

Town of Whitby Staff Report

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Report Title: Memorandum of Understanding between the Town of Whitby and the Canadian Musicians Co-operative

Report to: Committee of the Whole

Date of meeting: February 27, 2023

Report Number: CAO 04-23

Department(s) Responsible:

Office of the Chief Administrative Officer

Submitted by:

Sarah Klein, Director, Strategic Initiatives

Acknowledged by M. Gaskell, Chief Administrative Officer

For additional information, contact:

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1. Recommendation:

1. That Report CAO 04-23 be received for information;
2. That the Town enter into a three-year Memorandum of Understanding with the Ontario Musicians Co-operative Inc. (operating as the Canadian Musicians Co-operative) effective January 1, 2023 to January 1, 2026;
3. That the CAO and Commissioner Financial Services/Treasurer be authorized to execute the Memorandum of Understanding, and be delegated the authority to make amendments thereto subject to such amendments being mutually agreed upon by the Canadian Musicians Co-operative and the Town; and
4. That Council provide an exemption to the Public Nuisance By-law \$ 6714-13 for the duration of the Memorandum of Understanding with respect to the ability of Canadian Musicians Co-operative Performers to be able to receive a voluntary gratuity as part of the program.

2. Highlights:

- The purpose of this report is to provide an update to Council on the second season of the Community Performance Program with the Canadian Musicians

Co-operative and to recommend entering into a three-year Memorandum of Understanding (MOU) to support local youth and young adults that are emerging musicians in the community through this program.

- Canadian Musicians Co-operative is a not-for-profit arts service organization dedicated to assisting emerging independent artists between 15 to 30 years of age to build sustainable careers intersecting the music industry in the 21st Century.
- Town staff have been collaborating with the Canadian Musicians Co-operative the past two summers (2021 and 2022) to create meaningful opportunities for young musicians and cultural opportunities in the Whitby community.
- A key direction from the Culture Plan (Direction 1, Goal 4, Action E) is to “Integrate live music programming within venues, facilities, and capital projects in support of a growing music scene.” This partnership between the Town and the Canadian Musicians Co-operative supports this initiative and further develops the creative economy in Whitby.
- Town staff request Council consider an exemption from the Public Nuisance By-law No. 6714-13 to permit voluntary gratuities during a performance by Canadian Musicians Co-operative, as part of the program.

3. Background:

In March 2021, Council adopted Whitby’s first-ever [Culture Plan](#) to support a collaborative, inclusive, and creative process to develop Whitby’s cultural sector. This 10-year plan includes five strategic Directions, 20 Goals, and 75 Actions for the provision of arts and culture programs, services, and facilities in the municipality. The Plan looks at building capacity in the culture sector and acting as an economic driver to retain and attract talent and grow capital investment.

Since 2021, the Town has been collaborating with the [Canadian Musicians Co-operative](#), a not-for-profit arts service organization dedicated to assisting new, emerging, and independent youth and young adult artists to build sustainable careers intersecting the music industry in the 21st Century.

Canadian Musicians Co-operative is a volunteer-led and accessible organization, funded in part by grants, sponsorships, and membership fees. They originally started in Simcoe County and, in 2021, expanded their organization to Durham Region, with Whitby being their first key partner.

The Canadian Musicians Co-operative program not only supports the creation of local music and performances but also provides behind-the-scenes training for artists, such as communication and networking skills, building artists’ websites and skills using social media, business planning, bookkeeping and taxes, technical skills such as cables, mixing a live performance, coaching, and health and safety. Canadian Musicians Co-operative develops the full music ecosystem so musicians can build a variety of skills to be deployed in a professional capacity.

4. Discussion:

2021 & 2022 Seasons Recap

The Town has worked with the Canadian Musicians Co-operative for the past two summers to provide musicians an outdoor venue for performances at three dedicated zones within the municipality. The zones included:

- Downtown Whitby (Celebration Square, Rotary Park, Dundas/Byron Parkette)
- Downtown Brooklin (Grass Park, Brooklin Community Centre and Library)
- Port Whitby (Whitby Pier, Heydenshore Park)

For both seasons (2021 and 2022), the Town entered into a one-year Memorandum of Understanding (MOU), which outlined the roles and responsibilities of both parties.

The MOU defined a performer as an individual or group who is a member of the Canadian Musicians Co-operative and provides entertainment in the public realm for a voluntary gratuity from audience members. The performer's entertainment could include playing an instrument, singing or other forms of creative musical performance, as agreed to by the Town of Whitby.

