

- d) To comply with all police, fire, safety and sanitary laws, by-laws and regulations of the Corporation, the Police Services Board, any Provincial or Federal authority, or made by fire insurance underwriters;
- e) To obtain, at its' expense, any and all necessary, required, or appropriate licenses and permits, prior to the staging of the Event, and in accordance with all laws, procedures, policies, or guidelines whether federal, provincial, municipal or from other authority. In the case of a building permit, such permit shall be obtained prior to the erection of any tents or other applicable structures. In the case food services, consumption or otherwise, there shall be no open fires and no cooking and no consumption of food or beverages by Event patrons beneath any vendor tents;
- f) To pay any fees assessed by SOCAN, for the privilege of playing copyrighted music;
- g) The organizer will contact Essex-Windsor Solid Waste Authority in order to implement a recycling plan for the event; and further **THAT** the request for all fees to be waived in 2014 **BE ACCEPTED**; and

further

THAT a three year agreement that provides flexibility to Administration to entertain other requests for the use of the space as they arise **BE RECOMMENDED**; and further

THAT Noise By-law 6716 **BE WAIVED** for the duration of the event in 2014; and further

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the 2014 agreement satisfactory in form to the City Solicitor, in financial contact to the Chief Financial Officer and City Treasurer, and in technical content to the Executive Director of Recreation and Culture.

Carried.

Clerk's Note: The administrative report authored by the Acting Manager of Leisure Outreach dated September 17, 2013 entitled "*Downtown Farmers Market, Commencing June to October 2014*" is **attached** as background information.

LIVELINK 16744, SR2013

Ecl. Gleiman

CHAIRPERSON

Andra Belauer

COUNCIL SECRETARIAT

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX
See notification in report				

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**THE CORPORATION OF THE CITY OF WINDSOR
Social Development, Health and Culture Standing Committee-
Administrative Report**



MISSION STATEMENT:

"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"

LiveLink REPORT #: 16744 SR2013	Report Date: September 17, 2013
Author's Name: Pam Labute	Date to Standing Committee: Oct 9, 2013
Author's Phone: 519 253-2300 ext 2716	Classification #:
Author's E-mail: mtaylor@city.windsor.on.ca	

To: Social Development, Health and Culture Standing Committee

Subject: Downtown Farmers Market
Commencing June to October 2014

City Wide: _____ Ward(s): 3
P & R #13-161

1. RECOMMENDATION:

THAT the request from the Downtown Residents Association to rent Charles Clark Square, each Saturday commencing June 7, 2014 to October 25, 2014, for the Downtown Farmers' Market **BE APPROVED** subject to the terms and conditions of the Special Event Agreement, including but not limited to:

Move In	Event	Move-Out
6:00 a.m. Saturdays, June 7, 2014 to October 25, 2014	8:00 a.m. – 2:00 p.m. Saturdays, June 7, 2014 to October 25, 2014	By 4:00 p.m. every Saturday June 7, 2014 to October 25, 2014

- a) To remove the trash and leftover produce from Charles Clark Square after the completion of each event, to the satisfaction of the Executive Director of Recreation and Culture. If the Applicant fails to do so, then 24 hours after the end of the event, the Corporation may, at the Applicant's expense, clean up and repair the approved area or any part of Charles Clark Square used by the Applicant. The invoice for the work done shall become due and payable upon delivery to the Applicant of an itemized account of the labour and material required to clean and repair Charles Clark Square;
- b) To provide insurance in the amount and form satisfactory to the Manager of Purchasing and Risk Management;

- c) To submit to the Corporation, and obtain approval of, a site plan and an emergency plan; and to comply with such site plan and emergency plan at all times, once approved;
- d) To comply with all police, fire, safety and sanitary laws, by-laws and regulations of the Corporation, the Police Services Board, any Provincial or Federal authority, or made by fire insurance underwriters;
- e) To obtain, at its' expense, any and all necessary, required, or appropriate licenses and permits, prior to the staging of the Event, and in accordance with all laws, procedures, policies, or guidelines whether federal, provincial, municipal or from other authority. In the case of a building permit, such permit shall be obtained prior to the erection of any tents or other applicable structures. In the case food services, consumption or otherwise, there shall be no open fires and no cooking and no consumption of food or beverages by Event patrons beneath any vendor tents;
- f) To pay any fees assessed by SOCAN, for the privilege of playing copyrighted music;
- g) The organizer will contact Essex-Windsor Solid Waste Authority in order to implement a recycling plan for the event;

