

STATEMENT OF CHARITABLE ACTIVITIES

TORONTO MEDIA ARTS CLUSTER

Toronto Media Arts Cluster (the **Organization**) will educate and increase the public's understanding and appreciation of the arts:

- by providing performances and exhibitions of an artistic nature in premises to be maintained and operated by the Organization; and
- by providing instructional seminars, conferences and workshops on topics relating to the arts exhibited and performed at the premises,

and in furtherance of this purpose the Organization will engage in the following activities:

PRESENTATION, EXHIBITION AND CONSERVATION ACTIVITIES

1. The Organization will own and operate premises (referred to as the Organization's Premises) in Toronto, Ontario where presentations and exhibitions of an artistic nature will be presented to the public. The Organization's Premises will be operated, together with all of its programs and activities, under the direction and control of a board of volunteer directors.
2. The Organization's Premises will be a facility of approximately 35,000 square feet located in Toronto's Queen West District, which is an area that is home to one of the highest concentration of artists and arts organizations in Canada.
3. Although, as of the date of this application, the Organization does not own the Organization's Premises, it anticipates that it will acquire it in the course of 2014. The Organization will acquire the Organization's Premises as a result of an agreement between the developer of a residential condominium and the City of Toronto, pursuant to which the developer will build and convey to the Organization the Organization's Premises at substantially below fair market value in exchange for the developer being permitted by the City of Toronto to build its condominium at a greater density than allowed under the applicable zoning by-law.
4. The Organization will focus on making available to the public, at the Organization's Premises, visual arts and media arts, in the form of photography (visual arts), sculpture (visual arts), film/video (media arts) and electronic / digital arts (media arts).
5. The Organization will make available to the public, at the Organization's Premises, visual arts and media arts by entering into leasing agreements with non-profit and charitable organizations whose purposes are, as applicable, to increase the public's understanding and appreciation of the visual arts and media arts by providing public exhibitions and festivals in photography, film and video

(herein referred to collectively as the **arts organizations**). The leasing agreements will impose requirements on the arts organizations to ensure that their programming aims at exhibiting and presenting quality exhibitions and festivals in photography, film and video.

6. The spaces in the Organization's Premises that will be rented to the arts organizations will include a combination of exhibition / gallery space, media labs, secure and environmentally controlled spaces for conservation and preservation work and ancillary office space from which they may administer their respective visual arts programs. The leases between the Organization and the arts organizations will include the following provisions:
 - the rental will be marginally below fair market value for comparable space, to ensure that the arts organizations may offer their exhibitions, festivals and other programs on an affordable basis;
 - there will be a covenant from the arts organization (as tenant) to use the leased premises only for exhibiting quality exhibitions and festivals in photography, film or video, as applicable to the arts organization, and related office uses, and for no other purpose;
 - there will be a covenant from the arts organization (as tenant) that it will for the term of the lease operate as a non-profit organization within the meaning of the *Income Tax Act* (Canada);
 - there will be a prohibition against subletting or assigning the leased space and the lease without the permission of the Organization; and
 - there will be a provision that requires the arts organization tenant to pay to the Organization any rent received by the arts organization tenant, in a sublet or assignment of lease situation, in excess of the rental payable by the arts organization tenant under the lease
7. In addition to the individually leased exhibition and festival spaces, the Organization's Premises will also have:
 - a. a cinema space, with seating estimated at between 200 and 250 seats. The Organization will host and put on film / video exhibitions and festivals in the cinema space at various times during the year, jointly with other non-profit and charitable organizations, including the arts organizations that are tenants at the Organization's Premises, as well as third-party organizations. The exhibitions and festivals will be available to the wider public and their purpose will be to increase the public's understanding and appreciation of films and videos of varying formats, lengths, styles, including documentary and non-documentary, and on various subject matters. It is anticipated that the film / video exhibited in its cinema will be wide-ranging and eclectic, reflecting the diverse demographic and aesthetic approach of artists in the field and their audiences. The works will include examples of feature-length, short,

multi- and single-channel video, experimental, documentary, fictional and animation films, art videos, hybrid media, new media and audio. The thematic and topical approaches will be equally eclectic: from highly personal, confessional, art subject and/ or political documentaries, to more conventional narrative works, comedic shorts and music videos, such as family histories, community issues, stories of heartbreak or uplift, challenges and love letters to Hollywood, riffs on mainstream TV and sophisticated answers to the do-it-yourself phenomena represented by You Tube, Vimeo and the internet generally. Many of the works will be destined for gallery settings, too, and will be driven by concerns, aesthetic problems, conceptual ideas and the backgrounds of the individual creators reacting and interacting with the larger visual and media art world nationally and internationally; and

- b. common areas in which other forms of media, such as photography, may be exhibited. As with the film / video festivals exhibited in the cinema space, referred to above, these exhibitions of other forms of media will be carried out jointly with other non-profit and charitable organizations, including the arts organizations that are tenants at the Organization's Premises, as well as third-party organizations.

