

Supporting Diverse and Inclusive Theatre Performances

Date: June 19, 2024

To: Economic and Community Development Committee

From: General Manager, Economic Development and Culture

Wards: All

SUMMARY

This report responds to direction from the Economic and Community Development Committee to report on how the City and its agencies ensure that theatre performances in City-owned spaces adhere to policies related to inclusivity and equity, and current levels of funding and access to theatre space for performances by Indigenous, Black, and racialized artists and organizations.

The City of Toronto supports a diverse and inclusive theatre sector by providing access to City-owned venues for affordable rentals and performances. This includes renting City-owned theatres to eligible non-profit organizations through the Community Space Tenancy program, and short-term rentals in theatres and performance halls administered by TO Live and the Economic Development and Culture (EDC) Division. In addition, a limited number of theatre spaces operate through license agreements or permits with Parks, Forestry and Recreation (PFR). All users of City spaces are required to comply with the City's Human Rights and Anti-Harassment and Discrimination Policies. While it is not the role of the City to review and approve the content of individual performances, the City works with theatre artists and organizations to inform them of their obligations under the Human Rights and Anti-Harassment and Discrimination Policies. Users are required to submit declarations of compliance with the policies to the City, and regular reporting requirements are in place for longer-term tenants.

The City also supports theatre artists and organizations through funding programs delivered by the Toronto Arts Council (TAC). In 2023, TAC provided over \$5 million in funding to more than 120 theatre artists, organizations, and projects. A growing portion of this funding is directed to initiatives led by Indigenous, Black, and racialized artists and organizations, in keeping with TAC's Equity Framework. While important progress has been made to ensure that Indigenous, Black, and racialized theatre artists, organizations, and audiences have equitable access to resources and programming, both the City and TAC recognize the need for further action to address longstanding

barriers in the theatre sector, as well as the arts more broadly. Additional strategies to improve equity and inclusion in arts and culture, such as improvements to the distribution of funding, programming opportunities, and access to space, will be included in the forthcoming Action Plan for Toronto's Culture Sector, which will be presented to City Council for consideration in the fall of 2024.

RECOMMENDATIONS

The General Manager, Economic Development and Culture, recommends that:

1. Economic and Community Development Committee receive this report for information.

FINANCIAL IMPACT

There are no current or future year financial implications resulting from the adoption of the recommendations contained in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact section.

DECISION HISTORY

In June 2023, the Economic and Community Development Committee requested the General Manager, Economic Development and Culture, in consultation with the General Manager, Parks, Forestry and Recreation, and the Executive Director, Corporate Real Estate Management, report on:

- how the City and its agencies are ensuring that performances in City-owned spaces are adhering to mandated guidelines of inclusivity and equity so that stereotypes, specifically relating to Indigenous communities and people of colour, are not perpetuated; and
- current levels of funding and access to theatre space provided by the City for BIPOC performances, and opportunities to increase them.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.EC5.3>

COMMENTS

Policies for Ensuring Inclusive Performances in Rental Venues

The City of Toronto has a long history of supporting theatre artists and organizations by providing access to City-owned venues for affordable rentals and performances. This includes longer-term rentals to theatre organizations through the Community Space Tenancy (CST) program and Below Market Rent (BMR) leases, and short-term rentals in theatres and performance halls administered by TO Live, Economic Development and Culture (EDC), and Parks, Forestry and Recreation (PFR) through permits and license agreements. For the purpose of this report, "venues" refers to purpose-built theatre spaces in City-owned facilities. Informal performances taking place in multi-purpose rooms are not considered as part of the scope of this report, though such activities are subject to the City's Human Rights and Anti-Harassment and Discrimination Policies.

Through the CST program and BMR agreements, the City leases City-owned properties to eligible non-profit organizations for a nominal rent. Tenants are responsible for delivering community programming at leased properties, while covering all operating expenses for the facilities. Current CST and BMR theatre tenants include Buddies in Bad Times Theatre, Canadian Stage Company, Children's Peace Theatre, The Theatre Centre, Theatre Passe Muraille, Theatre Scarborough, and Young People's Theatre. Most of these organizations hold five-year, renewable lease terms, while others, including the Canadian Stage Company and Buddies in Bad Times, have longer-term leases, reflecting the significant capital investments they have made in the facilities.

