

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 14.1.11
Halifax Regional Council
December 12, 2017

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by



SUBMITTED BY: _____
Jacques Dubé, Chief Administrative Officer

DATE: November 29, 2017

SUBJECT: Shakespeare by the Sea Society - New Building Proposal

ORIGIN

December 13, 2016 motion: That Halifax Regional Council:

1. Authorize the Mayor and Municipal Clerk to enter into an amending agreement with Shakespeare by the Sea Theatre Society for the premises located at 5480 Point Pleasant Drive, Halifax, subject to confirmation of any necessary approvals from the Federal Government, as per the key terms and conditions set out in Table 1 of the staff report dated December 1, 2016; and
2. Direct staff to return to Council no later than fall 2017 with building recommendations relative to 5480 Pleasant Drive. **MOTION PUT AND PASSED**

LEGISLATIVE AUTHORITY

HRM Charter Section 63(1), the Municipality may sell or lease property at a price less than market value to a non-profit organization that the Council considers to be carrying on an activity that is beneficial to the Municipality; and (2) A resolution to sell or lease property referred to in subsection (1) at less than market value shall be passed by at least a two thirds majority of the Council present and voting.

RECOMMENDATION

It is recommended that Halifax Regional Council direct staff to:

1. Complete remaining repairs to the existing roof on 5480 Point Pleasant Drive to enable ongoing operations to support the Shakespeare by The Sea license agreement with funding from Project No. CBX01270 – Structural Upgrades, as outlined in the Financial Implication section of this report;
2. Include public consultation and conceptual planning for the Greenbank Multi-use Building in the 2018/19 budget and business plan for Council's consideration;
3. Engage Shakespeare by the Sea and Parks Canada directly in the conceptual planning process and develop a Memorandum of Understanding, if required, outlining future roles within Point Pleasant Park for Council's consideration; and
4. Decline the request for \$100,000 funding to Shakespeare By The Sea in support of capital planning for 2018, at this time.

BACKGROUND

Shakespeare By The Sea (SBTS) is a not for profit society incorporated in 1994 that provides summer and fall outdoor theatre performances at Cambridge Battery, Point Pleasant Park and indoor theatre performances at Park Place Theatre, 5480 Point Pleasant Drive. The Society has leased the space at this location since 1997. Initially, SBTS had used Park Place Theatre for rehearsals, costume/prop storage and as alternative performance space for days of inclement weather.

In June 2014, sections of the building were damaged by a fire due to vandalism. Following the fire, the occupancy inspection report concluded that the building did not meet the standards of occupancy based on its history of use. In June 2015, Council approved a budget of \$225,000 to complete minimal repairs caused by the fire and to secure an occupancy permit for the building under specific direction that the building's usage would be as an office, storage and rehearsal space. The budget for the repairs approved by Council were to help extend the life of the building for approximately the next 5 years. After completion of the initial repairs, staff executed a five-year license agreement with SBTS in August 2015. Under the terms of this agreement, the permitted use of the building was for office, storage and rehearsal space, and did not permit public performance and public access to the building.

As part of Council's direction, staff were to "...provide information and work with staff of SBTS while SBTS explored cost effective, objective based solutions for a viable, code-compliant theatre at 5480 Pleasant Drive, subject to further consideration of Council;" Through those discussions and subsequent to the execution of the new five-year license agreement and completion of minimal repairs to the building, SBTS requested deferral of the minimal roof repairs to provide additional time to explore opportunities for improvements to the building at 5480 Point Pleasant Drive, and an extension of the license agreement to a ten-year term to enable opportunities for the group to explore funding from other levels of government.

As a result, on December 13, 2016, Regional Council approved entering into an amending agreement to enable the requested ten-year term and directed staff to defer roof repairs on the building and return to Council in fall 2017 with options for the building.

In 2016, HRM received approval from Parks Canada to amend the existing license with SBTS and extend the scope of use to include live theatre performances open to the public. Although the Municipality has a long-term agreement for the use and operation of Point Pleasant Park, the Park is owned by the Federal Government. All license agreements and construction to any buildings must be approved by the Federal Government. Also in 2016, SBTS applied for and received Provincial funding to help fund a renovation project to the interior rehearsal space. Early in 2017, HRM and SBTS executed the Amending Agreement (Attachment 3) which permits public access to Park Place Theatre, and extends the existing license term for an additional (5) years, which now expires on June 30, 2025. In the spring of 2017, SBTS completed the renovations work on the space, and secured the required occupancy permit to enable public access for performances.

In Spring 2017, SBTS confirmed they had hired a consultant to assist in the development of a further building renovation building plan. Staff attended a summer SBTS Board meeting where the Society presented a summary of the consultant's work and confirmed its intentions to request that Council approve a plan involving the demolition of the existing building at 5480 Point Pleasant Drive and the construction of a new building at the same site. Following this meeting, staff requested that SBTS provide the final written proposal to enable completion of a recommendation report to Council.

SBTS submitted its proposal (Attachment 1). The proposal recommends that no further investment in the current building be made by either SBTS or HRM as:

- it was not purpose built as a theatre space;
- it is not large enough for SBTS current use;
- it lacks visual identity;
- the building is at the end of its life cycle; and

- it does not meet the long-term programming goals and strategic plan of the Society. The SBTS proposal recommends that the existing building be demolished and replaced with a new multi-use structure at the same site.

DISCUSSION

As noted, at the time the minimal repairs were being made to the building in the spring of 2015, SBTS had requested deferral of remaining repairs to provide the Society with additional time to explore funding opportunities for improvements to the building at 5480 Point Pleasant Drive. SBTS had requested that HRM consider increasing the roof height which would enable enhanced programming capabilities.

The ongoing discussion with SBTS concerning the height of the building's roof and impact to SBTS long term theatre programming goals has delayed the replacement of the roof. The height of the building is 8 feet in comparison to standard height in schools and community buildings of 12-14 feet. SBTS requested HRM consider increasing the roof height which they indicated would enable enhanced programming capability. A structural review of the existing building investigated options; however, it was determined that the existing exterior walls could not support raising the roof.

Except for the replacement of the existing roof structure, the "minimal repairs" have been completed. These repairs included installation of code compliant exterior door, code compliant electrical wiring, barrier free improvements to the washroom, and improvements to the heating system. The repairs completed to date meet the previous programming requirements provided within the building prior to the fire. To ensure there is no damage to the building, the roof replacement is required to be completed in spring 2018. The scope of work to be completed includes (but is not limited to) the following items;

- Removal of existing wood truss roof;
- Removal of original tar and gravel roof; and
- Construction of new flat roof to meet current National Building Code (NBC).

