

Council Report

Report Number:	ED2022-030
Meeting Date:	July 19, 2022
Title:	Lindsay Farmers' Market 2022 to 2026
Description:	A By-law to temporarily close a portion of Victoria Avenue in Lindsay for the Lindsay Farmers' Market operations for certain dates and times within the years 2022 to 2026.
Author and Title:	Kelly Maloney, Economic Development Officer - Agriculture

Recommendations:

That Report ED2022-030, **Lindsay Farmers' Market 2022 to 2026**, be received;

That the request from the Lindsay Farmers' Market Association to temporarily close a portion of Victoria Avenue in Lindsay for the purpose of allowing the operation of a Farmers' Market in the City of Kawartha Lakes for the dates and times noted in the By-law within the years 2022 to 2026 be approved;

That a By-Law substantially in the form as in Appendix A to this Report be brought forward for adoption;

That a By-Law to Repeal By-Law 2017-085, being a By-Law to Temporarily Close a Portion of Victoria Avenue North within Kawartha Lakes, and to repeal By-Law 2022-057, being a By-Law to Amend By-Law 2017-085, be brought forward for adoption;

That the Lindsay Farmers Market Agreement substantially in the form as in Appendix B to this Report be brought forward for adoption; and

That the Mayor and Clerk be authorized to execute the agreement substantially in the form as Appendix B to this report.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Established in 1859, the Lindsay Farmers' Market Association (Association) currently utilizes a portion of Victoria Avenue (north and southbound) and 16 public parking spaces in the parking lot between the Paramedic Services Building and the Lindsay Library for their market on Saturdays from May to October. The use of this area was originally allowed through a Town of Lindsay By-law, then through the City of Kawartha Lakes By-law 2001-52 for the 2001 season, By-law 2002-10 for the 2002 to 2006 seasons, By-law 2007-037 for the 2007 to 2011 seasons, By-law 2012-040 for the 2012 to 2016 and most recently By-law 2017-085 for the 2017 to 2021 seasons. The Association would like to extend this commitment for the next five years to include the time period to the end of 2026 as indicated in their correspondence (Appendix C) received by Council on April 19, 2022.

At the Council meeting of April 19, 2022, Council adopted the following resolutions:

CR2022-119

Moved By Councillor O'Reilly

Seconded By Councillor Ashmore

That the correspondence from Mary Kennedy, Lindsay Farmers' Market Executive Member, regarding a Request to Extend the Temporary Street Closing By-Law for the Lindsay Farmers' Market, be received.

CR2022-140

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That the By-Laws shown in Section 14.1 of the Agenda, namely: Items 14.1.1 to and including 14.1.14 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

This Resolution adopted By-Law 2022-057, a By-Law to Amend By-Law 2017-085, being a By-Law to Temporarily Close a Certain Street within Kawartha Lakes (Lindsay Farmers' Market Association). Effectively this extended the previous five-year street closure until July 31, 2022, allowing time for the upcoming five-year street closure By-law and Agreement for the provision of space and facilities to be reviewed and updated by staff for Council consideration prior to the expiration of the extension.

This report addresses that request to review and update the temporary street closure by-law and agreement.

Rationale:

The Lindsay Farmers' Market is generally well received and accepted as a positive aspect of economic activity both for the downtown area and for agri-food businesses as well as enhancing community life in this area.

The former street closure By-Law and Agreement for the provision of space and facilities were reviewed by staff of several related Departments and Divisions. An interactive meeting and communications were undertaken with representatives of the Lindsay Farmers' Market Association in arriving at the updated By-Law found in Appendix A and Agreement found in Appendix B.

Updates to the documents included the provision of a set Alternate Route and a traffic control plan requirements during the street closure period, as well as clarification on responsibilities for barriers and signs; updates on agreement language around safety surrounding the provision of electricity; clarification of existing clauses surrounding access to washroom facilities, parking, and responsibility for garbage; and the addition of several standard legal clauses for Term, Survivorability, Termination, Rights, Notices, Risk, COVID-19, Safety and Release. See Appendices D and E for a track changes version of updates made from the previous 2017 to 2021 term documents.

Other Alternatives Considered:

Staff recommend maintaining the five-year period to be consistent with previous time periods; however the Lindsay Farmers' Market Association has expressed interest in seeking longer-term arrangements in order to facilitate long-range planning for their association. Staff will meet with the Lindsay Farmers' Market Association over the coming year to determine their longer-range planning needs.

Alignment to Strategic Priorities

This report supports the strategic priority of a Vibrant and Growing Economy within the 2020-2023 Kawartha Lakes Strategic Plan by supporting the agricultural businesses marketing their products to the local community through the farmers' market.

Financial/Operation Impacts:

As noted in Section 1.11 of the Agreement, attached as Appendix B, the Association is responsible for any costs associated with servicing and services associated with the provision of the Farmers' Market. This clause was added to the street closure by-law in

2012; however, no fee for hydro usage was charged due to the lack of metering and the minimal estimated usage from three separate locations.

Since the market moved to the use of Victoria Avenue twenty-seven years ago, there has been no charge to the market by either Town of Lindsay or the City of Kawartha Lakes for the use of this space or the minimal use of electricity by the few market vendors which require hydro. Council could choose to initiate an annual usage fee and/or charge back costs for hydro usage. The market uses dedicated electrical outlets on the exterior of the Paramedic Services building.

Consultations:

Lindsay Farmers' Market Association
Director of Public Works
Director of Community Services
Director of Development Services
Manager of Municipal Law Enforcement
Deputy Chief Operations Paramedic Services
City Solicitor

Attachments:

Appendix A – 2022-XXX Temporary Street Closing – Lindsay Farmers' Market



Appendix A to
ED2022-030 By-law

Appendix B – Lindsay Farmers Market Agreement 2022 to 2026



Appendix B to
ED2022-030 Agreeeme

Appendix C – Lindsay Farmers' Market Association request



Appendix C to
ED2022-030 Correspc

Appendix D - By-law 2022-XXX Temporary Street Closing Track Changes from By-Law 2017-085



Appendix D to
ED2022-03 Tracking B

Appendix E - Lindsay Farmers Market Agreement Track Changes from 2017



Appendix E to
ED2022-030 Tracking

Department Head email: rholy@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services