# Independent Media Arts Alliance

# Media Arts Facilities Study and Resource Toolkit

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# **Table of Contents**

Context		7
Toolk	t Development Process	2
Media A	arts Sector Background	2
Motivat	ion for Making Space Changes	2
Identifi	ed Challenges in Finding Suitable Space	2
Potenti	al Support Resources	2
Where	is Success Currently Being Achieved	2
Real Estate Project Process		
Media Arts Case Studies		
Case S	2	
Toron	2	
Trinity Square Video (TSV)		
La Meduse		
VIVO		
Wapikoni		
PAVED Arts/AKA		
ArtsCo	purt	2
Summary of Learnings from Case Study Participants		
Tools and Resources		2
1.	Project Planning & Process Guides	2
2.	Business Planning Tools	2
3.	Finance and Capital Planning	2
4.	Property Management/Budgeting	2
5.	Space Planning	2
6.	Governance/Ownership Agreements	2
7.	Co-location/Shared Space Assessments	2
8.	Organizational Structure/Partnership Agreement	
9.	Facilities Leasing & Purchase	2
10.	External Expertise Resources	2
Real Est	tate Project Risk Analysis	2

Α	ppendices		2
	Appendix 1:	Case Study Framework Guide	2
	Appendix 2:	Initial Online Survey Outcomes	2
	Appendix 3:	Telephone Interview Feedback Summary	2
	Appendix 4:	Key Research Themes Summary	2

#### Context

The Independent Media Arts Alliance (IMAA) is the national organization that provides support, resources and advocacy for the media arts sector in Canada. IMAA has observed that one point of struggle for many media arts organizations in Canada is finding a suitable site, with appropriate facilities and amenities, to allow them to do the unique artistic and production work of the sector. Moreover, there are several examples of media arts organizations in Canada having gone through a process of identifying, creating and eventually moving into new space.

These moves have taken place under a wide variety of circumstances, however, each with its own individual financial and community supporters, and set of needs as an organization, or group of organizations. With a view to determining key determinants of success, and the set of conditions required for optimum viability of a facility acquisition, IMAA has developed this project to develop tools, examples and case histories from the sector as a capacity building tool for the media arts sector.

#### **Need for Supporting Resources for Media Arts Organizations**

For many Canadian media arts organizations, the challenges of securing and maintaining affordable and accessible space for the artists they serve are increasingly acute. The real estate pressures of major urban markets continue to intensify. Low-cost rental property in central neighbourhoods is scarce or extinct. Today's emerging groups, particularly those representing historically under-served communities, face much higher barriers to accessing space than did their forerunners of the 1980s, 1990s and 2000s. In order for media arts organizations and collectives to continue to support production and dissemination of artists' work, the sector as a whole must meet the central challenge of creating, maintaining and renewing sustainable media arts infrastructure that is accessible to the community.

The challenge of securing space necessitates a complex mix of skills, including finance and fundraising, project management, effective liaison with stakeholders and community partners, and technical expertise in construction, engineering and design. These highly specialized skill sets are not immediately available to most artist-run centre staff. Numerous independent media arts organizations and artist-run centres have successfully navigated this terrain in the past, resulting in an impressive range of facilities that serve as models across the country.

However, the personnel responsible for developing these projects often do not continue working at their organizations for the long term. Consequently, the expertise gained does not remain within the artist-run network and each new generation of cultural managers must begin the process anew.

At a meeting of the IMAA Pacific region in July 2016, organizations repeatedly raised the issue of affordable long-term access to production and dissemination facilities. The need is

particularly great in the major cities of the Lower Mainland and Victoria, which are facing ongoing acute real estate pressures, as well as for Indigenous-led media arts organizations, many of which have no office or production space whatsoever. Further, at a pan-Canadian gathering of IMAA's membership that same year, media arts representatives from across the country cited the many obstacles they face in their efforts to secure, renew, or expand production facilities and exhibition spaces.

#### Purpose and Goals of the Study & Toolkit Development

IMAA followed-up the anecdotal accounts of challenges in securing suitable and affordable space by gathering more comprehensive data through a survey of members and closely allied artist-run spaces. The results of this consultation resoundingly underscored the needs of organizations within the sector for increased security of tenure and support to take on major renovations, relocation or building purchases in which more than half of the organizations believe they will be engaged in the next 5 years.

Specifically, respondents cited the need for assistance in fundraising and financing, partnering and negotiating with developers and municipal partners, conceiving and realizing collective infrastructure projects, case studies of successful and less successful projects, mentorship, and best practices. A subsequent comprehensive literature review of existing resources in this area was conducted. From this review came the recommendation that IMAA commission the development of practical toolkits enabling organizations in the media arts community to manage and resolve their space issues.

There were several intended outcomes from the work of this project. During the process of documenting the case study examples, the organizations selected have been able to record their experiences and go through a process of reflection to elicit the key determinants of success. Any available document templates and resources were gathered for sharing as part of the greater sector real estate toolkit.

The body of knowledge assembled and organized over the course of the project will stand as an invaluable information resource for years to come. Independent media arts organizations and collectives, as well as others in the artist-run community, will gain access to a large array of resources including templates, best practices, case studies, and how-to manuals for fundraising, negotiating, partnering and collaborating. Understanding when and how to use the various resources is a major anticipated outcome, and the parallel creation of the case studies frames the timing and use of the template resources in a very practical way.

As a result of this project, media arts organizations will now be better equipped to conceive and carry out facilities development projects appropriate to their mandates. A central repository of resources and the links and connections to others in the sector who have walked the same path, will form a valuable set of tools and supports. This will empower organizations to better carry out their activities of serving artists in the media arts community and presenting media art works to the public.

# Toolkit Development Process

The process of developing the toolkit began with an environmental scan of the entire sector through the lens of space and facilities issues. This initial environmental scan was conducted by industry expert Tim Dallett, leveraging his nearly two decades of direct experience in a range of space and facilities projects for non-profit arts organizations. Having worked with organizations in four regions of the country (Atlantic, Québec, Ontario and Prairies) and with national service organizations, Tim also has experience initiating and successfully completing major capital projects for such centres as Gallery 101 and PAVED Arts.

This initial sector scan comprised an online survey and a telephone interview process to drill deeper in determining needs with several organizations which carry a deeper experience or more imminent need regarding space. The findings of this environmental scan are presented in the report.

Following this work, CapacityBuild Consulting was engaged to carry the project work forward. The next stage in the toolkit development process was a direct sector engagement at the national conference of media arts organizations. This was a significant opportunity to have many organizations in one place, and a workshop was hosted to further explore the questions of real estate, determine the stage various organizations are at and to gather feedback on the needed tools and resources for those considering a change in their location or facilities.

The next phase of the work was to identify and interview a limited number of organizations which have completed a facilities transition, or are currently in a situation that is unique, and or successful in securing suitable space. Seven organizations formed the core of this process and the information was catalogued and shaped into the case studies included in this report. Initial interview feedback was recorded and circulated back to each organization to ensure accuracy and appropriate reflection of their individual process.

Through these stages of the project CapacityBuild was able to identify key strategies, specific documents, planning tools, funding mechanisms, the role of political connectedness, and real estate savvy required to successfully complete specific real estate projects. A thorough drilldown was done to reveal the true underlying success factors, and to document the hurdles and challenges along the way, for others to be aware of and to hopefully mitigate or avoid altogether.

The next step of the project was to source sample and template documents which align with or address the identified needs. The wide range of documents identified covers many aspects of a real estate project from planning, early stage needs identification, through to partnership development, capital budgeting and project governance. The task was to synthesize and generalize the information generated throughout the process and present it in a form readily applicable to stakeholders planning or executing similar projects in the future: templates, best practices, case studies, and how-to manuals for fundraising, negotiating, partnering and collaborating. Through a combination of sample documents provided by some of the case study participants, and by drawing on the extensive background and resource pool

of CapacityBuild, a comprehensive selection of useful document templates and samples has been developed.

It is hoped that with some inspiration and guidance found within the case studies, together with practical tools and sample documentation, that a non-profit media arts organization will be better equipped to consider, and move through, a real estate project of their own, with a better understanding of the resources and processes available to them.

# Media Arts Sector Background

The media arts sector comprises the production, presentation, distribution of the full range of media arts in Canada. The term media arts applies to all forms of time-related or interactive artworks that are created by the recording of sounds, visual images, or through use of new technologies. These artworks are creative expressions and encompass the fields of film, audio, video and computer, digital, and electronic art.

Media art is exhibited everywhere from art galleries to movie theatres, on the web, in public space and even on cell phones. As technology progresses, artists are eager to use new tools to reflect the world around them. In the 1960's, video technology was introduced and since then media art has grown to include digital and electronic media. Independent means that the artist initiates and is the driving force behind the work and maintains complete creative control over the work.

#### **IMAA** Mandate

The Independent Media Arts Alliance (IMAA) is a member-driven non-profit national organization working to advance and strengthen the media arts community in Canada. Our 50+ members are a diverse constituency, ranging from emerging artist collectives to established organizations, spread across all ten provinces and all but one territory. The combined memberships & clienteles of these groups amount to a community of over 15,000 individuals.

The IMAA believes that independent film, video, audio and new media are valuable and vital forms of expression of our respective cultures, which can uncover the prevailing illusions and expose the formulas that underlie the vast majority of commercial and institutional messages.

With primary aims to support communication within the sector, develop links to further build the media arts community, and support advocacy in the sector, IMAA works towards the following goals:

- 1. Nurture and strengthen the independent media arts field
- 2. A comprehensive suite of services and resources for media arts organizations and practitioners
- 3. Forging international links to create new opportunities

- 4. A relationship with public funders based on dialogue, trust, and transparency
- 5. Advancing on advocacy dossiers of relevance to the media arts
- 6. Develop IMAA's organizational and membership structure to better fulfil our mandate
- 7. Comply with Canada Council's requirement that IMAA dramatically diversify its funding sources

As the national umbrella organization for the Canadian independent media arts sector, IMAA intends to play a key role in creating, safeguarding and further developing resources which support access to and development of suitable space for media arts organizations in Canada. This toolkit of information and resources, will be maintained and made available to the media arts community. This project was designed to work through a process of documenting, assembling and organizing many examples and specific tools within this body of collective knowledge.

# **Motivation for Making Space Changes**

In developing a range of resources to support the real estate planning and decision making process for media arts organizations, part of the research was to develop a more fulsome understanding of the reasons and motivations for making changes to current space arrangements. Through the survey feedback, participant workshop and case study investigations, the following elements were expressed as the most prominent factors in driving the need for space changes:

- Organizational growth/expansion
  - Not having a current space
  - o Opportunity to purchase a building you've been in a long time
  - o Need for improved space
  - o To support a community arts gathering space
  - o Lack of presentation space
  - o Bringing split locations into one place difficult to manage and coordinate
- Increasing costs of space
  - o Local development changes gentrification/rising rent
  - o Property tax increases
  - o Loss of tax breaks or funding
- Access to the space
  - o Poor accessibility
  - o Safety, back alley/unsafe neighbourhood
  - o Aging facilities and ability to support current practices
  - o The cost of major renovations (such as an elevator)
  - o Lack of community presence

- Governance/organizational changes
  - Dissolution of partnerships
  - o Staff/board turnover changing organizational priorities
  - o Opportunity for ownership to increases organizational autonomy/control
  - o Opportunity to increase long term organizational stability and sustainability through a purchase transaction
  - o Other tenants in a building causing a need to separate away
- Funding changes
  - o Gaining access to equity and/or capital
  - o Financial success more resources available to create a better workspace
  - o Ownership can improve access to capital funding

# Identified Challenges in Finding Suitable Space

Having come to the conclusion that a change is needed in the space currently available or being used, media arts organizations face a range of challenges to move through the process of visioning, planning and securing a new space. To better articulate the challenges which exist for the sector, project research was conducted through several different channels, including an online survey of media arts organizations, telephone interviews with select organizations, and an in-person workshop session.

Summary charts of the feedback received are contained in a series of appendices to the report, which include: Online Survey (Appendix 2), Telephone Interviews (Appendix 3) and a summary of Key Research Themes Opportunities and Challenges (Appendix 4). The outcomes from these research activities, together with feedback from the workshop session, are incorporated in the notes below.