The City currently has several mechanisms in place to ensure that programming in City-owned theatres is supportive and inclusive of Indigenous, Black, and equity-deserving communities. As a key term of their leases, tenants are required to comply with the City's Anti-Harassment and Discrimination Policies. These policies affirm the obligation not to engage in harassment, discrimination, and hate activity on all prohibited grounds set out in the Ontario Human Rights Code as well as additional grounds of political affiliation and level of literacy. Tenants must submit a declaration signed by their board chair and executive leadership to the City to confirm their organization's compliance with these policies prior to entering into or renewing their lease. A copy of the declaration form is included as Attachment 1 to this report. Failure to comply with these policies would result in the tenant becoming in default of their lease terms and could lead to termination of their tenancy. CST and BMR tenants are also required to submit annual reports to the City detailing their use of the theatres, including information on performances held in the space. These reports are reviewed by City staff to ensure that the facility is being used in accordance with the terms of their lease. Further, staff conduct annual site visits as part of City staff's oversight of the leases, and support tenants in achieving the best uses of their spaces. It is important to note, however, that it is not the role of the City to review or approve the content of individual performances. In keeping with principles of artistic freedom, the theatre organization staging the performance is responsible for determining content, while complying with the City's policies.

In addition to these proactive actions, City staff also monitor and respond to complaints from the public and investigate issues of non-compliance with the Anti-Harassment and Discrimination Policies. Members of the public can submit complaints directly to a City Division, using the complaints process detailed on the City of Toronto website. Receiving a complaint through the divisional complaints process triggers staff to initiate an investigation, with a commitment to responding to the complainant within two weeks. Members of the public may also submit complaints through the Ombudsman. As of the date of this report, City staff are not aware of any complaints related to discriminatory content in theatre performances in City-owned venues.

Theatre artists and organizations may also rent performance and rehearsal spaces on a short-term basis through TO Live, EDC, and PFR. Rental facilities managed by TO Live include seven theatre spaces, three rehearsal halls, and ancillary spaces at the Meridian Arts Centre, Meridian Hall, and St. Lawrence Centre for the Performing Arts. Theatres and performance halls operated by EDC include Assembly Hall, and the Papermill Theatre at Todmorden Mills. PFR theatres rented under license agreements include the High Park Amphitheatre, Toronto Music Garden, and the Greek Theatre in Guild Park. These agreements outline that licensees in these spaces must comply with all applicable laws, by-laws, rules, regulations, directives, and policies.

Similar to the role of staff in administering the CST program, TO Live, EDC and PFR staff do not review and approve the content of individual performances. However, staff exercise professional judgement in administering and approving applications for the rental program, informed by the City's commitment to reconciliation, equity, and inclusion, and the City's policies related to human rights and anti-harassment and discrimination. TO Live has taken many actions in recent years to support a diverse and equitable theatre sector, both through its programming and in its workforce, including the recent implementation of an Inclusion, Equity, Diversity and Access (IDEA) Action Plan to identify and address systemic barriers preventing full participation at TO Live.

Supporting Indigenous, Black and Racialized Theatre Artists and Organizations

Indigenous, Black and racialized artists and arts organizations have historically faced systemic barriers that have prevented them from participating fully in Toronto's cultural sector, including limited access to funding, space, and other supports offered by governments. Similarly, members of Indigenous, Black, and equity-deserving communities have experienced barriers to participating in arts and cultural programming, such as high costs of entry, a lack of opportunities for programming outside the downtown core, and inaccessible arts venues. Recognizing these significant challenges, the City has committed to addressing barriers for Indigenous, Black and equity-deserving artists, arts organizations, and audiences. Specific actions to improve equity and inclusion in culture are included as part of City strategies including the Reconciliation Action Plan, the Toronto Action Plan to Confront Anti-Black Racism, and the EDC Divisional Strategy (2018-22), among others.

The majority of the City's direct funding support for the theatre sector is provided by the Toronto Arts Council (TAC), which delivers competitive grant programs on behalf of the City of Toronto. TAC's programs supporting the theatre sector include:

- The **Theatre Operating** program provides annual operating funding to professional non-profit theatre organizations engaged in the creation, production and presentation of theatre, and other activities that contribute to the development of theatre, theatre artists, and theatre audiences in Toronto. The Theatre Operating program funds 46 different theatre organizations the city. An additional two theatre organizations are funded through TAC's Large Institutions program. In total, TAC provides \$4,191,000 to theatre organizations through its operating programs.
- TAC's **Theatre Projects** program provides one-time funding to professional, non-profit theatre organizations and collectives for the creation, production and presentation of theatre works and other projects that support the development of professional theatre in Toronto. In 2023, the Theatre Projects program received 144 applications with \$1,980,298 in requested funds and was able to fund 39 projects and distribute \$461,064.
- The **Playwrights Program** is a branch of TAC's literary program that specifically goes toward the funding of the writing of theatrical works. In 2023, the Playwrights program received 108 applications and a total of \$588,000 requested funds and was able to distribute 25 grants totaling \$140,000.
- In addition to the above programs, theatre artists and organizations may also apply to TAC's **Black and Indigenous Arts programs**, which fund artists, collectives and organizations working in any discipline. Between these two programs, \$107,399 was distributed to 10 theatre projects in 2023. TAC's **Strategic Initiative Programs** are also open to theatre artists and organizations. These programs include Artists in the Library, Animating Historic Sites, Animating Toronto Parks, Open Door, Digital Solutions Incubator, Newcomer and Refugee Arts Engagement and Mentorship and the Leader's Lab Program. These programs distributed \$2,017,066 to 98 different artists, organizations, and collectives in a variety of disciplines in 2023, including theatre.