AND further that the request for all fees to be waived in 2014 **BE DENIED**;

AND further, that Noise By-law 6716 **BE WAIVED** for the duration of the event in 2014;

AND further that Administration **BE DIRECTED** to investigate the implications of an agreement for use of Charles Clark Square from 2015-2019 and provide a written report for Council's consideration;

AND further, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the 2014 agreement satisfactory in form to the City Solicitor, in financial contact to the Chief Financial Officer and City Treasurer, and in technical content to the Executive Director of Recreation and Culture.

2. EXECUTIVE SUMMARY:

N/A

3. BACKGROUND:

The Downtown Windsor Farmers' Market (Farmers' Market) is a sub-committee of the Downtown Residents Association (DRA) (a registered non-profit organization). The Farmers' Market provides a venue for local farmers and entrepreneurs to offer the region's freshest fruits and vegetables, organic produce, beef, fish, jams, nuts, cut flowers, fresh bread and other goods. The Farmers' Market also regularly schedules musicians and other family oriented entertainment to complement the shopping experience.

In September 2009, the Downtown Residents Association Windsor held their first Downtown Farmers' Market on the site of the vacant Downtown Windsor Bus Depot on Chatham Street East. The success of those fall events prompted the Downtown Residents Association Windsor to book the site each Saturday in 2010 from May to October to host a Farmers' Market, with fresh local produce from local area farms for the residents living in the downtown core. The DRA again hosted the Farmers' Market on this site in 2011 and 2012.

In 2012, the City of Windsor and the University of Windsor together announced that the University of Windsor would develop the premises of the Downtown Windsor Armouries on University Avenue East and the Downtown Windsor Bus Depot on Chatham Street East for a new downtown campus extension of the University.

A site selection committee was formed prior to the 2012 season in anticipation of the downtown campus announcement that would require an eventual move. The site selection committee had representation from a wide range of stakeholders including:

- City Council – Ward 3;
- City staff;
- The Downtown Residents' Association;
- The Downtown Farmers' Market Committee; and,
- A farmer representative

A series of meetings were held on April 20, May 4 and May 18, 2012 with the committee to identify possible locations. On February 25, 2013 the Downtown Residents Association (DRA) submitted a written request to utilize Charles Clark Square as the site for the 2013 Farmers' Market.

At its meeting of March 18, 2013, City Council approved the use of Charles Clark Square for the Farmers' Market for the 2013 season. The approval included a waiver of fees as part of a pilot project in this new location.

4. DISCUSSION:

The Downtown Farmers' Market operated from June through October 2013 at Charles Clark Square. Over the season approximately 40-50 market vendors, exhibitors and artisans featured their products. The Farmers' Market attracted approximately 600 – 1000 residents and tourists each week who enjoyed the offerings of fresh produce, meat and fish, samplings of culinary delights as well as local entertainment.

The DRA (Downtown Residents Association) worked closely with stakeholders such as the Downtown Mission and All Saints' Church to ensure their operations were not disrupted.

The facility provided an esthetically pleasing urban environment with easy access for market users and vendors. Parking nearby for the vendors allowed for restocking of high demand items. Educational information sessions by such organizations as the Board of Health was welcomed with interest by the market patrons.

On August 29, 2013 Recreation and Culture received a request for the Market to continue at Charles Clark Square (attached as Appendix A) for the 2014 Season and in fact through until 2019 from the DRA. The DRA supports and is requesting an agreement with identical terms and

conditions as approved for 2013. In 2013 per CR44/2013 all fees were waived associated with Charles Clark Square as well as parking fees in the nearby City Hall Municipal lot. The DRA does not support an assessment of fees for the Market to locate at Charles Clark Square for the next five years. Administration originally supported waiving fees as part of a pilot one year project for the Farmers Market.

