



**CITY OF KINGSTON**  
**REPORT TO KINGSTON MEMORIAL CENTRE ADVISORY  
COMMITTEE**

**Report No.: KMCAC-12-001**

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**TO:** Chair and Members of Kingston Memorial Centre Advisory Committee

**FROM:** Lanie Hurdle, Commissioner, Community Services

**RESOURCE STAFF:** Wally Ferris, Director, Recreation and Leisure Services

**DATE OF MEETING:** February 6, 2012

**SUBJECT:** Pilot Project – Outdoor Market at the Memorial Centre

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**EXECUTIVE SUMMARY:**

In December 2011, Council directed staff to issue a Request For Information (RFI) to identify interest from local producers in the operation of an outdoor market at the Memorial Centre. A RFI was issued and closed on January 31, 2012. The RFI was posted on the City website and in order to ensure that local farmers were aware of this opportunity, staff forwarded a notification of the RFI to the following organizations:

1. the Downtown Kingston Public Market database,
2. the farmers in the Downtown Kingston BIA's Local Foods, Local Chefs database,
3. the Frontenac Community Futures Development Corporation database,
4. the County of Frontenac Newsletter.

Seven (7) proposals were received in response to the RFI. Six (6) of the seven (7) proposals are local producers and the other proposal is from a crafter. Staff reviewed the comments included in the RFI responses and have taken those into consideration within this report.

The Memorial Centre outdoor market currently does not have any operational guidelines. Based on comments received through the RFI, staff have identified two different operational options for this outdoor market. One option would be to have the market supervised by the City through the provision of leases and the support of a Deputy Market Clerk. The other model would have the City act as a landlord and lease the overall land to an association which would be responsible for the interaction with each vendor. The report identifies elements of each model and staff support a model that would allow for an independent association to operate the outdoor market.

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**RECOMMENDATION:**

**THAT** Council direct staff to issue a Request For Proposal, as per the Leasing and Licensing Policy, to operate a pilot outdoor market at The Memorial Centre; and

**THAT** Council direct staff to negotiate and enter into a land lease agreement, at market rate, with an independent association for the operation of a pilot outdoor market at the Memorial Centre; and

**THAT** the Mayor and Clerk be authorized to enter into such agreement in a form satisfactory to the Director of Legal Services.

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**AUTHORIZING SIGNATURES:**

ORIGINAL SIGNED BY COMMISSIONER <hr/> Lanie Hurdle, Commissioner, Community Services
ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER <hr/> Gerard Hunt, Chief Administrative Officer

**CONSULTATION WITH THE FOLLOWING COMMISSIONERS:**

Cynthia Beach, <i>Sustainability &amp; Growth</i>	N/R
Denis Leger, <i>Transportation, Properties &amp; Emergency Services</i>	N/R
Jim Keech, <i>President and CEO, Utilities Kingston</i>	N/R

***(N/R indicates consultation not required)***

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**OPTIONS/DISCUSSION:**

On December 6<sup>th</sup>, 2011, Council endorsed the following motion:

***THAT** staff be directed to report to the Kingston Memorial Centre Advisory Committee regarding the establishment of a pilot project for an outdoor market which operates at the Memorial Centre Site; it being understood that staff are to seek expressions of interests from local vendors to participate with said market which will operate exclusively on Sundays; and*

***THAT** staff report back to the Kingston Memorial Centre Advisory Committee in time for the pilot project to be implemented in late spring 2012.*

Following this motion, staff prepared a Request for Interest (RFI) which closed on January 31<sup>st</sup>. The RFI included an anticipated lay out for the vendors, potential operational requirements and potential prices. Most of the information included in the RFI was taken from By-Law No. 2006-118 – A By-Law Respecting the Kingston Public Market. The rationale for the use of this information is because the Memorial Centre outdoor market currently does not have any operational criteria. This report proposes some criteria that could be applied to the operations of the Memorial Centre outdoor market.