TAC works to ensure that its theatre funding reaches and supports Indigenous, Black and racialized artists and organizations through its [Equity Framework](#). The TAC Equity Framework was introduced in 2017, articulating and codifying the organization's key equity principles and practices. This framework identifies several equity-deserving groups as having priority for funding. These groups are Indigenous, Black, Persons of Colour, Deaf Persons, Persons with Disabilities and Persons Living with Mental Illness, and individuals who self-identify as two-spirited, lesbian, gay, bisexual, transgender, transsexual, queer, intersex, asexual, or pansexual. TAC views advancing equity as a continuous process, and considers its Equity Framework to be a "living" document that will be regularly updated in response to the shifting needs of the Toronto arts sector and to the latest research and proven methodologies in equity implementation.

TAC also introduced changes to its grant application and assessment processes based on the Equity Framework. TAC has built diversity into its peer review process, requiring that 50% or more of the members of each peer assessment committee are persons of colour, Black or Indigenous peoples. TAC further ensures that there is at least one Indigenous artist on each committee. For the Indigenous and Black Arts programs, TAC ensures that the entire review panel is made up of artists from those communities.

Included in the Framework is an Equity Priority Policy, which states that if there are multiple well-assessed applications of equal merit in an adjudication round but insufficient funds in the grants budget to support all deserving candidates, applications proposed by applicants that self-identify as belonging to one of Toronto Arts Council's equity priority groups or that primarily involve or serve artists from these groups will be prioritized. TAC also requires all organizations applying for operating funding to answer detailed questions about equity implementation, which accounts for 20% of their overall assessment.

TAC's funding for the theatre sector now reaches a growing number of Indigenous, Black, and equity-deserving artists and communities. In 2023:

- 16 of the 46 organizations (35%) funded through the Theatre Operating program self-identified as belonging to one of TAC's equity priority groups, and 11 (24%) identified as belonging to Indigenous, Black, or Persons of Colour priority groups. This means that the organization's mandate and the majority of its activities, artistic content and financial and human resources are dedicated to one or more of the equity priority groups.
- 33 of 37 recipients (89%) of Theatre Projects grants self-identified as belonging to TAC's equity priority groups and 68% identified as Indigenous, Black, or Persons of Colour. An additional \$85,000 supported five long-term theatre projects led exclusively by equity priority group identifying applicants, 60% of whom identified as Indigenous, Black, or Persons of Colour.
- 94% (24 out of 25) of 2023 Playwrights grant recipients were part of equity priority groups, of which 60% (15 out of 25) identified as Indigenous, Black, or Persons of Colour.
- Funding distributed to theatre artists and organizations from multidisciplinary programs included:
 - \$83,339 was distributed to 8 theatre projects through the Black Arts Program;
 - \$24,000 was provided to 2 theatre projects through the Indigenous Arts Program; and
 - Each of the grants received by theatre artists in Strategic Programs went to members of equity priority groups, totaling \$80,000 distributed over 4 projects.

Examples of recent TAC grants supporting Indigenous, Black, and racialized theatre artists and organizations, and actions to advance equity and inclusion in the theatre sector, are included in Attachment 2 to this report.

While important progress has been made to ensure that Indigenous, Black, and racialized theatre artists, organizations, and audiences have equitable access to resources and culturally relevant programming, both the City and TAC recognize the need for further action to address longstanding barriers in the theatre sector, as well as the arts more broadly. A continued commitment to equity, inclusion, and reconciliation in arts and culture is expected to be a core guiding principle for the forthcoming Action Plan for Toronto's Culture Sector, which will be presented to City Council for consideration in fall 2024. To date, over 3,500 residents have participated in the

consultation process for the Action Plan, with many calling on the City to continue to strengthen programs and policies to advance equity. Accordingly, staff are considering actions to foster a more inclusive cultural sector as part of the Plan, including further efforts to improve the equitable distribution of cultural funding as part of EDC's grant reform initiatives, which commenced following direction from Council in February 2023.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1 - Declaration of Compliance with Anti-Harassment and Discrimination
Policies and Legislation

Attachment 2 - Examples of Toronto Arts Council Grants Supporting an Inclusive and
Equitable Theatre Sector