8. Each exhibition and/or festival that the Organization will carry out jointly with another organization will be:
 - a. the subject of a co-operative venture agreement that will permit the Organization to retain control and direction of the exhibition and/or festival, as applicable, in the proportion of the Organization's contribution to the joint undertaking;
 - b. developed and curated by a committee of persons, appointed by the Organization and its co-venturer, who are experts in the particular media form that is the subject of the exhibition and/or festival. The committee, subject to the oversight of the Organization's management and board of directors, will be responsible for ensuring that the media works chosen to be presented as part of the exhibition / festival will comply with high artistic standards, and in connection with this, the co-operative venture agreement will ensure that the committee chosen to select the media works to be presented as part of the exhibition / festival will adhere to high curatorial standards for constructing an exhibition / festival made up of thematic programs of, as applicable depending on the media form, innovative film, video and/or photography selected from submissions.
9. The Organization will seek to open up to a broader public access to the submissions selected for exhibitions / festivals by employing new models of digital delivery across multiple platforms, whether over the internet, social media or television partners.

10. One of the planned features of the Organization at the Organization's Premises will be to offer student-focused programming slots, organized in conjunction with many of the art schools in the greater Toronto area. This aspect of the Organization's activities will consist of it undertaking to ensure that the work of visual and media arts students is presented at the Organization's Premises as part of its annual programming seasons.
11. In addition to organizing and putting on festivals and exhibitions as described above, the Organization will also work in concert with other arts organizations, the educational sector and the private sector to organize and put on, at the Organization's Premises, special exhibits of contemporary media arts. By way of illustration:
 - a. the Organization would partner with CONTACT to make the Organization's Premises a venue for the annual Scotiabank CONTACT Photography Festival. This annual festival of photography is devoted to exhibiting, for the public, photography, as a way of increasing the public's knowledge and appreciation of photography as a media art form. The CONTACT festival is held annually in Toronto throughout the month of May, and features over 1,000 local, national and international visual artists;
 - b. similarly, the Organization would be involved in making the Organization's Premises available as a venue for the presentation of visual/media arts exhibitions accepted for display during Nuit Blanche¹;
 - c. the Organization anticipates undertaking, in concert with the Toronto District School Board, production and exhibition activities that are aimed at both elementary and secondary school-aged children, and which would be aimed at increasing children's appreciation of visual and media arts.
12. As well as jointly sponsored and produced exhibitions and festivals and the special events such the CONTACT festival and Nuit Blanche, the Organization may also rent common area spaces (for example, the cinema and common area galleries) of the Organization's Premises to arts organizations that are operated on a non-profit basis, and will include other registered charities, for the purpose of presenting and exhibiting media arts productions to the public. These arts organizations will include tenants of the Organization and outside, third-party arts organizations, and the rental of the common area spaces will be the subject of an event license agreement that will restrict the use of the event space within the

¹ Nuit Blanche is a 12-hour event, which occurs from dusk to dawn (Saturday night to the following Sunday morning) in early October in Toronto. It is intended to make contemporary art, in a variety of art form and style, freely accessible (no admission is charged) to large audiences. Cultural institutions, from museums to galleries to artist run centres, open their doors and offer free access to contemporary art, and it is anticipated that the Organization would also host exhibitions and presentations as part of Nuit Blanche.

Organization's Premises that is the subject of the license to a production in the form and style of media and visual arts of high artistic merit and quality.

13. In presenting and exhibiting visual and media arts productions, whether on its own, jointly with other organizations or through licensing event space within the Organization's Premises to third-party non-profit and charitable organizations, the Organization will ensure the artistic merit and quality of the productions and that the productions will remain accessible to the public and be affordable. Specifically, the Organization will ensure that:
 - a. all presentations and exhibitions will be selected on the basis established curatorial criteria that will include the artistic merit of the proposed presentation / exhibition, that the presentation / exhibition is related to the theme of the presentation / exhibition, the history and professional artistic accomplishment of the artist, the feasibility, including the budget, of the proposed presentation / exhibition;
 - b. the presentations / exhibitions will be the subject of public calls for submission;
 - c. the selection of works for inclusion in the presentations / exhibitions will be made by experienced artists, and other persons with curating experience, in the art form and the style that is the subject of the presentation / exhibition (by way of illustration, the backgrounds of the types of persons whom the Organization would engage to exercise a curating role would include persons who are members of the board of directors of a Canadian museum, public gallery, cinemathèque or artist-run centre that has demonstrated a strong commitment to producing, collecting, distributing and/or exhibiting contemporary visual and media art; the dean or chair responsible for studies in the visual and/or media arts or fine crafts at a Canadian university or art college, or a professor at such an institution; a Canadian private dealer in visual and/or media arts or fine crafts an established visual and/or media arts or fine crafts critic or curator);
 - d. the presentations / exhibitions are priced so as not to be a barrier to public having access to the presentations / exhibitions;
 - e. any private benefit to third-parties, such as to artists or third-party organizations, is not undue or disproportionate to the value and benefit to the public of the presentations / exhibitions (payments, if any, to such third-parties, will not be more than fair market value).
14. Related to the Organization's purpose of making available to the public art forms, in particular media art forms, among the tenant's of space within the Organization's Premises will be organizations whose purpose includes the preservation of film and video stock. The Organization's Premises will include media laboratories in which some of the tenants will repair damaged and old and deteriorating film and video stock, as well as preserve this material in