#### Resources and Skill Sets

- Lack of examples and mentorship
- Need information on how to conceptualize and develop facility projects
- Resources to develop a collective infrastructure of multiple organizations
- The need for sector shared resources on real estate projects
- Access to case studies about real estate success stories
- Lack of knowledge of financing and funding options (both capital and operating)
- Awareness of best practice in capital projects
- Understanding of innovative ways to afford higher facility operating expenses
- Need to connect with other organizations experiencing the same issues to share strategies and solutions
- Access to specialized resources

- Internal organization resources are inadequate to handle the requirements of a complex real estate project
- Weak network between media arts organizations and those who have been successful in obtaining suitable space

#### **Real Estate Development Process**

- Limited knowledge of the development process
- Long project timelines and slow pace of City and government
- Lengthy transition periods (paying double rent while renovations are being done)
- Zoning constraints reduces flexibility in real estate choices
- Increasing costs for property tax and real estate acquisition
- The need to locate away from primary community for affordability
- Taxes imposed based on "highest and best use" of a property rather than actual use

# **Access to Capital**

- Current low rent holds us in place difficult to motivate for change
- Evidence based needs analysis to present to funders
- Need for national advocacy to support access to capital grants for small organizations
- Lack of subsidies for leasehold improvement investment (ie: to improve HVAC system)
- Access to funding for operational expenses to run larger spaces
- Need a lobby to support access to suitable funding or to identify donor channels
- Information needed on available subsidies to space improvements
- Money to sustain existing spaces, not just for new spaces
- Piecemeal funding prolongs renovation and space transition stresses
- Negotiating a suitable amenity space arrangement with a developer
- Imbalance of knowledge/power when negotiating with private developers/government

#### **Government Environment**

- Challenges in working with the City
- Having inappropriate operating models imposed upon you
- Government reluctant to have arts organizations own the projects
- Lack of government provided or subsidy to suitable space
- Need for advocacy for funding support from government to support arts infrastructure
- No existence of a specifically "Indigenous" media arts production centre

# **Potential Support Resources**

Given the challenges identified through the research, and a wide range of suggested resources that would be useful to media arts organizations considering a change to their current space, the following listing of potential useful resources was identified. These resource suggestions formed the basis for the resource toolkit template and sample documents referenced later in this report. The headings provided to group similar resources within the same grouping. Often a resource directed to one particular topic area will address more than one related question.

#### **Project Planning**

- Information on business plans, project planning and management
- Internal: staff and project lead
- Sample Feasibility Studies
- Business plans and Planning documents
- Project management plans/schedule templates
- Other project management/planning docs
  - o process mapping/road mapping
  - o needs assessments
  - o feasibility studies
  - o business planning

### Financing and Funding

- Access to Capital
- Financing information
  - o grant information
  - o grant applications (DCH CSC etc.)
  - o renovation project budgets
- Financial planning templates
  - o budgets/costing projections
  - o financing terms/conditions
  - o project vs operating budgets
- Funding resources documents
- Guidance on navigating the Heritage Grant
- Alternative financing/development models
  - o Information about mortgage financing (including negotiations)
  - o background information about mortgage financing conditions before starting negotiations with a bank

#### **Space Planning**

- Facility concept documents (lists of requirements, square footage calculations, building programs)
- Drawings, architectural plans, technical specifications, facility planning documents
- Innovative models for sharing space and maximizing the use of expensive space

#### **Governance and Partnerships**

- Governance documents, article of incorporation (relating to property management)
- Sample policy documents
- Joint venture agreement template
- Partnership assessment
- Partnership/MOU/co-sharing documents
- Insurance information
- Additional information on space sharing and partnerships

#### Government

- Political cycle (funding and real estate)
- Amenity and density bonusing arrangements (ie: Toronto Section 37, Vancouver Community Amenity Contribution)
- Property assessment and valuation (re: property tax projections)
- Property and other tax calculations
- Resources on how other municipalities deal with property tax

#### **External Resources**

- Some organizations felt they did not have the internal capacity and focus to initiate a new facility project on its own without some kind of external support
- Access to external expertise:
  - o A guide to engaging consultants
  - o List of trusted consultants
  - o How to pick a good consultant
  - o Referral channels (who has used them before)
  - Potentially a shared consultant
  - o Where do you get the money to pay consultants
  - o Contracts with consultants (architects, project manager, technical consultants)
  - o Contract templates

#### Real Estate Development

- Development agreement (with private developers, public partners etc.)
- Securing a suitable site for a facility
- Process map (road map) of the development process
  - o Steps in a development project process (even if all did not apply)
  - o Worksheets for different steps/calculations in a development process
  - o An orientation to what is involved in developing a space in order to have a better understanding of the process.
  - o Information on how to conceptualize and develop facility projects
- Pro forma for developing projects (i.e., financial pro forma that is not complicated)

#### Facilities Leasing and Purchasing

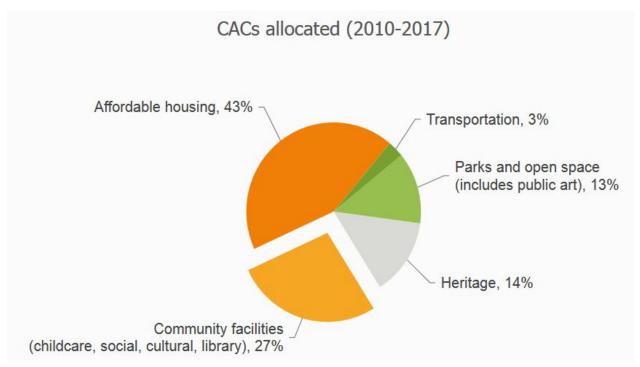
- Lease templates
- Lease agreements
- A toolkit for commercial tenants commercial lease primer

# Where is Success Currently Being Achieved

Throughout the interviews and sector research, there are a significant number of successful examples of independent media arts organizations achieving a relocation or significant renovation to change or improve their space for operations. A few of the driving principles which organizations felt were critical components of their own success are outlined below.

# Situations that are perceived as "Working":

- Joint spaces or arts hubs (ie: Meduse in Arts Hub), diversity of organizations located in proximity to each other
- Location of the site is very important must be well located
- Capacity for earned revenue organizations need to increase their funding independence
- Having a project management organization that deals with all real estate related issues on behalf of arts tenants
- Purpose-built spaces (really for programming and production) were perceived as meeting the needs of the occupants better
  - o however, a few questions arose around purpose-built space:
  - o if you purpose-build, by the time you move in your needs may have changed and the space can be outdated (7 years later for example)
  - interesting to hear about purpose-built spaces but often the operating program gets built out of the existing space, with a result of the programming becoming tied to that specific space
  - o if a move then occurs, it can disrupt operations as well as confuse the identity of the organization
- Density Bonus credit or Community Amenity Contributions (CAC) of space in new developments (see chart which follows):
  - o For the City of Vancouver, from 2010 to 2017, CAC's have been allocated through Council to a range of public benefits. We note that cultural purposes is one component of overall Community facilities, and therefore limited in its potential for allocation of newly developed space. However, when arts organizations can mount a compelling proposal for this component of community development, access to the space can be acquired at nominal lease rates.



Source: City of Vancouver: Community Benefits from Development Report - June 2019

# **Principles for Success:**

- Partnerships with non-arts organizations
  - Greater trust amongst partners increases success, internally and externally (multiple organizations)
- Visibility
- Specialized funding
- Long term planning
- Incremental efforts over time
- Risk taking
- Accessibility
- Property tax abatement strategies
- Working with consultants to do the studies: architecture, needs, government conversations: they help with things!

# **Real Estate Project Process**

A significant area of question and curiosity for many media arts organizations was to gain a greater appreciation for the process of working through a real estate transaction. Many media arts organizations are guided by senior staff and Boards of Directors made up of individuals with a connection to the arts sector, and experience with arts projects and operations, however they are often much less familiar with real estate related projects.

There is a need for support to assist these organizations in knowing how best to conceptualize, define and carry out a project to identify and move to new space. In the case study examples, there is often a lengthy process of initial work to bring people and organizations together, to chart out what the needs are around space, and to spend a significant commitment of time to the project planning stages. Several sections of the Resources Toolkit are devoted to elements of the planning process: Project planning, business planning, financial planning, space planning, as well as for tools to assist with forming constructive partnerships and establishing appropriate governance around a real estate project.

In the simplified graphic below, we see the first 4 steps in this high level process flow devoted to planning activities. Feedback from organizations which have successfully gone through a real estate project confirm the importance of these early stages in the process. It is worthwhile for an organization anticipating a real estate change to fully grasp the difference between a feasibility study and a business plan, for example.



The use of external consultants is frequently mentioned as an important resource when it comes to real estate projects. While not necessarily the "silver bullet" of success in a project, helpful consultants can bring external knowledge and experience to the process to assist an organization, or group of organizations to organize themselves, clarify the core concept and work through a process of testing at a high level whether it can work (feasibility). Armed with this knowledge and feedback, the planning team can determine whether a well fleshed-out process of putting together a more targeted operating framework is warranted (business plan).

The process of developing a solid business plan serves the organization in two important ways:

- 1. Provides proof and a framework that the project can be successful (financially and operationally)
- 2. Provides evidence to others outside the project team (bankers, funders, real estate professionals) that the project can work, and how it will work

A second example of the real estate development process is provided below. Not surprisingly, it very closely mirrors the previous sequencing of process stages. Rough timelines are also provided which is helpful in understanding how the process moves over the life of the project.

# **Development Process**

The Idea	Concept Feasibility	Business Plan	Pre- Development	Construction	Operations
1-3 Months  Activities:  - Clarity on Mission - Identify need or opportunity - Evaluate internal capacity (Staff & Board) - Articulate Project Vision	3-6 Months  Activities:  • Analyze & quantify the need & demand  • Explore potential partnerships  • Identify key financial limitations  • Identify approvals required & associated internal governance processes  • Initial financial analysis	3-6 Months  Activities:  Complete due diligence on site/building for purchase  Prepare cash flow analysis, proforma & prelim financing terms  Have schematic design completed Identify and agree partnerships  Identify development team and all required professionals	4-12 Months  Activities:  • Finalize design and full architectural drawings  • Select builder or construction manager  • Obtain permits  • Complete operations plan and budget  • Finalise construction financing  • Obtain various preliminary takeout financing terms  • Negotiate with commercial tenants and/ or start	12-24 Months  Activities:  Observe Construction  Monitor technical and cost reports  Communicate with builder and community  Finalize leases and/or continue marketing and sales	Lifetime of Asset  Activities:  Complete testing & commissioning of all building systems Perform or contract property maintenance Monitor capital expenditures and building lifecycle and reserve accordingly Communicate with tenants

Depending on whether your project involves a simple in-place renovation, a move to existing space or a wholesale real estate development project, the steps are similar, however the timing at each stage will vary considerably. One thing is clear, inadequate attention paid to the early stages of a real estate project will create problems further along the process.

#### Media Arts Case Studies

# Case Study Process Overview

One excellent way to learn about how a real estate project can work is to study other successful projects (or sometimes not-so-successful projects) to understand what the various project stages look like and to see how they can play out. In an effort to provide this important backdrop to the Resources Toolkit, a process of selection of organizational examples was undertaken to be highlighted in a series of case study reports.

The selection included a range of criteria, with the goal of identifying sample projects highlighting different types of project examples:

- Tenure type (ie: own or lease)
- Project scope
- Level of Partnering
- Indigenous influence
- Size of the surrounding community
- Regions across Canada

While the initial goal was to identify 5 projects of varied size, scope and location, in order to capture the significant range of project attributes in the end 7 case studies were developed.

In-depth interviews were conducted with each case study participant, according to the Case Study Framework Guide set of questions included as Appendix 1. Questions were directed to the current representative of the organization, but in many cases that individual was not present at the outset of the project. During the interview, any resource documents, planning guides or contract templates related to the project were identified. The feedback was recorded and circulated back to the interviewee for confirmation and validation.

The format for the case studies is intentionally tight, in order to capture the essence of the situation quickly in an initial review. Case study participants have universally indicated that they can be available to share more specific information if a specific situation appears to align with an emerging real estate project plan. Included in this report is the final case study document for each situation.

# Toronto Media Arts Centre

**Organization:** Toronto Media Arts Centre (TMAC)

**Interviewee:** Henry Faber, President General Manager

Date of Interview: August 20th, 2018

**Extract:** 

TMAC is located in Toronto. TMAC underwent a 10-year process, which began in 2009, to allow TMAC to move into a purpose-built 38,000 sq.ft facility in March 2018. A changing coalition of non-profit arts organizations has been led by Henry Faber & Jeanie Robinson through a 10 year development process and more recently a three-year legal standoff with the city over the right to occupy a 38,000-square-foot purpose-built space. TMAC's new space was promised to be built into the lower three floors of a condo high rise by developer Urbancorp to satisfy a city development charge for "community benefit". In 2015 Urbancorp did not complete the building on time, triggering a clause in the contract that would revert the space to city ownership. On the deadline day, the city took possession of the space and TMAC sued. Shortly afterward, Urbancorp went bankrupt. TMAC continued to work with the City of Toronto to occupy the building and TMAC moved into an unfinished building in March 2018. 1 year later, TMAC secures sponsorships totaling \$2.285 million and celebrated the 1-year anniversary of moving into their space, and launched their second year of artistic and community programming. Key takeaways from TMAC's 10-year process include the significance of acknowledging unfair partnerships between community arts organizations and large developer corporations and developing a solid framework to create a non-transactional relationship with local government. Further, general project management must be well set-up if various organizations are working together.

