



# Council Report

penticton.ca

**Date:** November 5, 2024  
**To:** Anthony Haddad, City Manager  
**From:** Sheri Raposo, Land Administrator  
**Address:** 480 Vancouver Avenue

File No: 4320-80

**Subject:** License to Use Agreement: Penticton Community Gardens Society

## Staff Recommendation

THAT Council approve the five (5) year License to Use Agreement, with the Penticton Community Gardens Society, for the use of a portion of 480 Vancouver Avenue for the purpose of operating a community garden;

AND THAT Council authorize the Director of Finance and Administration and Corporate Officer to execute the License to Use agreement.

## Strategic priority objective

**Vision:** Penticton is a connected, resilient and healthy waterfront city focused on safety, livability and vibrancy.

## Background

The Society established in 1998, is a non-profit society created to provide opportunities for residents to grow their own vegetables and flowers through the rental of individual garden plots. The Society started with 26 plots and has since grown to 77 raised bed garden plots.

There are approximately 76 members of the Society who either share or rent their own plots. There is no membership fee. Renters pay a fee based on the size of their garden plot. Rental fees are \$40 for a small plot and \$80 for a large plot. The plots are primarily rented by seniors and young families who do not have the ability to grow vegetables at their own residences.

In addition to the garden plots, the site has a tool storage shed, underground irrigation system, deer fencing, a composting centre, an interpretive garden, a sculpture, parking and pathways. The Society is operated by volunteers who are responsible for the maintenance within the Licensed Area.

The Society has held several LTU Agreements with the City since 1998 at a nominal rate and has made several additions to the site in the past few years through the support of grants, donations and contributions by the

City. The current License to Use Agreement expires on October 31, 2024. The Society has confirmed they wish to continue using the land for the purpose of operating a community garden.

For the past 2 (two) years, sections of the garden have been designated as Donation Plots. The produce grown in these areas is donated to charities including Soupateria, the Food Bank and the Purple Pantry.

Gardening information sessions are offered by their knowledgeable gardeners on best practices, composting, and the contribution of pollinators.

In alignment with the Park Land Protection and use Policy, on August 20, 2024, staff brought forward the request to Council to refer the three (3) year renewal of the License to Use Agreement to the Parks & Recreation Advisory Committee for their review and recommendation with the following outcome:

8.6 License to Use Agreement: Penticton Community Gardens Society

Re: 480 Vancouver Avenue

247/2024 **It was MOVED and SECONDED**

THAT Council refer the three (3) year License to Use Agreement, with the Penticton Community Gardens Society, for the use of a portion of 480 Vancouver Avenue to the Parks & Recreation Advisory Committee for their review and recommendation.

**CARRIED UNANIMOUSLY**

**Park Land Protection and Use Policy references**

As the land, that is being used is parkland, the Park Land Protection and Use Policy requires any Agreements within our parkland follow the proper step procedure and receive a committee recommendation. City staff completed their final procedural step and presented a report and a recommendation to the Parks and Recreation Advisory Committee (PRAC) on October 23, 2024, with the following outcome:

4.4 License to Use Agreement: Penticton Community Gardens Society – 480 Vancouver Ave

THAT the Parks and Recreation Advisory Committee recommend that Council direct staff to renew a five (5) year License to Use Agreement, with Penticton Community Gardens Society, for the use of a portion of 480 Vancouver Avenue.

**CARRIED UNANIMOUSLY**

In accordance with the policy, staff originally proposed a three (3) year term for the Committees consideration. The Committee had a discussion around the term of the LTU agreement, acknowledging that this is a use that has been in place for years and, as such, the Committee is supportive of staff issuing a five (5) year LTU agreement.

## **License to Use Summary**

The proposed term of the LTU Agreement will be for a five (5) year term. The Society will continue to be responsible for the maintenance, day-to-day upkeep, water, safety and security of the garden.

The City will continue to maintain the irrigation system, provide compost, soil and mulch materials as needed.

## **Financial implication**

Under the proposed License to Use Agreement, the Penticton Community Gardens Society has a license to use the property for a \$1.00 nominal rate. The Society will continue to be able to apply for annual tax exemptions through the Permissive Tax Exemption program and for 2024 will receive an exemption estimated at \$1,331. The estimated cost implications for the City for this land is approximately \$2,000 per year. This includes compost, soil, mulch, repairs, irrigation start up in the spring and winterization in the fall.

## **Analysis**

Community gardens are aligned with early findings of the Food Security Strategy. The Food Security Strategy addresses food security, which refers to the long-term security, resiliency and sustainability of our food systems. The strategy explores several factors such as the access to food-related social programming and networks, and access to public garden spaces to address the rising cost of food and housing – all of which contribute to food insecurity. A key challenge which was identified was that due to the high amount of multi-unit housing, a large number of the population in Penticton does not have access to gardening space and that the City should look at opportunities to increase public gardening spaces.

With the last review from United Way British Columbia in January 2024 estimating that approximately 17% of British Columbians in the region were experiencing food insecurity, community gardens create community and long-term solutions to food security. Additionally, the Vital Signs Community Report produced by the Community Foundation of the South Okanagan Similkameen found that only 51.2% of South Okanagan households can afford an adequate amount of healthy food.

Those who participate in community gardens enjoy socialization and have better access to fresh fruits and vegetables. Community gardens also provide educational opportunities for the community to learn to plant and preserve the harvest garden. Gardening also improves the emotional and physical well-being of people by providing social opportunities that build a sense of community and belonging; community gardens offer residents of Penticton a 'third space' outside of their homes and their places of work to congregate, socialize and connect. Furthermore, public gardening spaces have been shown to increase rates of inter-generational connectivity for youth and seniors and can act as a safe space for newcomers to Penticton to become involved in the larger community.

## **Alternate recommendations**

THAT Council direct staff to enter into a three (3) year License to Use Agreement with Penticton Community Gardens Society, for the purpose of operating a community garden (known as Penticton Community Gardens) located at 480 Vancouver Avenue.

**Attachments**

Attachment A – Aerial view of Licensed Area

Respectfully submitted,

Sheri Raposo

Land Administrator

Concurrence

Director Finance & Administration  AMC	Director of Community Services  KJ	General Manager of Infrastructure  <i>KD</i>	City Manager  AH
---	---	---	------------------------