



cultivating a governance model
for a community land trust
in Parkdale

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executive summary

Parkdale is a highly diverse inner-city community in west Toronto, and one in flux, marked by typical indicators of gentrification such as rising property values and the increasing presence of independent coffee shops, galleries, late night eateries, and condo construction. In response to changing food availability, the Parkdale Activity and Recreation Centre (PARC) expressed interest in developing a community land trust (CLT). The CLT is tasked with producing food for residents and advocating for more affordable living.

Themes emerged through interviews with CLTs in cities across the United States, an in depth review of literature on community engagement and neighbourhood governance, and interviews with a variety of key informants living and working in Parkdale. Our work has elucidated the following recommendations for a future Parkdale CLT (hereafter referred to as “PCLT”):

foundations

- (1) Guiding principles, values, and a mandate need to be developed in collaboration with the community being served by the PCLT to create a framework for decision-making and direction of the PCLT from the outset.
- (2) An anti-oppression practice perspective should be adopted as an analytical framework which will both guide the creation of the guiding principles, values and mandate and will guide the ongoing decision-making and operation of the PCLT.

the decision-making process

- (3) The PCLT should use a consensus or modified consensus decision-making model for decisions at the board level and should use a supermajority of two-third consent for decision-making at annual general meetings.
- (4) The PCLT should consider developing specific policy frameworks for quorum and proxy voting.

accessibility + inclusivity

- (5) Evaluate all decisions, events and activities to verify they are inclusive and accessible. To aid in this evaluation, we recommend the PCLT develop or adapt an “Accessibility Checklist.” When it is not possible for activities to be fully accessible, notify people in advance of this fact.

board responsibilities + benefits

- (6) Clearly define the roles, responsibilities, expectations, and code of conduct relating to the Board of Directors.
- (7) Develop specific procedures to accommodate difference in the boardroom and problem-solving procedures to resolve any issues with board members that weaken the board’s effectiveness.
- (8) Undertake training for board members to ensure the board is effective and equitable.

balancing skills + representation

- (9) Ensure a balance of skills and representation in PCLT's governance.
- (10) Identify the specific skills, experience, and connections required to achieve PCLT's goals and recruit board members accordingly.

importance of partnerships

- (11) Establish partnerships with existing Parkdale organizations that are working towards similar goals of the PCLT.
- (12) Build relationships with local government officials to gain support for the PCLT.
- (13) Explore existing CLT resources and networks that may be useful to PCLT.

importance of outreach and communication

- (14) Engage more than the usual players.
- (15) Produce materials to engage and educate residents in a variety of languages. Engage and educate early, and continue this work after the PCLT is established.
- (16) Explain using tangible examples how the PCLT is of benefit to all residents, not just a small subset.
- (17) All messaging should be clear, consistent, and comprehensible by a diverse audience.
- (18) Anticipate resistance and prepare responses in advance.
- (19) Consider recruiting PCLT 'ambassadors' from within the community.

flexibility and adaptability

- (20) Set short and long term goals for the PCLT, while frequently reflecting to ensure relevancy.
- (21) Establish committees to manage certain tasks or issues/challenges as they come up.
- (22) Detail a policy framework early, while also building in procedures to make changes if necessary.

financial concerns

- (23) Develop a fundraising campaign that will seek funds necessary for board activities and CLT operation and for potential land acquisitions.
- (24) Develop a campaign to secure land donations including of land currently occupied.