# Space

Challenge:

In Toronto's downtown core there was a shrinking availability of space and arts communities were being 'renovicted'. In the 90s, there was a study completed that said there wasn't going to be spaces available for arts organizations. There was a strong motivation from the arts community to do something about this, which was led by Henry Faber & Jeanie Robinson through a 10 year development process.

Project:

TMAC underwent a 10-year project that involved negotiating access to their new space and new-site construction that involved significant effort to attain what was promoted from the Developer and the city of Toronto.

#### Organization

#### Details:

TMAC is managed by a board of directors composed of one representative from each member organization, and two community stakeholders representing the local neighborhood and the broader Toronto media arts community. Initially, 8 organizations formed the TMAC charity. TMAC currently has no staff and is 100% volunteer-run. The total area of facilities occupied by TMAC is 38,000 sq.ft.

#### **Process:**

- 1994 TMAC's precursor, the Cultural Arts Centre Toronto (CACTI), commissions feasibility study (PDF).
- 2003 TMAC formed to secure permanent affordable space for media arts nonprofits
- 2005 TMAC commissions needs assessment for shared facility
- 2011 TMAC and Urbancorp sign a letter of intent
- 2012-2015 TMAC designs the facility, investing close to \$1m in public funds and thousands of volunteer hours into overseeing the build
- 2012 Urbancorp and the City enter into <u>Section 37 agreement</u> (PDF) subject to a <u>land</u> <u>use agreement</u> (PDF)
- 2014 Urbancorp, TMAC and the City finalize Agreement of Purchase and Sale (PDF)
- April 2015 City directs Urbancorp not to complete sale, despite facility being substantially completed for occupancy and subsequently registered
- May 3, 2015 TMAC tenders closing deliveries; Urbancorp refuses to complete the transaction
- May 28, 2015 TMAC files a statement of claim against Urbancorp and the City of Toronto for specific performance of the APS, requiring Urbancorp to complete the sale
- June 2015 City holds a public consultation, signalling its intent to move forward with an RFP process, despite a legal action by TMAC asserting its rights to the space
- October 2015 December 2017 Mediation begins, and all parties engage in a negotiation process
- April 2016 <u>Urbancorp files for restructuring under bankruptcy act</u>
- November 2017 The City blocks our proposal for temporary occupancy of the space to provide relief to our member organizations with expiring leases - despite granting Urbancorp permission to use it as an office. More info
- December 2017 TMAC files motion for an injunction for temporary occupancy of the space while we continue negotiating the settlement. Court date set for Jan. 17, 2018.
   More info
- **February 2018** TMAC and the City of Toronto sign a settlement agreement intended to resolve the legal dispute over the TMAC space at 36 Lisgar.
- May 2018 The City of Toronto proposes (and TMAC accepts) a 6-month extension to the deadline in the MoS, as the City does not control the timeline for the conveyance of title.

- **November 2018** Consent to sever the "Additional Arts & Culture Space" from TMAC is granted by the committee of adjustment and no appeal is filed by the deadline.
- March 2019 TMAC secures sponsorships totaling \$2.285 million, fulfilling its obligations under the terms of the Minutes of Settlement.

We also celebrated the 1-year anniversary of moving into our space, and launched our second year of artistic and community programming.

#### Partnerships:

#### o Stakeholders involved

- City of Toronto elected officials
- · City of Toronto department call "Culture & Economic Development"
- Developer (Urbancorp)
- TMAC (8 organizations initially changed over time)
- Consultant (Henry)

#### o Partnership types

- Peer organizations
  - 8 organizations from TMAC that incorporated and became a charitable entity

#### Outcome:

- Moved into a purpose-built 38,000 sq.ft facility in March 2018
- Achieved a license to occupy the space
- Pay a subsidized lease at \$24/sq.ft
- issues (subsequent to this interview with TMAC) with the developer and the City of Toronto have become much worse with the City moving to declare TMAC as not a relevant community service organization and to evict TMAC from the space

#### **Project Risks:**

#### a. Anticipated risks

 Capacity of organizations to organize—organizations are not equipped to deal with a multinational company and the city of Toronto. These skills must come from within.

#### b. Un-anticipated risks

i. Length of time

- ii. Amount of work
- iii. Unfair partnerships with the Developer & the City of Toronto
- iv. Working with a developer who didn't know how to build media production spaces

#### c. Risk mitigation strategies used

i. Need to keep a scorecard of events along the way

#### Key Learnings:

- 1. Acknowledging unfair partnerships between community arts organizations and large developer corporations
- 2. Develop a very solid framework to create a non-transactional relationship. City of Toronto sees us as a "transaction"
  - i. re-framing the community benefit aspect
  - ii. transparent reporting by all parties ensure there is a strong communication tool in place and a strong appetite for digital literacy. Make everything accessible and shareable. You need to have designated people lead the "digital strategy". For example:
    - 1. Digital literacy: Google drive
    - 2. Project Management: Basecamp
    - 3. Communication: Slack
    - 4. Media messaging: bringing the community together
  - iii. a "champion" needed on all sides
- 3. Develop a collaborative governance model so that organizations can work together in a smart way. It's important to build a governance structure early on (i.e., code of conduct)
- 4. Ensure General Project Management is set-up (i.e., 'Roles and Responsibilities' are made clear, daily or weekly check-ins are set, etc)
- 5. Develop a shared-services agreement early-on
- 6. Consultants:
  - i. Often not worthwhile
  - ii. Usually required by the City of others
  - iii. Each consultant has his own idea of how to remedy a situation

# Trinity Square Video (TSV)

**Organization:** Trinity Square Video (TSV)

**Interviewee:** David Plant, *Executive Director* 

Date of Interview: April 9th, 2019

Extract:

TSV is located in downtown Toronto in the 401 Richmond Arts Building, which is home to 137 arts and not-for-profit organizations. TSV succeeded in securing space for media artists, as one of Canada's first artist-run centres and oldest media arts centre, through strong advocacy to address increase in property taxes that affected operation costs for not-for-profit creative organizations operating in 401 Richmond. In 18 months, a Tenant Steering Committee created a new tax class that is specific to creative uses for organizations in Ontario. A key learning from TSV's process is that they had a supportive property owner and a supportive elected representative that were committed to supporting the arts in the long term. Without having the support of the legislature they would have seen no change and artist-based organizations would be left to struggle with the realities of operating a not-for-profit amidst escalating land values, which leads to forced eviction and redevelopment in favor of condominiums.

Tavor of Condominiums.

Space

Challenge:

With the Toronto real estate market spiraling "out of control" and the cost of space increasingly out of reach for non-profits, gentrification of sites forced TSV into 5 premises moves. TSV was strongly motivated to find suitable, secure and affordable space to support their organization and other artist-based organizations that occupied a space in the 401 Richmond Arts Building.

Project:

Strong advocacy work was utilized to address increases in property taxes that affected operation costs for not-for-profit creative organizations operating in downtown Toronto. A Tenant Steering Committee was formed with the 6-7 organizations who were particularly affected by the increase in property taxes. Through the committee's strong communication utilizing social media, letters, and campaigns, the committee was successful in the creation of a new tax class that is specific to creative uses for organizations in Ontario in 18 months.

#### Organization

Details:

Trinity Square Video is located in downtown Toronto within the 401 Richmond Arts Building, alongside 137 organizations and nonprofits that occupy the building. TSV occupies 1300 square feet that includes a gallery, office, workshop space and a production centre. TSV's annual budget is \$450,000.

There are 5 Full-Time staff and 1 Part-Time staff. TSV has a subsidized lease from the landlord, alongside city rebates. This applies to other organizations in the building as well and depending on the tenant status, different rents apply to different units. Each organization pays according to how much square footage they occupy. TSV is on a 5 year renewable lease with rate escalation over time. TSV pays \$8000 in rent per year, but because they are a charity they get a 40% rebate from the city. Rent is \$23-\$24 per sq. ft compared to \$150-\$175/sq.ft market rate.

#### **Process:**

- 2012-cost of rent increased & operating organization, therefore, increased
- 2014 conversations begun with Board of Directors
- 2015 TSV received a capital grant by the Trillium Foundation to improve the space so they were locked-in
- In Jan. 2015 TSV got a notification that their property taxes were to go up 2-3 times
- Formed a Tenant Steering Committee with the 6-7 organizations who were particularly affected by the increase in property taxes. They sent letters to organizations in the building and asked them to support us and write letters to local representatives.
- The Committee generated lots of support through Social Media. Led a strong letter writing campaign (2 waves 1 for awareness and 1 when the City proposed the amendment to the Province) that underlined the importance of keeping creative space affordable and available in the downtown core. Over 1000 letters received
- Early 2018 new Tax Class was passed at the Provincial level

#### Partnerships:

#### o Stakeholders involved

- Tenant Steering Committee
- Property Owner
- Municipal and Provincial elected officials

#### o Partnership types

- Peer organizations other tenants in the building primarily arts organizations leasing space for studio work
- Created an organization Friends of the Visual Arts Artscape, Urban
   Space (consultant), arts supporters

#### Outcome:

In 2018, A new Tax Class was created for organizations specific to creative non-profit uses for the Province of Ontario to support organizations pay for reduced property taxes. They calculated that there were about 15 properties in

the Toronto area that would qualify because multiple organizations shared space, but it left those organizations who were the only tenants in their building holding the bag. The total cost to the provincial revenues was \$1 - 2 million, so it wasn't a huge hit. Fortunately, Toronto City Council unanimously adopted the recommendation to amend the Provincial Tax Act to add this new classification which made it easier for the Province to adopt. The good news is that because it is provincial legislation, now any municipality in Ontario that has a 'creative cluster' can use this tax classification to reduce or exempt the taxes on that space. Requirements (over 10,000 sq ft, 5 or more creative/arts industry activities).

#### **Project Risks:**

#### a. Risk mitigation strategies used

- i. Risk of project losing momentum steering committee to keep it alive
- ii. Focusing on the wrong element of change (injustice vs. actionable items)

#### b. Access to sources of funding

- i. Grants
  - · Capital Grants to improve the space

#### c. Access to other resources

- i. Internal expertise: Formed a Committee between the organization to drive the process (met every 6-8 weeks)
- ii. External consultants
  - **a.** Tax Lawyer
- iii. Unique partnerships
  - a. Supportive property owners
  - b. Supportive elected-representative

#### Key Learnings:

- 1. Without a supportive property owner and without a supportive elected-representative, it's a non-starter. Without having the support of the legislature there is no change
- 2. Argue for the best possible outcome actionable items rather than arguing for the injustice of the situation requested for a change in the act and not a change to the law—this was key! Changing the act is "easier" than changing the law. Having people on the committee that have City experience that understand the process
- 3. Knowing that people (thousands of supporters across the sector) can effect change if you are prepared to put the effort in—it took 18 months don't underestimate the strength of social media and public interest
- 4. Form a Steering Committee who is committed to drive the process forward and meet regularly (to keep the "fire lit" on the process) meeting every 6 8 weeks

#### La Meduse

Organization: Méduse, coopérative de producteurs et diffuseurs artistiques, culturels et

communautaires

Interviewee(s): Julie C. Paradis, General Manager Avatar and Caroline Salaün, Executive

Director of Méduse

Date of Interview: April 2<sup>nd</sup>, 2019

Extract:

Méduse came together around a political time when "neighborhood revitalization" was a key political platform to improving the landscape of Quebec City. The local government at the time believed that Artists could support "revitalization" processes. Méduse was accepted as a model by the city and the province because the organization had a vision for revitalization and improvement of the neighborhood by working with artists and institutions that supported visual arts programs. At the time of Méduse's formation, they were setting up in a "rough" neighborhood and became the force to drive community-led change in order to improve the area. Méduse also wanted to preserve the historical character of the building they were moving into and not demolish it for a new building. Méduse negotiated a 30-year lease from 1994-2024 with the city to move into a historical 4000 square meter building downtown. The lease was renewed in 2014 until 2044. The lease with the city is +/-\$2000 per year, but each organization pays \$11 per square meter + internet, and each organization pays according to how much space they utilize. This amount also includes co-op services and building maintenance costs. A key learning from Méduse access to the space process is that political timing is key. At the time when Méduse was forming, the Mayor, Jean-Paul Lallier, was very "pro-culture". Méduse aligned themselves with the local political agenda to gain political commitment.