The repairs are required even if a new structure were to be approved to mitigate risk to the existing structure and facility users.

New Building Proposal

As stated previously, SBTS's proposal calls for the current building to be demolished and a new building constructed at the same site. The new building is proposed by SBTS to be a two-story structure approximately 7,500 square feet in size. SBTS is proposing that this new facility would serve as a fully accessible, multi-use facility that includes an interpretation center for Point Pleasant Park, provision of public amenities and recreational programs, and provide opportunities for new and improved programming for the Society. The submission received from SBTS indicates that the estimate for this building would be approximately \$2.7 million. Based on current capital projects, staff estimate that a building of this scale and size would be in the \$4.5 million range. There are no capital funds for a new building at this location in the 10-year capital plan.

While reviewing SBTS's proposal, staff considered the question of whether the outdoor theatre setting in Point Pleasant Park was to remain the primary venue for performances or was SBTS moving more towards establishing themselves as an indoor theatre company with the proposed construction of a new 7,500-square foot facility. SBTS has indicated the outdoor setting remains the primary venue, however, they require the indoor theatre space for inclement weather and daytime matinees due to concerns with sun and heat exposure for the actors. HRM supports a variety of theater companies through grants, however, HRM provides additional support of this theatre company through the less than market value license of the facility which enables SBTS to offer outdoor performances which animate the park.

SBTS indicate in their proposal that the current building is too small for the current use and does not provide

adequate storage, space for administration and the costume workshop. However, this reduction is a result of SBTS expanding the indoor theatre space thereby reducing the space available for storage, office space, workshop space, etc.

Endorsements and Approvals Requested by SBTS

It was expected that the SBTS's building proposal would contain specifics around a capital fundraising campaign for the proposed new building project, as had been indicated in the previous SBTS request. However, SBTS has confirmed that before it will invest in developing formal building plans and a detailed capital fundraising campaign, it is seeking a memorandum of understanding from HRM and Parks Canada confirming that:

- a) a new larger building on the existing site at 5480 Point Pleasant Park is allowable
- b) HRM and Parks Canada recognize SBTS as a program delivery partner in Point Pleasant Park
- c) HRM and Parks Canada recognize SBTS as a capital development partner in Point Pleasant Park
- d) HRM and Parks Canada identify the limits of building footprint and massing in the precinct of the existing site
- e) HRM commits funds to SBTS in the amount of \$100,000 in support of capital planning for 2018.

SBTS contacted Parks Canada to request a meeting to discuss the new building proposal and seek support. Parks Canada responded and confirmed that any proposed changes to the building would first require the approval of HRM as the holder of the license of occupation for Point Pleasant Park. Parks Canada also indicated that they are prepared to consider, and likely support, any requests HRM makes regarding the future of the building, including modifications and any new construction requiring an expansion of the existing footprint.

The SBTS proposal outlines a timeline for decision by HRM and Parks Canada on the proposal, noting that "*Should new construction on this site not be allowable or should the timeframe for decision making be more than one year, SBTS should identify other sites for consideration*". Based on ongoing initiatives which would impact consideration of this proposal, it is challenging for HRM to be able to meet the timeline.

Point Pleasant Park Comprehensive Plan

In 2008, after extensive community consultation, Regional Council approved the Point Pleasant Park Comprehensive Plan as guidance for future decisions regarding the Park. One key feature of the Plan includes the Greenbank Multi-Use Building (Attachment 2), an architecturally designed, multi-use facility that, if constructed, would provide visitors to Point Pleasant Park with numerous features and amenities. These include an information and interpretation centre, canteen and café, multi-use space for various program groups, meeting spaces, fully accessible washrooms, and all-season changing rooms for swimming and skating. The Plan calls for this facility to be situated in the harbor entrance parking lot where it would play an important role in providing structure and focus, and serve as an important landmark and orientation point within Point Pleasant Park. The Greenbank Building is not currently in HRM's ten-year capital plan.

There are several projects currently underway at Point Pleasant Park, consistent with the Point Pleasant Park Comprehensive Plan, that need to be reviewed when considering the SBTS proposal. The 2017/18 Capital Budget includes funds to upgrade the Point Pleasant Park lower parking lot and work for this project is scheduled to begin in the spring of 2018. Also, planned for this fall is the demolition of the old canteen structure located at the harbour entrance parking lot. This structure has not been leased in 5 years and is in very poor condition.

Cultural Spaces Inventory

In July 2014, as part of a strategic capital discussion, Regional Council directed that staff prepare a Cultural Spaces Plan, which included "...completion of a needs assessment, feasibility studies and identify potential partners and service delivery models that may include new cultural spaces and/or recapitalization of existing facilities." The Cultural Spaces Plan is currently in process with the Province of Nova Scotia and aligned with specific aspects of the municipal's Culture and Heritage Priorities Plan, which is a deliverable of the

Regional Plan. The development of the Cultural Spaces Plan depends upon a comprehensive analysis of current cultural infrastructure resources in HRM (an inventory of currently existing resources), as well as a corresponding gap/needs assessment (resource deficiencies). It is anticipated that this work will inform a municipal strategy for investment in cultural infrastructure including a prioritization of that investment. Therefore, it is premature to properly assess the SBTS request in the absence of an overall strategic framework to guide cultural facility investment.

As well, HRM is a key member of the tri-level funders group for Atlantic Canada. Staff consults with its partners, Canadian Heritage and the Province of Nova Scotia, to identify priority cultural opportunities that deliver the greatest benefit to the public. This strategic approach to governments' funding of cultural facilities provides an alignment in resources, encourages private sponsorship investment, ensures evidence based decision making and removes duplication in cultural services or facilities. To that end, there is risk in considering funding for the SBTS proposal at this time when it is understood there are of several other requests from cultural facilities (Legacy Performing Arts Centre, the Culture Link, 1588 Barrington Street, and the Mi'kmaq Friendship Centre) that have either been expressed formally or which are known to be forthcoming.