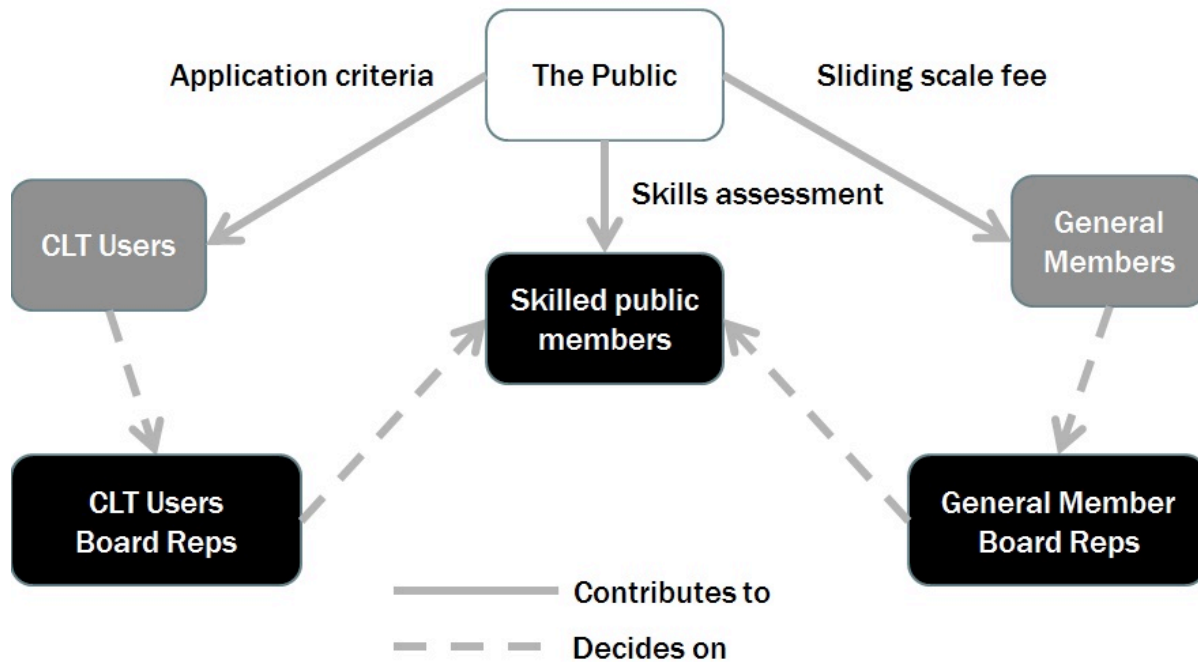
obtaining charitable status

- (25) The PLCT should apply for charitable status, keeping in mind that the process would likely require hired or volunteer help.

legal considerations

- (26) The PCLT should be mindful of the potential impact the forthcoming *Not-for-Profit Corporations Act, 2010* when formulating its governance model; if feasible, professional legal advice on the *Act's* implications should be sought.

Based on our research, a model for the governance structure of the PCLT was developed. It is shown in the figure below:



Briefly, as the figure outlines, the CLT is a membership organization that consists of two types of CLT members – CLT users and a broader membership. The members vote for respective representatives for the CLT board. The public representatives on the board are nominated by the board, and confirmed by all CLT members. Finally, while not depicted here, administrative support is present for the operation of the CLT.

Based on these recommendations, the next steps for the PCLT would be to precisely determine its guiding principles, values and mandate, have a clear idea of potential land, begin registering the CLT as a charity, and begin outreach activities that will promote the idea to the community in a variety of settings. Crucial in this process is the development of a clear message that inspires confidence and interest.

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introduction

Parkdale is an inner-city neighbourhood in Toronto's west end that is home to many low-income and marginalized people, recent immigrants, and individuals coping with mental health or addiction issues. Dozens of social-service agencies also call Parkdale home, including Parkdale Activity-Recreation Centre (hereafter referred to as "PARC"), a drop-in community centre and our client for this research project.

As demonstrated by David Hulchanski's (2010) *Three Cities within Toronto* research, Parkdale is one of the only remaining mixed-income and affordable neighbourhoods in Toronto's well-serviced central core. It is also notably surrounded by increasingly affluent neighbourhoods, including West Queen West, Liberty Village and Roncesvalles Village, all recently gentrified. It was only in 2003 that the Irwin Toy Factory, for example, was converted into a mixed use complex with hard lofts. On Queen Street West, soft lofts are currently selling for about \$440 per square foot. Parkdale has thus far managed to keep a decent stock of affordable housing, especially south of Queen Street. Nonetheless, the neighbourhood is facing increasing gentrification pressures that raise important questions regarding affordability and the preservation of community diversity.