#### Space

Challenge: Méduse was the idea of a few artists run centers who were already in activity in Saint Roch area. These organizations rented precarious premises and wanted to deal with the changing market. As a result, Méduse took on a large and ambitious real estate project with other arts-based organizations to secure arts and culture space in Quebec City, while also forming a cooperative model.

<sup>&</sup>lt;sup>1</sup> Saint Roch was the downtown of Quebec City (50-60's). In the late 80's it has become a wicked and helpless area with a bad image so The City developed a program to acquire homes for artists (80's) to retain them and avoid gentrification on the northern part. It was part of a big urban project to revitalize the neighbourhood which would develop around the following axes: culture, art, education and new technology.

Project:

Méduse negotiated a lease with the city to move into a historical 4000 square meter (42,000 sq ft) building downtown. The lease with the city is \$2000 per year, but each organization pays \$11 per square meter + internet, and each organization pays according to how much space they utilize.

#### Organization

**Details:** 

10 Organizations formed a co-op to own the building, but the city of Quebec owns the land. The Co-op is responsible for the building, equipment, renovations/repairs, fund development, and communications. Méduse has 60 core staff (2-10 staff in each organization). There are 3 Employees of the Co-op: Communications, Maintenance, and an Executive Director. Méduse occupies 9 contiguous buildings across 6 floors. The 42,000 sq ft facility includes exhibition space, audio recording space, film/video studio space, equipment rental, woodworking shop, metal shop, black box theatre for rehearsal and presentation, small theatre (150 people), large theatre (300 people), and overnight rooms for artist residences.

#### **Process:**

- Opened in 1995
- Political timing was very important since the year of 1995 was also a time when the Mayor was very "Pro-culture" and believed in the vision of Méduse and the revitalization of that part of the City
- Went through a period of significant renovations
  - o a 6 year process to organize, plan, get funding
  - o needed to move out for a period
  - o result of a period of lack of vision
  - during planning period costs change, org needs change, renovations become more significant
- New renovations will start this year

#### Partnerships:

#### a. Stakeholders involved

- i. Local Government
- ii. 10 NFP Arts and Culture organizations

#### b. Partnership types

- i. 10 Nonprofit Arts and Culture organizations came together to form the
- ii. Lots of collaboration opportunities amongst the resident organizations

#### Outcome:

- Méduse formed a co-op between 10 Nonprofit Arts and Culture organizations. Together the co-op owns and manages the building. The Municipal government owns the land
- Subsidized lease by the City
  - Lease with the city is almost no costs, but each organization pays some form of rent to the co-op which goes to building maintenance (\$11 per square meter (i.e., \$1/sq/ft)
  - Méduse Co-op has a 20 year lease on the land
  - Méduse Co-op has a small lease to pay to the city: \$2000/year
- The co-op uses the value of the building to make building improvements
- Each organization pays for their portion of space which goes towards maintenance of the building
- Méduse does not receive grants for its operations

#### **Project Risks:**

- a. Anticipated risks
  - Collaborating with 10 organizations
- b. Un-anticipated risks
  - Length of time it takes to make decision in the co-op (i.e., governance issues)
- c. Risk mitigation strategies used
  - Organizations are driven to work together because they share the value of collaboration, which adds to the strength of the co-op over time
  - Organizations are driven to be a part of the co-op model because space is very affordable

#### Key Learnings:

- Political timing is key. At the time when Méduse was forming, the Mayor was very "pro-culture". Need to align with a goal of the City to gain political commitment.
- · Renovation—bear in mind timeframe to organize, fundraise and complete
- Vision for space is key
- Location is very important near universities, artists, central to the City
- Benefits of a longer-term lease for space (5 years) allows for planning and organization stability
- · Important to know how to manage a building and plan maintenance and repairs as well as to know how to work with non-profit organizations

#### VIVO

Organization: VIVO (Video in Video Out) Media Arts Centre

Interviewee(s): Julie Aoki, General Manager

Date of Interview: March 29th, 2019

Extract:

VIVO is located in Vancouver, British Columbia. VIVO'S quest for space has been decades in the making. The organization is 45 years old and they have been looking for appropriate space since the beginning. VIVO left their Mount Pleasant location in 2014 with gentrification impacting the neighborhood and no new affordable space was available to move into. The City of Vancouver supported VIVO to find a new location in East Vancouver, which made the moving process smoother. However, several difficulties arose navigating renovations meeting all permits and City building code and by-law interpretation in the new 7000 sq.ft space. The renovation process was tedious and time consuming but was eventually completed. As well, VIVO was also was part of a multi-partner project to secure space through a Community Amenity Contribution with Pl 1422. Total CAC was for \$3.6M. PL 1422 and VIVO applied separately, but the jury suggested they apply together. They have yet to find the right project to deploy the funding granted. Key takeaways from VIVO's major renovation project includes paying attention to construction and trades by equipping the organization and the Board of Directors with someone who understands the language of renovations and construction. As well, having a positive contact at the City (concierge) who can support and/or be an advocate or ally is absolutely key.

#### Space

Challenge: Lease in Mount Pleasant location was up and not going to be renewed. Mount Pleasant was experiencing a strong neighborhood shift. With gentrification impacting the neighborhood and no space available, VIVO had to find new space. This was a moment when people were talking about this shift and gave VIVO an opportunity to talk to the city to do something about it.

Project:

VIVO underwent a major renovation of 250k to move into their new 7000 sq.ft space. VIVO was also was part of a multi-partner project to secure space through a Community Amenity Contribution with Pl 1422. Total CAC was for \$3.6M. PL 1422 and VIVO applied separately, but the jury suggested they apply together and they have yet to find the right project to deploy the funding granted.

#### Organization

#### Details:

VIVO has a total annual budget of 600K. They have 3 Full-Time staff, 3 positions that are 1-2 days/week and 5 positions that are 3 days/week. They occupy 7000 sq.ft, which includes office area at the front, boardroom for members to work in, large studio (2000 sq.ft), screening room (1000 sq.ft), equipment storage room, multi-purpose room, classroom and an archive (1000 sq.ft) for tapes, print material and work stations. VIVO's organization is comprised of 5 components: 1) An archive (collecting media artwork, library to the media arts community) 2) Distribution of media works 3) Educational programs, including Adult education and Media arts specific education 4) Production support, including access to equipment and access to the facility (studio gets used for education programming as well as producing) 5) Public curated programs, including installation and sound

#### Process:

- Things moved very quick—secured the current location in 2014, same year their lease was up in Mount Pleasant
- With the city facilitating the move into the new space, the move went really well
- Renovations was a long and time-consuming process to retrofit the new space to suite the organization's needs

#### Partnerships:

#### a. Stakeholders involved

- i. City of Vancouver
  - Real Estate Services
  - Arts & Culture Department
- ii. Engineering Consulting Firm

#### b. Partnership types

- i. Government
  - Relationship with Arts & Culture Department at the City

#### Outcome:

- Retrofitted space to suit organization needs
- Negotiated a subsidized Lease with the City of Vancouver. CoV Cultural Services negotiated this lease to \$11 sq/ft. for 5 years with an option to renew, but not at the same rate. New rate will most likely be \$13 sq/ft.

#### **Project Risks:**

- a. Anticipated risks
  - i. Dealing with Real Estate Services
  - ii. Dealing with the Architect & Engineering Consultant

#### b. Un-anticipated risks

- i. Long and frustrating renovation process
- ii. Contracting an Architect & Engineering Consultant that was not a trusted contractor
- c. Risk mitigation strategies used/Access to sources of funding
  - i. Grants
- Renovation grants received through Canadian Heritage Cultural
   Spaces Fund, BC Arts Council & CoV infrastructure grants
- · Gaming grants used for educational funds

# **Key Learnings:**

- 1. Pay attention to construction and trades, equip yourself with the language of renovations or have a professional on your Board who can support with this process
- 2. Be aware of ill-conceived partnerships. Partnerships need to be self-developed and not imposed by other people.
- 3. Maintain strong positive relationship with the City
- 4. Have a positive contact at the City (concierge) who can support and/or be an advocate or ally. This relationship needs to be continuously nurtured.
- 5. Board expertise is important Board should have 50% + 1 artists members on the Board

# Wapikoni

Organization: Wapikoni

**Interviewee(s):** Odile Joannette, *Executive Director* 

Date of Interview: May 16th, 2019

**Extract:** Wapikoni is part of a \$70 Million Infrastructure Project, which will likely be

based in Old Montreal in the Port. Wapikoni's executive Director is on the Steering Committee of this new "infrastructure" that will serve as a creative and exhibition space for Aboriginal cultures. This \$70 Million Infrastructure Project has been ongoing for the past 15 years as part of a priority identified by the Montreal Indigenous community Network and is now coordinated by a coalition of

two indigenous organizations, DestiNATIONS: Carrefour international of

Indigenous Arts and Cultures and Quebec Aboriginal Tourism.

#### Space

**Challenge:** Wapikoni is looking for appropriate, secure and affordable space to house their

operations and have a strong foundation for the organization to work from.

**Project:** The vision for this \$70 Million project is a new facility for aboriginal

organizations to be centralized under one roof, share resources and synergies. Wapikoni is looking for 5000 square feet to expand head-office operations

#### Organization

**Details:** 

Wapikoni's head office is in Montreal. Wapikoni's total annual budget is \$2.8M. There are 26 Full-Time staff and approximately 80 Contractual people in various communities around the country and worldwide. Wapikoni has one head office (4000 sq.ft), three mobile production studios and one mobile cinema unit. Wapikoni has several components that comprise their operations, including three traveling mobile production studios that travel to youth living in Aboriginal communities to create films and offer workshops for 1 months' time in about 20 various communities a year. Each mobile unit comes with 5 staff, including 2 filmmakers, youth outreach, local coordinator, and an assistant film maker. Primary objective is accessibility to youth to develop leadership skills and develop capacity within Indigenous youth. Wapikoni's traveling mobile production studios are fully equipped mobile trailers with audiovisual equipment, sound room, editing room that is parked in local communities to work with local youth. Wapikoni also has an in-house studio that comes with various technological tools and professional technicians available. Wapikoni does offer traditional production work to companies who want to support the development of Wapikoni's collective of emerging artists.

#### **Process:**

- Planning process for the new facility began in the early 2000s
- Ministry of culture has recently called on a consultant to evaluate the project's feasibility and put together a Case-Study for the needs of the space as a whole and to determine the needs of each organizations who will move into the space
- This will be a 2-year construction project once shovels are in the ground
- Maybe by 2024 the space will be completed
- Process includes:
  - i. political engagement
  - ii. engineering for space
  - iii. architectural design
  - iv. needs analysis
  - v. collaboration agreement (for programming the facility)

#### Partnerships:

#### a. Partnership types

- i. Peer organizations (aboriginal organizations who would be moving into the new space)
- ii. Residing organizations (initially 5) mix of methods opportunity for shared spaces for performance
- iii. Government (grants)

#### Outcome:

 Brand new facility for aboriginal organizations to be centralized under one roof, share resources and synergies

#### **Project Risks:**

- a. Anticipated risks
  - Collaborating with many organizations
- b. Risk mitigation strategies used
  - Forming a Steering Committee
  - Hiring an external consultant to determine space and facility needs

#### **Key Learnings:**

- 1. Having a dedicated person/Coordinator to steer the planning process is key
- 2. Having realistic expectations is key
- 3. Having a strong and dedicated Steering Committee is key

# PAVED Arts/AKA

Organization: PAVED Arts ('Photography, Audio, Video, Electronic, and Digital Arts')

Interviewee(s): David LaRiviere, Artistic Director PAVED Arts

Travis Cole, Executive Director PAVED Arts

Date of Interview: May 2<sup>nd</sup>, 2019

Extract: PAVED Arts is located in Saskatoon, Saskatchewan. PAVED Arts is in A 50/50

> partnership with AKA artist organization. AKA and PAVED Arts jointly purchased and renovated a large space to secure a facility for the creative community in Saskatoon. Together they formed a holding company, 20Above. 20Above is 1.5 years from retiring the mortgage on the building. Since the purchase of the building in 2003, they experienced two major milestones: 1) 500k of facility-based renovations in 2007, including installing elevators and significant studio upgrades and 2) 250k in 2017 for an installation of solar array on the roof. PAVED Arts and AKA believe that the key to their successful space model was their simple acquisition process between few organizations to avoid third parties influence over the process and their solid governance structure that clearly defines the roles and responsibilities of individuals to support building

**Space Challenge:** Motivated to secure a long-term space for Saskatoon's creative community

Project:

operations and growth of space to pay off the mortgage

PAVED Arts and AKA Purchased a building in Saskatoon in 2003 and underwent a feasibility study, developed a business plan and applied for grants to renovate

the space. They successfully secured a space, mortgage and grant money to

renovate the space.