various digital file formats. The goal of such work will be to conserve historical Canadian and international film and video stock, to preserve the heritage of this art form in its earlier expressions to ensure that this film heritage is widely accessible, in cinemas, in people's homes and through new forms of digital communication. In the absence of such work, there is risk that this earlier and degraded, and degrading, film and video stock and material will be lost to future generations of the public and others interested in studying the history of film and videography.

15. Complementary to the work of conservation described in the immediately preceding paragraph, it is anticipated that the Organization's Premises will include a film vault which will have a climate-controlled environment and in which one of the tenants of the Organization, as part of its conservation work, will store old film and video that ensures its preservation and conservation from potential environmental damage, floods, fires and theft. Again, the intention is to preserve materials of cultural heritage, in the form of film and videography.
16. In terms of the artistic form and style of the subject matter of the presentations and exhibitions planned for the Organization's Premises, they will be visual and media arts, with a particular focus on photography, film sculpture, digital and electronic media arts and videography.
17. At this point, the Organization anticipates that there will be, annually, approximately 200 exhibitions and presentations in the visual and media arts at the Organization's Premises. As for pricing for admission of the public to view the exhibitions and presentations, admission charges will vary from exhibition / presentation to exhibition / presentation, but the Organization is committed to maintain such charges at affordable rates to allow for maximum public accessibility.

EDUCATIONAL WORK

18. The Organization's educational programs will further participants' appreciation and understanding of the visual arts and media arts, in the form of photography (visual arts), sculpture (visual arts), film/video (media arts) and electronic / digital arts (media arts). Examples of the programs include:
 - a. Guided or audio tours of exhibitions within the Organization's Premises to enhance visitors' understanding and enjoyment of photography, film and video.
 - b. Lectures by artists and curators that advance understanding, knowledge and enjoyment of visual and media art forms, as well as professional artistic and curatorial activities. Topics would include:
 - i. Digital! New Technologies and Contemporary Art -- This workshop / presentation would examine the effect that 21st century technology -- the latest electronic technologies, such as digital

imaging and the internet, the ability for greater view participation and interaction with works of art – has on the visual and media arts. How is this technology affecting the way that these art forms and styles are conducted, as well as viewers' aesthetic sense and appreciation for these art forms and styles?

- ii. Institutions by Artists – This session would examine how artist-run cultures are shifting the place of art in Canada
 - iii. Educating the next generation of media arts practitioners -- This would be a conference for teachers, aimed at examining contemporary ideas for the teaching of the visual and media arts in the early 21st century.
 - iv. Experimental Media Congress – this conference would involve gathering practicing experimental media artists and other artists and experts in the media arts field to examine themes and issues related to experimental media arts practices.
 - v. Photography in the digital age -- This workshop / presentation would examine the effect that digital technology is having on the practice of the art of photography, and would examine viewers' aesthetic sense and appreciation for photos.
 - vi. The Great Arts Debate – This conference / workshop would involve cross disciplinary practitioners making presentations, and debating, issues related to the evolving and emerging artistic culture.
- c. Preparing, publishing and disseminating didactic materials and catalogues concerning the exhibitions and festivals that will be put on at the Organization's Premises, with educational texts that illuminate works exhibited by the Organization and/or the Organization's tenants, either jointly or individually, and document them for future reference and research.
 - d. Workshops geared to exhibition organizers and artists offering expertise and knowledge of exhibition standards and curatorial practices related to film / video and other visual arts festivals and exhibits.
 - e. Workshops and demonstrations aimed at providing training in online tools for making and editing films, downloading films to watch and re-use (linking into Canada's film heritage), social media and resources.
 - f. Workshops for children, in association with local schools, daycare and community centres, focusing on the enjoyment and appreciation of a variety of visual art practices.
19. In addition to the foregoing educational programming, the presentations and exhibitions will often include a period of time devoted to question and answers involving the audience and the individuals (e.g., directors / curators) responsible for the production of the presentation or exhibition, or hosted/moderated discussions, again with the individuals responsible for the production of the presentation or exhibition. The Organization intends to present as many

artists/directors in person as possible (either on site or online) to provide learning opportunities to audiences by enabling them to receive input from such artists/directors and to allow audiences to ask questions and to engage dialogue and exchange with the artists/directors.