Affordability, not only of housing but of other basics like food, is a concern for most Torontonians, yet perhaps more concerning for those living in Parkdale, many of whom live below the poverty line. Even small increases in rent or the price of staples can greatly affect residents. *Beyond Bread and Butter: Toward Food Security in a Changing Parkdale*, a report produced for and published by PARC, explains that it is also difficult to avoid the displacement of commercial operators in gentrifying neighbourhoods, as attested by providers of affordable food options. Consequently, "lower income individuals face the problem of declining availability of affordable grocery stores and restaurants and social space" (Richer et al, 2010, p.11). How might PARC mitigate some of these critical concerns about affordability?

Beyond Bread and Butter recommended PARC develop a CLT as part of an overarching food strategy for the neighbourhood. PARC has since taken steps to initiate the development of a CLT that would hold land in perpetuity for the community. PARC envisions that members of the CLT will be able to grow their own produce on assigned plots, thus contributing to neighbourhood food security, relieving some affordability concerns, and engendering community development and pride of place, among other benefits. This initiative joins a growing body of work addressing issues of food

security in the neighbourhood. PARC, along with Greenest City, recently created the Parkdale Food Network. This collective has the goal of increasing access to affordable, nutritious food for community members, an example being the work of the West-End Food Co-op, a Parkdale-based food hub that launched earlier this year.

Yet the goals PARC has in mind for the PCLT, and the context of Parkdale itself, are highly distinctive (if not unique) when compared to those of other CLTs, and this sets up a distinctive set of challenges. Typically, CLTs are devoted to affordable housing provision in areas that have experienced disinvestment and require revitalization. These areas often have low property values and a relatively homogeneous population. Parkdale's land value, to the contrary, is high and its populace highly diverse. PARC also unconventionally wishes, at least initially, to provide land for urban agricultural uses. Most significantly, however, PARC seeks to engender a governance structure for the PCLT that fairly represents and balances the diverse yet unequal interests in Parkdale. In these ways, PARC is pioneering a completely new approach to community land trusts in Canada where there are few examples to begin with.

With these considerations in mind, the two key goals of this report are:

- 1) To identify governance challenges PARC and other community partners will likely face as they move forward with the PCLT, as well as to highlight successful strategies that CLTs in other jurisdictions have employed in response to these challenges.
- 2) To recommend a CLT governance model tailored to the Parkdale context that enshrines the principle of equity while also considering issues of efficacy, sustainability, and practical feasibility.

There is much at stake in this project, for it introduces questions regarding who has access to land, how land is used, who decides, and who benefits (Goodmurphy and Kamizaki, 2011). A community land trust in Parkdale offers residents the opportunity to collectively engage in conversations and decision-making processes about land use, as well as, to some extent, manage neighbourhood change. More than this, it encourages Torontonians to demand the right to collaborate with traditional decision-makers like planners, developers, and councillors on determining how city land is used, and the system of land ownership more generally. Affordability, of food or housing, is an issue that will likely worsen without citizen engagement and agency, though there may be more urgency for Parkdale than elsewhere. PARC's concept for a CLT is highly innovative and it is our hope that we might aid its endeavors by recommending a governance model that ensures the PCLT can achieve its goals.

what is a community land trust?

A CLT permits a collective to develop land for uses that would be difficult to secure through market mechanisms. The model, broadly speaking, is one in which land is held in perpetuity by a non-profit organization, yet decisions about land use are made democratically by members who likewise elect a board of governors. UN-Habitat observes that most CLT governance models are community-based, user controlled, and tripartite in structure (2012, p.14-15). Governance of the CLT should be community-based in that people who use the lands or reside in surrounding areas should guide its development, while user control implies that users of the CLT, not absentee investors, for example, should control its operations. The figures below graphically illustrate how ownership and control of CLTs is quite different from those of conventional market land ownership and control systems. Tripartite governance refers to a board of governors composed of one-third leaseholders, one-third community members at large, and one-third public officials. Governance must take an engaged approach in Parkdale, meaning PARC must foster the inclusion and participation of the neighbourhood's diverse residents. Questions regarding how to reach community members, including in a several languages, safeguard democratic rule, assure accountability, and institute a sustainable structure emerge from developing a CLT, posing challenging problems. Canada does not have an extensive network of CLTs, a legal definition of the model, or established resources to draw on. Canadian CLTs are often registered charities that must obtain operational funding and from grants and donations.

