

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Friday, April 09, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **ASSIGNMENT OF LEASE AGREEMENT**
(Part of Lot 17, Concession 2, City of Vaughan)
Shoresh Jewish Environmental Programs to York Region Food Network

KEY ISSUE

Request from Shoresh Jewish Environmental Programs to assign the existing rental agreement to York Region Food Network, for the land located at 145 Lebovic Campus Drive, City of Vaughan, Regional Municipality of York, for the operation of a community garden.

RECOMMENDATION

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS Toronto and Region Conservation Authority (TRCA) is in receipt of a request from Shoresh Jewish Environmental Programs (“Shoresh”) to assign their rental agreement on approximately 0.236 acres (956 m²) of land, said land being Part of Lot 17, Concession 2, City of Vaughan, Regional Municipality of York, and municipally known as 145 Lebovic Campus Drive;

AND WHEREAS TRCA is in receipt of a request from York Region Food Network (“YRFN”) to assume the rental agreement on this same area of land, said land being Part of Lot 17, Concession 2, City of Vaughan, Regional Municipality of York;

THEREFORE, LET IT BE RESOLVED THAT TRCA assign the existing rental agreement with Shoresh to YRFN for approximately 0.236 acres (956 m²) of land for the operation of a community garden, said land being Part of Lot 17, Concession 2, City of Vaughan, Regional Municipality of York;

THAT the rental agreement with YRFN be premised on assuming the terms and conditions of the current lease agreement with Shoresh, as per the following, save and except the original term:

- i. The term of the rental arrangement with YRFN will be for the remainder of the assigned term, that term being the period of July 1, 2013 to June 30, 2023, without the option of one ten-year, less one day, extension;
- ii. The assumed rental rate is to be \$18.00 per annum;
- iv. YRFN will be solely responsible for all costs associated with the operation of the community garden;
- v. YRFN will be solely responsible for all costs associated with the removal of any fixtures/infrastructure on the lands under lease, at the end of the term, and will restore the lands to the satisfaction of TRCA;
- vi. YRFN will be required to obtain at its cost, all necessary licenses and permits, and comply will all applicable by-laws, rules, regulations, and laws governing the conduct and operation of the community garden or anything in connection therewith; and

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- vii. **The assigned lease to YRFN will assume all other terms and conditions of the existing lease with Shoresh;**

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect thereto, including the obtaining of necessary approvals and the execution of any documents.

BACKGROUND

At Executive Committee Meeting #9/15, held on October 30, 2015, Resolution #A212/15 was adopted in part as follows:

“THAT 1.96 hectares (4.83 acres), more or less, of vacant land located west of Bathurst Street and north of Rutherford Road, in the City of Vaughan, Regional Municipality of York, said land being Part of Lot 17, Concession 2 and designated as Parts 2, 3, 4, 5, 6, 8, 9 and 12 on Plan 65R-35616, be purchased from the Joseph & Wolf Lebovic Jewish Community Campus;

...THAT Toronto and Region Conservation Authority (TRCA) receive conveyance of the lands free from encumbrance, subject to existing service easements and existing lease;...”

As part of this land acquisition in 2015, TRCA assumed the position of Landlord in the lease agreement with Shoresh Jewish Environmental Programs (“Shoresh”), by execution of a lease amending agreement. TRCA has collaborated with Shoresh through the implementation of this project. This lease TRCA assumed from Joseph & Wolf Lebovic Jewish Community Campus, had a term of ten years for the period of July 1, 2013 to June 30, 2023, with the option of one ten-year, less one day, extension. As TRCA cannot enter into lease agreements for terms longer than five years without provincial approval, the option of the extension of term will be excluded from the lease assignment from Shoresh to YRFN, and the assigned lease to YRFN will expire on June 30, 2023.