20. The Organization will retain curators, artists, academics and persons with expertise in the given field to conduct the educational programs, give lectures, conduct tours and give workshops. In addition, the Organization intends to carry out, jointly, education programs with the arts organizations that make up its various tenants, as well as outside arts organizations, institutions of higher learning that have fine arts programs school boards such as the Toronto District School Board (in furtherance of the Organization's programming for and on behalf of children), drawing on the expertise of these organizations in their given fields of media arts, visual arts and education more broadly. In each instance, these joint education programs would be the subject of a co-operative venture agreement that will permit the Organization to retain control and direction of the education program(s) in the proportion of the Organization's contribution to the joint undertaking.
21. The Organization also anticipates that the arts organizations that are tenants in the Organization's Premises will carry out education programs and workshops in and from the Organization's Premises, whether within and from these arts organization's respective leased premises or the common areas of the Organization's Premises, and that these education programs and workshops will be for the public and intended to increase the public's understanding of visual arts and media arts. As with the work that the Organization's tenants carry out in connection exhibitions, presentations and festivals, described above, the Organization's leases with these various tenants will require that the educational work consist of a degree of structure to permit the advancement of education in a way that allows the participants / attendees to learn something about the visual arts and media arts.
22. The Organization's Premises will include a residence studio, which the Organization will make available to various artists in residence selected by the Organization for various periods of time. The program of selecting artists in residence will aim at having a recognized artist who will be available to work with and provide training to artists at the Organization's Premises, as well as to give public conferences and workshops available to the public for the purpose of increasing the public's appreciation and understanding of the particular art form in which the artist in residence specializes. The Organization's board of directors will have oversight of and approve all such selections of the artists in residence.
23. The educational programs of the Organization will be open to the general public, and will be promoted through a wide variety of marketing initiatives including: paid advertisements, promotional mailings, bulk emails, postings on the Organization's website, press releases, local and national visual art

publications, community media outlets such as print, broadcast, radio, online, outreach in cooperation with sister institutions and exhibition partners.

ORGANIZATION'S PREMISES

24. The Organization anticipates that the Organization's Premises will include public gallery space that will enable the Organization to host receptions in conjunction with, and ancillary to, exhibitions, festivals and educational events that are put on at the Organization's Premises.
25. As well, the Organization intends to lease a portion of the Organization's Premises commercially, being approximately 560 square feet, to have a café that would be able to serve refreshments to the public in conjunction with exhibitions, festivals and educational programs. As of the date of this application, the Organization has not selected a tenant to occupy and operate the café, but the leasing of this portion of the Organization's Premises will be the subject of a typical commercial net lease. The net rental will be applied to activities of the Organization in support of its charitable purposes.

ADDITIONAL INFORMATION

Q11d) *Attached materials*

As noted in the response to Q11a), the organization is not engaged in its charitable programs yet, but is focused on working with the developer in getting the design and construction of the space finalized. Accordingly, apart from the organizing corporate resolutions, the organization does not have materials to include that further describe its intended charitable work.

Q 12 a) *Describe the organization's fundraising activities. Include the fundraising method of each event, and the percentage of people involved who are volunteers.*

1. The organization will hold gala openings of exhibitions of work, with a fundraising component to these galas. More than 80% of people involved will be volunteers.
2. The organization will use the internet and email solicitation for ongoing fundraising. No volunteers will be involved.
3. The organization will apply for grants from various public bodies and philanthropic organizations. No volunteers will be involved.

The organization's plans have not yet been finalized since it is still exploring potential uses of the exhibition space (which has not yet been constructed), so other opportunities may present themselves once the organization actually occupies the space.

Q 13 a) *Describe the organization's proposed activities for the generation of revenue from the sale of goods, services or use of its assets.*

In the event that there is from time to time space available in its premises that is surplus to its own purposes, the organization may rent for temporary use such surplus space to other groups whose activities are compatible with the operations of the organization (i.e. an artistic/cultural space). In addition, to enhance its charitable activity of operating artistic and cultural premises open to the public, the organization intends to allocate a portion of its premises to the operation of cafe which will also generate revenue for the organization.

Q 16 *Ownership*

B: The organization does not yet own property.

It plans to own property. Currently, the building is under construction, with occupancy expected in the spring of 2014.

Location of property

2-6 Lisgar St.,
Toronto, Ontario
Canada
Postal Code not yet assigned.

The organization will have freehold title to approximately 35,820 sq. ft. (3,328 sq. m.) of space within a mixed-use (commercial and residential) building.