The Waiver of Fees Policy indicates that requests should be considered only under exceptional circumstances and are not intended to be regular and/or ongoing financial support. As noted by the request for the Market to remain at Charles Clark Square through 2019, the waiving of fees for that timeframe could be construed as ongoing financial support, which violates the Policy. Although the Market itself is a non-profit organization, it does recover some costs through the sale of space to the farmers and producers, who in turn earn revenue from the sale of their goods. As noted above, the Farmers' Market is well-attended with a variety of merchants participating. A request to waive the fees for the Farmers' Market does impact Recreation and Culture's budget and staffing resources, and contravenes a Council approved policy. While recognizing the Market's benefits to the community, Administration does not recommend approving the request to waive the fees.

In regards to the request to extend the agreement for the Market's use of Charles Clark Square for the next five years – the Farmers' Market is seeking an extension to enable the solicitation of alternate and more stable funding. A multiyear agreement is a requirement of some grant funding organizations, such as the Ontario Trillium Foundation. The Market is facing a reduction in the support provided to it by the Downtown Windsor Business Improvement Association.

Recreation and Culture is supportive of the request for Charles Clark Square for 2014. The request to consider a longer term agreement for the space requires additional consultation with other departments and stakeholders as it encumbers use of the space for an extended period of time. Recreation and Culture cannot predict what future activities may impact the use of the facility and would require language in any agreement to provide flexibility to entertain other requests for use of the space.

5. FINANCIAL MATTERS:

Total request for Waiver of Fees would be calculated as follows: based on 2013 figures, subject to change to adjustment of the approved 2014 user fee.

Daily rental of Charles Clark Square	\$400.25 X 20 weeks =	\$8,005.00
Noise By-law Waiver	\$ 74.00 X 20 weeks =	<u>\$1,480.00</u>
		\$9,485.00

(Total based on 20 weeks)

In addition DRA has asked for Municipal Parking Passes (between 20 and 40) for their vendors in close proximity to the site at no charge. The value of these passes is \$11.30/permit/day (including HST). Therefore the cost would be:

$$\$11.30 \times 20 \text{ weeks} \times 20 \text{ passes} = \$4,520 \text{ or } \$11.30 \times 20 \text{ weeks} \times 40 \text{ passes} = \$9,040$$

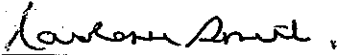
City Council waived the fees for the 2013 season as an exception to the Waiver of Fees Policy.

6. CONSULTATIONS:

Discussions have been held with Parks and Facilities, Traffic Division, and Planning. In addition the request was circulated to the SERT committee.

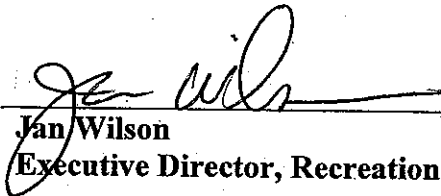
7. CONCLUSION:

The City of Windsor recognizes the importance of special events and festivals in enhancing the quality of life, tourism, culture, recreation, and education, all of which would not be possible without the invaluable services of volunteers, community groups, and sponsors that add their support and skills to enhancing the community events. The Downtown Farmers Market has been an asset to the local residents within the community. There is need to balance the contribution it provides to downtown vitality, with the needs and safety of residents and businesses.



Pam LaBute

For **Acting Manager, Leisure Outreach**



Jan Wilson

Executive Director, Recreation and Culture



Jelena Payne

**Community Development and Health
Commissioner and Corporate Leader
Social Development, Health, Recreation
and Culture**



Mike Palanacki

**Executive Director of Operations and
Deputy City Engineer**



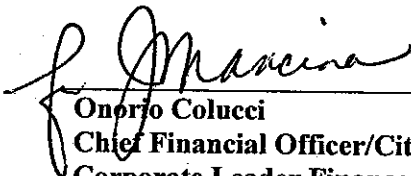
Neil Robertson

Manager, Urban Design



for **Giovanni Miceli**

Executive Director, Parks and Facilities



Onorio Colucci

**Chief Financial Officer/City Treasurer and
Corporate Leader Finance and Technology**



for

Helga Reidel

Chief Administrative Officer

PL/wa

APPENDICES:**Appendix A – Written Request from the Downtown Resident’s Association for continuation of the Downtown Farmers Market****DEPARTMENTS/OTHERS CONSULTED:****NOTIFICATION :**