Since its establishment in 2009, Shoresh’s community garden site at 145 Lebovic Campus Drive, Vaughan, known as the Shoresh “Kavanah Garden”, has had over 1000 community members visit the garden to participate in educational school field trips, community festivals and events, gardening workshops, and to participate in the Community Supported Agriculture Program in partnership with local, organic farmers. Prior to 2020, the food grown at Shoresh’s garden was donated to community members experiencing food insecurity, through partnerships at the Chasdei Kaduri Jewish Food Bank. In 2020, due to the COVID-19 pandemic, Shoresh transitioned the “Kavanah Garden” from an educational space to a community allotment garden so that community members struggling with food insecurity would still be able to access fresh, local, organic produce.

In 2019 Shoresh’s Board of Directors undertook a strategic planning process in which the decision was reached to focus organizational resources on the development of Shoresh’s additional projects in the Toronto area, and as such maintaining the garden site in Vaughan would no longer be one of Shoresh’s strategic priorities. Given this, Shoresh conversed with their community partners at the York Region Food Network (YRFN) and YRFN have proposed to assume Shoresh’s lease agreement with TRCA.

YRFN is a non-profit organization serving the Regional Municipality of York, to help provide access to healthy food, food skill development and educate about food insecurity. Since the

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early 1990's YRFN have started, operated, and maintained allotment and communal gardens in schools, housing co-ops and on both private and municipal lands. YRFN's garden programs are designed to improve physical and mental health while creating opportunities for community members to connect to the environment and build relationships with the land and others. YRFN is committed to inclusive and equity programming that creates opportunities for people from all ages, backgrounds, and cultures to come and share their knowledge and skills.

YRFN is looking to transition the Shores "Kavanah Garden" into a Compost Learning Hub where there will be opportunities for food growing, environmental education and the demonstration of waste-free practices. Further, in 2022, YRFN plans to integrate public education programs into the space, with regular workshops and environmental education opportunities, including the potential to integrate youth programming onto the site by working with local children and youth organizations and the local schools.

A regional leader in the development and implementation of community gardens, YRFN currently coordinates five community gardens in three municipalities (City of Vaughan, Town of Aurora, Town of Newmarket), and has a full time Urban Agriculture Manager, and Garden Coordinators during the growing season and has the staff capacity to take on this garden space. YRFN plans to leverage their partnerships with organizations, businesses, and partners in the community to ensure the garden is animated, benefits the broad public and is maintained with high environmental standards.

Given COVID-19, the 2021 growing season will focus on the production of food. The 2021 season will open according to York Region Public Health's protocols and approvals. Gardeners will need to sign in/sign out every time they visit the garden, follow strict cleaning and sanitizing guidelines, and not be allowed to bring visitors into the garden with them. YRFN will also post signage at the garden to ensure safety is prioritized. YRFN staff will be on-site regularly to ensure a smooth transition from Shores to YRFN, and to ensure gardeners are following COVID-19 protocols.

As per the terms and conditions of the existing lease agreement between TRCA and Shores, YRFN would assume all responsibility for the community garden located on TRCA-owned land, said land being Part of Lot 17, Concession 2, City of Vaughan, Regional Municipality of York, and municipally known as 145 Lebovic Campus Drive.

Attachment 1 is a sketch illustrating the location of the subject lands. Attachment 2 is an orthophoto illustrating the location of the subject lands.

RATIONALE

The assignment of the lease from Shores Jewish Environmental Partners to York Region Food Network would be in the best interest of TRCA in furthering its objectives as set out in Section 20 of the *Conservation Authorities Act*. TRCA supports agriculture on its properties, where appropriate, and aligns its work in agriculture and urban agriculture with partners, to improve the health of watersheds and communities. Community and Allotment Gardens are an important means to empower communities to grow their own food and contribute towards sustainability. Furthermore, considering the current COVID-19 pandemic, community gardens have been recognized as an important essential service for continuing Ontario's food supply.

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Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

Strategy 3 – Rethink greenspace to maximize its value

Strategy 7 – Build partnerships and new business models

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Attachments: 2

Attachment 1: Site Plan

Attachment 2: Orthophoto