



# SPRE 103: Exploring Cultural Land Trusts

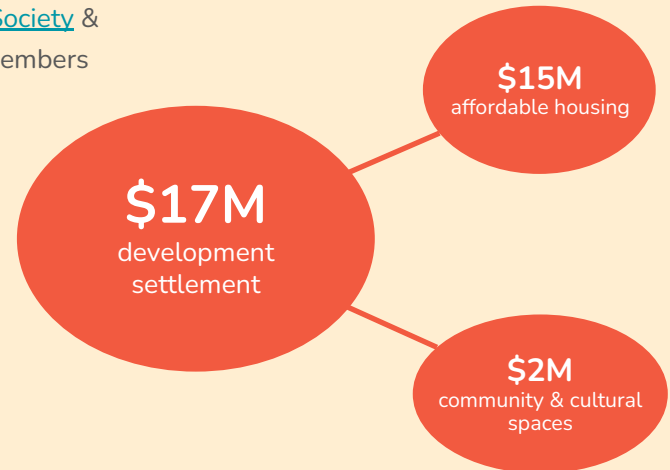
# OVERVIEW

**CCST MANDATE:** to create & facilitate sustainable processes for acquiring & maintaining real property for use by community, cultural & arts organizations in the Bloor Dufferin neighbourhood.

- Convene Ward 9 arts, cultural & community groups threatened by displacement
- Support community in Ward 9 (& surrounding neighbourhoods) to obtain or retain commercial & light industrial spaces for community, cultural & arts uses.
- Sustain CCST's initial asset of \$2 million without deteriorating the asset.
- Start to serve as a resource for arts, cultural & community groups around research, legal agreements, government relations, advocacy, partnerships & community connections.

# ORIGIN STORY: BLOOR/DUFFERIN COMMUNITY BENEFITS SETTLEMENT

- **THE NEED:** Responding to the need to keep a public resource— a public school on public land—for the benefit of present & future community members
- **2019 & BEFORE:** Years of community organizing & advocacy around public school lands at the **SW corner of Bloor Street & Dufferin Street**
  - Support from affordable housing nonprofits ([St Clare's Multifaith Housing Society](#) & [Habitat for Humanity GTA](#)), local elected officials & countless community members
- **NOV 2019:** Led by volunteer community group [Build A Better Bloor Dufferin](#), residents in Toronto's west end won a historic \$17 million community benefits settlement for funds for affordable housing & community & cultural spaces in [Davenport - Ward 9](#) from the developers



# BLOOR/DUFFERIN COMMUNITY BENEFITS SETTLEMENT



→ Birth of the CCST

→ Community Affordable Housing Solutions Trust

# PRINCIPLES & VALUES

**CCST exists as a result of years of community organizing for equitable & inclusive development.** CCST's founding principles honour this legacy. We are committed to:

- Leveraging collective power & expertise
- Community governance
- Equity-based investing
- Affordability
- An anti-displacement approach
- A pro-density stance
- Working with affordable housing allies
- Maximal & sustainable use of funds
- Partnerships that serve our mandate

# CCSTs FUNDING & FINANCES

## **\$2,000,000 fund owed to organization paid annually in \$400,000 installments**

- Funds received to date total \$1.6M
- Final payment to be received in November 2025
- Use completely restricted to acquisition of real estate in Ward 9

## **Projected income for 2025 of \$65,000**

- Generated from \$1.6M cash held in a high interest savings account
- Monthly income ~\$5,000
- Can be used for operations and non-Ward 9 specific projects

## **Financials audits completed for 2022 & 2023**

- Surplus achieved in 2023
- Surplus projected for 2024
- 2025 approved budget projecting surplus

# STRATEGIC PLAN PRIORITIES:

## Building Board & governance capacity

**Creating an acquisition strategy** for our original funds, including:

- Establishing due diligence processes
- Drafting pro formas & businesses cases
- Preparing for property search in late 2025.

## Engaging community & developing partnerships:

- Ongoing outreach (UofT students, community networks)
- Capacity building (webinar trainings, buddy system)
- Participation in events, networks, and tables

**Developing deeper understanding of space needs & opportunities** through completion of Community Needs survey & analysis

# BOARD COMPOSITION

## CCST's Board must include:

- More Ward 9 community members than non-community members (by at least 1 member). We define “community member” as someone who works, volunteers, lives or is otherwise actively involved in Ward 9
- A minimum of 2 board members who are artists/arts workers from equity-deserving groups
- At least 1 board member who has lived experience of displacement from their studio or rehearsal space
- At least 1 youth-identified board member (under age 30)
- A minimum of 2 board members who work at or regularly volunteer with a community-based or equity-focused organization in Ward 9

The election of current candidate members in 2025 will achieve all composition requirements.