Conclusion

In consideration of the scope of SBTS's new building proposal and its required timeline, HRM's current and longer-term planning for Point Pleasant Park, recent and upcoming investment in the existing building, and the cultural facility inventory and gap analysis require for the completion of the Cultural Spaces Plan, proceeding with the SBTS proposal is not recommended at this time for the following reasons:

1. With the recent repairs and upcoming roof replacement, at 5480 Point Pleasant Park, the facility will provide a structurally sound and visible location for SBTS to continue to host indoor theatre productions for the next 5 to 10 years, both during inclement weather and daytime matinees.
2. Decisions on a new and larger structure at this site need to be considered in accordance with the existing direction approved under the Point Pleasant Park Comprehensive Plan and the upcoming Cultural Spaces Plan and aligned with the current ten-year capital plan.
3. The timeline in which SBTS requires confirmation of HRM's acceptance of the proposed new building cannot be met due to ongoing initiatives and necessary consideration of other requests which could impact this decision.
4. The requested funding from HRM towards capital planning by SBTS exceeds HRM's community grants program and there are currently no other funding programs through which HRM could support this request.

FINANCIAL IMPLICATIONS

The approved 2016/17 Capital Budget allocated \$50,000 (net HST included) from Project No. CBX01270 Structural Upgrades for roof replacement at 5480 Point Pleasant Park. These funds are held in a reservation for this work. The budget availability has been confirmed by Finance.

Budget Summary: Project No CBX01270 – Structural Upgrades

Cumulative Unspent Budget	\$286,794
Reservation for Shakespeare By The Sea	\$ 50,000
Balance remaining	\$236,794

Regarding public consultation and conceptual planning for the Greenbank Multi-Use Building, it is anticipated that this work can be completed within current staff resources, subject to Regional Council's approval of the 2018/19 budget and business plan.

RISK CONSIDERATION

There are no risks associated with the recommendations in this report. There are more significant risks in not proceeding with the necessary repairs to the building due to the potential damage and risks to users. Further, proceeding with the SBTS proposal at this time would create financial and reputational risks due to the ongoing work to inform the prioritization of future capital cultural projects. The recommendations in this report mitigate those risks.

COMMUNITY ENGAGEMENT

The SBTS Board of Directors is made up of members of the community.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

ALTERNATIVES

Alternative 1: Regional Council may choose to support SBTS's new building proposal, subject to approval from Parks Canada. In that instance, Regional Council should:

1. Direct the Chief Administrative Officer to negotiate a Memorandum of Understanding with SBTS that includes the following terms:
 - a. The existing building at 5480 Point Pleasant Park is to be demolished;
 - b. Construction of a new larger building on the existing site at 5480 Point Pleasant Park is permitted;
 - c. HRM recognizes SBTS as a program delivery partner in Point Pleasant Park;
 - d. HRM recognizes SBTS as a capital development partner in Point Pleasant Park; and
 - e. HRM will provide \$100,000.00 to SBTS in support of capital planning in 2018.
2. Authorize the CAO to execute the resulting Memorandum of Understanding; and
3. Direct staff to return to Regional Council with recommended building plans once SBTS has developed formal building plans for construction of a new building at 5480 Point Pleasant Park.

ATTACHMENTS

Attachment 1: SBTS Proposal to HRM=

Attachment 2: Point Pleasant Park Comprehensive Plan, Chapter 5, Greenbank Multi-Use Building

Attachment 3: Amending Agreement, HRM and SBTS

A copy of this report can be obtained online at halifax.ca. or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Bruce Chisholm, Partnership Coordinator, Community Partnerships, 902.490.1214

Shakespeare By The Sea

CAPITAL DEVELOPMENT PLANNING

A Report to Halifax Regional Municipality

TORONTO
1110 Yonge St.
Suite 200
Toronto, ON
M4W 2L6

LUNENBURG
232 Lincoln St.
Lunenburg, NS
B0J 2C0
T: (902) 634-0403
F: (902) 634-8131

novitainter pares.ca

Prepared for
Shakespeare By The Sea
Halifax, NS

By
Novita Inter pares Limited
Cultural Facilities Consultants since 1972

Lunenburg, NS/Toronto, ON

August 21 2017

EXECUTIVE SUMMARY

Mandate for This Report

Shakespeare By The Sea (SBTS) occupies the building at 5480 Point Pleasant Drive under a lease from Halifax Regional Municipality (HRM.)

Following a renewal of the SBTS lease in December 2016, HRM Council directed Staff to come back to Council by the fall of 2017 with recommendations related to the future of this building.

This report has been commissioned by SBTS from Novita Interpares Limited, Cultural Facilities Consultants, as a resource to HRM Staff in fulfilling Council's directive.

In its Strategic Plan, SBTS has identified the size, condition and general adequacy of this building as a factor in its successful long-term growth and sustainability.

Outcomes from This Report

No Further Investment

SBTS has determined that further investment in 5480 Point Pleasant Drive is not advisable for the following reasons:

- 5480 Point Pleasant Drive was constructed as a utility building for the Park and was not designed for its current use
- The building does not contain enough area for SBTS current use and is an impediment to the growth and sustainability of SBTS
- The building's visual identity is poor
- The building is at or near the end of its service life

Preferred Option

SBTS has considered several options and has determined that its preferred option is a new and larger building on the existing site for the following reasons:

- The symbolic and practical relation of SBTS to the Park
- The need for SBTS to have more and better-quality space
- The opportunities for new partnerships and relationships
- The opportunity to enhance the entrance to the Park

The preferred option is a building having in the order of 5,700 sf (530 m²) in net area and 7,500 sf (700 m²) in gross area.

The Larger Planning Context

SBTS will only be able to meet its strategic planning objectives by having a new building on this site.

SBTS is also aware that there are other needs at this entrance to the park including:

- Creation of a formal entry to the Park
- Provision of public amenities
- Interpretation of the Park from earliest history to the present
- Locus for recreational programs
- Fully accessible facilities

In carrying out the feasibility and planning study for its own facilities, SBTS will consult with relevant stakeholders and partners to ensure planning for all needs on this site can be coordinated.

Direction Forward

SBTS will achieve its goals for capital development based on a set of values including:

- Legacy and stewardship
- Responsibilities and capacity
- Respect for place
- Appropriate to the setting
- Planning compatibility
- Welcoming and collegial
- Sustainable
- Serving the partners

SBTS is Asking HRM

In order to maintain an optimal schedule, SBTS will seek approvals and endorsements from HRM and will commit to developing a full concept for approval by the parties by the end of 2018.