Organization

Details: PAVED Arts has a total annual budget of 372K. They have 4 Full-Time staff and

1 Part-Time staff. The building is 9200 sq.ft., of which 4120 sq. ft. is occupied individually by the two orgs plus the event space. The boiler room, janitors closet, AKA storage, BlackFlash offices, washrooms, stairwells, foyer, back door shipping receiving area, corridors, and two board rooms making up the remaining 5080 sq. foot. PAVED Arts operates 1940 square feet and AKA operates 980 sq.ft. PAVED Arts occupies 65% of the facility so they pay more towards the mortgage then AKA. Both organizations share the 1200 sq.ft. event space, which has capacity for 75 people max. PAVED Arts has production suites and equipment rental. The primary media of PAVED Arts consists of exhibitions, artist-in-residence programs, Sound Art Festival, film and video

presentation series and mobile equipment rental.

#### Process:

- 2003 organizations received Canadian Heritage Capacity Build grant regarding space facilities and fundraising (\$18,000)
- The feasibility study was focused on acquisition
- Both organizations at the time were renting and the proprietors wanted to develop their property in a way so PAVED and AKA had to leave
- 2005 AKA and PAVED developed a Business Plan for a building purchase
- 2005 is when they first took occupancy of the building they now occupy
- 2007/2008 did a renovation \$500,000 had to move off site during renovations
- David started in 2008—he helped write Canada Council Grant
- 2017 applied for funds through Canada Heritage and City of Heritage to install solar array on roof for 250k

**Partnerships:** Two not-for profit media-based arts organizations

**Outcome:** Successfully bought and renovated a building and will soon have paid off the mortgage financing

#### **Project Risks:**

- a. Anticipated risks
  - i. Acquiring a mortgage
- b. Un-anticipated risks
  - i. Responsibilities of managing a building
  - ii. Some controversy about being on the "wrong side of town"
- c. Risk mitigation strategies used
  - i. Formed a holding company between the organizations directly involved with the acquisition of the building with no third-party influencing the process. This made our process and terms very clear.
  - ii. Hired an excellent consultant who work with the PAVED and AKA to develop a business plan that would support the success of their acquisition
  - iii. Worked hard to develop good Board Governance structure to support building operations

#### Key Learnings:

- 1. Simplify the acquisition process between few organizations to avoid third parties influence over the process
- 2. Develop a solid governance structure that clearly defines the roles and responsibilities of individuals to support building operations and growth of space to pay off the mortgage need a building manager role to pull the responsibility off the ED desk
- 3. Wanted an artist in residence space (accommodation) but was too costly to meet building code and renovation requirements talk to the architect before purchase
- 4. Sense of stability through ownership is a huge boon to both organizations
- 5. Develop a strong strategy to pay off mortgage will create additional funds to re-invest in programming activities

#### **ArtsCourt**

**Organization:** Arts Court (consists of 18 organizations)

Interviewee(s): Annette Hegel, Director, SAW VIDEO Media Art Centre

Remco Volmer, Managing Director, Artengine

Date of Interview: March 13<sup>th</sup>, 2019

Extract:

The defunct provincial court house, owned by the city of Ottawa, was turned over to the Ottawa Arts Community in 1989 and became Arts Court. It became home of the city's municipal gallery, the Ottawa Art Gallery and multiple arts organizations. Ottawa Art Gallery started a capital campaign in 2013 to build a new facility adjacent to Arts Court in a vacant lot. (a \$100 million 3p venture including hotel/condo and the new gallery). The remaining Arts Court tenants and the City negotiated a revitalization project of Arts Court, which was eventually funded by the Municipality (\$1.2million) and the Feds (\$6.1million). In addition to a general facelift for the entire building that houses 18 organizations supporting 1500 member artists, organizations in the building who provide public programming (6 orgs delivering 1200 events to an audience of 120,000 annually) had the opportunity to upgrade their facilities significantly. Construction and leaseholds were funded out of that pot - the organizations that were expanding spaces had to raise their own funds for special furnishings - in the 100s of 1000s of dollars. The building's maintenance and logistics are managed by a municipal administrative and janitorial team. Building policy is governed by the "Hive Collective" - representing the anchor tenant.

#### Space

Challenge: Motivated to expand and secure long-term space for Arts Court and were seeking the autonomy to run an artist-based centre. Before this project, SAW Video only had a production space of 500 sq.ft. Moving from a basement crammed area to a large purpose-built facility was going to be a significant shift in culture infrastructure for the city. Artengine operated from a 400 sq.ft. workshop.

#### Organization

Details:

Arts Court consists of 18 organizations with 1500 members.

SAW Video has a total annual budget of 650K. They have 8 staff and 5 are Full-Time. They occupy 4000 sq.ft, which includes office space, recording studio, editing, exhibition, designated workshops room, collaborative workspace. To facilitate the expansion from 500 to 4000sq ft, SAW Video had to raise \$450,000 for special furnishings in addition to its operation budget.

Artengine has a total annual budget of 350k. They have 1 Full Time staff and 2 Part-Time staff. They occupy 3000 sq.ft, which includes office space, hard

(closed off) production space, communal space for max 60 people and space for digital production. Artengine has so far raised 350,000 for capital costs (mostly related to equipment and furnishings).

Additional facilities on site include, 3 boardrooms, 3 performance venues, dance studio, rental spaces (i.e., library studio and courtroom studio). The primary media of Arts Court consists of 5-6 organizations that are media arts focused, on-site presentation, specialized production, traditional production, gallery space and festivals (i.e., Animation Festival, Canada Film Institute Festivals).

#### **Process:**

- Negotiations started in 2013, which is when the City of Ottawa committed money to it, as well as the Federal Government
- Construction started in July 2015
- 2018 is when Saw Video moved into the new space
- 2019 Artengine has taken possession of its space

#### Partnerships:

#### a. Stakeholders involved

- i. City of Ottawa
- ii. Arts Court Residents

#### b. Partnership types

- i. Peer organizations
  - There is no formal partnership agreement that formalizes between organizations who are part of the Arts Court building
  - In terms of programming, this is self-organized between the organizations themselves. They meet with each other to operate together and understand how everyone's different programming can work together

#### ii. Government

- Arts Court Building has a City Administrator who works out of Arts Court and manages the building (i.e., any issues Arts Court's tenants have with the building they can directly approach the City Administrator who will bring the situation forward to City Officials)
- · City deals with all the cleaning, mail, secretary based services.
- · City has demonstrated a strong, generous spirit in their dealings

#### **Summary of Learnings from Case Study Participants**

- Vision for the space is key
- Develop fair and non-transactional relationships with project partners
- Keep the number of core partners to a small number
- Develop a collaborative governance model amongst partners (put in place a shared service agreement early in the process)
- Board expertise is important
- Pay attention to crisp Project Management (roles/responsibilities/time schedules)
- Ensure a strong and dedicated steering committee
- Need for some level of external consultant support
- Connections and support of political leaders (and timing is very important)
- Leverage your network of supporters
- Expertise in both building operations and non-profit organization management
- Long term agreements a significant benefit for planning and organizational stability
- Pay attention to construction and trades equip yourself with language of real estate
- Ensure a potential space will accommodate your needs (zoning, building codes, etc.)
- Ownership of real estate provides a strong sense of stability for the organization
- Develop a strong strategy to reduce any debt load

#### **Tools and Resources**

This section outlines the resources that have been gathered and developed for the Resource Toolkit. Every effort has been made to include sample documents and/or template documents in each critical category of the identified information needs. While some documents are dated, they often continue to provide a useful example of the nature of that type of document or agreement, and the type of wording and clauses that are often included.

Many document samples relate to situations in British Columbia and Vancouver. This is a direct result of the home base for the consultants on this project, and therefore the source of many document examples. A shortage of document contributions from organizations interviewed during the project also means less from other regions of Canada. From the Case Studies, if there are situations, processes or documentation that spark an interest for you, all participating organizations are generally very willing to share the knowledge and resources that they have. It is often significantly more simple to pass along a document to one party, rather than having to prepare it for much broader availability.

As the Resource Toolkit continues to grow over time, there will likely be a balancing of document templates across all regions of Canada. The documents included here, however, provide an excellent starting place in navigating the complexities of real estate projects and transactions. All template documents will require some modification if they are used in a different situation, but the framework and topic areas remain helpful.

#### 1. Project Planning & Process Guides

#### a. Typical Real Estate Development Process - Outline

❖ A one-pager simplified real estate development process chart.

#### b. Financial Feasibility Report - Sample

❖ A sample of an early stage assessment (Feasibility Study) of whether a co-location real estate project involving 3 separate non-profit organizations is likely to be successful.

#### c. Project Chronology - La Meduse Arts Centre, Quebec City

Chronology of the history for the establishment of la Meduse arts centre in Quebec City (en francais).

#### d. La Meduse Arts Centre's Effect on Saint Roch. Neighborhood - Study

❖ A 2007 research study to investigate the factors to attract and retain artists in the neighborhood surrounding la Meduse in Quebec City.

#### e. Project Chronology - 20 Above (PAVED Arts/AKA), Saskatoon

❖ 20 Above is the real estate holding company which is jointly owned (50/50) by PAVED Arts and AKA Gallery Inc. organizations in Saskatoon. This document outlines their process to purchase, finance and renovate a space for production and operations in Saskatoon.

#### f. Project Chronology - TMAC, Toronto

Chronology of the long history of events, with links to related documents and agreements, outlining the process leading to the establishment of TMAC in Toronto (from the TMAC website).

#### g. Initial Feasibility Study - TMAC, Toronto

Very initial feasibility study with the initial 6 participating non-profit organizations to examine the opportunity to create the Cultural Arts Centre Toronto Inc.(cacti) for what has become TMAC.

#### 2. Business Planning Tools

#### a. Standard Business Plan - Template

Simple business plan document format.

#### b. Sources and Uses Chart - Template

Simple one-pager Sources and Uses chart template. This is a key tool used by funders and lenders to understand the entirety of project finances as to what the various sources of money are, and how they will be spent.

#### c. Sample Business Plan - PAVED Arts/AKA, Saskatoon

Completed sample business plan document for the purchase of a building by a joint venture of two non-profit media arts organizations in Saskatoon - PAVED Arts and AKA Gallery Inc.

#### d. Community Funding Application Chart - PAVED Arts/AKA, Saskatoon

Scan of a Community Funding application chart showing how project funding was assembled for a renovation project in Saskatoon.

#### 3. Finance and Capital Planning

#### a. How to Guide - Financing & Capital Planning

Workshop presentation slides from a basic level workshop on financing and capital planning for real estate projects. Includes sample charts for various planning aspects.

#### b. <u>Capital Budget - Template</u>

Simple (one-pager) budget outline for a real estate renovation project.

#### c. Capital Planning - Community Bond Workshop

Slides from a capital planning presentation which includes the potential use of a Community Bond as a funding mechanism.

#### d. Study - Community Bonds: A Non-Profit Financing Tool

\* Research paper on the nature, characteristics, funding circumstances, process and requirements for a non-profit organization to develop a Community Bond as a mechanism for raising capital for a real estate project.

#### e. Standard Bank Loan - Template

❖ A summary template of terms and conditions included in a typical bank lending document.

#### f. Capital Campaign Planning - Background Information

Considerations and outline of the process, stages and requirements to host a successful fundraising Capital Campaign. Includes assessment of the readiness of your organization to proceed.

#### g. Table of Contents - Capital Campaign Planning Document

❖ Table of Contents for a detailed Capital Campaign planning document for a large multi-organization capital campaign. Demonstrates the level of planning, partnership preparation and management requirements to conduct a complex fundraising campaign.

#### h. Capital Campaign Budget

Standardized Capital Campaign budget which includes all the costs (and percentage amounts) to conduct a successful fundraising campaign.

#### i. Community Amenity Contribution Policy Guide - City of Vancouver

❖ A City of Vancouver guide to how community infrastructure is created and funded through the use of community amenity agreements with developers.

#### j. Community Amenity Contributions FAQ - City of Vancouver

❖ Brief January 2020 update on City of Vancouver Community Amenity Contribution (CAC) policy in the form of a FAQ document.

#### k. Community Amenity Contributions Guide - Province of BC

Province of BC Guide to the background and role of Community Amenity Contributions to support various elements of community infrastructure.