Name	Address	Email Address	Telephone	FAX
Mike Holdsworth, President Downtown Residents Association Windsor		mmh61@cogeco.ca	519.253.4567	
Debi Croucher – Acting Executive Director, Downtown Windsor Business Improvement Association	419 Pelissier St. Windsor, ON N9A 4L2	debi@downtownwindsor.ca	519-252-5723 ext. 1	
Joan Carter – Office Administrator All Saints Anglican Church	330 City Hall Sq W, Windsor, ON N9A 1J3	joan@allsaintswindsor.ca rectory@allsaintswindsor.ca	519-253-8001	
Rodger Fordham	664 Victoria Ave, Windsor, ON N9A 4N2	kitchen@downtownmission.com	519-973-5573 ext. 22	
SERT				



August 29, 2013

Pam Labute
Special Events
Parks & Recreation
2450 McDougall Street
Windsor, ON
N8X 3N6

Pam,

The Downtown Residents Association Windsor (DRA) Board of Directors would like to formally request the continuation of the Downtown Windsor Farmers Market (DWFM) for the 2014 season. The DRA is the non-profit organization that has overseen the operation of the DWFM since its inception. The season typically runs from June-October. In the past we have been able to lease the property at the site of the old Greyhound bus station from The Corporation of the City of Windsor, and for the 2013 season an agreement was reached to use the space at Charles Clark Square.

We have made great strides in partnering this year. We have partnered with Windsor Essex County Health Unit, Caesars Windsor, Multi-Cultural Council, Downtown Mission, and the Art Gallery of Windsor to name a few.

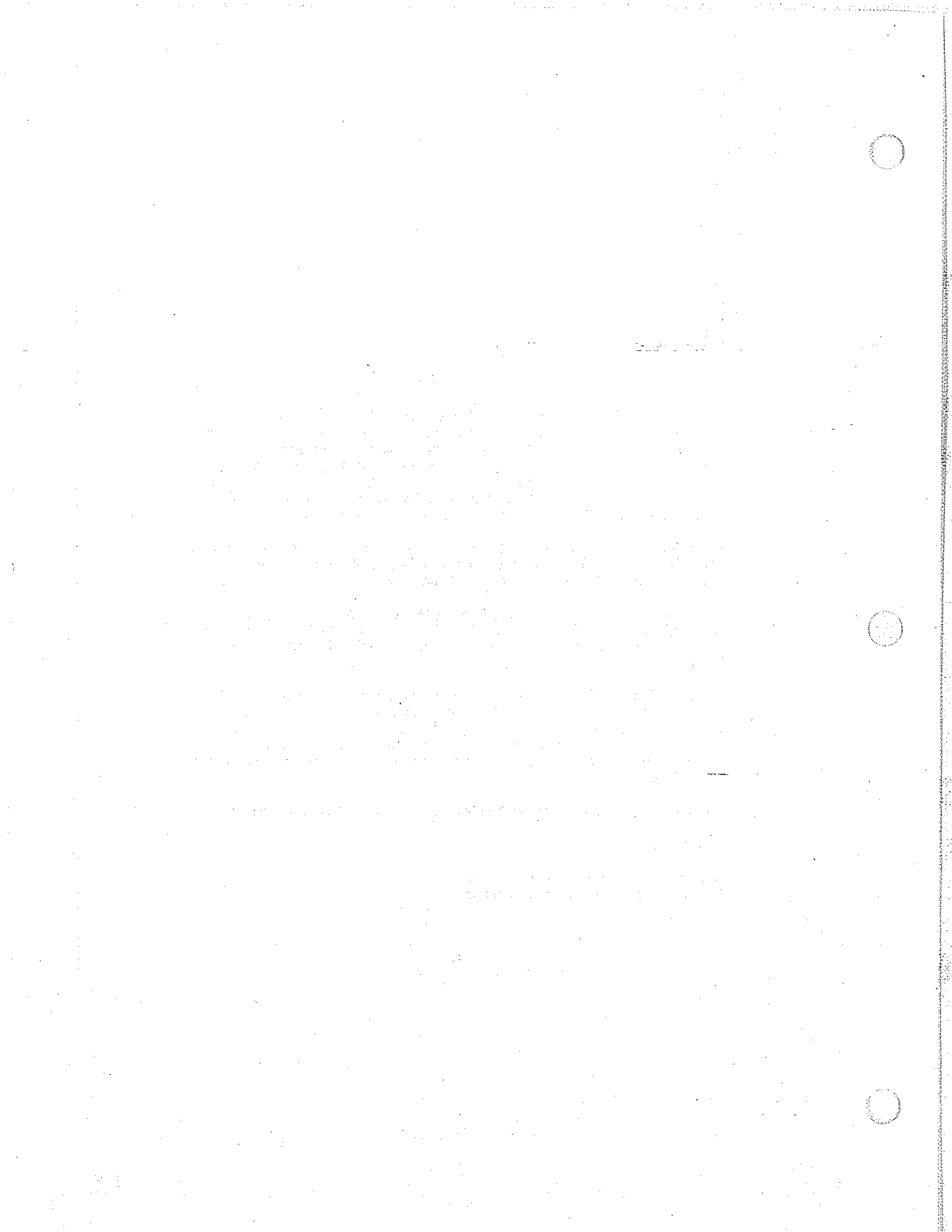
We would request, at this time, the identical 2013 season agreement again be considered for the 2014 season at Charles Clark Square and in fact be extended until 2019. This agreement would be open to changes/discussion depending on City of Windsor infrastructure projects etc.

