

---

## Shakespeare on the Saskatchewan – Project Update

### Recommendation

That the Standing Policy Committee on Planning, Development and Community Services recommend to City Council:

1. That the concept plan for the permanent Shakespeare on the Saskatchewan festival site be approved; and
2. That the City Solicitor be requested to prepare the appropriate agreements and that his Worship the Mayor and the City Clerk be authorized to execute the agreements under the Corporate Seal.

### Topic and Purpose

The purpose of this report is to provide updated information on the Shakespeare on the Saskatchewan Project and seek approval to enter into both a design and construction agreement and a license agreement between the City of Saskatoon and Shakespeare on the Saskatchewan Festival Inc.

### Report Highlights

1. Shakespeare on the Saskatchewan Festival Inc. (Shakespeare) has submitted a concept plan for a permanent festival venue/amphitheatre at the current location, along the South Saskatchewan River.
2. There is a program need to provide year-round washroom facilities at this location to support activities in the special use park and along the Meewasin Trail.
3. Shakespeare is requesting to enter into a new year-round license agreement with the City of Saskatoon.

### Strategic Goal

This report supports the City's Strategic Goal of Quality of Life supporting community building through direct investment, community development expertise, and support to volunteers within community-based organizations, and by building capacity within the community to address a broad range of issues and build consensus around collaborative responses.

### Background

Shakespeare, founded in 1985, performs annual summer Shakespeare performances in the park along the South Saskatchewan River. At its February 27, 2017 meeting, City Council approved a report from the General Manager, Community Services Department, recommending approval of the license agreement between the City of Saskatoon (City) and Shakespeare. The City agreed to allow Shakespeare to use the site from May 1 to August 31 each year, for five years, with the option of an additional

five-year renewal, for the purpose of producing a live theatre program and related activities.

At its September 20, 2017 special meeting, the Governance and Priorities Committee (Committee) received a report from the General Manager, Community Services Department, recommending that the Committee refer the partnership projects and business plans to the Administration to further assess the connection to the Recreation and Parks Facilities Game Plan – Funding Plan (Game Plan) and report back on specific priorities within these. Shakespeare presented its vision of a permanent festival site during this meeting.

At its May 28, 2018 meeting, City Council considered a report from the Administration outlining a request submitted by Shakespeare to further pursue its plans to construct, manage and operate a permanent festival venue/amphitheatre at their current location along the South Saskatchewan River. That report identified that the Planning and Development Division would be reviewing an option to amend the Zoning Bylaw to provide for festival sites in appropriate locations in the City of Saskatoon. The report identified that the Administration would begin formal discussions with Shakespeare and report back to City Council on the key terms and conditions of a new license agreement.

At its March 25, 2019 meeting, City Council approved a report recommending the proposed zoning amendments to Bylaw No. 8770, the Zoning Bylaw, to provide a definition for festival sites and general regulations for development of festival sites within civic parks. Amendments also accommodate development of amphitheatres in the flood fringe areas as defined in the FP – Flood Plain Overlay District.

### **Report**

Demand for the provision of festival venues was assessed during the development of the Recreation and Parks Master Plan. A household survey and a group survey was conducted to gauge festival site demand. The response from 81% of households “strongly supported” or “supported” development of festival venues and 79% of responding households indicated that there was a need for more festival venues.

### **Shakespeare on the Saskatchewan Permanent Festival Site**

Shakespeare has submitted a concept plan (see Attachment 1) for a permanent festival venue/amphitheatre at the current location, along the South Saskatchewan River. Shakespeare is proposing that the permanent festival site includes plans to:

- 1) construct a permanent concrete base for the main stage (amphitheatre), including permanent tiers for seasonal seating, and a seasonal tent;
- 2) construct three seasonal pavilions: one for dressing rooms, one for box office/gift shop, and one for a concession/bar;
- 3) develop secondary pathways for increased public access;
- 4) upgrade electrical, sewer, and water service to the site;
- 5) integrate upgrades to the site for efficiency and accessibility; and

- 6) upgrade to permanent landscaping.

The estimated cost for the permanent festival site is estimated at \$3.5 million. The Administration has reviewed and supports Shakespeare's plans for a permanent festival site, in principle, subject to Shakespeare meeting the following conditions:

- 1) the City and Meewasin approving the final detail design for the site;
- 2) submitting a detail design to the Crime Prevention through Environmental Design Committee (CPTED); and
- 3) securing all compliance reports and permits as part of the construction process.