#### I. Community Amenity Space, Service Level Agreement - Sample

Sample service level agreement which accompanies a City of Vancouver Community Amenity lease agreement. While the base lease cost is generally nominal, there are many of the occupancy costs which must be paid by the non-profit tenant. This sample provides a sense of the complexity and division of responsibility for ongoing building expenses.

#### m. Community Amenity Space Legal Document - TMAC, Toronto

\* Full legal document between the developer and the City of Toronto wherein the developer agrees to provide (at no charge) to the City an amenity space within the overall development - which was to become the TMAC space.

#### n. Rooftop Solar Project Summary - PAVED Arts/AKA, Saskatoon

https://www.pavedarts.ca/2018/we-produce-our-own-sustainable-solar-energy/

#### 4. Property Management/Budgeting

#### a. <u>Simple Operating Budget - Template</u>

Simple 5 year cash flow chart for a real estate operation including rental revenues and building expenses.

#### b. Summary of Expenses in Strata Fee

Full listing of typical operating expenses for a building that would normally be included within a strata or condominium fee for a commercial strata property.

#### c. Construction Quote - Sample

❖ Sample Scope of Work from a contractor for a simple interior renovation project.

#### 5. Space Planning

#### a. Functional Program Chart - Sample

Sample in chart form of the range of individual spaces and space sizes used in the planning process to determine the type and amount of total space required by the organization to run its operations.

#### b. Functional Program Graphics - Sample (Word / PDF)

❖ Several examples of the visual graphic often developed (bubble diagrams) in planning the layout of a space (functional program). This stage of interior design follows the initial visioning and space requirements planning, and precedes the more formalized architectural design process. This document in Word to facilitate copying for use.

#### c. Functional Program Report

Sample complex functional program report which would be produced by an architectural firm as a stage in the interior design process for new space. Lays out the organizational needs and requirements and describes the nature of the space to accommodate those needs.

#### d. User Design Workshop, Agenda - Sample

Sample workshop agenda for an interior space design visioning session, using several space planning exercises to determine the nature and esthetic of an appropriate new space for a co-location of organizations.

#### e. <u>User Design Workshop</u>, <u>Space Images - Sample</u>

Collection of different types of space images used to catalyze thinking and choices in the process of interior design visioning. Dot-mocracy exercise used to indicate preferences by the workshop participants.

#### f. Space Needs Assessment Example - VIVO, Vancouver (<u>Excel / PDF</u>)

Sample charts used to determine the individual and total space areas required by an organization planning the interior space of a new facility.

#### g. Space Usage Plan - Sample

❖ Example narrative space needs assessment document. Includes scheduling and floor plan sketching for a potential new space for the organization.

#### h. Space Needs Assessment Example - Pride in Art, Vancouver

Sample space feasibility analysis project report demonstrating the process and outcomes from an early space planning exercise for an independent media arts organization in Vancouver. The outcome was an informed ability to negotiate for adequate space within a larger arts Hub facility.

#### 6. Governance/Ownership Agreements

#### a. Board Skills, Composition and Succession Planning

Simple chart for assessing the competencies of Board of Director members. Recommendation from case study organizations is to ensure an appropriate range of real estate skill sets on the Board.

#### b. Terms of Reference for Real Estate Committee - Sample

Sample terms of reference for a real estate committee of the Board.

## c. <u>Guide to Financial Statements of NPOs - Association of Chartered Professional</u> <u>Accountants</u>

❖ A guide produced by the Association of Chartered Professional Accountants to increase understanding of financial statements for non-profit organizations. All real estate projects require a strong understanding of the financial components in order to reduce project risk.

## d. Reading Financial Statements - What do I need to Know? - Association of Chartered Professional Accountants

❖ A guide produced by the Association of Chartered Professional Accountants to enhance the ability to interpret financial statements.

#### e. <u>Investment Policy - Sample</u>

❖ Sample community centre investment policy document. Managing the significant funds required in a real estate project requires attention to short and long term investment vehicles, pending spending the funds on the project itself.

#### f. NPO Financial Policies - Template

Thorough template of financial policies for non-profit organizations. Useful to ensure your organization is well managed financially, and to evidence to outside funders and supporters.

#### 7. Co-location/Shared Space Assessments

#### a. Co-location Feasibility Considerations - Sample Report

Sample report from an assessment of the potential for a co-location space in Vancouver. Includes the elements of consideration and the outcomes of the assessment process.

#### b. Co-location Feasibility Study - Sample Report

Sample detailed feasibility report for a co-location site indicating the process and elements being considered to evaluate the opportunity.

#### c. <u>Co-location Summary Description - Sample</u>

❖ Sample co-location description document. Provides a sample of the characteristics that define a co-location site for non-profit organizations.

#### d. Co-working Space, Research/Feasibility Report - Sample, HiVE Vancouver

❖ Sample report of research and feasibility findings for a Vancouver based model for co-location and creation of a sustainability focused flexible and collaborative workspace.

#### e. Non Profit Shared Space Toolkit - City of Edmonton

Fulsome guide produced by the City of Edmonton as a toolkit and preparation document for non-profit organizations considering the development of a shared workspace.

#### f. Shared Space Concept Development Consultation Report - Sample

❖ Early stage consultation concept report from the visioning of a co-location innovation Centre in Vancouver.

#### 8. Organizational Structure/Partnership Agreements

#### a. Confidentiality Agreement - Template

❖ Template for a simple confidentiality agreement which may be used as discussions commence with a new potential partner organization.

#### b. Inter-agency Partnership Agreement - Sample

❖ Sample partnership agreement between two non-profit organizations. Includes a wide range of typical clauses to be considered in the development of a robust partnership agreement.

#### c. Joint Venture Agreement - Sample + Template ( PDF / Word )

Sample joint venture agreement amongst 4 non-profit arts organizations. Developed to acquire (lease) real estate and to articulate how they would jointly manage the facility long term.

#### d. Partnership Agreement Example - PAVED Arts/AKA, Saskatoon

Partnership agreement used by PAVED Arts and AKA Gallery Inc. in Saskatoon. This agreement defines the relationship between the two partner organizations and the holding company that they formed to own and manage the shared real estate holdings.

#### e. <u>Cooperative Equity Structures Guide</u>

Information document describing the nature of co-ops and how they are formed, and how equity funding can be raised in a Co-op organization. Includes by-law requirements and other constitutional elements to starting a new co-operative.

#### 9. Facilities Leasing & Purchase

#### a. <u>Simple Offer to Lease Terms Document - Template</u>

❖ Simple version of an Offer to Lease document. A good starting place in negotiating with a potential landlord to articulate the key parameters the parties are willing to accept in a formal lease agreement.

#### b. Offer to Lease Document - Template

Sample Offer to Lease document template - precedes the execution of a finalized commercial lease document.

#### c. Form of Property Lease (Simple) - Template

Simple form of property lease - can be used as a template document.

#### d. <u>Commercial Lease Agreement - Sample</u>

Sample commercial lease document between a developer and a social enterprise organization. Nominal annual lease cost for the site.

#### e. Commercial Lease Document (Municipal lease for Nominal rent) - Sample

Sample commercial lease document intended for a nominal lease site provided by the City of Vancouver to an urban farming operation. Includes most of the standard commercial lease terms within.

#### f. License of Occupation Contract - Sample

Sample form of License of Occupation agreement. Different than a lease, it provides access to space on a defined basis for an arms-length tenant. Useful when there is a portion of space used on a shared basis between the landlord and tenant.

#### g. Purchase and Sale Agreement (Complex) - Sample

❖ Commercial lease example. This document represents a more complex purchase arrangement with rights of first refusal between the parties for potential future sale of a portion of the building.

#### h. Letter of Intent - Sample, TMAC, Toronto

❖ Formalized letter of intent which preceded the creation of the Purchase and Sale Agreement for the TMAC space in Toronto. Similar to the other Offer to Lease documents included in the toolkit, this is a more complex and formalized document to lay out the parameters under which a property purchase and sale transaction would be conducted.

#### i. Purchase and Sale Agreement - TMAC, Toronto

Original purchase agreement between TMAC and the developer (the City of Toronto is also party to the agreement) to transfer the property (once built) to TMAC ownership.

#### j. Land Use Agreement - Sample, TMAC, Toronto

❖ The agreement between TMAC and the City of Toronto defining how the space would be used for community benefit and creating the set of parameters for the space over the long term.

#### 10. External Expertise Resources

#### a. How to Hire a Consultant - Guide

Brief guide with helpful commentary on what to think about when hiring a consultant.

#### b. Non Disclosure Agreement - Template

❖ Fulsome non-disclosure agreement template which may be needed when bringing external contractors into a project. This language can also form part of the finalized consulting agreement if there is concern over the need for confidentiality in handling all project related and organizational information.

#### c. Standard Consulting Contract - Template

Form of simple contract for engaging external consultants.

### Real Estate Project Risk Analysis

Several major risks, together with suggested strategies for mitigation, have been identified below for consideration as a real estate project unfolds.

Risk Element	Mitigation Strategies
Lack of coherent/consistent     objectives for the planned space	<ul> <li>Ensure full engagement of all related stakeholders in defining the vision and outcomes for the space</li> <li>Spend the time in the early stages to create consensus of objectives amongst the parties</li> </ul>
Insufficient engagement and collaboration across impacted parties and communities	<ul> <li>The need to ensure engagement of all impacted parties was amplified in the case study examples</li> <li>Careful selection of the project leadership team to strike a strong blend of skill sets and credibility with the arts community and political leadership</li> </ul>
3) Attempting to move too quickly to the acquisition of a real estate site	<ul> <li>Spending the time at the early stages of the project to evaluate needs and clearly articulate what is needed is essential</li> <li>Following recommended project stages or working with experienced consultants can ensure a thorough early stage evaluation is completed</li> </ul>
4) Inability to identify and secure a suitable site for the defined needs	<ul> <li>Once defined, a suitable/affordable site can be difficult to identify. Use feasibility and planning documents to communicate externally what you are looking for</li> <li>Patience is required to achieve a good intersection of space, cost and meeting needs</li> </ul>
5) Insufficient real estate expertise working directly for the non-profit organization	<ul> <li>Ensure the Board has the range of skill sets needed to guide the process</li> <li>Clearly identify a "project lead" and steering committee with expertise relevant to the real estate project being considered</li> <li>Hire externally as needed to round out skill sets</li> </ul>

6) Lack of capital to create and outfit the space	A strong financial plan early in the process will identify potential sources of funding which will need to be fostered over time
	<ul> <li>Assessment of degree of probability on identified funding sources is required</li> </ul>
	Careful nurturing of arts funding relationships to ensure strong consideration for funding opportunities
7) Short term tenure or unsatisfactory constraints on use of a site	Great space for only a short period of time can be more disruptive than waiting for availability of a longer tenure site
	Resist the temptation of free or low cost space if the conditions do not really meet your needs

#### **Appendices**

#### Appendix 1: Case Study Framework Guide

## IMAA: Access to Space Resource Toolkit Project Case Study Framework

#### Purpose of Case Study Evaluation:

This framework is designed to gather information about the situation and process for Canadian media arts organizations which have faced challenging issues of securing and maintaining affordable and suitable space to support the work they do and the artists they serve.

Utilizing this framework, the purpose is to gather the story/process of specific case-study situations where space or facility challenges have been successfully addressed. We will also identify specific tools, documents and external expertise which were accessed in the process. The purpose is to create a resource toolkit for other Canadian media arts organizations to become better equipped to conceive, plan and carry out facilities related projects appropriate to their mandate.

#### Case Study Framework:

#### a. About the Organization

- **1.** Name:
- **2.** Size:
  - a) Total Annual Budget:
  - b) Number of staff (FT/PT):
  - c) Number of facilities sites:
  - d) Total Area of facilities occupied:
- **3.** Primary Media Activity:
  - a) Off-site presenter
  - b) On-site presenter
  - c) Traditional production
  - d) Specialized production
  - e) Distribution
  - f) Gallery
  - g) Festival organization
  - h) Other (describe)

- 4. Current Facility Type:
  - a) Generic office space
  - b) Customized space
  - c) Specialized facilities
  - d) Warehouse facility
  - e) Mix of above types (percentages)
- **5.** Occupancy Tenure:
  - a) Market lease
  - b) Government lease
  - c) Subsidized lease (subsidized by whom?)
  - d) Nominal rental rate (who is the landlord?)
  - e) Other form of license to occupy space
  - f) Ownership single organization
  - g) Ownership multiple organizations

#### b. Organization's Access to Space Scenario:

- 1. Project Scenario Description
  - a) Description of facilities project undertaken
  - b) Motivation to address space issues (identified needs)
- 2. Project-Scope
  - a) Minor renovation
  - b) Major renovation
  - c) New site construction
  - d) Negotiated access to space
  - e) Other space solution approach
- 3. Timeline/Milestones
- 4. End-Result

#### c. Project Partners/Partnerships

- 1. Stakeholders involved
- 2. Partnership types
  - a) Peer organizations
  - b) Government
  - c) Private developers
  - d) Other options

#### d. Key Project Risks

- 1. Anticipated risks
- 2. Un-anticipated risks
- 3. Risk mitigation strategies usedAccess to sources of funding
  - a) Grants
  - b) Reserve Funds
  - c) Fundraising
  - d) Debt Capital (loans, mortgages, community finance)
  - e) Other forms of investment capital
- 4. Access to other resources
  - a) Internal expertise
  - b) External consultants
  - c) Document templates
  - d) Other expertise
  - e) Unique partnerships

#### e. Key Learnings/Take-Aways (please list 3)

- 1.
- 2.
- 3.