Both seasons provided performers with set days/times in the week for scheduled performances, including Friday evenings, Saturday and Sunday afternoons/evenings, with the program running from May 1 to Thanksgiving Monday.

Although staff had identified different possible locations for the musicians to perform, the clear favourite was the waterfront location as it was a prime spot attracting many visitors/audiences.

Between the two seasons, 16 performers participated, with 30 different performances logged. The Canadian Musicians Co-operative indicated that their experience with pilot projects in new communities is that it generally takes a couple of years to build the program and the musician database. They were very pleased with the opportunity to extend their program to Whitby and are optimistic about its growth in the community.

The overall feedback from the musicians was very positive. Comments included that it was a rewarding experience, that it was great to see the public enjoying live music, and that the waterfront was an ideal setting and popular destination. The public feedback indicated that people were appreciative of the live music, they engaged with local musicians by requesting songs, and cyclists would stop to listen to music with kids dancing in the background.

Update to a Three-Year Memorandum of Understanding (MOU)

With the general success of the program in the first two seasons, staff are recommending that the Town enter into a three-year Memorandum of Understanding (MOU) with the Canadian Musicians Co-operative to support this

program going forward – see Attachment #1. Staff are also recommending that any future amendments to the MOU that are mutually agreed upon by both the Town and the Canadian Musicians Co-operative be delegated to the CAO and Commissioner Financial Services/Treasurer to execute.

The Town and Canadian Musicians Co-operative met and discussed opportunities to further enhance the program by helping promote the auditions for the program through the Town's social media channels, sending information to the Town's Youth Groups, creating theme nights based on performance zone (i.e. beach themes for the waterfront or family-friendly themes for Grass Park/Roebuck Street), and looking at extending performance times to Tuesdays (to offset Music in the Park evenings on Wednesdays and Thursdays) and give musicians a weekday/weeknight (other than a weekend) to perform.

Staff will revisit the MOU annually to ensure the program is successful and in line with the goal of the Culture Plan.

2023 Season

This season will operate similar to the past two years with musicians able to play in one of three dedicated zones including Downtown Whitby, Downtown Brooklin, and the Waterfront. The following days/times are being proposed for this season:

- Tuesdays 12 p.m. to 8 p.m.
- Fridays 12 p.m. to 8 p.m.
- Saturdays 12 p.m. to 8 p.m.
- Sundays 12 p.m. to 6 p.m.

The Canadian Musicians Co-operative will manage the performers and program logistics while the Town provides the space and supports the program through promotion.

5. Financial Considerations:

For the 2022 season, the total cost of the program to support the Canadian Musicians Co-operative was \$1,338, funded from the Town's Culture Plan operating budget. The funds were used to print A-frame signage for each musician and for the purchase of t-shirts and name badges.

For 2023 – 2025 funding is estimated to be between \$2,000 to \$3,000 annually, depending on the number of musicians taking part. The annual costs will be funded from the Community Performance Program as part of the Culture Plan operating budget.

6. Communication and Public Engagement:

The Town will continue to support the Community Performance Program through social media posts, on the Arts and Culture microsite, and in the Town's calendar

of events. In addition, each performer wears a branded t-shirt and has an A-Frame sign at their performances to advise the public that this is a partnership project with the Town of Whitby.

7. Input from Departments/Sources:

Staff in Strategic Initiatives have consulted with Community Services and Whitby Public Library staff regarding the use of the designated zones for performances. Staff have also consulted with Legal Services regarding the Memorandum of Understanding and By-law Services to address any concerns related to enforcement during the weekend, should those services be required. Staff have also consulted with Risk Management regarding insurance requirements and the Communications and Creative Services team regarding promoting the program on the Town's channels.

8. Strategic Priorities:

This initiative addresses the Town's Strategic Priorities by continually improving how we do things by fostering innovation and focusing on making our processes better, and enhancing our efforts at informing and engaging staff and community.

The partnership with the Canadian Musicians Co-operative to create a Community Performance Program ensures accessibility is factored into both the location of public spaces (accessible locations and paths of travel being maintained) as well as the signage being developed as part of the program. Sustainable business practices such as promoting the program through social media channels and reusing signage where available are being administered.

9. Attachments:

Attachment 1 – Memorandum of Understanding between the Town of Whitby and the Canadian Musicians Co-operative