

Boulevard Gardening and Maintenance Guidelines Update and Program Expansion Options

ISSUE

The City of Saskatoon (City) allows residents to garden on City-owned boulevards adjacent to their property in accordance with the [Boulevard Gardening and Maintenance Guidelines](#) (2015 Guidelines). A review of the Boulevard Garden program was carried out in 2020-2021. Public engagement revealed a high level of support for this program and interest in expanding it to allow gardening by residents on other types of City rights-of-way.

The new 2021 Boulevard Gardening and Maintenance Guidelines (2021 Guidelines) are now complete. Should the program continue for just boulevard gardens? What options are available to expand to centre medians, market and administer the program?

BACKGROUND

History

At its meeting on March 3, 2014, City Council endorsed the 12 strategies outlined in the report, [Towards a Food Strategy for Saskatoon: Saskatoon Regional Food System Assessment and Action Plan](#). This report includes recommendations related to boulevard gardening, including:

- “Recommendation #3: Garden everywhere: expand capacity in urban agriculture.
- Develop a program to foster rooftop, balcony, and boulevard gardens. Let people know that front yard gardens are allowed.
 - Actively inform residents about what practices are currently allowed in urban agriculture and what practices would be welcomed. For example, the City can support and educate its population about growing food in front yards, boulevards, vacant lots, right of ways, traffic circles, etc.”

The 2015 Guidelines were adopted as an Administrative document in accordance with City Council approved policies and bylaws. Several previous reports contain recommendations related to boulevard or median gardening and informed the development of the 2015 Guidelines.

At its meeting on September 9, 2019, City Council received the [Maintenance of Centre Medians](#) decision report and resolved that *Option 3 – Improved Standards, Streamlined Operations, and Development of a Median and Boulevard Asset Management Strategy* be approved. The *Median and Boulevard Asset Management Strategy* is currently being developed.

Recommendations related to boulevard or median gardening and landscaping can be found in several neighbourhood *Local Area Plans* including those for Pleasant Hill, Varsity View, Caswell Hill, City Park, and Nutana.

Current Status

In 2020-2021, a review of the 2015 Guidelines was carried out. Increased public interest in boulevard gardening occurred in 2020, with community inquiries received relating to bylaws applicable to boulevards, acceptable gardening materials, options to plant wildflowers in public space, and gardening options for City-owned green spaces beyond boulevards.

The timing of this review aligns with work underway on other City plans and strategies, such as the Green Infrastructure Strategy Implementation Plan and the *Median and Boulevard Asset Management Strategy*. The 2015 Guidelines review has been completed and new [2021 Guidelines](#) are ready for use starting this growing season.

Public Engagement

Public engagement was completed between December 2020 and February 2021. A total of 1,874 residents participated in two online surveys and virtual stakeholder meetings. Other types of engagement such as workshops were not feasible due to COVID-19 restrictions. Full details of the public engagement process and results are available in Appendix 1 – Comprehensive Engagement Report.

The engagement results find that most participants (97%) support the 2015 Program that allows residents to garden on boulevards. Of those, 19% support the 2015 Program with the condition that gardens be well maintained.

Most respondents (86%) support program expansion to other types of City green spaces such as centre medians and back lanes through an application process. Some respondents are concerned about how to safely access centre medians. Most respondents (58%) are not in favor of a fee proposed for garden applications, citing equity concerns and the need to keep the process consistent for boulevard gardeners and gardeners on other spaces. Most respondents (80%) would like the City to allow citizens to plant wildflowers or naturalize City-owned spaces.

City of Saskatoon's Current Approach

The City allows gardening on boulevards through the 2015 Guidelines. The 2015 Guidelines describe acceptable gardening and landscaping practices on separate boulevards such as in-ground gardening of vegetables, flowers, and grasses; and use of small, temporary garden accessories and furniture such as stepping-stones and birdbaths. Gardeners are not permitted to disturb existing trees or plant their own, use pesticides, leave accessories and furniture on their garden site over the winter, or garden on centre medians or other City rights-of-way. Prospective boulevard gardeners are directed to read the 2015 Guidelines and complete the online *Boulevard Garden Agreement* on the City's web page. Program inquiries are directed to the Sustainability Department, which coordinates the Administration's response with other work groups when needed (e.g. Bylaw Compliance, Parks).