The DWFM requires a permanent home. We cannot rely on contributions from the Downtown Business Improvement Association (DWBIA) beyond their contribution in 2013 due to a shortfall in their 2014 budget. We would like to be able to apply for various operational/infrastructure/marketing grants from different sources, however without a multi year agreement (rental, lease or otherwise) we are only able to apply for one-off/one time event grants.

We would only be able to run the DWFM for one year without DWBIA funding.

Thank you,

Mike Holdsworth, President
Downtown Residents Association Windsor





THE CORPORATION OF THE CITY OF WINDSOR

November 4, 2013
Additional information – Report 184
Social Development, Health & Culture
Standing Committee

Memo

To: Mayor and Members of City Council
From: Pam Labute
Date: October 21, 2013
Subject: Additional Information re: Downtown Farmers' Market June to October 2014

CITY OF WINDSOR
COUNCIL SERVICES

OCT 25 2013

RECEIVED

At the Standing Committee of Social Development, Health and Culture on October 9, 2013, Administration was requested to bring forward additional information regarding the use of the Greyhound Bus Terminal for the Downtown Farmers' Market, specifically an estimate of the subsidy or investment made by the City of Windsor to support the initiative.

The information is as follows:

On June 22, 2009 (CR238/2009), Administration (Asset/Lease Management) was authorized to enter into a Licensing Agreement with the Downtown Residents' Association for the use of 44 University Avenue East (former Greyhound Bus Terminal) as a pilot project for a Farmers' Market. The Market operated on this site from 2009 through 2012.

In addition, further authorization in CR238/2009 was given to Administration to undertake the necessary modifications to the site up to a maximum of \$6,800.00 to be paid through the Budget Stabilization Reserve Account. These modifications included 8 A/C electrical outlets, water meter activations, hydro costs and patching repairs to the asphalt parking surface.

Following discussion with Asset/Lease Management, it was confirmed that no rental or licensing fees were collected. In order to help quantify the value for the use of the former Greyhound Bus Terminal, Administration has applied the rate used for the Charles Clark Square (as per the schedule of fees), pro-rated for the larger space at the former bus terminal.

The estimated value of subsidy or investments made by the City of Windsor to support the initiative of the Downtown Farmers Market is as follows:



Prior Years Downtown Farmers Market Location - Former Bus Terminal (2009 – 2012)

(Based on 19,600 square feet)

Capital investment by City	\$6,800
Value of Utilities (\$45/month x 4 months x 4 season)	\$720
Value of rental space (\$620 x 20 weeks x 4 seasons)	\$49,600
Value of Noise By-law waiver (\$74 x 20 weeks x 4 seasons)	<u>\$5,920</u>
Sub-Total (2009 – 2012)	\$63,040

Current Downtown Farmers Market Location - Charles Clark Square (2013)

(Based on 12,600 square feet)

Value of rental space (\$400.25 x 20 weeks)	\$8,005
Value of Noise By-law waiver (\$74 x 20 weeks)	\$1,480
Value of Parking Passes (\$11.30 x 20 weeks x 40 passes)	<u>\$9,040</u>
Sub-Total (2013)	\$18,525

