

Q1 Size

The factual background is that the Parade Street design comprised approximately 25,000 sq ft on a some 46,000 sq ft lot. Based on the scaling performed by our architect of the drawing presented to us, the Collins Street proposed building contains approximately 16,000 sq ft. I understand that subsequent to my presentation the Town has been provided with the graphics presented at the meeting that illustrate the size discrepancy.

Please describe how the YARC project fits on the Collins Street property?

Please describe how a Collins Street project will provide for future growth of the facility?

RESPONSE: 5 Collins Street lot is 50,193 sq. ft. according to property online. The property belonging to Mr. Roach is an additional 5382 sq. ft. This size lot can easily accommodate a building of 25,000 sq. ft. A refined plan showing a 25,000 sq. ft. arts centre located on the lot along with 80+ parking spaces has been developed by our consultant to illustrate how the building mass and parking requirements could be accommodated on the lot.

The proposed 25,000 sq. ft. facility will fit on the site, but not in the exact configuration as shown at Parade Street. The unique design for Parade Street responds to the challenges of that site. As a result of the need to keep the existing YARC facility open during construction of the new one, the new facility has to be pushed to the back of the property and wrapped around the current building.

The preliminary concepts for the Collins Street site were only prepared to demonstrate that the massing of the building can be fit onto the property. No doubt, the resulting design will be a different configuration than the current one, but that doesn't have to be a bad thing. The Town's consultants note that a more consolidated building form would more than likely be less expensive to construct and heat due to the reduction in total linear wall space.

Q2 Needs assessment

The Parade Street project is designed to address the needs assessment and inventory of facilities performed in YARC studies. The Town's consultant speaks of a smaller more efficient building. There has been no consultation to see how YARC needs can be accommodated. We can not tell if Collins St. meets the needs from the information available to us. Please advise how the Town proposes to address this issue?

Is the Town suggesting we abandon or revise our "needs analysis" and "inventory of facilities"?

RESPONSE: Ekistics Planning and Design had Th'YARC needs assessment as part of his background materials. As outlined in Response #1, the building program can be accommodated on this site, and the Town is not directing a reduction in scope of this project.

Q3 Parking

The YARC needs 200 parking spaces for performance events. We now have arrangements with the former Parade Street Mall and the Armories as overflow to accommodate this. The Parade Street site will accommodate YARC parking needs. YARC operations are not strictly at night and significant parking is needed during the day.

On the first drawing we have seen there are 56 parking spaces shown and we have seen a second drawing showing 86 spaces. Based on the Town's By-Laws we understand that a parking space must be 300 sq ft. Even with a building of 16,000 sq ft including set backs, loading bays, and sidewalks we can not understand how the Town's By-Laws can be met. Can a 25,000 sq ft building be placed on this lot and meet the By-Laws?

How many parking spaces are provided on the Collins Street site? How will any parking shortage be addressed?

Will all parking at Collins Street be YARC's private parking? Who will control on-site parking and is any public use expected?

We are getting complaints from merchants that we will take their parking? How does the Town propose to address this?

RESPONSE: The 80+ parking spots shown on the site concept would be sufficient for the majority of activities at the site. There is an abundance of designated on-street parking in the immediate area, and the vast majority of it is unused during peak times for the Arts Facility. There are sidewalks, street lighting and other public parking facilities existing (and possible) within short walking distance. It is approximately 170m. from the door of the present arts facility to the center of the former Save Easy parking lot. From the centre of the Collins Street parking lot, 170m. radius encompasses Main Street from the YMCA to Parade Street, virtually all of the Central Business District.

There are no set-back requirements in the Town of Yarmouth By-laws in the C-1 zone. Commercial parking spaces are required to be 180 sq. ft.

The parking, as with all other aspects of the facility, would belong to Th'YARC. The Town would like to see an arrangement whereby the parking would be managed to allow maximum use of the parking by the public when not required by Th'YARC. How the Arts Council decides to manage and maintain that resource is their choice. It does present a possible revenue opportunity during weekdays through the issuing of day-pass parking permits, as is currently the case in other downtown lots. In addition, a tax is collected to maintain downtown parking lots. If some of the parking were available for the public, some of that tax revenue may be available for maintenance purposes.

The revenue opportunity and the possibility of shared-use which results in a more efficient use of space is not an option at the Parade Street location.

Q4 Environmental

Has any work begun?

What is the Town's commitment if the site requires remediation or other work beyond Phase 1 & 2?

We understand that the Mayor had indicated that the Town would pay all environmental remediation costs. Is the Town serious about a blank cheque for clean up? Are you undertaking to pay at any cost?

What is the time table for completion? Is there a commitment to a time frame?

RESPONSE: The first step is an environmental assessment to determine if any issues exist. Should there be any contaminants on the site, the most likely scenario would be a managed approach to site development where contaminants are entombed on site beneath the parking lot. This is only appropriate for contaminants that do not move in the groundwater. This approach is endorsed by the N.S. Dept. of Environment, has recently been used at the site of the Justice Centre, and any such work would be subject to all relevant Provincial regulations.

The Town has made a conditional offer to purchase the site for \$1, conditional on the completion of a satisfactory phase 1 environmental. Subsequent work will be determined by the findings of the phase 1 work. The Town will commit to remediate the site for the intended use, subject to Th'YARC agreeing to develop the project at 5 Collins Street.