The endorsements and approvals which SBTS is seeking from HRM include:

- HRM confirms that a new larger building on the existing site at 5480 Point Pleasant Drive is allowable
- HRM recognizes SBTS as a program delivery partner in Point Pleasant Park (*a written commitment is required to support SBTS capital fundraising*)
- HRM recognizes SBTS as a capital development partner in Point Pleasant Park (*a written commitment is required to support SBTS capital fundraising*)
- HRM identifies the boundaries in which capital development could occur in the precinct of the existing site
- HRM identifies the limits of building footprint and massing in the precinct of the existing site
- HRM will liaise and coordinate with Parks Canada
- HRM commits funds to SBTS in the amount of \$100,000 from funds currently allocated for this site in support of capital planning for 2018

SBTS Will Commit to HRM

With these endorsements and approvals in place, SBTS will commit to a professionally managed and executed planning process resulting in the following deliverables:

- Consultation with partners and stakeholders
- Vision statement and project charter
- Building concepts (including site plan, building massing and materiality, building schematics)
- Capital cost forecast
- Capital revenue/fundraising plan and identification of lead gift sources
- Proposal for capital partnership
- Proposal for tenure and operating agreement
- Project delivery plan and timetable

INTRODUCTION

Background

In 2017, Shakespeare By The Sea launched its 24th season of providing high quality entertainment to Nova Scotians and visitors in an outdoor setting in Point Pleasant Park. Since its inception, SBTS has entertained more than 300,000 residents and visitors.

Shakespeare By The Sea operates from a building located at 5480 Point Pleasant Drive at the eastern entry to Point Pleasant Park. This building and land is owned by the Government of Canada (Parks Canada) and is leased to the Halifax Regional Municipality (HRM) who, in turn, entered into a Licence Agreement (June 2014/amended December 2016) with Shakespeare By The Sea for use of the building.

This building serves many functions for SBTS: administrative offices, workshop space, rehearsal space, service centre for the outdoor productions in the Park and inclement weather performance space – all within a building having a footprint area of about 2,800 square feet (about 260 square meters.)

SBTS Decision Making Context

Three-Year Strategic Plan

SBTS recently completed a Strategic Plan which covers the years 2017 through 2019 and has four overall goals:

- Execute new initiatives to increase the breadth and depth of our audience
- Identify and adopt specific plans to strengthen sponsorship and fundraising
- Develop the organizational capacity need to achieve long term sustainability

- Set the stage for our transition to a new space in Point Pleasant Park

In regard to capital development, the Strategic Plan further identifies the need to begin examining development options for the Point Pleasant Drive building and testing the feasibility of these options in 2017 with further capital planning in the subsequent two years.

Directive to Report to HRM Council in the Fall 2017

Following a fire in 2014, the necessary remedial work was carried out by HRM and some improvements were made to the indoor performance space. This work has permitted SBTS now to use the building for public performance (assembly occupancy) in addition to its previously permitted use for administrative and production support functions.

Following a renewal of SBTS lease in December 2016, HRM Council directed staff to come back to Council by the Fall of 2017 with recommendations about the future of this building.

According to the SBTS Strategic Plan, “The expectation of all parties is that significant further work will need to be done in order to either raise the roof and extend the life of the building for the long-term, or create a new building on this site.” (p.7)

Goals of This Report

The goals of this report are to examine the building at 5480 Pleasant Drive for its re-development potential for continued SBTS use and to consider options and next steps with a view to providing input to the Staff report.

PART 1: SITUATIONAL ANALYSIS

Overall Conclusion

SBTS has determined that further investment in 5480 Point Pleasant Drive is not advisable for the following reasons:

- 5480 Point Pleasant Drive was constructed as a utility building for the Park and was not designed for its current use
- The building does not contain enough area for SBTS current use and is an impediment to the growth and sustainability of SBTS
- The building’s visual identity is poor and it is at or near the end of its service life

Assessment Leading to Overall Conclusion

Limitations of the Work

The following notes have been developed only by observations made on site in early June 2017. A series of photographs were also taken for reference. Several conversations were had with HRM staff. No information was sought regarding sub-grade conditions including the possibility of hazardous materials in the soil. No testing or verification was done and confirmation of all information will be required going forward.

Readers are advised to note that this assessment is not a building condition report and it is not a life safety study. Further, the writer's understanding is that the building is code compliant and that all the existing uses are permitted.

Site and Site Planning

The land on which the building at 5480 Point Pleasant Drive sits is owned by the Government of Canada under the administration of Parks Canada. The land registry identification is PID 00001248. The municipal address (5480 Point Pleasant Drive) does not pertain to a conventional building lot and the boundaries of the land in this area are those of Point Pleasant Park itself. (according to Plan 11019702 supplied by HRM.)

In this situation, there appears to be no surveyed road allowance and no boundary relationship (e.g., set-back requirement) between the structure of 5480 Point Pleasant Drive and the paved road and related parking areas. There would therefore appear to be no reference to prescribed allowable footprint and coverage. Similarly, there would appear to be no prescribed requirements related to building height.

If correct, this situation raises the question of the terms for Site Plan Approval for proposals which SBTS may wish to bring forward. Site Plan Approval would presumably be achieved through negotiation with the key parties (Parks Canada and HRM) rather than in conformity to prescribed planning and zoning regulations.

Strategic Location and Relationship

Point Pleasant Park is the venue for SBTS summer productions and the relationship between SBTS and the Park is mutually enhancing – the Park is an integral part of the SBTS experience and SBTS brings an added dimension to the enjoyment by visitors of this exceptional public amenity.

On a practical level, 5480 Point Pleasant Drive allows SBTS easy access for servicing the productions in the Park and it provides a fallback location in the event of inclement weather.

Precinct Character and Building Imagery

Point Pleasant Drive is the publicly accessible road leading to the eastern entrance to Point Pleasant Park and its harbor shore. The building at 5480 Point Pleasant Drive is about 165 feet (50 meters) from the north-west property line boundary of Park lands according to Plan 11019702.

Entering Park lands, pedestrians, cyclists and drivers see public parking (about 30 spaces) to their right just before the 5480 building; to the left, they see the Port of Halifax container facilities.

Vehicular access to the building is provided by Point Pleasant Drive and access for loading is via the abutting parking lot. The area is served by Metro Transit and there is a bus stop in front of the building. (The future of bus service is uncertain.)

The building image of 5480 Point Pleasant Drive is poor. The building itself together with the presence of storage containers parked alongside appears to be a service or utility building of indeterminate age, condition and purpose.