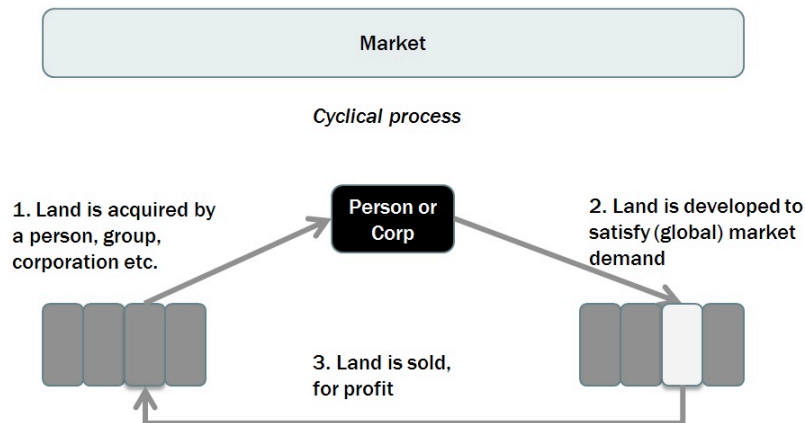


figure 2: a simplified model of conventional market-led ownership

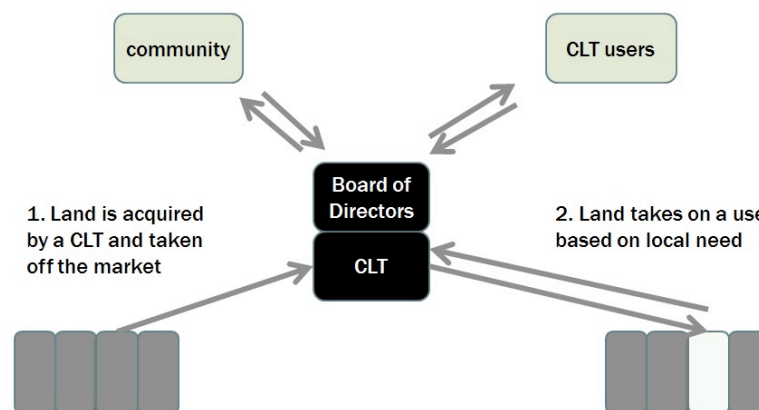


figure 3: the CLT model

key tensions relating to CLT governance

Through our research, several key tensions related to CLT governance were identified that fundamentally inform the recommendations contained in this report. These are important issues the PCLT will need to address, and they bear mentioning at the outset:

- (1) How to reconcile the need to attract specific skill-sets with the need for broad-based community representation and inclusion?
- (2) How to ensure continuity of the PCLT's core mandate and principles while also allowing for the flexibility to adapt to changing circumstances?
- (3) How can the PCLT advance its social justice or equity goals while also achieving broad-based community buy-in?
- (4) The outreach dilemma: how to make the (still) abstract concept of the PCLT concrete and comprehensible?

