

2023-24 FILM FUND GUIDELINES

Development Stream

Deadline: Applications will be accepted on a continuous basis to November 30, 2023 at 5:00 PM ET

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1. Introduction

The **Ontario Creates Film Fund Development** stream is intended to support development activities that lead to the increase of domestic feature film production in Ontario. The Film Fund Development Stream provides support to Ontario producers for all stages of development activities.

The prime objectives of the fund are to:

- increase investment and jobs in Ontario by Ontario-based feature film production companies;
- increase the number of high quality, original feature films produced in Ontario by Ontario-based production companies; and
- assist in capitalizing Ontario-based feature film production companies.

The Film Fund supports a range of projects across genres with both industrial and cultural benefits. Ontario Creates measures the results of the Film Fund primarily based on the net

benefit from the project to the province which includes but is not limited to return on investment and jobs created in the Ontario film industry.

Ontario Creates values and supports diversity and gender parity at all levels and business roles within creative industries. We acknowledge that many communities continue to face systemic barriers, preventing them from participating meaningfully in these industries. Ontario Creates applies a lens of diversity, equity, and inclusion to the evaluation criteria for this program, and directs jury members to do the same. Applicants proposing projects/activities that support, reflect, and strengthen diversity and gender parity in Ontario are expected to tangibly demonstrate a genuine and sustained commitment to these equity-deserving communities¹.

Ontario Creates will prioritize projects that amplify voices and content owned and controlled by people from racialized and equity-deserving communities, and encourages applications from companies that are led by BIPOC (Black, Indigenous, or People of Colour) or Francophone individuals and applicants that otherwise **meaningfully** meet the provincial definition of diversity.²

Ontario Creates is committed to fostering respectful workplaces in all sectors and companies we support. A respectful workplace is one that values diversity and inclusion, dignity, courteous conduct, fairness, positive communication and professional working relationships. A respectful workplace is free from harassment and discrimination including sexual harassment.

The policy of Ontario Creates is to take every reasonable step to:

- Cultivate and sustain a respectful, positive, inclusive and supportive work culture
- Promote awareness of rights and responsibilities
- Prevent, identify and eliminate workplace harassment and discrimination in a timely manner
- Improve and/or restore Ontario Creates' work environment and relationships affected by incidents or allegations of workplace harassment or discrimination, including those involving external stakeholders

Ontario Creates expects that all funding recipients maintain the principles of a respectful workplace including taking every reasonable step to:

- Cultivate and sustain a respectful, positive, inclusive and supportive work culture

¹ Equity-deserving communities are those that face significant collective challenges in participating in society. This marginalization may be caused by, but not limited to, attitudinal, historic, social and environmental barriers based on age, ethnicity, disability, economic status, gender, nationality, race, sexual orientation and transgender status. Equity-deserving communities identify barriers to equal access, opportunities and resources due to disadvantage and discrimination and actively seek social justice and reparation.

² The provincial definition of diversity states: the dimensions of diversity include, but are not limited to: ancestry, culture, ethnicity, gender identity, gender expression, language, physical and intellectual ability, race, religion (creed), sex, sexual orientation and socio-economic status.

- Provide a safe mechanism for staff to report incidents or allegations of inappropriate behavior
- Take action to prevent, identify and eliminate workplace harassment and discrimination in a timely manner

An eligibility requirement for this program includes the applicant organization confirming that they have in place both guiding principles and a process for maintaining a respectful workplace. Please download the [Applicant Affidavit](#) from the Ontario Creates website or from the application form in the OAP, sign, and include with your application as instructed.

Ontario Creates welcomes applications from disabled people, deaf people, and people who have barriers to accessing technology. Support for application assistance is also available to First Nations, Inuit or Métis or Allophone (a resident of Canada whose first language is not French or English) applicants facing language, geographic and/or cultural barriers. Services may include, but are not limited to, assistance to create an account and navigate the Online Application Portal; transcribe/edit/organize/translate applications materials; complete and submit application materials. If you would like to request an alternative process or format for submitting an application, or request funds (up to \$500 per application) towards service providers to assist with your application, please contact the relevant Program Consultant a minimum of four weeks before the deadline.