# BOARD OF DIRECTORS

Co-founded the CCST in 2022 & serve on the Board of Build A Better Bloor Dufferin

**Hannah Fleisher,**  
Chair & Treasurer  
(2022-23, 2023-25)

**Alycia Shanika**  
Network Mobilization Lead  
2023-24 (trial), 2024-26

**Danielle Singer**  
Candidate  
2025 (trial)

**Maggie Hutcheson,**  
Vice Chair  
(2022-23, 2023-25)

**Liz Hysen**  
Secretary  
2023-24 (trial), 2024-26

**Eryn Maloney**  
Candidate  
2025 (trial)

**Erella Ganon,**  
General Board Member  
(2022-23, 2023-25)

**Julia Culpeper**  
Communications Lead  
2023-24 (trial), 2024-26

**James Roy**  
Candidate  
2025 (trial)

**Sean Fitzpatrick,**  
Legal Lead  
(2022-23, 2023-25)

**Chris Wilson**  
Candidate  
2025 (trial)

# ACQUISITION OF 2 STUDIO SPACES IN YOUNGPLACE

## An opportunity that came upon us:

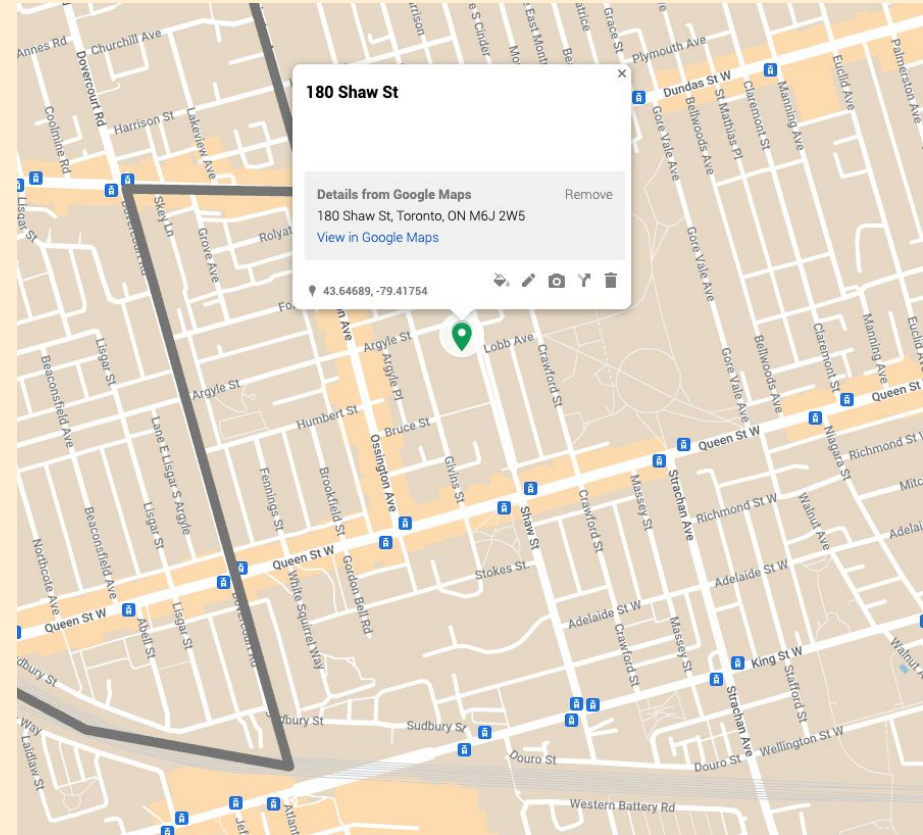
- Inspirit Foundation & CCST have collaborated to **preserve 2 units** in Youngplace (180 Shaw St., Toronto), currently **a pottery studio & a paper making tenanted studios**
- Marks the first acquisition by a cultural land trust in Canada



# ACQUISITION OF 2 STUDIO SPACES IN YOUNGPLACE

**Background:** Youngplace is located approximately 500m outside of Ward 9

→ CCST did not use any of its original funds to support this acquisition



# ACQUISITION OF 2 STUDIO SPACES IN YOUNGPLACE

**Background:** Youngplace was developed by Artscape who owned **15** units in the building, which were placed in receivership to be sold in January 2024 after the organization dissolved.