Currently there are approximately 100 registered boulevard gardens in Saskatoon. However, the true number of boulevard gardens is higher, as not all gardeners complete the *Boulevard Garden Agreement*. Gardens on centre medians are not currently allowed by the 2015 Guidelines, although they do exist in the City.

Boulevards and medians are shared spaces that work crews must occasionally access, to maintain underground utilities, sweep streets and medians, build or repair sidewalks, install street signage, access hydrants, or maintain street trees. During years with average snowfall, generally only priority streets are affected by snow grading, storage, and removal. However, snow storage and removal occur on non-priority street boulevards and medians in winters with high snowfall such as 2020/2021.

Approaches in Other Jurisdictions

Analysis for the options presented is informed by municipalities that permit boulevard and public space gardening: Calgary, Edmonton, Winnipeg, Vancouver, and Victoria. While many additional municipalities in Canada and worldwide offer boulevard and public space gardening programs, these were selected due to their similarities to Saskatoon such as climate and street types. Most of the cities reviewed do not require City permission or charge fees for standard gardening activities on boulevards, but Winnipeg has a \$43 permit fee for boulevard gardening activities that are not normally permitted by their provided Guidelines. When stakeholder's interest for expanded programming was identified through feedback from engagement, Montreal and Melbourne were also reviewed for their public space gardening programs, landscaping, or naturalization in City-owned spaces beyond boulevards.

Of all the cities reviewed, three allow citizen gardening in additional rights-of-way such as medians, traffic circles, and back lanes; and two allow citizens to naturalize portions of parks. The complete best practice review can be found in Appendix 2 – Findings from the *Boulevard Gardening and Maintenance Guidelines Review* (pages 5-8).

Administrative Update – 2021 Guidelines

New [2021 Guidelines](#) have been prepared for implementation this gardening season. The updates are informed by best practice research, public engagement, and a cross-department Administrative review developed in part through a SWOT analysis (strengths, weaknesses, opportunities, and threats) of the 2015 Guidelines and program. The 2021 Guidelines include:

- Clarification of the types of spaces the 2021 Guidelines apply to;
- Explanation of how bylaws and policies relate to the 2021 Guidelines, including a reference to Bylaw No. 7200, *The Traffic Bylaw*, Section 58.2(1);
- Updated height restrictions and offsets for alignment with other City documents, and to ensure access and visibility are not impacted by gardens;
- Refined criteria for acceptable and unacceptable materials, garden accessories and furniture; and
- A new community-building section with tips for gardeners and their neighbours.

Due to public interest, allowances for permanent raised beds were considered in the 2021 Guidelines and are not allowed because garden accessories and furniture left on the boulevard over the winter may damage, or be damaged by, snow removal equipment. Temporary raised beds, garden accessories, and furniture that are removed from the garden site by October 15 of each year are permitted.

Approval #1: Options for Program Expansion

City Council is requested to consider program expansion options that arose from engagement feedback and the municipal precedent review. A detailed summary of all expansion options that were considered, and an assessment of their feasibility, is included in Appendix 2 (pages 13-14). Options 1-3 for consideration are summarized in Table 1.

Table 1: Summary of Options 1-3

Options	New 2021 Guidelines	Expand Guidelines scope to include centre medians	Charge a \$50 fee for centre median applications
1. Maintain current boulevard program scope and funding	Yes	No	No
2. Expand program to include centre medians and a centre median application process	Yes	Yes	No
3. Expand program as described in Option 2, with the addition of a fee for centre median applications	Yes	Yes	Yes

All Options assume that the new 2021 Guidelines are applied.

Option 1 does not expand the program oversight, scope, or location of gardening activity beyond that of the current program and will continue to apply to boulevards only.

Both Options 2 and 3 propose expanding the gardening activity area to include centre medians. These areas are proposed because, while centre median gardening is not currently permitted in the Guidelines, citizens are nonetheless gardening in these spaces. Both options 2 and 3 involve an application for centre median garden approval, that would include a letter of agreement between the gardener and the City. The application process would only be for centre median gardens, and boulevard gardeners would not be impacted by this change.

