

Sept 4, 2020

The Honourable Rod Phillips
Minister of Finance
Frost Building South - 7th Floor
7 Queen's Park Cres.
Toronto, ON M7A 1Y7

Re: Stage 3 regulations for live performance spaces

Dear Minister Phillips,

We are writing today on behalf of Ontario Presents, Folk Music Ontario, Réseau Ontario, Association des professionnels de la chanson et de la musique, Théâtre Action, Alliance culturelle de l'Ontario, Dance Ontario, and Dance Umbrella of Ontario. Our eight service organizations collectively represent over 1450 cultural organizations, venues, artists, and live performance industry professionals. On behalf of our organizations and our members, we would like to thank the Government of Ontario for your ongoing efforts to keep Ontarians safe while establishing procedures to reopen our province and support Ontarians through this difficult time.

As you have heard from our colleagues in the live performance sector, our industry was among the first impacted by the pandemic and will be among the last to recover. We recognize that a return to pre-pandemic large gatherings remains a long-term vision. In the meantime, our sector continues to work to connect communities with the performing arts, while ensuring the survival of the artists, administrators, and organizations who make up Canada's performing arts ecology.

This survival is absolutely at risk. Artists, agents, and many other professionals in our sector have found themselves suddenly and completely without income, with little hope of revenue in the coming months. Performing arts venues have closed their doors since March and most are also facing little to no income until January 2021 at the earliest. Many cultural workers have been laid off or seen their contract hours reduced to nothing, with little hope of work returning in the near future.

In light of this situation, we would like to respectfully request that the Government of Ontario consider changes to aspects of the Stage 3 regulations. As colleagues in our sector, including the Canadian Live Music Association, Orchestras Canada, and the Toronto Musicians' Association, have also highlighted in their recommendations to your office, certain aspects of the regulations present significant challenges, which in many cases make the safe and gradual return to live performance impossible:

1. **Gathering Size:** The current Stage 3 regulations require gathering restrictions of no more than 50 people indoors and 100 people outdoors. While, like our colleagues, we recognize the need for continued caution in gathering large numbers of people, we are confident that safety can be maintained while expanding gatherings to a more viable size. 50 people in an entire performing arts venue (no matter the number of distinct spaces available within the venue) is simply not financially viable. Only the smallest venues are able to consider any kind of activity under the current restrictions.

Given the allowances currently granted to other sectors, we are confident that the government understands that larger groups can safely gather if appropriate precautions are taken. Religious gatherings are currently allowed 30% capacity, restaurants have no capacity limits as long as they maintain physical distancing, and cinemas, gyms, and recreation centres are permitted 50 people per room (rather than in the entire building). The performing arts industry, which has been among the hardest hit by this pandemic, is simply asking that we also be granted allowances that are safe, reasonable, and viable for our sector.

If arts and cultural spaces were granted an **allowance of at least 30% capacity** (with physical distancing), more venues would be able to survive and to hire artists by slowly restarting programming. Venues would still take every precaution and many would not fill their spaces to the maximum allowed capacity at this time. However, this allowance would permit venues to craft feasible reopening plans based on their local context and under the guidance of their local public health authorities.

2. **Plexiglass or other impermeable barrier between artist and audience:** The current regulations require an impermeable barrier between singers or wind musicians and the audience, indoors and outdoors, no matter the distance between the artists and audience. In most performance settings, it is possible to accommodate significant physical distancing between artists and the audience. Based on the research to date, we suggest that physical distancing, enhanced cleaning and hygiene measures, masks where possible, and adequate air exchange and filtering are effective strategies for keeping artists, backstage crew, and audience members safe. Plexiglass (or equivalent) is necessary only when there is not enough physical space to ensure safety.

The requirement for a barrier no matter the physical distance places an unnecessary financial and logistical burden on performing arts professionals, and further hampers the return of live performing arts by reducing the audiences' enjoyment of the performance. For example, not only must venues source and pay for barriers, the reflective surfaces make lighting an indoor show extremely difficult.

Given all of these considerations, we request that the government adjust the regulations to **require a barrier between artist and audience only if sufficient physical distancing cannot be maintained.**

3. **HVAC and air filtration guidance:** Emerging research suggests that air filtration is key to creating safe indoor gatherings. Our members are currently investigating adequate air filtration and seeking to upgrade their HVAC systems in order to make audiences, artists, and staff as safe as possible. However, there are currently no unified guidelines around the type of filtration required to sufficiently reduce the risks of COVID-19 spread. We therefore suggest that the government works with Public Health Ontario and professionals from the air filtration and live performing arts industries to **establish air filtration guidelines for performing arts spaces.**

We recognize that the science on the transmission and management of COVID-19 is still evolving and that the Government of Ontario continues to work hard to draft guidance that reflects current realities. We urge the Government of Ontario to work with our sector to revise existing regulations to better reflect the state of the research and the realities for our sector so that we can work together to ensure that communities remain safe and continue to have access to the arts now and in the future.

Our industry was among the first hit when social distancing measures were declared and will be among the last to recover. Our member organizations and artists have shown perseverance and inventiveness in their efforts to keep people connected with the performing arts, but nothing can replace the central role that live performance plays in their careers, and in their communities. We seek only to create conditions within which they can return safely return to work and continue to provide artistic experiences that bring joy, creativity, social connection, and so much more to their communities.

Thank you for your consideration.

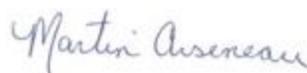
Sincerely,



Warren Garrett
Executive Director
Ontario Presents



Alka Sharma
Executive Director
Folk Music Ontario



Martin Arseneau
Directeur général
Reseau Ontario



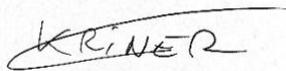
Marie Ève Chassé
Directrice générale
Théâtre Action

ONTARIO PRESENTS

ONTARIO PERFORMING ARTS PRESENTING NETWORK



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CC: **The Honourable Lisa MacLeod**
The Honourable Carolyn Mulroney
Mr. Carol Jolin

Ms. Amanda Simard, M.P.P.
Ms. Jill Andrew, M.P.P
Mr. Chris Glover, M.P.P