Canadian Media Arts Orgs facing space issues of securing and maintaining affordable	Video Pool Media Arts Centre	VISIONS	Coop Spira	
and accessible space for the artists they serve	Prairie NWT	Montreal	Quebec	
CURRENT SPACE SITUATION	Occupies current space 11-20 yrs Syears with access to continued, affordable space, but not permanent Space is currently affordable	Occupies current space < 2 yrs < 2 yrs with access to continued, affordable space, but not permanent Space is NOT currently affordable	Occupies current space 20+yrs     Occupies current space in a cooperative dedicated to artists	• Occ 2-5 ye •2-5 y afford • Spa
OCCUPANCY TYPE	• Rent	• Rent	• Permanent	• Ren
DEGREE OF TRANSFOR- MATION	•Space & facilities is a very important aspect to the organization	•Space & facilities is a very important aspect to the organization	•Space & facilities is a very important aspect to the organization	•Spa aspe
FACILITIES & SPACE CHALLENGES + IMAA SUPPORT	We have NO presentation centre; develop a list of centres who allow other spaces to program in their presentation space & who to contact	Some kind of government subsidy or access to space would be more than useful	•N/A	·N/A

Canadian Media Arts Orgs facing space issues of securing and maintaining affordable	Centre for Art Tapes	The Film & Video Arts Society of Alberta	Queer Arts Festival
and accessible space for the artists they serve	Halifax	Edmonton	Vancouver
CURRENT SPACE SITUATION	Occupies current space between 2-5 years     2-5 yrs with access to continued, affordable space     Space is NOT currently affordable	<ul> <li>Occupies current space 20+yrs</li> <li>In danger of loosing space</li> <li>&lt; 2 years with access to affordable space</li> <li>Space is affordable (\$5/sq.ft)</li> </ul>	<ul> <li>Occupies current space 2-5yrs; office space in a community centre for 3 yrs, presentation space @ Roundhouse for 3 weeks/year for the festival over 10yrs</li> <li>Space is affordable</li> </ul>
OCCUPANCY TYPE	• Rent	<ul> <li>Rent</li> <li>On a Capital Campaign to build their own building but this is a 5-10 year proposition</li> </ul>	• Other: presnetation space they use is through a partnership where the rental fee is reduced, but we must use their technicians and adhere to their building rules
DEGREE OF TRANSFOR- MATION	•Space & facilities is a very important aspect to the organization	•Space & facilities is a very important aspect to the organization	•Space & facilities is a very important aspect to the organization
FACILITIES & SPACE CHALLENGES + IMAA SUPPORT	•N/A	Help develop a group interested in creating and supporting a collective infrastructure project that includes studios, offices, classrooms, sound stages, screening and performance facility, & low-income housing for artists	•The toolkit will be useful. Having information to present to the Municipal gov't & funders is useful-what other cities have done, the value of art spaces, etc. Case studies, and key contacts on how other orgs., successfully obtained space

Canadian Media Arts Orgs facing space issues of securing and maintaining affordable	Atlantic Filmmakers Cooperative	Victoria Film Festival	Artengine	
and accessible space for the artists they serve	Halifax	Victoria	Ottawa	
CURRENT SPACE SITUATION	<ul> <li>2-5 years with access to continued, affordable space but NOT permanent</li> <li>Space is currently affordable, but considering subletting a portion</li> </ul>	<ul> <li>Occupies current space 6-10 yrs</li> <li>2-5 years with access to continued, affordable space</li> <li>Space is currently affordable</li> </ul>	<ul> <li>Occupies current space 6-10 yrs</li> <li>5 years with access to continued, affordable space, but not permanent</li> <li>Space is currently affordable</li> </ul>	• Occ • 5 ye affor • Spa
OCCUPANCY TYPE	Month-to-month lease	Rent but heavily subsidized as sponsorship	• Rent	• Reform
DEGREE OF TRANSFOR- MATION	•Space & facilities is a very important aspect to the organization	• N/A	•Space & facilities is a very important aspect to the organization	•Sr asr
FACILITIES &	Access to case studies about success stores	· N/A	• Not Sure-	• Fir

IMAA - Media Arts Facility Study & Resource Toolkit - May 2020

Mentorship from centres or experts

ways to access capital grants for small

· Advocating nationally for clearer

organizations

SPACE

**CHALLENGES +** 

**IMAA SUPPORT** 

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Canadian Media Arts Orgs facing space issues of securing and maintaining affordable	Trinity Square Video	Gallery 101	NB Film Co-op	
and accessible space for the artists they serve	Toronto	Ottawa	New Brunswick	
CURRENT SPACE SITUATION	More than 5 years with access to continued, affordable space, but not permanent     Space is currently affordable	<ul> <li>2-5 years with access to continued, affordable space</li> <li>Space is currently affordable</li> </ul>	Org. has permanent access to affordable space	• 2-5 contin perma • Spac consid
OCCUPANCY TYPE	•Rent	•Rent	•Rent	•Rent
DEGREE OF TRANSFOR- MATION	•Space & facilities is a very important aspect to the organization	• Facility project in the last 10-20 yrs • Space & facilities is a very important aspect to the organization	• Facility project in the last 10-20 yrs •Space & facilities is a very important aspect to the organization	• Just i a 10-y of doin •Spac aspec
	Provde knowledge to financing options at reasonable rates that are better than bank rates	•Not sure	•No assistant needed right now	Conce indirect while re     Lobby sorts of willing to the concentration of the concentra

Canadian Media Arts Orgs facing space issues of securing and maintaining affordable and accessible space for the artists they serve

PAVED Arts	Wapikoni mobile	Workman Arts	
Saskatoon	Montreal	Toronto	
Permanent access to continued, affordable access to its space	•Signed a 5-year lease until 2020, financing is still questionable	<ul> <li>2-5 years with permanent access to continued, affordable access to space</li> <li>Space is currently affordable</li> </ul>	• 2 co •S

#### CURRENT SPACE SITUATION

- ·Space is currently affordable
- Space is NOT affordable because there is a creative studio apart of it

#### **OCCUPANCY TYPE**

·Own

- · Only notes that they are the owner of all equipment & material on site
- ·Rent

**DEGREE OF** TRANSFOR-

MATION

- ·Envisioning a future renovation/relocation, &/or building purchase project within the next 5 years ·Space & facilities is a very important aspect to the organization
- · More than 5 years since their last renovation (ventilation, space division, equipment)
- ·Space & facilities is a very important aspect to the organization
- Moving to a new office/studio/ theatre space at CAMH (Centre for Addiction + Mental Health) in '19/'20

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·Space & facilities is a very important aspect to the organization

**FACILITIES &** SPACE **CHALLENGES + IMAA SUPPORT** 

- Provide info on subsidies to space improvements (i.e., accessible washrooms, workspaces) ·Discounts from national chains (Lowe's, Rona, Home Depot, Best Buy)
- To understand innovative ways of how to pay for high operating expenses, including rent.
- Capital funding opportunities
- · Capital projects best practices
- · Conflict resolution in capital projects/ facility/space development
- · How to navigate NFP art space vultures

Canadian Media Arts Orgs facing space issues of securing and maintaining affordable and accessible space for the artists they serve

MediaNet	Ed Video	Cineworks	
Victoria	Guelph	Vancouver	

#### CURRENT SPACE SITUATION

- Less than 2 years with access to continued, affordable access to its space
- ·Space is currently affordable

•Less than 2 years with access to continued, affordable access to its space

·Space is currently affordable

•Co-tentants of a City owned building and started out with a 15 year lease, but will not commit to renewal. Currently in 'overhold' with no info on City's plans for the building

•More the permane •Space i

#### OCCUPANCY TYPE

•Rent from another arts organization

·Rent

·Rent

•Rent

#### DEGREE OF TRANSFOR-MATION

- Envisioning a future renovation/re-location, &/or building purchase project within the next 5 years
  Space & facilities is a very important aspect to the organization
- Envisioning a future renovation/relocation, &/or building purchase project within the next 5 years
   Space & facilities is a very important aspect to the organization
- •Envisioning a future renovation/relocation, &/or building purchase project within the next 5 years •Space & facilities is a very important aspect to the organization

 No plan re-location project w
 Space 8 aspect to

FACILITIES & SPACE CHALLENGES + IMAA SUPPORT

- •Landlord is willing to sell them the building for 650K. Looking for ways to raise this money is key--how can IMAA assist this?
- •Make a case for sufficient funding at all levels of gov't to support infrastructure for arts orgs; including media arts organizations who need special support for production facilities

Canadian Media Arts Galerie Sans No Orgs facing space La Bande Video **VTape** issues of securing and Coop Ltee maintaining affordable and accessible space Quebec **Toronto** Moncton for the artists they serve Occupied current space for Occupied current space for 20+ yrs · Occupied current space for 20 yrs **CURRENT** · Permanent access to • 5 years with access to · Permanents access to affordable SPACE continued, affordable space continued, affordable space space · Permanent home in the Al **SITUATION** Cultural Centre. · Rent · Rent · Rent **OCCUPANCY TYPE** ·Space & facilities is a very i ·Space & facilities is a very important ·Space & facilities is a very important **DEGREE OF** aspect to the organization aspect to the organization aspect to the organization TRANSFOR-**MATION FACILITIES &** · The organization is completely · Lobby for \$\$ to sustain spaces of In a privileged situation in ter autonomous community and cultural importance, facilities and space. They are SPACE currently living any challenges not just \$ to change them **CHALLENGES + IMAA SUPPORT** 

Canadian Media Arts **EMMEDIA Gallery &** Orgs facing space Yukon Film Society Main Film issues of securing and **Production Society** maintaining affordable and accessible space Whitehorse Montreal Calgary for the artists they serve Occupies current space 6-10vrs Occupies current space 11-20yrs · Occupies current space 6-10yrs CURRENT · 2-5 yrs with access to continued, < 2years with access to continued,</p> <2 yrs with access to continued,</p> affordable space affordable space SPACE affordable space · Space is currently affordable · Space is currently affordable, but · Space is NOT currently affordable SITUATION building is in-poor condition · Rent; lease has been year to year · Rent · Rent with 6 months notice. Recently **OCCUPANCY** changed the zoning of the building **TYPE** to build condos and our lease has changed to 2 months notice. Space & facilities is a very important Space & facilities is a very important ·Space & facilities is a very important **DEGREE OF** aspect to the organization aspect to the organization aspect to the organization TRANSFOR-**MATION** 

FACILITIES & SPACE CHALLENGES + IMAA SUPPORT

• N/A

 Help access sepcializes resources and address the realities of NGO's (consultant, real estate brokers, banks, movers, opportunities to seize) • Working with the gov't to find subsidized spaces and get special funding specifically for facility improvements and rent. · Oc

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Canadian Media Arts Orgs facing space	Struts Gallery &	Les films de 3 mars	Daïnaâu
issues of securing and maintaining affordable	Faucet Media Arts Centre	Les mins de o mars	DAÏMÔN
and accessible space for the artists they serve	Slackville, NB	Montreal	Gatineau, Quebec
CURRENT SPACE SITUATION	Occupies current space 11-20 yrs     Vulnerable to future plans landlord has for the building     Space is currently affordable	Occupies current space 11-20 yrs > 5 yrs with access to continued, affordable space, but not permanent Space is currently affordable	<ul> <li>Occupies current space 11-20 yrs</li> <li>Permanent access to continued, affordable space</li> <li>Space is currently affordable</li> </ul>
OCCUPANCY TYPE	Rent     Currently in the process of purchasing a building	• Rent	• Rent
DEGREE OF TRANSFOR- MATION	•Space & facilities is a very important aspect to the organization	•Space & facilities is a very important aspect to the organization	•Space & facilities is a very important aspect to the organization
FACILITIES & SPACE CHALLENGES + IMAA SUPPORT	•Advocacy at the provincial level to add a national voice to the importance of centre like ours in the region	· N/A	Maintains a special status because the La Filature building has been moved specifically to accomodate two artist centers, including theirs

## **IMAA ACCESS TO SPACE TOOLKIT: PHONE INTERVIEW SUM**

Canadian Media Arts Orgs facing space issues of securing and maintaining affordable and accessible space for the artists they serve

Artengine	CineVic	Î
Ottawa	Victoria	

#### CURRENT SPACE SITUATION

- Joined other arts organizations to occupy & collaborate in a City of Ottawa arts facility that is in the midst of a major renovation and expansion, called Arts Court
- This space project brings purpose-designed facilities with security of tenure and an anticipated synergy effect of a destination with multiple arts organizations.
- · Space is not open yet-behind schedule
- Filmmaking coop just moved to commercial space that is ground floor in dt Victoria that does not command a rental premium of main street frontage (Moved from prior space due to lease ending/increased rent)
- Boot strapped self-funded low-budget renovation in a typical ground floor commercial space by member sweat equity.