Apart from the trees, there is little to suggest the experience which the Park has to offer visitors and, in its present condition, represents a missed opportunity to appropriately introduce visitors to the Park. Similarly, the building image does nothing to support SBTS or to suggest the kind of experience which SBTS provides within the Park.

As if these conditions were not enough, to the visitor's left entering this area, the Port of Halifax container facility is a looming presence.

Basic Building Fabric

5480 Point Pleasant Park was originally constructed as a utility building (canteen, restaurant, public washrooms) serving visitors to the Park. It is a single storey structure with a low pitched peaked roof (below which there is a flat metal pan roof.)

Its basic construction is slab-on-grade with concrete block walls and a light frame roof. The structure is short span except for the performance space where additional steel beams have been added to create a bigger clear span.

The building envelope does not appear to be insulated nor does there appear to be any vapour barrier.

Building Systems

The building is serviced by water and sewer from HRM. There is sufficient electrical power for lighting, conveniences and for the stage lighting in the

performance space. Heating and cooling is provided by distributed units. There is no central ventilation system.

Life safety features include fire detection and suppression are evident as well as ample means of egress.

There are two washrooms inside the SBTS area, one of which is handicapped accessible. There are also two washrooms for public use which have their own entrances and are not connected to the building interior or under the control of SBTS.

Building Experience for Users

The condition of the building envelope together with the lack of an air circulation system and the use of distributed heating/cooling sources make a very uneven indoor environment and a generally low level of comfort for occupants – especially in winter.

The acoustic environment is also poor. There is interior noise from heating/cooling units and noise penetration from ambient sources. There is no sound separation for the various interior uses. There is no room acoustic treatment in the performance space.

Building Functionality

Building Area in Relation to User Needs

As previously noted, this building was not constructed for its present uses nor (except for the performance space) has it been reconfigured by SBTS.

The building is clearly too small for the current use. The most obvious sign is the need for exterior storage in trailers and containers. Only slightly less obvious are the cramped and generally inappropriate spaces for administration and costume workshop. Many functional areas which would typically be included are simply not provided.

Comparative Program of Spaces and Functions

As an example of the spaces which would normally be provided for a user such as SBTS, Appendix A of this report contains a preliminary list of spaces and areas which would be minimally required for a small theatre production company such as SBTS.

The result would be a building with about 5,750 square feet (535 square meters) of net area and about 7,500 square feet (700 square meters) of gross area.

Relationship of Functional Areas

Given the building's small size and its many other shortcomings, the functional relationship issues are minor by comparison. The public enters the performance space directly through a vestibule/lobby. The public entry to the SBTS work

areas is not so direct. There is no dedicated loading (wide) door for goods and materials. The access to the washrooms is off the performance room not off the lobby, etc.

Conclusions - Observations

This report draws the following further observations:

- The location of the building has practical and symbolic significance for SBTS
- This location potentially has both symbolic and practical opportunities for the Owner (Parks Canada) and/or the Prime Leaseholder (HRM)
- As a tenant, SBTS does not have decision making authority with respect to the future of the building
- Beyond the Building Code, there appear to be no prescribed zoning requirements, building design guidelines or lot boundaries
- The specifics of any proposals for future development which are brought forward by SBTS will need to be negotiated as site-specific conditions
- In keeping with the good will expressed by the Owner and Prime Leaseholder toward SBTS and the availability of HRM liaison staff, any and all proposals will be prepared in consultation with representatives of Parks Canada and HRM

Conclusions - Recommendations

This report makes the following recommendations regarding the future of 5480 Point Pleasant Drive as a venue for SBTS:

- SBTS should make every possible effort to remain in a visually prominent and easily accessible location at the entrance to the Park
- SBTS should not however make any further investment in the building at 5480 Point Pleasant Drive
- SBTS should confirm with the Owner (Parks Canada) and the Prime Leaseholder (HRM) that new construction on this site is allowable
- SBTS should further confirm with the Owner and Prime Leaseholder the allowable footprint, height and location boundaries
- SBTS should advise the Owner and Prime Leaseholder that – as a preliminary estimate only – SBTS would be looking for a footprint in the order of 7,500 square feet (about 700 square meters) and a 2 storey building height
- SBTS should further confirm whether either or both the Owner or the Prime Leaseholder has functional needs that could be met by a new building in this location
- Should new construction on this site not be allowable or should the timeframe for decision making be more than one year, SBTS should identify other sites for consideration
- In anticipation of a capital development program beginning in earnest, SBTS should create terms of reference for and establish a Capital Development Working Group reporting to the SBTS Board

PART 2: CAPITAL DEVELOPMENT OPTIONS

Overall Conclusion

New Building on Existing Site

SBTS has looked at its options and determined that its preferred option is a new and larger building on the existing site for the following reasons:

- The symbolic and practical relation of SBTS to the Park
- The need for more and better-quality space
- The opportunity for new partnerships
- The opportunity to enhance the entrance to the Park

Larger Building on Existing Site

SBTS has determined that it requires a building in the order of 5,700 sf (530 m²) in net area or about 7,500 sf (700 m²) in gross area. (See Appendix A for details.)

Assessment of Capital Development Options

Option #1: Invest to Upgrade Existing Building

At a conceptual level, this option would include an interior renovation of the existing building and façade improvements but no increase in building area or volume.

Considerations which favour this option:

- Park location is maintained and building image improved
- Lowest capital cost (assuming no addition)
- Shortest time frame
- Relatively simple procedure

Considerations which challenge this option:

- The base building is poor quality and at the end of its service life
- There would be no increase in building area
- No opportunities for additional programming and public use
- SBTS operations would be disrupted

Opportunity/Risk

- No new opportunities are evident
- Further investment in this building is a risk

Option #1 is ruled out due to the condition and size of the existing building and the poor ratio of investment to benefit.

Option #2: Construct New Building on This Site

At a conceptual level, this option would include the demolition of the existing structure and the construction of a new building which would be greater in area and volume than the existing structure.

Considerations which favour this option:

- Park location is maintained and building image significantly improved
- High quality building with long service life would be produced
- Building area would be increased and functionality improved
- New opportunities for new programming and public use

Considerations which challenge this option:

- Greater capital cost
- More complex procedure
- Longer time frame
- SBTS operations would be disrupted

Opportunity/Risk

- New opportunities are evident for SBTS, HRM, Parks Canada and the public
- There are no risks associated with this concept

While this Option #2 is ambitious compared to Option #1, it creates the most benefit' opens new opportunities and produces long term value.