2. Program Deadline

Applications will be accepted on a continuous basis to November 30, 2023 at 5:00 PM ET.

Please note that applications will be assessed on a continuous basis as they are received. All applications must be submitted and received on or before the applicable deadline to be considered.

Decisions will be communicated to applicants approximately 8-12 weeks after application submission.

3. Applicant Eligibility

The Production Company must be:

- Incorporated (for a minimum of one year prior to submission) in Ontario or incorporated federally and registered in Ontario
- Ontario-based - have a principal place of business³ in Ontario which serves as head office and base of operations. The applicant must meet the following:

³ The corporation's principal place of business will be determined at the discretion of Ontario Creates and additional documentation may be requested as required. For this purpose, a principal place of business is not a post-office box or fixed address of a friend or relative not directly employed by the company.

- applicant must be eligible to pay corporate income taxes in Ontario
- Ontario address is listed as head office in T2 filing; and,
- Ontario address must be a stable and non-temporary establishment where the applicant can demonstrate that the location is under the corporation's control and the space can be objectively identified with the corporation. For example:
 - maintenance of an office for which the corporation pays rent or compensates employees
 - presence of office equipment
 - the place of business is listed as the corporation's residential address in the telephone directory
 - substantial quantities of the corporation's goods are kept on the property
 - residents or employees of the corporation working at the property devote all their working hours to the corporation's interests
 - substantial usage of owned/rented machinery or equipment that is used to carry out the corporation's business
- a Canadian-owned and controlled organization as defined in the Investment Canada Act (Canada).

If the applicant is a successful funding recipient, the applicant must continue to have a principal place of business in Ontario for the duration of the funding. Applicant companies and any associated production entity must be in good standing with Ontario Creates at time of application submission.

The Individual Producer(s) must:

- be Ontario residents and Canadian citizens within the definition of the Citizenship Act or permanent residents within the definition of the Immigration and Refugee Protection Act (Canada).
- have previously produced at least one of: a dramatic or documentary feature film theatrically released in Canada; a television movie; a dramatic or documentary series; or, two one-hour documentaries that have been broadcast in Canada.
Note: a feature must be at a minimum length of 75 minutes. A film festival screening is not considered as a theatrical release per the requirements.

The Lead Ontario Producer Applicant must be an owner of the applicant company, and must be able to demonstrate at minimum a portion of IP ownership of the project.

Ontario Creates will consider applications from producers who do not meet the above minimum applicant producer requirements provided that they can demonstrate in writing the attachment to the project of an Ontario based executive producer who does meet the above qualifications. In this instance applicants are required to seek pre-approval of the executive producer by Ontario Creates prior to application. The qualifying producer will be required to provide a signed letter outlining their involvement in and commitment to the project. (NOTE: The consideration is made strictly for the producer requirement.)

4. Funding

Companies may apply for up to a maximum of \$25,000 in funding for the selected stage of development for a project, in each case capped at 75% of the budget for the selected development stage.

Ontario Creates' contribution is an **interest-free loan**, which must be repaid in full at the commencement of principal photography.

The number of applicants who will receive funding and the amount of funding received will be determined by the annual confirmed budget of the Ontario Creates Film Fund and the quantity and quality of the applications received.

5. Eligible Projects, Activities, and Expenses

Eligible Projects

The estimated production budget of the feature film project in development must meet Ontario Creates Film Fund eligibility requirements:

All proposed productions must:

- have an intended minimum proposed length of 75 minutes.
- not have commenced principal photography prior to application submission.
- be intended to be shot in Ontario (co-productions and documentaries are excluded from this requirement).
- be either eligible for certification as a Canadian Production by CAVCO; as a treaty coproduction by Telefilm Canada and by co-producers equivalent certifying body or eligible to receive Canadian Program certification from the CRTC.

Dramatic features (includes animation) must have a minimum total production budget of:

- \$1 million, if the project does not demonstrate diverse elements;
- \$750,000 minimum budget, if the project demonstrates diverse elements.

Documentary features must have a minimum total production budget of:

- \$600,000 if the project does not demonstrate diverse elements;
- \$500,000 if the project does demonstrate diverse elements.