Option 3 differs from Option 1 and 2, in that it adds an administrative fee of \$50 for centre median gardeners, to be applied toward garden clean-up. Other municipalities were surveyed, and among those that charged a fee, none charged higher than \$50.

Option Analysis and Selection

Analysis of the three options is summarized in Table 2 according to Triple Bottom Line (TBL) implications, stakeholder preference, financial implications, and precedence in other municipalities. To consistently compare options, it was assumed that the 2021 Guidelines update would result in several common governance, economic, environmental, and social implications across all options. For example, bylaw enforcement implications are anticipated to be similar across all options and would

Boulevard Gardening and Maintenance Guidelines Update and Program Expansion Options

prioritize education-first enforcement. A summary of Triple Bottom Line implications can be found in Appendix 3 - Triple Bottom Line Assessment.

Table 2: Boulevard Garden Program Options Analysis

	Boulevards Only – No Expansion	Expanded Program - 2021 Guidelines, Boulevard and Centre Median	
Impact	Option 1	Option 2	Option 3
TBL: Equity and Opportunity	Participation is dependent on being a landowner (or reaching an agreement with a landowner) adjacent to a boulevard.	Provides opportunities to participate to those that may not be a landowner adjacent to a boulevard.	Similar to Option 2, however the fee may be a barrier to participation.
TBL: Civic Participation	Maintain or modestly improve civic participation levels.	Expanded program supports civic participation in the green space. Anticipated to have more uptake than Option 3.	Similar to Option 2. Option 3 is anticipated to have less citizen uptake than Option 2 due to costs.
TBL: Asset Management	Maintain or modestly increase asset management improvements on boulevards.	Will support the responsible management of centre medians and reduce degradation of assets through soil and vegetation enhancements.	
Safety Implications	Boulevard gardening poses a low traffic safety risk to residents. Typically, a parking lane provides a buffer between traffic and pedestrians.	Poses some traffic safety risk to residents when they cross streets to access or work on the centre median. This risk can be reduced by the proposed application process which would restrict centre median gardens to local streets; require residents to access their median from a designated crossing; and remind residents to practice traffic safety while gardening. Gardens are required to be offset from the median curb 1.5 metres.	
Stakeholder Preference	Developed in consultation with public stakeholders and aligns with the most preferred options whenever feasible.	Strong preference for program expansion.	Strong preference for program expansion. Not in favor of a fee.
Funding	No additional funding requirements for this option. The Environmental Awareness operating budget includes \$15,000 for staffing, education, and communications.	\$40,000 of operating funding will be required in 2022 onwards to administer the application process for centre medians and to expand program-wide education and communications.	\$40,000 of operating funding as in Option 2. In-person or mail-in fee payments would be supported by this operating amount.
Other financial implications:	No further financial implications. Residents are	\$10,000 operating funding required for clean up of 5 centre median garden	\$10,000 operating cost as in option 2. Assumes \$500 revenue, and

Boulevard Gardening and Maintenance Guidelines Update and Program Expansion Options

garden site clean up	responsible for maintaining the boulevard, including returning gardens that are no longer used back to turf.	sites by city crews per year.	\$9,500 operating funding required.
Other municipalities	Incorporates best practice from other municipalities where appropriate.	Vancouver and Montreal have gardening programs for rights-of-way such as medians, traffic circles, and back lanes. Vancouver's program allows volunteers to garden on traffic circles and have developed safety criteria. No fees to gardeners.	Only Melbourne charges fees for expanded programs on rights-of-way beyond boulevards.
Name Change	No Name Change	Update the Program Name to "Street Garden Guidelines" In response to an expanded program, the name <i>Boulevard Gardening and Maintenance Guidelines</i> would no longer accurately describe the program.	

