (Charlottetown: City of Charlottetown) online: <https://www.charlottetown.ca/common/pages/GetFile.ashx?key=LcPXAAU8 > [https://perma.cc/VNN2-DLNN].
[94] Halifax Regional Municipality, *Community Garden Program* (Halifax: Halifax Regional Municipality, 2024), online: < https://www.halifax.ca/parks-recreation/parks-trails-gardens/gardens/community-gardens> [https://perma.cc/V7VX-FEPN].

owned property.[95] The City of Halifax is responsible for approving prospective sites, likely avoiding areas subject to development within the 3-year term.

There is an annual application and renewal process. The City of Halifax provides land, water, liability insurance, yard waste collection, and material stipends to approved gardens. For example, Parkland Gardens receive City grass cutting, signage, and litter control. The requirements for approval by the City of Halifax are that the garden is run by a non-profit operator[96], and that it has public access, committee governance, and the group running the garden completes annual reporting. No commercial sales are permitted on municipal land.

[95] Halifax Regional Municipality, *Community Garden Handbook* (Halifax: Parks & Recreation, 2018), online: Halifax <https://www.halifax.ca/sites/default/files/documents/recreation/parks-trails-gardens/%231GardenHandbook2018.pdf>.
[96] *Ibid* at 5.

## Observations

(1) Few municipalities provide strong legal protection against redevelopment. Most community gardens operate through municipal programs or temporary agreements rather than permanent land-use protections.

(2) Zoning recognition provides the strongest planning protection. Cities such as Hamilton and Charlottetown formally recognize community gardens within their zoning by-laws. This makes it more difficult to eliminate gardens without a formal rezoning process if the legislated use has already been established.

(3) Gardens located on municipal parkland benefit from indirect protection. Cities such as Toronto and Halifax regulate gardens within park systems, which provides greater stability than informal use of vacant land.

(4) Many municipal programs support gardens but do not guarantee permanence. Programs in Montréal, Ottawa, and Québec City help establish and manage gardens but generally do not prevent displacement if land is redeveloped.

(5) Equity considerations are sometimes included in garden policies. Some municipalities prioritize gardens in neighborhoods with less access to food or green spaces.

## Recommendations

The City of Winnipeg currently has limited policy directly protecting urban farms and community gardens from private development. We therefore propose five recommendations, drawn from practices that have been used successfully in the Canadian cities examined, that could strengthen protections for community gardens in Winnipeg.

**(1) Manage land via leases for set terms**. This could protect gardens from development during the term, while still allowing the City of Winnipeg to develop the land in the future. Either one-year or five-year leases seem to be standard across other major cities. Guaranteeing community gardens a set

term of operation on a given site provides stability and encourages investment in the gardens. Currently in Winnipeg, land granted by the City of Winnipeg for community gardens can be taken back with only 30 days' notice from either party[97]. Such a small window does not encourage financial investment or participation from residents of Winnipeg or non-profit organizations. It's a risky decision to put money and time into a project when it can be taken down on such short notice.

**(2) Business licenses for Urban Farms.** Low-cost, annual business licenses for urban farming could allow the City of Winnipeg to easily track active urban farms (or community gardens) while supporting farmers in applying for insurance or financing. Similarly to granting set terms for land leases, this also demonstrates that the City of Winnipeg takes urban farming seriously and encourages investment by the public into urban farming by granting the businesses legitimacy and assisting them in applying for funding to establish or grow their operations – making them harder to displace.

**(3) Mobile Gardens**. If protections for vacant land itself are not feasible, the City of Winnipeg could encourage or facilitate planting in raised planters and containers that can be moved to new locations as needed. This model was used to great success in Calgary, in the Auburn Bay Community Farm Project[98]. While City of Calgary-owned vacant land was being held for a future Park and Ride, the mobile garden was established on the site. It operated for two years on that vacant lot, before moving to a new location once development was ready to begin. While not an ideal solution, particularly as changing availability of new sites risks moving mobile gardens far from the community they were originally intended to serve, it ensures gardeners are not forced to start from nothing. Even if the garden must move to make way for development, this model ensures it will live on, albeit at a new location.

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[97] Winnipeg, City of Winnipeg Public Works Department, *City of Winnipeg: Community Garden Terms of Use 2023*, (Winnipeg: 2023) at Regulations of Use (g) online: <https://legacy.winnipeg.ca/publicworks/parksopenspace/CommunityGardens/PDFs/GardenPlotRentalTermsOfUse2023.pdf>. (Note: this is the most current set of rental terms linked on the City of Winnipeg website as of March 30, 2026).

[98] *Supra* note 38.

**(4) No Loss Principle**. There may still be situations in which the closing of a community garden is inevitable, even with the changes recommended above. To ensure that communities are not left underserved or lacking access to food gardens that they relied on[99], the City of Winnipeg should institute a "no loss" policy on community gardens – if a community garden must be shut down or replaced, a new one must be established within a reasonable radius of the existing garden.

**(5) Using OurWinnipeg 2045 to Strengthen Garden Tenure**

Winnipeg already has a policy foundation through OurWinnipeg 2045, which operates as the City of Winnipeg's official development plan and must guide all secondary plans and development decisions. This creates an opportunity to advance urban agriculture protections not by introducing entirely new paradigms, but by strengthening existing policy directions. Many OurWinnipeg policy areas provide clear entry points for action:

- **First**, policies related to local food systems and environmental resilience, including Policy 2.22 (Local Food Security), support increased access to food production within the city. These policies could be strengthened through explicit recognition of community gardens as critical food infrastructure, and by directing zoning and land use tools to prioritize their protection.
- **Second**, policies related to health and well-being, including Policy 4.5 (Healthy Food), provide a basis for framing community gardens as public health infrastructure. This creates an opportunity to integrate gardens into broader planning decisions related to neighborhood design, open space, and community services.
- **Third**, social equity and community development policies, including Policies 5.1 and 5.6 (Equitable Service Access), support the expansion of community-based resources in underserved areas. Community gardens can be explicitly incorporated into these policies as tools for reducing food insecurity and supporting culturally relevant food practices.

[99] *Supra* 84.

- **Fourth**, city-building and land use policies, particularly those within Chapter 6 (e.g., Policies 6.1 and 6.2 related to sustainable urban growth and complete communities), provide a direct pathway for embedding community gardens into land use planning. This includes integrating gardens into redevelopment planning processes and ensuring they are considered alongside other essential community infrastructure.

Under The Planning Act, municipal development plans and zoning by-laws are designed to work together. Development plans such as OurWinnipeg 2045 set out long-term policy directions, and zoning by-laws then implement those directions through enforceable land use rules. If OurWinnipeg explicitly recognizes community gardens as a priority, that policy direction should be carried through into Winnipeg's Zoning By-law by adding concrete protections, such as:

(1) Explicitly listing community gardens as protected or prioritized uses in key zones.
(2) Requiring consideration of garden retention or replacement in redevelopment proposals; and
(3) Establishing minimum tenure expectations or formalized agreements for gardens on public land.

In addition to zoning reform, the City can put into motion existing policy commitments through administrative tools. For example, formal lease structures, Memoranda of Understanding, and garden protection policies could be implemented under existing governance and programming frameworks, aligning with leadership and good governance policies in Chapter 1.