Only feature film projects are eligible; TV series, short films, web-series, etc. are not eligible for this program.

Activities

All stages of development activities are eligible for support. Applicants must select the stage of development they are applying for from the following categories in the Online Application Form (OAP):

- 1) Story Optioning – First Option or Option Renewal
- 2) Treatment to Final Draft
- 3) Polish and Package

**** New for 2023-24 ****

If you have already received Ontario Creates Film Fund Development support for a project, you may apply for subsequent development stages. A project can receive support from each of the three development stages one time only. The Polish and Package stage is considered the final stage of development; if a project received Polish and Packaging funding previously, it is not eligible for any additional support. A project may be submitted only one time per annual program cycle.

Important: If a project has previously received "Treatment to First Draft", "First to Second Draft" or "Second to Final Draft" funding, it cannot apply to the new "First to Final Draft" funding stage and can only apply to the subsequent Polish and Package stage.

Expenses

The eligible development stages cover a wide range of eligible development costs. Applicants are advised to choose the development stage above that encompasses the bulk of the planned development activities.

Applicants are expected to only include development activities and budget costs that relate to the selected development stage. Examples of eligible expenses for each stage of development include:

1) Story Optioning – First Option or Option Renewal

- Option fees including those for literary work (ineligible if paid to producer);
- Administrative/producer fees relating to this stage.
- Renewal/extension fees of an option, including on a literary work (ineligible if paid to producer);
- Applicants can only apply for the first option or one option renewal period corresponding to the timeframe they apply to the Film Fund Development 2023/2034 cycle; options purchased prior to submission or option renewals that are active April 2024 and onwards are considered ineligible.

NOTE: Option fees are not an eligible expense for projects supported via the Ontario Creates [From Page To Screen](#) option incentive.

2) Treatment to Final Draft

NEW: This stage encompasses all development stages from treatment to final draft.

Eligible costs for the Treatment to Final Draft stage can include:

- Research costs;
- Writer and story editor fees for the screenplay (applicable from first to final drafts) or documentary treatment;
- Producer's fees and corporate overhead;
- Legal fees;
- Story consultant fees;
- Community or Diversity consultant fees;
- For documentaries, activities can include writing a story proposal, working with communities, and community engagement strategy research.

3) Polish and Package

- Writer and story editor fees for a final draft/script polish;
- producer's fees and corporate overhead;
- Legal fees;
- Story consultant fees;
- Casting fees and expenses;
- Location scouting;
- Demo reel;
- Sustainability research/planning for an environmentally-friendly set.

NOTE: Market travel and attendance is considered **ineligible** as it overlaps with an existing Ontario Creates program (please see the [Ontario Creates Global Market Development Fund, Film & TV](#) for market travel assistance).

Eligible expenses must be directly associated with the project and activities directly related to the stage of development as above. Costs do not need to be entirely spent in Ontario or Canada if relevant to the development plan, however the Ontario spend and impact of the proposed production's Ontario spend is a key factor in the decision criteria for this program; **please see "projects" under Section 5** . Expenses incurred prior to submission of the application are not eligible.

Costs supported through other Ontario Creates programs will not be eligible for support under the Ontario Creates Film Fund Development program.

Sustainability

Ontario Creates encourages all Applicants to implement more environmentally-sustainable practices and cleaner technologies – and reduce the use of unsustainable resources – in the development, production and exploitation of their Projects.

Ontario Green Screen, led by Ontario Creates is your one stop resource to help implement sustainable practices into your projects. OGS provides free [Climate & Sustainable Production](#) training, and [Carbon Calculator](#) training for the albert calculation tool. They also offer a wide variety of tools and resources including green vendors resource list, grid-tie in map and handy best practices resource sheets to help make the transition to a green industry. Visit www.ontariogreenscreen.ca to find out more.