#### CONTEXT PRESSURES/ REAL ESTATE/ MARKET

- Ottawa does not have much vacant, flexible former industrial space that could be used or transformed by artists/arts organizations The cost of real estate and property tax assessment has also increased greatly
- Renovation has been complex with negotiations & a great deal of collaboration with the City of Ottawa and the other tenants/ users of the building to develop a space plan.
- Moved from prior space due to lease ending/increased rent.
- Increased rent and changing lease situations has forced the organization to move a number of times over its history; org is used to this dynamic and avoids over-investing in facilities
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#### SPACE NEEDS/ REQUIREMENTS

- Divide the new space design into separate "Clean" and "Dirty" sections, along with a smaller "Media Lab" as well as office space, and to conceive the production facilities as flexible project spaces.
- Office, equipment storage, post-production workstation, meeting/workshop space.
   Also has a library of films and book for member consultation
- Equipment and signout, presentation, used for presinstallations

- Definite benefits are seen for municipal ownership and public investment in facilities for arts organizations.
- N/A

## **IMAA ACCESS TO SPACE TOOLKIT: PHONE INTERVIEW SUMM**

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#### **FAVA VTape** PAVE Edmonton Sask

#### **Toronto**

#### center that has developed an ambitious plan CURRENT to be at the center of a major new construction mixed-use development project SPACE in partnership with a private developer. SITUATION

· Long-established film and video production

- · Long-established video distribution org with rented space in a downtown Toronto building with many other arts organizations.
- · Under occupancy cost pressure, recently reconfigured its space in a renovation to reduce costs by including partners in a shared-space office concept.

#### · Production/exhib in 2004, responde renovating a buildi another artist-run

· The project has both PAVED and p occupancy costs of security of tenure, mortgage financing

#### CONTEXT PRESSURES/ REAL ESTATE/ **MARKET**

- · Major challenge is that the current space is aging and not big enough for the facilities and programming. It is also challenging to be not centrally located in the city.
- · Current vision is to leverage the non-profit/charitable "society" status of FAVA to provide a private developer with a density bonus
- Tax assessment pressures, rent increases affecting non-profit organizations the, "highest and best use" cost basis for property tax assessments being antithetical to arts organization uses.
- · The owner of the building is being taxed on an assessment reflecting the potential value of the site if developed to its max permitted density as opposed to the existing heritage building.
- different program f multi-purpose space accessibility to the · Cash flow issues that the renovation piecemeal, which i

· Building required

and had to be re-p

#### SPACE NEEDS/ REQUIREMENTS

- · Maintains a wide spectrum of production and post-production facilities for film and video
- · Archive of videotapes for distribution, restoration facilities for videotape, facilities for contemporary digital video distribution, & offices
- · Equipment rental (cameras, field pro

stress on the orga

· New building pro of a multi-purpose and workshops, as and two gallery sp

- · There have been negotiations with some private developers that were not successful; FAVA is continuing to develop the business plan and to seek partners to undertake the project with.
- · Gather resources & information on business plans, mortgage financing, project planning and management that other orgs. have used for this kind of project
- · See Trinity Square Video interview notes on collective advocacy for changes in Ontario/Toronto property tax regime as it affects occupancy cost of non-profit arts organizations.
- Explore resources and strategies for additional information on space sharing and partnerships, including innovative models for sharing space and maximizing the use of expensive space
- · Programming and partner organizatio to consciously add gentrification effect non-profit and acce

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## Wapikoni Mobile Main Film Groupe I Montreal Montreal

#### CURRENT SPACE SITUATION

- 15 year-old organization renting space commercially in an expensive urban real estate market; delivers most programming off-site.
- Long-established film coop that has traditionally rented commercial space on upper floors of buildings in central Montreal.
- occupies rer several othe • Renting sp Oboro, 4001

manages re a long term

Current sp.

rental cost of

· Long-estab

# CONTEXT PRESSURES/ REAL ESTATE/ MARKET

- Real estate development in Montreal is a huge challenge for NPOs; particularly in the area of industrial loft buildings
- Real estate development in Montreal has created enormous challenges for NPOs
   Increases in property values and/or property tax assessments create pressure for property owners to either redevelop or pass on costs to tenants
- Moved a number of times between rental spaces, typically on the upper floors of commercial buildings

#### SPACE NEEDS/ REQUIREMENTS

- Core programs take place on a "mobile" basis in First Nations communities around the province.
- Head office has a team of 10 staff requiring office support and meeting space
- Recently established an in-house studio with sound recording, mixing, video editing, & post-production used
- Offices for staff. Secure storage, maintenance and sign-out of portable film/video equipment.
   Post-production suite for film scanning, digital editing and colour correction. Workshop and in-house viewing/screening space.
- GIV's prior programmin accessible to stakeholders burden on th

- Large-scale development project is being discussed that could provide shared facilities for a number of organizations, and that Wapikoni Mobile can participate in, thereby leaving the private rental market and its pressures behind.
- MainFilm and Videographe recently implemented a partnership whereby Videographe's mobile production equipment (cameras, microphones, etc.) is managed, maintained and rented out of MainFilm's location (integrated into the pool of MainFilm's rental equipment); this partnership relates to each org.'s use of space & the ecology of production access in Montreal media arts community.
- Follow-up their interact has handled

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#### **Trinity Square Video**

#### **Faucet Media Arts**

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#### Toronto

#### Sackville, NB

#### CURRENT SPACE SITUATION

- · Rental building
- 10-year lease (necessary to justify leasehold improvement funding)
- Renovated space with a capital project (grants) for leasehold improvements
- Organization has existed for over 35 years, 25 years in current location.
  After a number of unsuccessful attempts to obtain a building elsewhere, the org is focused on purchasing the building that they have occupied on a rental basis for 20+ years; a capital reserve fund has been accumulated for this purpose
- Long-established in the last 5+ yea subsidized space, collaboration with artist-run centre.
- Ground floor acc presence

# CONTEXT PRESSURES/ REAL ESTATE/ MARKET

- Very high property tax costs passed on by landlord
- •Recent move/renovation was to prevent the proportion of occupancy cost (rent (incl. property tax charge), electricity, heating) from going from 24% to 27% of budget or above
- · Rent uses 15-25% of operating budget
- · Need for long-term security
- •The small-town context has a very limited stock of commercial buildings. Price is not really the issue, sheer existence/contingency of suitable buildings/locations is.
- Organization is a non-profit, bank financing is dependent on a 30% 45% down payment.
- in the Halifax are • Development pro organizations who obtaining support

· Lack of studio sp

accessible space

- SPACE NEEDS/ REQUIREMENTS
- Location remains in downtown core to serve audience
- Physical infrastructure for production services (+ programming/presentation)
- Current space: downstairs storefront gallery + office, a media arts centre space, plus upstairs darkroom/visiting artist apartment & sub-let rental apartments with a balcony
- Office, storage a production equipn for workshops and post-production m
- Necessary for the remain physically members.

- Long-term sustainability for media arts organizations in TSVs situation would involve owning their own building, while being sheltered/ exempted from the effects of property tax assessments/increases as currently occurring
- Acquire more background information about mortgage financing conditions before starting negotiations with a bank.
- Information on h and develop facili
- An orientation to developing a space better understand
- Lack of capacity new facility project some kind of external

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## Queer Arts Festival National Indigenous Media Arts Coalition

#### Media Arts N

#### Vancouver

#### Ottawa

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#### CURRENT SPACE SITUATION

- Festival with queer programming mandate that has carried out programming in off-site venue in collaboration with partners.
   Office space has been accessed from another non-profit organization, but the Festival does not have it's own unique space
   Involved in a partnership to occupy space in a new development that has a cultural space component.
- NICMA is not an arts centre per se but a structure representing Indigenous artists and groups within the IMAA milieu, and included as a "region" in IMAA governance.
- Provincial arts see in 2009-10. Provid representation to C organizations. Anal work closely with m geographic proximetc.)

# CONTEXT PRESSURES/ REAL ESTATE/ MARKET

• N/A

- Discussion about "space" and "access to space" have a larger political and cultural context that goes beyond the mechanics of real estate markets
- Larger issue that there is no specifically "Indigenous" media arts production centre.
   There are many examples of successful festivals/programming orgs that are Indigenous-run, but not as production centres.
- Very attuned to preassessments and tarts organizations particularly with Section 37 Ont bonus mechanism.
- Quite familiar with successes of Onta

#### SPACE NEEDS/ REQUIREMENTS

• N/A

- In BC and Vancouver particularly, there is a critical mass of Indigenous arts organizations that are facing challenges in accessing/affording even office space in private market.
- ·N/A

- Various models of development in Vancouver providing space for cultural organizations
- Importance of that partnerships hosting Indigenous artists in organizations traditionally identified as non-indigenous spaces be well considered.
- Non-profit develop creative strategies of from municipalities organizations.
- Referred to joint to municipal and provi address impacts of assessments

## **KEY THEMES: ORG SPACE & FACILITIES CH**

The challenge of securing space necessitates a complex mix of skills, including finance and fundraising, proliaison with stakeholders and community partners, and technical expertise in construction, engineering and

#### **RESOURCES**

- Lack of sharing-space between organizations to use each other's presentation, studio & production space when not being-used.
- Weak network between media arts people & organizations who have successfully obtained space to ask questions & get advice
- Limited knowledge on the development process

#### SPACE

- Challenged to cover monthly costs without core-funding
- Percarious month-to-month lease situation in neighborhoods that are experiencing rapid change & gentrification
- Challenges with landlords not investing in building conditions (i.e., HVAC system, leakages, etc)

#### CONTEXT PRESSURES

- Increasing rent & property taxes
- Increasing ccupancy cost (rent (incl. property tax charge), electricity, heating)
- The property tax and assessment situation is putting significant pressure on all non-profit arts organizations renting space

#### **FINANCES**

- Challenged to find subsidies for leasehold improvements, facility improvements & rent
- Real estate is expensive and non-profit media arts organizations generally do not have access to the capital required to purchase or construct their own buildings.
- Increases in property values and/or property tax assessments create pressure for property owners to either redevelop buildings entirely or pass on increased costs to tenants.

## **KEY THEMES: ORG SPACE & FACILITIES OPPO**

Opportunites to benefit Canadian Media Arts organizations, independent media arts organizations and artistbenefit to the numerous building projects connected to this sector that are currently underway or projected in

RESOURCES

Develop a database on the list of spaces that allow organizations to use their presentation, studio & production space Develop a database on the list of contacts of people & organizations who have successfully obtained space in order to ask questions & get advice; networking and online resource collaborations

Develop a resource-base on the funding opportunites that support operating costs, fund facility improvements and rent

**SPACE** 

- Cohabitation: Sharing space by orgs – particularly for presentation where the space is used intermittently when a space is empty/unused, a partner organization could use it for their own programming
- Create a resource on general information about accessing commercial space: projecting occupancy costs, lease negotiations, funding leasehold improvements, funding capital projects
- Document the process of successful organizations for municipal ownership and public investment in facilities for arts organizations; which removes exposure to private real estate issues of security of tenure

CONTEXT PRESSURES

- Bettter relationship with the province (which has jurisdiction over the property tax assessment mechanism) to consider creating a class for creative industries/ occupancies that are shielded from property tax escalation
- Acquire background information about mortgage financing conditions before starting negotiations with a bank.
- Create resources that outline the conditions for successful projects; space sharing and partnerships,innovative models for sharing space and maximizing the use of expensive space

**FINANCES** 

Work with government in finding subsidized spaces

Develop database on alternative financing/development models to share and network between centres Property owned by NPO should be shielded/exempted from property tax increases/taxed at a low rate C