A useful framework for approaching these tensions is to understand the need to balance what might be called “values-based” rationales and “practice-based” rationales (Davis, 2008). The former relate to advancing principles such as equity, social justice and democratic decision-making, whereas the latter are concerned with efficacy, practical feasibility, and viability. As Davis (2008) indicates, these two sets of rationales are not *inherently* antagonistic in the governance of a CLT - indeed, they can often be mutually supportive - but they do require an active process of negotiation and reconciliation. Drawing on the experiences of other CLTs, the recommendations in this report attempt to strike a balance between value-based and practice-based considerations.

methodology

research methodology + approach

The research for this study involved both a thorough review of secondary literature and a series of semi-structured key informant interviews. We reviewed literature on governance and public participation, conducted a review of different CLTs in North America, supplemented by interviews with United States-based CLT practitioners, and conducted key informant interviews with Parkdale community members to inform our recommendations for a governance model for the PCLT. Each of these research streams is described in more detail below.

secondary literature review

Twenty-eight articles have been reviewed on a range of interrelated topics, including community engagement (the pitfalls, challenges, constraints, opportunities, conceptualization, value, re-theorization of), participation in governance, governance innovation, community representation in governance, multiculturalism and governance, power and participation, empowerment, and collaborative planning. The goal for this stream of research was to extract principles from other forms of governance and community engagement to apply to the context of the PCLT.

north american CLT primary research

A review of CLTs in other North American jurisdictions was completed to provide information on the governance structures and processes of existing CLTs and identify examples of challenges and successes faced by CLTs that could serve as lessons for the PCLT. This jurisdictional review was based on a review of literature and publications related to CLT governance, key informant interviews with twelve CLTs in the United States, and the compilation of a table of information on existing CLTs in a spreadsheet (Appendix H). An expanded explanation of methods is included in Appendix D - Jurisdictional Review Technical Report.

parkdale primary research

Eleven semi-structured interviews were conducted with a diverse range of stakeholders in the Parkdale community. Key informants included senior staff in social services agencies, residents of Parkdale with lived experiences of marginalization as well as residents with significant involvement in the Parkdale community (See Appendices for a list of key informants and interview guides).

Questions were aimed at gaining an understanding of the steps, processes and values that would be necessary to ensure that the governance of the PCLT is broad-based and inclusive. We wanted to learn about strategies that existing Parkdale organizations have used to ensure their organizations are accessible and inclusive, as well as to identify the challenges organizations face in this area. As PARC has identified a broad base of support for the PCLT as a priority it was necessary to identify opposition and tensions. A better understanding of these potential sources of tension was a necessary first step toward finding avenues for collaboration and areas of common interest with respect to the PCLT.

features of the PCLT

The PCLT must start with a strong foundation in which guiding principles, values and mandate are established. Built upon this foundation the PCLT needs to be equitable, effective, sustainable and feasible. Substantial overlap of the established themes occurred across our three research streams.

In the “Foundation” section we examine specific values and mandate as suggested by our key informants and link these suggestions with a framework of analysis for the PCLT’s value system. Based on the literature and experiences within Parkdale, we suggest that an anti-oppressive practice perspective be used as the analytical framework of the organization. After looking at the foundation of the PCLT we detail how a consensus based decision-making model will create space for equity and while also discussing the importance of creating structures that are both accessible and inclusive. Specific recommendations for creating an effective PCLT are then reflected upon and include the identification of board member responsibilities, procedures and benefits. Board responsibilities and benefits relate to the need for the board to be representative of the community that it serves while also having skill sets that will allow it to be effective. Since the PCLT will have limited resources initially board members should be sought whom will bring specific skills to the organization.

Additional skills and capacity can be found in partnership with local organizations and government and these groups may also provide technical assistance, education, and the possibility of establishing broader networks. Meanwhile, outreach activities will create support for the PCLT and further the goal of working within networks. The sustainability of the PCLT will be contingent upon engagement of more than the usual players, with clear and consistent messaging that anticipates opposition while communicating the benefits that the PCLT could create for many different people.

Short and long term goals that are continuously reflected upon will operate to sustain the PCLT, as will the early development of a policy framework for the organization. Beyond being sustainable, the PCLT must ensure its feasibility by seeking charitable status, which will also ensure legal accountability. It will also be necessary to pay particular attention to changing legislation concerning non-profit organizations as these changes could potentially impact the governance of the PCLT. Meanwhile, it will be essential for the PCLT to engage in ongoing fundraising activities incorporating both private and government funding opportunities.