Q5 Street Closure

What are the Town By-laws and Dept of Municipal Relations implications to permanently closing 2 thoroughfares within a community (1st Street and Alma Street)?

Who has the authority to approve these closings?

Does it require public consultation process?

How long does that process take?

RESPONSE: The Town of Yarmouth has the authority to close streets within its jurisdiction, subject to a process of advertising its intent, holding a public hearing and then considering the policy to close the street at a regular meeting of Council. This is a 2-3 month process.

The closure of the street is not critical to the project at this location; however, the concept presented illustrates how the closure of streets can lead to additional interesting possibilities.

Q6 Expropriation of house

The YARC can not support a project that involves expropriation. There is a privately owned property in the middle of one side of the Collins Street site.

What is Town's intent as to expropriation?

Is it the Town's intent that a Collins Street project be built around this privately owned property?

What are the prospects of acquiring the privately owned property? Have any steps been taken to acquire the property?

RESPONSE: If Th'YARC commits to the site, the Town of Yarmouth will negotiate to acquire the private property. We agree that expropriation is not the most desirable approach to acquiring the property.

Q7 Business Plan

The independent 3rd party consultant, in conjunction with his study, suggests that YARC revisit its business plan to include commercial and retail enterprises.

Is this part of the town's requirements? Does the Town demand YARC to change its plan?

How is it proposed that commercial and retail enterprises be implemented?

What portion of a building (that appears already to be a reduction of the YARC proposal) is to be dedicated to this purpose?

RESPONSE: The existing business plan envisions the Town contributing \$10,000 per year as an operational subsidy for the facility. Th'YARC has a long history of being financially prudent, and the Town expects this to continue in the future. On the one hand, this should indicate that we do not need to get involved in reviewing the business plan; however, our consultants are familiar with other similar projects that have run into financial difficulties and feel that some review would be prudent. For example, the stipulation attached to the Cultural Spaces Canada funding commitment is significant (i.e., no retail sales), and could have a profound impact on the future viability of the project. The consultants are also concerned about the future operating cost of the current facility (i.e., large surface area is more expensive to heat), the limited ability to incorporate retail into the facility (due to CSC funding), and the limited ability to co-share staff. Ultimately, these decisions are up to Th'YARC.

Q8 Public participation

We accept it as the norm that with any public infrastructure project that a public participation program is required? In the YARC's planning process workshops and a public meeting in May of 2008 were held that supported the project as proposed by the YARC.

Does the Town plan any form of public participation?

Is the YARC required to have any form of public participation?

RESPONSE: The downtown revitalization study includes a public consultation process, and there was support for an arts/theatre complex downtown. Unless it is required by government funding, there is no requirement from the Town of Yarmouth for further public consultation process on this site, although keeping the public informed of key decisions and milestones in the process would be good public relations for Th'YARC.

Q9 Other Municipal Units

78% of our membership and users are not Town residents. We must respond to a regional mandate.

How does the Town propose to ensure the other two municipal units support a Collins Street project?

RESPONSE: Informal inquiries indicate the other municipal partners have no concern with a change of location to Collins Street. A formal inquiry can be made to confirm this.

Q10 Architect and our expenses to date

Does the YARC have its choice of architect for a Collins Street project?

What about YARC expenses to date? Is there compensation for the YARC's costs incurred to date?

RESPONSE: Th'YARC has chosen Harry Jost as their design architect. He is the most logical designer to proceed with design on the Collins Street site. We also understand that a theatre expert has been or will be retained to advise and assist Mr. Jost, as this is the first theatre that he has designed. We would support this approach.

The Town is prepared to pay for costs that replicate work already done on the Parade Street site (i.e., environmental and geotechnical work, incremental design work to re-configure the design for the Collins Street site, revisions to the business plan that address the Collins Street site, etc.).

Q11 Senior Government Funding

We understand that Cultural Spaces Canada funds could be transferable if project were considered the same. We have verified with Cultural Spaces Canada that our funding would not be transferable to Collins Street because this project differs too much. We understand you have verified this with the relevant project officer.

Will the Town pay the full amount of any loss of the \$457,000 Phase 1 funding resulting from a move to a Collins Street site?

RESPONSE: We are prepared to meet with ACOA and Cultural Spaces Canada about this project, and will give our full support to the Collins Street site. It is our understanding that Th'YARC's goal is to obtain full funding for the project. The Town has significant experience in dealing with all levels of government to fund key pieces of infrastructure such as this theatre and arts centre. We are prepared to work very hard with Th'YARC to finalize funding for this project. In our experience, having the municipality on side makes this process much easier.

The Town is prepared to meet with all senior levels of government as soon as possible, including staff and politicians. If we can achieve a “meeting of the minds” very quickly, there is no reason that we should miss a funding season.

Proposal Clarification: There is some concern about the motives of the Town of Yarmouth concerning acquiring 76 Parade Street from Th'YARC in exchange for the Collins Street location.

The Town of Yarmouth would like to clearly indicate it is not our desire to acquire 76 Parade Street through this process. Our expectation is that 76 Parade Street would be sold with the net proceeds going toward the Collins Street project within one year of the new facility opening.