Seven (7) responses were received which included six (6) producers and one (1) crafter. One (1) of the six (6) producers is also a vendor at the Downtown Kingston Public Market.

The following is a summary of comments from RFI submissions:

- RFI submissions were received from businesses within 100km.
- Three (3) applicants of seven (7), provided responses to all questions in the RFI.
- Of seven (7) applicants;
  - Produce vendors (5)
  - Meat products (1)
  - Crafts (1)
- Of the five (5) produce vendors; one (1) is a certified organic grower, two (2) grow organic produce but are not certified organic.
- Two (2) applicants sell prepared foods e.g. Bread, baked goods, preserves as well as produce.

Comments from Applicants

- One asked for power to be provided.
- Two applicants asked that the Market be run by an Association and one of these said they would not participate if the City runs this market.
- One applicant asked that it be a real Farmers Market, which requires that there be more than 51% Producer/vendors.
- Start and end times were a concern to 4 of the seven applicants.
- 9:00a.m. was suggested as the start time by two applicants
- One applicant suggested that a 4 or 5 hour market should be the limit.
- One applicant stated that if Re-Sellers were permitted, they would not participate.

**Memorial Centre Outdoor Market Operations**

Staff have identified two operational models that could be applied at the Memorial Centre outdoor market. The following section provides high level criteria for each of the model. It should be noted that the Downtown Kingston Public Market functions under model 1 but some interested producers indicated that the Memorial Centre outdoor market should operate under model 2.

**Model 1: City as Operator**

- a. Operate exclusively on Sundays;
- b. Market available hours of operations will be from 8 am until 6 pm. Vendors will not be required to remain until 6 pm;
- c. City issued leases or daily permits will be required for each stall;
- d. City determines stall size allowed;
- e. Support of a Deputy Market Clerk is provided by the City;
- f. Lease and permit fees to be set by the City.

**Model 2: City as Landlord**

- a. Operate exclusively on Sundays;
- b. City leases a space to an independent association;
- c. City delineates space available and maintenance requirements;
- d. City establishes overall hours available for the space (i.e. 6 a.m. until 9 p.m.);
- e. Association leases stall space to vendors;
- f. Association establishes vendor requirements and monitors the market;
- g. City does not provide monitoring or regulating of market operations.

Based on the high level assessment in this report and the comments collected through the RFI, staff recommend that the Memorial Centre outdoor market operate under model 2. Staff is also proposing a different lay out of the market which could provide access to power, to be paid by the Association. The updated layout with required fire routes is attached in Exhibit A of this report. Staff is also proposing a land lease agreement with an independent association which would be based on about 4,500 square feet at a market rate.

In order to ensure that staff can meet the late Spring deadline of an operational outdoor market at Memorial Centre, staff is proposing to have delegated authority to negotiate and finalize a land lease with an interested Association.

**EXISTING POLICY/BY LAW:**

N/A

**NOTICE PROVISIONS:**

N/A

**ACCESSIBILITY CONSIDERATIONS:**

N/A

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**FINANCIAL CONSIDERATIONS:**

The lease cost for 4,500 square feet would be set at market rate. The Association would also be charged the monthly electrical cost should power be provided. It is proposed that the cost of adding electrical outlets and meter be covered by the revenue generated through the land lease of the outdoor market land. Potential revenue generated through this land lease have not been factored into the 2012 operational budget.

**CONTACTS:**

Lanie Hurdle, Commissioner, Community Services

613-546-4291 ext. 1231

**OTHER CITY OF KINGSTON STAFF CONSULTED:**

Luke Follwell, Manager, Recreation Facilities

Terry Shea, Rural Affairs and Promotions Coordinator

**EXHIBITS ATTACHED:**

Exhibit A – Proposed Outdoor Market Layout at Memorial Centre

EXHIBIT A – Proposed Outdoor Market Layout at Memorial Centre



Figure 1.0: Location Map