

Environment

Farmers' Market:

Unionville Village Conservancy Proposal

June 1, 2009

Recommendations

- **That the staff report titled Farmer's Market: Unionville Village Conservancy Proposal, dated June 1, 2009, be received;**
- **And that permission be granted to the Unionville Village Conservancy by way of an agreement/permit to use Town of Markham property at the Stiver Mill on Station Lane in Unionville on Sundays from 10 am to 3 pm from July to Thanksgiving 2009, in a form satisfactory to the Chief Administrative Officer and the Town Solicitor;**
- **And that the Mayor and Clerk be authorized to sign the agreement/permit with the Unionville Village Conservancy;**
- **And that staff work with the Unionville Village Conservancy and other stakeholders to promote the Stiver Mill farmers' market and local food agenda;**
- **And that staff be authorized and directed to do all things necessary to give effect to this resolution.**

Purpose

- **To provide staff recommendations to Council regarding the proposal by the Unionville Village Conservancy for a trial farmers' market in Unionville.**
- **To provide Council with an analysis of the proposal as it relates to Town services and resources.**
- **To recommend that any assistance provided to the proposed farmers' market be similar and equitable to the assistance provided to the existing Main Street Markham Farmers' Market.**

Background

Unionville Village Conservancy:

- a citizen group
- recently incorporated
- intends to register as a charitable organization
- Directors include Bob Stiver, president; Jeanne Ker-Hornell, secretary; David Johnston, architect; Richard Talbot, and Amar Bannerjee.

Unionville Village Conservancy Proposal:

- Approached Councillor Virgilio in May 2009
- Requested permission to have a trial farmers' market at Unionville Train Station east car park
- The UVC will fund the proposed farmers' market
- The UVC is not seeking financial assistance from the Town

Background

Unionville Village Conservancy Proposal:

- **Sundays 10 am to 3 pm from July to Thanksgiving 2009**
- **Anticipate approximately 20 vendors**
- **Advised by Iggy Natoli, who managed the Main Street Markham Farmers' Market**
- **No anticipated conflict with Main Street Markham Farmers' Market**
 - different day of the week
 - possible to have the same or additional vendors
- **Staff report prepared in an effort to respond to the proposal before Council's summer recess and allow the market to start operating by July 2009**

Location

- **Initial proposed site not viable:**
 - The Unionville Train Station is rented every weekend all summer
- **Staff recommended alternative:**
 - the parking area on the Stiver Mill property (See Map, Figure 1)
 - UVC are satisfied with this option
 - public washrooms will be required in the vicinity and temporary washrooms established in Unionville will fulfill this requirement

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Legal Agreement

- **Require a formal agreement (Agreement) with UVC and the Town of Markham**
- **The Town's Legal Department and the Business and Risk Analyst have been consulted**
 - will provide guidance in establishing the appropriate documentation (with UVC and, if necessary, the market vendors) to protect the Town against legal liability.
- **An agreement with the UVC will address the following issues that have been identified:**
 - The Town should be named as an additional insured on the policies of all parties involved in the market (farmers/vendors, UVC, etc.)
 - The farmers/vendors should have a minimum of \$2 million of Commercial General Liability (CGL) insurance which must include product liability.
 - The Agreement with UVC should detail who is responsible for property damage to the Town facilities, and it is not the responsibility of the Town.
 - The Agreement should also include a hold harmless clause, holding the Town harmless for the activities of the market.

By-Laws

In addition, in order to facilitate the farmers' market at this location, the UVC would need a "written permit issued by the Town".

The following By-Laws would apply to the proposed use of Town property at Stiver Mill:

- **By-Law 202-303 (By-Law to License and Regulate Mobile Vendors)**
- **By-Law 279-96 (By-Law to Regulate the Conduct of Persons Using the Grounds at Town Owned Property)**
- **By-Law 167-92 (By-Law for the General Management and Regulation of Parks within the Town of Markham)**
- **By-Law 167-92 applies to the proposed farmers' market and should be referenced in the Agreement between UVC and the Town.**

Proposed Assistance

Staff recommends that assistance to the proposed farmers' market by the UVC be similar and equitable to the assistance provided to the Main Street Markham Farmers' Market.

- **The assistance currently provided to the Main Street Markham Farmers' Market is primarily in the form of promotion such as:**
 - the Town Page in the Economist & Sun and the Town website (i.e. calendar), posters in community centres and banners.
- **The Town currently does not provide financial or in-kind assistance to the Main Street Markham Farmers' Market. The BIA is responsible for materials such as canopies, barbeques, weekly set-up or take-down including extra waste removal, tents or supplies, barricades, wash stations, insurance, and fee to close roads.**

Future Farmers' Market Discussions

- **A meeting is scheduled for June 26, 2009**
- **Purpose to discuss farmers' markets in Markham**
- **The Mayor and Members of Council have been invited to attend this meeting, which will be chaired by Councillor Erin Shapero, Chair of the Environment and Sustainability Issues Subcommittee of General Committee.**
- **Also invited to the meeting are representatives from the Unionville Village Conservancy, Unionville Villagers Association, Unionville BIA, Main Street Markham BIA, and the York Farmers' Market (located in Thornhill).**

Financial Considerations

- **Staff propose the UVC be charged the cost of a road closure at \$105 per closure. If this rate were used to charge the UVC for use of the Stiver Mill on Sundays from 10 am - 3 pm from July to Thanksgiving, the following charges would apply:**
- **$\$105 \times 15 \text{ days} = \1575.00**

Alignment with Strategic Priorities

- **Within the environment as a strategic priority, as part of the action plan promoting Healthy Communities, farmer's markets have been identified as an important element of local food promotion and security.**