Are you interested in taking steps towards sustainable production but don't know where to start? Check out [CBC's Sustainability Plan](#) to help you move towards a greener production. For general inquiries about how OGS can help support you, reach out to OGSinfo@ontariocreates.ca

6. Application Requirements

Applicants will be required to provide the following documents pertaining to the development stage they are applying for:

- 1) Project Synopsis (1 page maximum). **Any information provided over the 1 page maximum will not be considered in the evaluation of the application.**
- 2) Detailed Development Plan (2 page maximum). **Any information provided over the 2 page maximum will not be considered in the evaluation of the application.** The development plan must include:
 - a. A breakdown of the development activities for the applicable development stage
 - b. Development history of the project
- 3) Schedule/Timeline of the applicable development stage's activities within the presented development plan.
- 4) Budget and Finance plan for the applicable development activities - must be provided per the Ontario Creates [template](#).
- 5) Commitment letters from all financial sources listed in Budget/Finance Plan document.
- 6) Producer Statement– (2 page maximum). **Any information provided over the 2 page maximum will not be considered in the evaluation of the application.** The producer statement must include:
 - a. The Applicant Company's profile & track record in the development and production of feature films;
 - b. The projected benefits of the project to Ontario including the estimated production budget and estimated Ontario expenditures of the production;
 - c. Demonstrated market support for the project (if applicable);
 - d. Diverse elements reflecting key creatives and/or voice/story (if applicable).

7) Complete chain of title documentation, including:

- A chronological summary of the chain of title documentation, and
- All supporting agreements (this is not applicable to the 'Story Optioning - First Option' stage). **Note: Applications that don't provide proof of ownership of the project will be considered incomplete.**

8) Certificate of Incorporation for Applicant Company. Note: Applicant company must be incorporated for minimum 1 year prior to applying.

9) Director's Registry of Applicant Company* (a list of shareholders detailing names of directors, ownership shares, and citizenship).

7. Submitting Your Application: Process and Evaluation

- Applicants must submit their application to Ontario Creates electronically through the Online Application Portal (OAP) at <https://apply.OntarioCreates.ca/>;
- Applicants that do not have a user account on the OAP, should go to <https://apply.OntarioCreates.ca/> and click on "Register". For assistance, please see Ontario Creates' website for the "OAP Quick Start Guide";
- Applications must be received electronically via the OAP system no later than 5:00 PM ET on the applicable deadline;
- Applications that are received after the deadline will not be considered;
- Applications will be reviewed by Ontario Creates for eligibility and completeness;
- Incomplete applications will not be considered;
- Applications will be evaluated on a continuous basis. Decisions will be announced 8-12 weeks after the application has been submitted;
- Successful applicants must accept and sign an agreement within one month of notification;
- Ontario Creates reserves the right to withdraw its funding commitment should the project no longer meets one or more of the funds eligibility requirements or the project changes significantly from time of initial commitment.
- There is no appeal process for this program and the decision of Ontario Creates is final;
- Due to the volume of applications typically received, the capacity to provide individual application feedback may be limited. Unsuccessful applicants who wish to reapply with the same project are encouraged to request a feedback meeting with the Program Consultant two to three weeks prior to reapplication;
- A project may be submitted to the Film Fund Development program a maximum of three times.

8. Decision Criteria

Applications will be assessed on the following criteria:

Criteria	Weighting	Considerations may include
Viability	25%	<ul style="list-style-type: none"> • Viability of development plan • Clearly articulating the activities planned for the applied development stage • Ensuring development activities for applied development stage are eligible and do not overlap with other development stages • Realistic activities are provided in the plan and are consistent with the other application materials in the submission
Ontario Benefit	20%	<ul style="list-style-type: none"> • Projected benefits of the development activities and proposed production to the Ontario economy, including Ontario labour spend, value of Ontario Expenditures and number of FTE's created/retained • Note: The proposed production budget and ON production spend in the application is mandatory and is a factor in this decision criteria to determine the project's impact to the province. See Section 5.
Track Record	20%	<ul style="list-style-type: none"> • Demonstrated track record of the applicant company and production team to implement the development activities/production • Experience creating and releasing similar projects (similar type of content, budget, and scope) • History of critical/commercial success • Access to the capacity, skills, knowledge and expertise required to complete the proposed activities • Committed and engaged partners (if any) • Diversity among senior leadership, staff, or contract employees, particularly underrepresented communities within the film industry • Capacity of applicant company to deliver proposed activities, including status of open Ontario Creates Film Fund files
Risks and Feasibility	25%	<ul style="list-style-type: none"> • Feasibility of the project with respect to the development plan, budget, financing, schedule, scope, development history and market support • Reasonable budget and appropriately allocated costs for the applied development stage • Consistency in budget line items with the development activities noted in the development plan document • Committed financing