- **14 of 15 Artscape owned units** had active tenants who were at risk of being displaced through the sales.
- **12 of 14 tenants** found means to acquire their own units through receivership sale (with help of Inspirit connecting funding opps).
- **2 tenants** were not able to qualify for funding or grants.
  - **The CCST deal was developed as an alternative means to ensure 2 units would be preserved for arts uses in perpetuity.**
- **1 additional unit** was also owned by a former tenant who was unable to stay.



# ACQUISITION OF 2 STUDIO SPACES IN YOUNGPLACE

- Inspirit acquired **2** units in Youngplace & sold them to **2** new corporate entities operated by CCST;
- Inspirit secured grant funds from the City of Toronto to subsidize the sale price of the units to CCST & financed the remaining value through mortgages they provide to each new corporation;
- The mortgages will be paid back by the new corporations to Inspirit with no interest on an annual net revenue basis;
- The new corporations will assume the leases, existing tenants & all legal responsibility for the units.

# ENGAGEMENT TIMELINE

	2023			2024												2025			
	Q4			Q1			Q2			Q3			Q4			Q1			
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	
Artscape Units				X				X					X						
				Artscape entered receivership				Receiver appointed, units listed				Bidding closed							
Inspirit		X						X					X	X	X			X	
		Inspirit engaged CCST to work on solution to 180 Shaw units						Inspirit connected CCST with Propeller re: 38 Abell					Bid made	Conditional offer accepted	Offer revised and deal reached with receiver			Court approved deal	
CCST		X		X				X					X					X	
		Chair approved to engage		Board updated				Chair approved to engage	Board engaged with Inspirit, reviewed City solicitation				Chair approved to engage and negotiate terms		Engaged legal counsel			Negotiate and close deal	
City of Toronto								X										X	
								Began discussion for funding										Provided funds	

# DEAL TERMS: ROLES

Incorporate

**CCST** will incorporate two subsidiaries

Loan

**CCST** will loan each new company cash

Finance

**Inspirit** will provide financing to each company for their purchases

Purchase & Sell

**Inspirit** will purchase the units from the Receiver & then sell again to the new companies

Transfer

**Subsidiaries** will receive units & assume leases

# DEAL TERMS: ACTIVITIES TO TRANSACT

## Incorporate

- Set up **2** new corporations
  - Choose names
  - Identify officers
  - Choose address
- Set up **2** bank accounts
- Set up **2** insurance

## Loan

- Review CCST settlement agreement & by-laws
- Draft loan agreement between CCST & each new company
- Transfer funds from CCST to each new company

## Finance

- Execute mortgage agreements
- Review & approve Inspirit's grant agreement with the City of Toronto

## Purchase & Sell

- Complete property due diligence
  - Review condo corps financials & records of maintenance
- Review & approve Inspirit's sale agreement with the Receiver
- Execute sales agreements from Inspirit

## Transfer

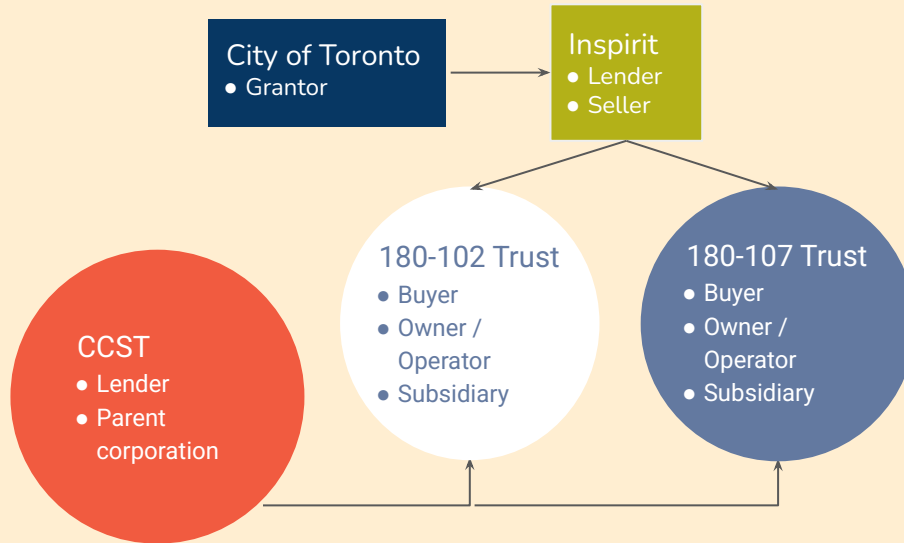
- Assume property title documents
- Assume lease agreements