With the features of the PCLT briefly examined it becomes possible to explore these themes in further depth. We start with a review of the foundation of the PCLT.

foundations

Guiding principles, values and a mandate statement should be central to all processes and decisions of the CLT. Additionally, an anti-oppression practice perspective will provide a framework in which the PCLT's values, principles, and decisions can be evaluated.

an anti-oppressive practice perspective

The PCLT should consider adopting an anti-oppressive practice (AOP) perspective for its work. Several agencies in Parkdale operate from an AOP perspective, including PARC. An AOP perspective creates a framework in which the organization's values, mandate, and practices can be continuously critiqued and reflected upon in order to confirm if the PCLT is operating to create transformative change or is instead reproducing hegemonic and oppressive systems.

Far from being focused upon a utopian vision of community and community development (DeFilippis, 2008), an AOP perspective understands that creating equity and transformative change is a long term project, riddled with inconsistencies, barriers and deeply ingrained systems which operate to reproduce the status quo. However, AOP also understands that change is possible, should be sought out and involves changing structures and creating spaces in which individual and group agency is able to operate.

An AOP perspective focuses upon "issues of power, oppression and privilege and one's group identities such as gender, race and class" (Curry-Stevens, 2011, p. 347). Individual and collective social location is "foundational to how one experiences the world" and one's social location interacts with issues of oppression and privilege (ibid). AOP, at its core, focuses upon a strong "mandate of advocacy and advancing social justice" (ibid) and requires that all people within an organization continuously reflect upon the work in which they are engaged. Where oppressive structures or decisions exist they should be looked at and considered in a thoughtful way which prioritizes the development of practical solutions focused upon minimizing or eliminating oppressive systems. It is important that during these reflection exercises the organization not overburden itself with preoccupations as to who is responsible for oppressive decisions or structures. Rather, all members of the PCLT should be responsible for working towards better systems and decisions. Genuine non-blaming conversations examining the ways transformative change might be furthered is key.

Practically speaking, in meetings, discussions and at times of decision-making, members of the PCLT should name structures that might exclude and reproduce oppression. In some cases, a solution might be obvious, in others the solution might be complex or might not exist. At times exclusion might be acceptable, where this exclusion creates the space for others to have greater agency in their lives. AOP should not be mistaken for moral relativism -- AOP has specific value systems and creates a normative space in which these values can exist and be discussed.

Importantly, we must recognize that while the AOP perspective explicitly names structural systems which create oppression in our communities, it also explicitly names the agency with which individuals and communities have power to affect change. Agency to create change exists both inside and outside of structures that create oppression and people have different levels of power to create transformative change.

Additionally, power should not be conceived as a “zero sum” game in which one’s gain results in another’s loss. Rather power can be framed as created through individual and collective work which works to remove oppressive systems through collective and individual agency and oppositional politics such that new possibilities of being are created.

An anti-oppression value system is evident in other community land trusts. For example OPAL CLT includes the following bylaw:

The rights of all members of the corporation to absolute freedom of religion, political commitment, personal conviction, association, expression and action shall not be abridged or impaired by the corporation, except when freedom of an individual seriously conflicts with the rights of other members or with the general public. In all of its dealings with members, prospective members and leaseholders, and all other persons, the corporation shall not discriminate against any individual or group for reasons of race, color, creed, sex, age, national origin, disability, sexual preference, marital status, or religion (OPAL CLT, 2003, p.1).

The PCLT will need to develop its own specific values and mandate, however, an AOP perspective offers an established and widely-used framework in which the PCLT’s value system and mandate can be evaluated.

mandate + values

The specific wording of the mandate must be developed in context with the goals of the PCLT and the populations it will represent. As such, an initial task alongside developing the PCLT and establishing the bylaws will be to fashion a set of values that are representative of the work that is to be done by the PCLT.