Approval #2: A Feasibility Analysis for Further Program Development, including Expansion of Gardening to Additional City Sites and Program Enhancements

Additional work and resources could be directed to bring forward a feasibility analysis to further expand both the geographical area and the community program offerings for the boulevard garden program. A feasibility analysis would explore and detail how to further encourage, support, and build capacity among residents, including program expansion to additional sites, expanded education materials, demonstration Street Garden sites including remediation of degraded rights-of-way, and direct supports and incentives for residents and property owners that are currently not offered. This expanded program would also be an important part of the Green Infrastructure Strategy's Growing Community program to encourage and enable resident engagement with the Green Network.

In addition to the education and communications programs planned for Options 1-3, the expansion feasibility analysis could include review and recommendations to:

- Expand the program to other types of City green spaces and develop criteria for those spaces.
- Create an enhanced education and communication program, including an expanded awareness campaign, outreach to community associations and other organizations, workshops, and planting and design guides specifically addressing unique challenges of gardening adjacent to streets.
- Outreach to groups identified during engagement that may benefit from additional support such as seniors, accessibility groups, newcomers, renters, and low-income households.

- Develop demonstration gardens that showcase best practices for gardening on rights-of-way such as site remediation, soil improvements, native plants, low-water or rain gardens, and pollinator-friendly gardens.
- Develop support to residents, such as compost and mulch delivery, seeds and plants, a garden tool library, and garden design support from City staff.
- Create incentives to landlords and condo associations to permit their residents to garden on boulevards or other rights-of-way adjacent to their property.

RECOMMENDATION

That the Standing Policy Committee on Environment, Utilities and Corporate Services recommend to City Council:

1. That Option 2 be approved: Expand program to include centre medians and a centre median application process, subject to approval of \$50,000 in operating funding for 2022 onwards, to be brought forward to the 2022-2023 Business Plan and Budget deliberations; and
2. That a \$60,000 capital funding request for the development of a Feasibility Study and community engagement, to further expand the garden program, be brought forward to the 2022-2023 Business Plan and Budget deliberations.

RATIONALE

Option 2 for program expansion is recommended since it responds to resident preference, is expected to have the highest level of participation, has the fewest equity barriers, is consistent with the City's administrative approach for similar programs, aligns with best practices in other jurisdictions, and is not expected to result in a greater incidence of bylaw non-compliance. Formalizing gardening in centre medians does require consideration for risks associated with traffic safety, City rights-of-way maintenance, and snow removal.

A large majority of participants during engagement (86%) supported program expansion to other types of City green spaces such as centre medians and back lanes. Option 2 is also expected to have a higher level of participation through additional garden locations that are not contingent on owning land (or obtaining permission from a property owner) adjacent to a boulevard when compared to Option 1.

Option 2 has fewer equity barriers by not charging a fee to participate compared to Option 3. Application fees for the expanded program were not supported by most engagement participants (58%) and other municipalities did not consistently charge fees. Moreover, the estimated revenue received from garden applications would not significantly offset garden clean up costs.

The approach in the Option 2 expansion is consistent with approaches to similar programs in both Saskatoon and other municipalities. The City of Saskatoon does not charge a fee to establish new community gardens on City-owned land and a letter of agreement is required for Community Gardens to finalize the approval process. Similarly, the Vancouver Green Streets program which allows residents to garden on

rights-of-way such as traffic circles does not charge fees but does require the gardener to apply and sign a letter of agreement.

Option 2 is not expected to result in a greater incidence of bylaw non-compliance than other options, due to maintaining an education-first approach. Option 2 and 3 will help address existing centre median gardens that were planted in advance of these Guidelines to bring them into compliance. It also provides a fund to clean up existing abandoned gardens that may be a source of bylaw complaints.

Traffic Safety

There are traffic safety risks associated with expanding the program to centre medians. These include the risk of crossing streets to access medians, hauling garden materials across streets, and gardening activities with traffic on either side. However, since residents are already gardening on centre medians without an education or application process, the risk to residents is higher by not addressing this behavior.

The application and approval process proposed in Option 2 is modelled on a similar program in Vancouver, to mitigate traffic safety risks. The Guidelines for centre medians would include safety-related criteria, such as maintaining a buffer between the garden and street; in Saskatoon's case this would be a 1.5 metre clear area between the garden edge and the median curb.