# DEAL TERMS: CORPORATE RELATIONSHIPS

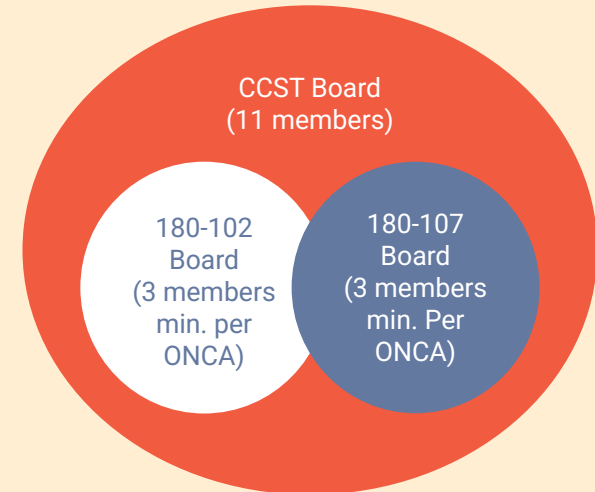
## Legal arrangement: 3 distinct entities

- Trusts isolated from each others financial risk



## Governance arrangement: 3 overlapping entities

- CCST is the single member of each 180 Corporation
- 180 Boards made up exclusively of CCST officers
- 180 Boards can have overlapping officers



# DUE DILIGENCE

- Area 1: Operational Considerations
- Area 2: Organizational Capacity & Labour
- Area 3: Financial Risk
- Area 4: Governance

# REFLECTIONS FROM TORONTO

*“Magical thinking... a ‘market-light’ approach, one that mirrored the commercial real-estate market minus obscene profits, would solve the problem.”*

*Caitlin Jones on the dissolution of BC Artscape*

# QUESTIONS OF IMPORTANCE:

1. When racialized artists are paid **28% less** than non-racialized artists, **who are cultural spaces for?**
2. When the average income for Indigenous artists is **32% less** than non-Indigenous artists, **who gets to make art?**
3. When most artists and culture makers rely on grants, philanthropy, & unpredictable revenue streams to operate, **who is actually able to secure their practice?**

## The Cultural CLT Challenge:

Making the economics of operating arts, performance, culture, & community spaces work for **who they need to serve**

## For those looking to acquire and preserve these spaces:

Financial realities incentivise a very risk averse & inherently conservative lens to be taken on investments & long-term business plans

If not managed thoughtfully, can reinforce issues of access

Practical & ideological questions help identify solutions to how we can best secure these vital spaces in our communities.

# SECTOR AND MARKET REALITIES

According to the [Ontario Non-Profit Network](#):

*Space is a growing issue for organizations*

**84%** saw increase in expenses

**71%** of nonprofits rent

**32%** don't have adequate space

According to [2024 Q2 Real Estate Market](#) data from Altus:

Commercial transactions continue to be slow

Lenders [remain conservative](#) around commercial acquisitions

# CITY OF TORONTO: POLICY CHALLENGES & OPPORTUNITIES

**Challenge:** Loss of Section 37 negotiating power = fewer opportunities for cultural space and smaller spaces being secured through growth

**Opportunities:** City of Toronto consulted 3600+ residents to preparing the [Action Plan](#) for Toronto's [Cultural Sector](#) (launching fall 2024). Development of new affordable cultural space will be a key outcome.

City of Toronto will develop a **Cultural Infrastructure Strategy** in 2025 with an asset map, needs assessment, and space targets.

## Survey Highlight:

### Funding Source

*Percentages indicate the portion of the participants who selected or agreed that specific response.*

**When asked, artists, cultural workers, and creatives shared that the top five ways they fund their practice, business, or organization are (participants were allowed to select all that applied):**

- Product sales or fee-for-service work (example: selling product or licensing rights to product, ticket sales, commissioned work, subscriptions) (48%)
- Provincial / Federal grants, loans, or equity investments (42%)
- City of Toronto / Toronto Arts Council grants (36%)
- Donations (31%)
- Funding from independent funding bodies (for example: The Bell Fund, Metcalf Foundation) or philanthropic organizations (25%)

# MEDIA & PUBLIC ENGAGEMENT

## Articles

[Establishing affordable creative spaces - Spacing Toronto](#)

[Cultural Land Trusts as an Emerging Solution to the Arts Space Crisis](#)

[Land Trusts: There are a myriad of challenges to acquiring property for the arts \(Spacing Issue 68\)](#)

## Panels

[The State of Preservation and Loss in the Arts and Cultural Sector PiP](#)

[Panel: Cultural Land Trusts for Affordable Arts and Cultural Space](#)

[Summary ARTISTS IN FLUX: Community, Space, Gentrification | Parkdale Residents Association](#)