Option #3: Re-locate to Another Site

At a conceptual level, this option could include lease or purchase of other premises elsewhere in Halifax including renovation or new construction.

Considerations which favour this option:

- No procedural implications
- No time frame implications
- SBTS operations would not be disrupted

Considerations which challenge this option:

- Need to re-purpose or remove 5480 Point Pleasant Drive
- Loss of SBTS visibility in the Park
- Loss of SBTS operational efficiency and servicing shows
- Loss of partnership opportunities

Opportunity/Risks

- SBTS might have the opportunity for more space elsewhere
- Disconnection from the Park would have both short term and long term negative impact on SBTS as one of Halifax's best cultural producers

Option #3 is less desirable because it severs the relationship between SBTS and the Park and it closes the door on partnerships that would enhance the use of the Park.

The Larger Planning Context

New Building on This Site

SBTS will only be able to meet its strategic planning objectives by having a new building on this site.

Other Unmet Needs on This Site

SBTS is also aware that there are other unmet needs on this site including:

- Creation of a formal entry to the Park
- Provision of public amenities
- Interpretation of the Park from earliest history to the present
- Locus for recreational programs
- Fully accessible facilities

SBTS Undertaking

In carrying out the feasibility and planning study for its own facilities, SBTS will work with the relevant stakeholders and partners to determine how the other needs on this site might be met.

Conclusion

Observations

While it is not without its challenges and complications, the preferred course of action is Option #2 because it fully addresses the needs of SBTS; it also opens new possibilities for public benefit at this entrance to the Park; and it provides long term value.

Recommendations

This report therefore makes the following recommendations with respect to the development of this option:

- Work with HRM staff to bring the SBTS position before Council in fulfillment of the directive of December 2016
- Ask Council to confirm that a new building on the existing site is allowable
- Ask Council to determine the parameters for building (site boundaries, massing, etc)
- Identify the work to be undertaken in 2018 including the cultivation of other opportunities

PART 3: DIRECTION FORWARD AND NEXT STEP

Overall Conclusion

SBTS will achieve its goals for capital development based on a set of values including:

- Legacy and stewardship
- Responsibilities and capacity
- Respect for place
- Appropriate to the setting
- Planning compatibility
- Welcoming and collegial
- Sustainable
- Serving the partners

In order to maintain an optimal schedule, SBTS will seek approvals and endorsements from HRM and Parks Canada and will commit to developing a full concept for approval by the parties by the end of 2018.

Project Goals and Values

Goals for Capital Development

SBTS has resolved to explore its capital development options and has established the following overall goals for capital development

- To remain in a highly visible location at the entry to Point Pleasant Park
- To be housed in an up to date, four seasons building
- To have more space
- To begin capital development work by the end of 2017
- To play a part in welcoming visitors to the Park and supporting Park programming and operations

Values which Drive Capital Development for SBTS

SBTS has adopted the following principal values to guide its capital development decision making in pursuit of its capital development goals:

Legacy and Stewardship

SBTS acknowledges its commitment to maintain its program and its program standards for the ongoing benefit of the community

Responsibilities and Capacity

SBTS acknowledges its commitment to develop the capacity to be a full capital partner and operating partner including its responsibility to generate capital revenues

Respect for Place

SBTS acknowledges Point Pleasant Park as a special place and to continue to honour the character of the land and the uses it has seen over time

Appropriate to the Setting

SBTS acknowledges the need to consider carefully building scale and choice of materials that are appropriate and complimentary to this setting

Planning Compatibility

SBTS acknowledges the need to ensure that capital development at the 5480 Point Pleasant Drive site be compatible with the Point Pleasant Park Comprehensive Long Term Plan

Welcoming and Collegial

SBTS is committed to a building that presents a welcoming face to the community and is open to the public and to create new opportunities for the culture and heritage interests in the Halifax community

Sustainable

SBTS is committed to a sustainable future and to creating a green building to LEED standards

Serving the Partners

SBTS is committed to developing a building which furthers the interests of HRM and Parks Canada

Direction Forward

Preliminary Timetable for the Capital Project

Subject to financing and formal resolutions, SBTS has determined that the following schedule of key milestones would be optimal:

- By end of 2017 -- Approval in principle by all parties of a new building on the existing site
- By end of 2018 – Approval of concept (capital and operating) by all parties
- By end of 2019 – Tenders let
- By end of 2020 – Construction complete

Next Milestone

Based on this schedule, the project would be fully developed at the conceptual level by the end of 2018 so that concept approval could be given by all parties.

Undertaking by SBTS Related to Next Milestone

In order to meet this goal, SBTS will commit to the following deliverables:

- Consultation with partners and stakeholders
- Vision statement and project charter

- Building concepts (including site plan, building massing and materiality, building schematics)
- Capital cost forecast
- Capital revenue plan and proposal for capital partnership
- Proposal for tenure and operating agreement
- Project delivery plan and timetable

Endorsements and Approvals

In order to produce these deliverables and before exploring the project further, SBTS is seeking a memorandum of understanding with HRM and Parks Canada that:

- HRM and Parks Canada confirm that a new larger building on the existing site at 5480 Point Pleasant Drive is allowable
- HRM and Parks Canada recognize SBTS as a program delivery partner in Point Pleasant Park (*a written commitment is required to assist SBTS fundraising*)
- HRM and Parks Canada recognize SBTS as a capital development partner in Point Pleasant Park (*a written commitment is required to assist SBTS fundraising*)
- HRM and Parks Canada identify the boundaries in which capital development could occur in the precinct of the existing site
- HRM and Parks Canada identify the limits of building footprint and massing in the precinct of the existing site
- HRM commits funds to SBTS in the amount of \$100,000 in support of capital planning for 2018

APPENDIX A

Shakespeare By The Sea - Capital Development Planning

FACILITY PROGRAM (draft)

Program of Spaces and Functions for Small Theatre Administration, Support and Presentation Facility

The following list represents the starting point for a space and function program which would meet the needs of SBTS as a small live theatre production company. This list is provided as an example only.