The centre median application process would involve information sharing with the applicant about traffic safety including risks and safety hazards and confirming that they have a plan to safely access their median. Centre median gardens will only be permitted on local streets with lower traffic volumes to further reduce the safety risk. Centre median gardeners will be required to agree to a waiver of liability.

Risks to Gardens or City Equipment

Gardens on boulevards and centre medians can pose a risk to both gardeners and the workers operating maintenance equipment. Gardens may be damaged because of snow removal, service or repairs to underground infrastructure, street sweeping, or tree maintenance. Furthermore, maintenance equipment may be seriously damaged by gardening accessories and furniture.

Generally, these risks can be mitigated but not eliminated by restricting gardens to local streets in low risk areas and requiring that gardeners remove all accessories and equipment from the site by October 15. Gardeners would be made aware that their gardens can still be damaged from maintenance activity, and the City is not responsible for clean-up or repair.

Snow Removal Level of Service

During years with average snowfall, generally only priority streets are affected by snow storage and clearing. However, boulevards on residential streets are used for snow storage in winters with high snowfall such as 2020/2021.

At its meeting on December 21, 2020, City Council received the information report *November 2020 Snowstorm Response – Financial Forecast Update*. The report stated that:

“The Administration will provide an update on the 2020 Snow and Ice Service Line as part of the preliminary 2020 year-end report which will be prepared for City Council in the first quarter of 2021.”

Discussions about updating the snow removal level of service may impact boulevard gardening and centre median in the future. If Council updates the snow removal level of service in the future, the Guidelines should be updated to reflect the increased risk to both gardens and equipment.

FINANCIAL IMPLICATIONS

Option 2 requires \$50,000 in operating funding starting in 2022. Administrative costs for expansion of education, marketing, and communications for the enhanced program, and to administer the application process would cost \$40,000. Further funding of \$10,000 per year would be earmarked to clean up approximately five abandoned garden sites per year. With the proposed education-first approach, no significant impact is anticipated for Bylaw enforcement operations.

Preparation of the Expansion Feasibility study to explore public gardening beyond centre medians and boulevards, including research, analysis, and engagement, is estimated to require \$60,000 in capital funding. Additional resources would be required to implement the recommendations.

For both items, funding requests would be made through the 2022-2023 Business Plan and Budget process.

ADDITIONAL IMPLICATIONS/CONSIDERATIONS

Legal Implications

The 2021 Guidelines reference Bylaw No. 7200, *The Traffic Bylaw Section 58.2(1)*. This provision prohibits placing material on a street, boulevard, or sidewalk unless permission is given by the General Manager. The Guidelines provide permission, subject to compliance with the Guidelines.

Direction to include centre medians would require revisions to the 2021 Guidelines as part of the implementation.

Implications for Current Centre Median Gardeners

Residents who are gardening on centre medians, in advance of the program expansion to medians, will be required to visit the City website to register their garden and submit garden site details such as median location and garden design. The City will contact the residents to review their garden and parameters for compliance with the Guidelines. Centre median gardeners will also be required to sign a Letter of Agreement agreeing to maintain the space and return it to its original condition if they no longer wish to garden.

COMMUNICATION ACTIVITIES

If option 2 is approved, additional communications on centre median gardening would be planned in early 2022. Communications activities would include advertising the program to residents, an update to the boulevard garden web page that aligns with the approved option, and garden education through the Healthy Yards program.

NEXT STEPS

The 2021 Guidelines are planned for launch in April of 2021. With approval of Option 2 and the Feasibility Study, these items would be added to the 2022-2023 Business Plan and Budget for consideration. Communications material and education for the expanded program would start in Q1-2 of 2022, as well as an administrative update to the 2021 Guidelines. Program review and adjustments would occur following the first growing season, in Q4 2022. Feasibility work for the future program expansion would be integrated into Sustainability's 2022-2023 work plan as part of the Green Infrastructure Strategy: Growing Community Program.

APPENDICES

1. Comprehensive Engagement Report
2. Findings from the Boulevard Gardening Review
3. Triple Bottom Line Assessment

Report Approval

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