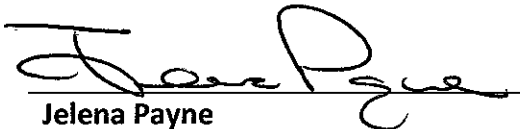
Total value (2009 – 2013) \$81,565



Pam LaBute
Manager, Community Development




Jan Wilson
Executive Director, Recreation and Culture



Jelena Payne
Community Development and Health
Commissioner and Corporate Leader Social
Development, Health, Recreation and
Culture



Mike Palanacki
Executive Director of Operations and
Deputy City Engineer



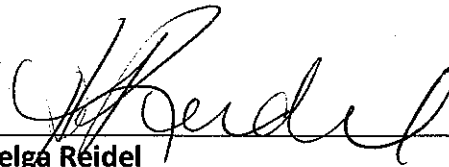
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Onorio Colucci
Chief Financial Officer/City Treasurer and
Corporate Leader Finance and Technology



Helga Reidel
Chief Administration Officer



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NOV 04 2013

October 30, 2013

City of Windsor Council
350 City Hall Square West, Room 203
Windsor, Ontario
N9A 6S1

**ADDITIONAL
INFORMATION**

**ITEM NO. REPORT NO. 184
SOCIAL DEVELOPMENT
HEALTH + CULTURE
STANDING COMMITTEE**

Dear Councilors:

I write on behalf of the Food Advisory Network (FAN) of Windsor-Essex County in regards to the Downtown Windsor Farmers Market (DWFM). Our understanding is that on November 4, 2013 the City of Windsor Council will be reviewing the decision to decline or approve a request to waive rental fees that would allow the Downtown Residents Association (DRA) and the DWFM to use Charles Clark Square during the market season over the next several years.

FAN writes to urge you to consider approving this request and continue to ensure the accessibility of fresh, local, healthy food within the core of the City of Windsor.

FAN recognizes the significant role that Farmers Markets have within a community. While they primarily provide food, Farmers Markets continue to play other important roles that provide opportunities of business development, economic growth, community inclusiveness, improvement and health.

This past season we witnessed the DWFM serve as an incubator for several small food businesses that were able to introduce a product, build clientele and eventually will be expanding to opening store fronts. These are new local businesses contributing taxes to the City that might not be opening as quickly were it not for the DWFM.

The DWFM was also a site for a Food Security Pilot this season whereby families with low income were able to access fresh, local produce without barriers, in a space that allowed them to meet and develop relationships with the people who grow their food. With funding from the United Way/Centraide Windsor Essex, Pathway to Potential led a partnership that included the City of Windsor's Social Services who helped distribute "Market Dollars" to Ontario Works recipients. The Market Dollars helped improve the health and encouraged a sense of community belonging in a way that sometimes is limited to these families and individuals due to financial constraints.

Farmers Markets are about creating a communal and safe space of friendship, relationship building and engagement around what we all share in common...the celebration of food. Such spaces support the City of Windsor's Official Plan, in particular:

GOALS

4.1.8 A decision making process that balances environmental, economic and social considerations.

CITY OF WINDSOR
COUNCIL SERVICES

OCT 30 2013

1 of 2

RECEIVED



United Way
Centraide
Windsor-Essex County



Jim Martin

Ron Zepeniec

1951 JAN 10 AM 10:30
COMMUNICATIONS SECTION
U.S. AIR FORCE
WRIGHT-PATTERSON AIRFIELD
DAYTON, OHIO

QUALITY OF LIFE

4.2.3.2 To encourage the location of basic goods and services flow to where people live and work.

HEALTHY AND LIVEABLE CITY

4.2.1.2 To provide for activities and facilities which will foster an active lifestyle to improve community health

SENSE OF COMMUNITY

4.2.4.2 To encourage development that fosters the integration of all residents into the community

Thank you for your time and consideration of this matter. FAN believes that a decision to waive the facility rental fees as well as the parking fees for vendors for the DWFM will continue the pursuit of a healthy and livable community for all. Let the river and land sustain us.

Yours,



Michele Legere

Coordinator Food Matters

As per Food Advisory Network of Windsor-Essex County

cc: Mike Holdsworth, DRA