Entry/vestibule	25	
Reception	125	
Marketing	100	
Admin Assistant	75	
Co AD	100	
Co AD	100	
Copying and storage	75	
Galley and servery	150	
Staff WC	50	
Subtotal		800
<hr/>		
Meeting room	250	
Production and stage mgt	125	
Visiting Director/Designer	125	
Crew (2)	150	
Subtotal		650
<hr/>		
Costume shop	300	
Wardrobe maintenance	150	
Props shop	100	
Scenery shop	150	
Subtotal		600
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Lobby	500	
Rehearsal/performance	2,500	
WCs	200	
Subtotal		3,200
<hr/>		
Onsite/active storage		500
<hr/>		
TOTAL		5,750 SF (535 M2)

This program would likely generate a building in the order of 7,500 GSF (700 M2.)

APPENDIX B

Shakespeare By The Sea - Capital Development Planning

PROPOSED SCOPE OF WORK (draft) Fall 2017 to Fall 2018

Feasibility and Planning Study by SBTS

Upon approval in principle, site parameters and \$ commitment, SBTS undertakes to deliver the following planning outcomes by Fall 2018.

Consultations

Goal

Understand the larger planning context

Principal Tasks

- Conduct individual and group conversations related to the site at 5480 Point Pleasant Drive
- Identify the themes and issues related to the larger planning context
- Bring forward recommendations

Project Vision and Charter

Goal

Create and vision statement and key criteria

Principal Tasks

- Describe the envisioned project in a brief narrative
- Describe the functions and activities the building will accommodate
- Identify the benefits which the project will deliver
- Draft the project charter including value, criteria, roles, relationships

Building Concepts and Design Brief

Goal

Provide preliminary quantification of building to be constructed

Principal Tasks

- Develop final program of spaces and functions to be accommodated
- Define building form and massing
- Describe materials and systems
- Produce floor plan sketches showing key relationships
- Produce preliminary site plan

Capital Cost and Capital Revenue Plan

Goal

Identify project costs and sources of revenue

Principal Tasks

- Describe the case for support
- Identify the principal sources of capital revenues
- Provide level “D” construction cost estimate
- Provide capital project budget

Operations Plan

Goal

Determine how the completed building will be owned, governed and managed

Principal Tasks

- Determine most appropriate ownership of capital asset
- Determine relation of capital asset to site tenure
- Determine agency with direct oversight of capital asset
- Determine agency with oversight for program delivery
- Provide 5 year operating budget
- Outline terms of lease of capital asset

Implementation Plan

Goal

Describe the process to complete the project

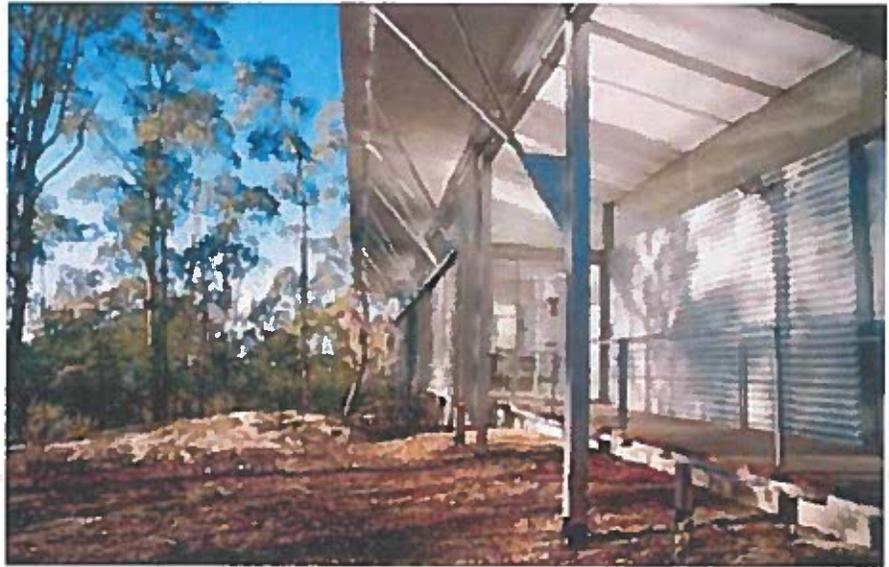
Principal Tasks

- Provide organizational chart for the project
- Identify milestones and key decision points
- Describe capital cash flow requirements
- Identify construction project delivery method

- Chapter 1
- Chapter 2
- Chapter 3
- Chapter 4
- Chapter 5
- Chapter 6
- Appendix A
- Appendix B
- Appendix C
- Appendix D

Greenbank Multi-use Building

An important architectural addition to Point Pleasant Park will be the Greenbank multi-use building, built near the existing canteen in the harbour entrance parking area. The building's location will host visitor services in a less ecologically sensitive area of the Park and provide a central point for activities and programs. HRM's Indoor Recreation Facility (IRF) Master Plan Facility Implementation Model will determine what types of activities and associated spaces should be included in the final design.

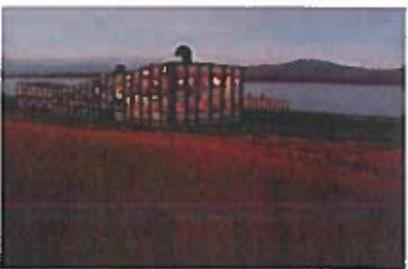


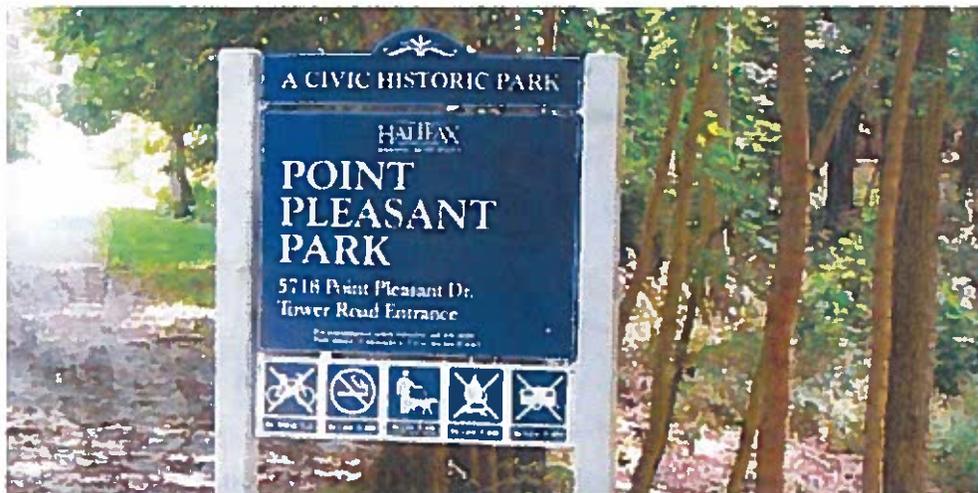
This building will be based on green construction models to obtain LEED Canada certification, ensuring that innovative and sustainable architecture strategies will be followed. Design precedents and architectural references could include Nova Scotian vernacular architecture, high-efficiency eco-buildings and successful park visitor centres. The building must create a connection with the shoreline and forest, as it lies at the intersection of both major components. Allusions to Nova Scotian coastal architecture could help bridge land and sea, and reflect the importance of the natural materials in local building traditions.



appropriate yet modern, ensuring that Greenbank will become a new landmark and orientation point. Building volume and proportions should respect anticipated tree heights and site topography. The green rooftop will be designed as an accessible lookout providing panoramic views of the Park and harbour.