		<ul style="list-style-type: none"> • Realistic development schedule and likelihood of project moving forward in development, and subsequently into production • Additional challenges and risks
Creative Merit	10%	<ul style="list-style-type: none"> • Creative merit of the project and potential for critical and commercial success. Thoughtful consultation, collaboration, and participation of equity-deserving communities within the film industry.

In assessment of all projects, Ontario Creates uses and directs both applicants and evaluators to refer to key resources: On Screen Protocols and Pathways found here: <https://iso-bea.ca/wp-content/uploads/2021/09/On-Screen-Protocols-Pathways.pdf> and Being Seen: Directive for Creating Authentic and Inclusive Content found here: <https://www.beingseen.ca/>.

All Ontario Creates decisions are final. Ontario Creates reserves the right to alter program guidelines with general public notice to all potential applicants and to refuse any application for any reason. The number of awards and amount awarded is contingent on confirmation of Ontario Creates' annual budget. Ontario Creates is not required to make any minimum number of awards. Subject to the Freedom of Information and Protection of Privacy Act, all information contained in the application will remain strictly confidential.

9. Payment to Successful Applicants

Successful applicants will receive the full amount awarded on execution of contract. Please note that a final report per contracted deliverables will be required. Ontario Creates' contribution is an **interest free loan**, which must be repaid in full at the commencement of principal photography.

10. Ontario Creates Agreement and Participant Obligations

- Agreement: The recipient company will be required to sign a standard Ontario Government agreement covering the terms of their participation in the program including providing Ontario Creates with permission to use the project and delivery materials for promotional purposes. Recipients may not amend the agreement template.
- FTEs: Applicants must indicate the number of Full-Time Equivalent (FTE) positions that will be created and/or retained as a result of the Ontario Creates-supported activity/activities and funding. Additionally, applicants must provide a minimum commitment of paid weeks of work for Ontario resident's as a direct result of the production
- Ontario expenditures: Applicants are required to indicate the total expenditures paid to Ontario residents for labour AND allocated within the province for goods and services.
- Funding from other sources: Applicants are required to report the total unregulated private sector project funding (financing that is not influenced by government regulation such as internal revenues, venture capital investment, sponsorship, loans,

distribution fees, AND the total public sector funding (Federal, provincial, and/or municipal government funding and tax credits)

- Insurance: Recipient companies will be required to carry Commercial General Liability Insurance on an occurrence basis for Third Party Bodily Injury, Personal Injury and Property Damage, to an inclusive limit of not less than \$2,000,000 per occurrence, \$2,000,000 products and completed operations aggregate. Ontario Media Development Corporation* and Her Majesty the Queen need to be named as additional insureds on all policies. Please budget accordingly. Additional information on insurance requirements is available on request.
- Changes to the Project: Ontario Creates must be notified of any changes to the project as defined in the contract, changes will require consent of Ontario Creates.
- Accessibility: Ontario Creates encourages applicants who host event-based activities to choose accessible venues and offer accommodations for people with disabilities as required. More information on the Accessibility for Ontarians with Disabilities Act can be found here <https://www.ontario.ca/laws/statute/05a11>.

* Ontario Media Development Corporation is Ontario Creates' legal name

Ontario Creates Film Fund Recognition and Promotional Rights

Ontario Creates Film Fund support is to be acknowledged with an Ontario Creates credit and logo on all versions of the production, as well as on all publicity and promotional materials relating to the production, e.g., billing block; subject to customary exclusions and exceptions.

11. More Information

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Ontario Creates is an agency of the Government of Ontario that facilitates economic development, investment and collaboration in Ontario's creative industries including the music, book, magazine, film, television and interactive digital media sectors.
ontariocreates.ca