If City Council agrees with this approach, the City and Shakespeare would enter into a design and construction agreement prepared by the City Solicitor, which would see Shakespeare assume responsibility for all aspects of the design, procurement, insurance and construction of a permanent festival venue/amphitheatre at the current location. The agreement would require Shakespeare to utilize a best value approach and provide them the option to utilize a combination of purchases, donations and in-kind donations for this project.

### Year-Round Washroom Project – Special Use Parks

Shakespeare has requested that the City replace the seasonal washroom facility located along the Meewasin Trail with a year-round washroom facility with appropriate capacity. During Shakespeare festival performances, there is a large influx of people requiring washroom facilities, while trail users and general public are also using the current seasonal washroom facility.

The popularity of riverbank parks with citizens and visitors continues to grow. Upgrading the washroom facilities along the Meewasin Trail is needed by park patrons as well as the public attending the festivals and special events in Kinsmen Park and at the Mendel Site. A new year-round washroom at this location will support existing and future programming opportunities.

The Administration will be submitting, as part of the 2020 Capital Plan, a capital project for the detailed design and construction of a year-round washroom facility and associated accessibility upgrades, utility connections and supporting pathways. The estimated capital cost for the year-round washroom project and support amenities is \$750,000. This project was approved in principle, by City Council through the Game Plan in connection with the support amenities for festival sites.

### Shakespeare on the Saskatchewan License Agreement

Given the significant capital cost that Shakespeare is undertaking, they are seeking a new year-round license agreement. Subject to City Council's approval, the key terms and conditions reflect the City's standard agreement, with the following:

1. The term of the Agreement would be ten years beginning in 2020.
2. The City would agree to allow Shakespeare access to the site, subject to Shakespeare performing its obligations.

3. Shakespeare assumes all risks associated with the amphitheatre, buildings, and land and will purchase and maintain a public liability insurance policy in the amount that is agreed-upon by the City.
4. Shakespeare would be responsible for operation of the site, all utilities, and maintenance and repair of the amphitheatre, pavilions, and storage buildings.
5. Shakespeare would be responsible for property taxes, if any, assessed to the site due to Shakespeare's use of the site.
6. Shakespeare would be responsible for creating their own capital reserve fund and would be responsible for annual contributions to the capital reserve fund to cover replacement costs for the amphitheatre, pavilion buildings, storage buildings and site lighting.
7. Shakespeare will be solely responsible for costs of any improvements, fixtures, and renovations desired. Shakespeare shall provide written notification to the City of its intention to do any renovations or improvements to the site.
8. Shakespeare is responsible to maintain the land in a clean, sanitary and safe condition during the term.
9. Shakespeare shall have the right to operate a concession/bar during the operating season.
10. Shakespeare may rent to, or make available any of the facilities to other community groups or organizations when they are not required by Shakespeare.
11. The Agreement will provide for a standard termination right, if one of the parties breaches the terms of this Agreement and a resolution cannot be reached.

### **Options to the Recommendation**

City Council could choose to not approve the request by Shakespeare to construct a permanent festival site at the current location and/or the proposed key terms of the Agreement and direct the Administration to work with Shakespeare to identify other potential options.

### **Public and/or Stakeholder Involvement**

In the fall of 2018, the Administration began discussing conditions of a new license agreement with Shakespeare. Both parties agree to the terms and conditions as outlined in the report.

### **Financial Implications**

Shakespeare has submitted a concept plan with an estimated budget of \$3.5 million to create a permanent festival site at the current location, along the South Saskatchewan River. Shakespeare will be responsible for all capital and operating costs of the new permanent festival site.

The estimated capital cost for the year-round washroom project is \$750,000. The incremental operating costs from the current seasonal washroom to the proposed year-round washroom facility will be finalized during the design phase as specific

features of the facility have not yet been determined. An estimate of the incremental operating impact will be included in the 2021 operating budget.

**Safety/Crime Prevention Through Environmental Design (CPTED)**

Shakespeare submitted their concept plan design to the CPTED Committee for review (on April 4, 2019). All recommendations from the CPTED Committee will be considered and addressed prior to beginning construction.

**Other Considerations/Implications**

There are no policy, environmental, or privacy implications or considerations; a communication plan is not required at this time.

**Due Date for Follow-up and/or Project Completion**

Subject to securing all necessary building permits, Shakespeare anticipates beginning construction in late summer, after the Shakespeare performances have concluded for 2019.

**Public Notice**

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

**Attachment**

1. Shakespeare on the Saskatchewan Site Plan

**Report Approval**

Written by: Brad Babyak, Recreation Services Manager, Recreation and Community Development  
Reviewed by: Andrew Roberts, Director of Recreation and Community Development  
Approved by: Lynne Lacroix, General Manager, Community Services Department