The building footprint and layout should maximize harbour views and invite users into the Park. Besides housing multiple program elements, the building will play an important role in organizing the harbour entrance, which lacks structure and focus. The architecture should be contextually





Existing HRM Park address sign

The building's program will be determined through a future planning process and may consider the following uses:

- park and city-wide information centre
- interpretation area
- canteen and café
- formal sit-down restaurant
- multi-use space for various program groups in case of inclement weather, meeting spaces, etc.
- fully accessible restrooms
- all-season changing rooms for swimming and skating
- Park administration/ office space
- storage space

The proposed building program must reflect a thorough understanding of Park users and community needs.

5.7 Wayfinding/ Signing Strategy

The signage system for Point Pleasant Park must be more than just a set of signposts, markers and symbols. It should reflect and complement the Park's unique attributes in order to create a unique identity that is practical in its application and well founded in its conception. The signage will play an important role to ensure visitor safety and easy navigation to points of interest within the Park. These factors will be achieved through the use of gateway monoliths, informational and directional components.

A striking interpretive program will create a memorable experience for visitors by highlighting the ecological and cultural stories embodied in the Park. The initial research and story development are critical to providing the foundation for an effective interpretation program. Interpretation calls for a heightened sensitivity to the Park setting balanced with needs of visitors and the storyline itself.

To create a strong and cohesive visual identity, cultural artifacts and parts of the natural environment have been used in the signage systems. Recurring design elements, such as the horizontal green banding and the background charcoal colour, create a unified look. All signage elements have been designed to complement the Park's physical landscape. Sign examples shown here incorporate the use of naturally rot-resistant timbers and bases constructed of ironstone or granite, inspired by 19th-century military infrastructure on-site. As indicated in the accompanying illustrations, modular sign bases are meant to be adapted to specific sites; they can be expanded to create informal seating or simply act as a sign base. The proposed stone gateway monoliths are designed to complement both the new gateway walls and the natural rock outcroppings found throughout the Park. It is also important to note that all required text has been formatted in Garamond, the standard font for HRM park signage.

Amending Agreement

Between:

**Halifax Regional Municipality
and
Shakespeare by the Sea Theatre Society**

FOR:

**5480 POINT PLEASANT DRIVE
HALIFAX, NOVA SCOTIA**

Prepared by:

Halifax Regional Municipality
Corporate Real Estate
Operations Support
PO Box 1749
Halifax, Nova Scotia, B3J 3A5

www.halifax.ca

January 30, 2017

This Amending Agreement made this 29 day of February 2017 A.D.

Original
signed

Original
signed

BETWEEN:

HALIFAX REGIONAL MUNICIPALITY, a municipal body corporate
(hereinafter called the "Licensor")

OF THE ONE PART

-and-

SHAKESPEARE BY THE SEA THEATRE SOCIETY, a society incorporated under the
Societies Act of Nova Scotia (hereinafter called the "Licensee")

OF THE OTHER PART

WHEREAS the Licensor has an active Agreement with the Federal Government (Parks Canada Agency) for the use of Point Pleasant Park, PID 00001248 as a public park;

WHEREAS the Licensee has a License Agreement with the Licensor made 26th day of August 2015 to use the building located at 5480 Point Pleasant Drive, Halifax, Nova Scotia;

AND WHEREAS the Licensor has obtained written approval from Parks Canada Agency to enter into an Amending Agreement with the Licensee;

WITNESSETH that in consideration of other good and valuable consideration and the sum of one dollar (\$1.00) paid by the Licensee to the Licensor, and the terms hereinafter reserved and contained the Licensor and the Licensee covenant and agree to amend the License Agreement as follows:

1. Extend the existing term for an additional five (5) years which shall expire on June 30, 2025.
2. Delete Section 1.3 of the License Agreement and replace it with the following:

"Permitted Use" means to be used for the purpose of Shakespeare by the Sea Theatre Society office, prop and costume storage and rehearsal space. Public access is allowed for the purpose of live theatre performances, conditional upon the Licensee receiving the applicable public access occupancy permit and the Licensor confirming that the building is safe and structurally sound.

3. Add the following as section 5.0 (m) to the License Agreement:

Any insurance clauses are subject to review by the Licensor to ensure current values/types of insurance are sufficient to mitigate any risk associated with the Permitted Use.

4. All other clauses in the License Agreement between HRM and SBTS executed on August 26, 2015 are to remain unchanged and in full effect.

This Agreement and everything herein contained, including the License Agreement dated August 26th, 2015, will ensure to the benefit of and be binding upon the parties hereto and each of their respective heirs, executors, administrators, successors and permitted assigns.

IN WITNESS HEREOF the parties hereto have properly executed this Indenture as of the day and year first above written.

SIGNED, SEALED and DELIVERED

) SHAKESPEARE BY THE SEA
) THEATRE SOCIETY
)
) Original signed [Redacted]
) _____
) Witness
) Signature
) Original signed [Redacted]
) _____
) Print Name
) Chair
) Position
) Original signed [Redacted]
) _____
) Signature
) ELIZABETH MURPHY
) _____
) Print Name
) MANAGING & CO-ARTISTIC DIRECTOR
) _____
) Position

By signing above, I/we hereby confirm we have authority to bind Shakespeare by the Sea Theatre Society

) HALIFAX REGIONAL MUNICIPALITY
)
) Original signed [Redacted]
) _____
) Witness
) Mayor Mike Savage
) Original signed [Redacted]
) _____
) Witness
) Municipal Clerk