The guiding principles, values and a mandate of the PCLT will frame the decisions and work completed by the PCLT. Some informants emphasized the importance of developing these principles and values well before any decisions are made (Pertanen; Roth; Williams; Miller, personal communication, 2012), and this sentiment was also echoed by jurisdictional review informants who emphasized getting the organizational elements right before launching into any projects. Georgina Serrano, a board member of T.R.U.S.T. South LA, felt that identifying the values of the organization as a group was crucial (personal communication, 2012). She recommended having a workshop with an exercise that would distribute a long list of values, ask participants to identify values that were important to them, and from there develop the organization’s values. From these values the organization can develop its goals and determine what would realistically be achieved in the short, medium, and long term.

The ultimate goal of the mandate is to prevent “mission creep” and to keep decision-making and program development centered on specific tasks (Jonkey & Meehan, 2008). Stuart Bannan, of Anchorage CLT emphasized the need for CLTs to understand their mission and have self-discipline to stay true to that mission, advising new CLTs to “start small and understand what you’re

doing” (personal communication, 2012). According to one of our Parkdale-based informants, establishing a clear mandate will be particularly important for the PCLT given the neighborhood's “diversity of interests” (Perks, personal communication, 2012); this same informant recommended legally enshrining the guiding principles and mandate in the PCLT’s letters of incorporation (ibid). When developing specific guiding principles, values, and mandate the PCLT should use an anti-oppression practice perspective to analyze whether those principles, values and mandate work towards creating transformative change.

The mandate should conform to the PCLTs established guiding principles and values and should be based primarily on three factors: (1) the primary land use type (agricultural, residential, commercial, mixed-use); (2) the primary concern of the PCLT (ensuring affordable land, engaging marginalized people, ensuring reliable food supply etc.), and (3) considerations of perpetuity and long term feasibility.

relevant mandate principles + values

Based on our discussions with community members, the following principles arose:

- **Equity and inclusion:** ensuring the PCLT enables participation for all, with a particular emphasis on marginalized community members;
- **Democracy and accountability:** upholding democratic election of board members;
- **Community control:** guided by a representative range of Parkdale-based community members, for the benefit of the community as a whole;
- **Collaboration:** establishing close and collaborative ties between members;
- **Long-term stewardship:** securing and managing land for future generations; an enduring role as “community landlord”;
- **Perpetual affordability:** mitigating ever-increasing costs of living.

recommendations

(1) Guiding principles, values, and a mandate need to be developed in collaboration with the community being served by the PCLT to create a framework for decision-making and direction of the PCLT from the outset.

(2) An anti-oppression practice perspective should be adopted as an analytical framework which will both guide the creation of the guiding principles, values and mandate and will guide the ongoing decision-making and operation of the PCLT.

a. equitable

The PCLT requires a governance model that fairly represents and balances diverse and unequal interests. Equity will be ensured when it is clear that the board is composed of members who can represent these different interests while simultaneously pursuing the common goals of the CLT. Consensus decision-making will contribute to equitable governance, as will specific policy frameworks intended to foster inclusive spaces through which the board, in collaboration with membership, can achieve its goals.

1. the decision-making process

The decision-making processes of the PCLT should reflect its guiding principles and values. Decisions will need to be made at the board level and also by the PCLT's membership. When choosing a decision-making model we considered three types: majority rule, a consensus decision-making model or a modified consensus decision-making model. After consulting with key informants in Parkdale, American CLT practitioners, and the relevant literature, benefits and pitfalls of each model arose. This section compares the different models to understand which would be best suited for the PCLT.

majority rule

In a majority rule decision-making model, decisions are raised according to specific rules that govern the structure of the meeting and a course of action is voted upon by a specific majority as determined by the rules of board. In the case of "Robert's Rules of Order", specific motions are presented by the chair, debated by the entire board and then voted upon by the board. Typically, majority is considered to be 50% plus one of voting board members (Robert, 2000). In other cases a supermajority of two thirds of the board is required to make a decision (ibid). This model has the benefits of being easily recognizable as the model used in many decision-making settings (including, for example, Toronto City Council), while also having the benefit of making decisions relatively quickly when compared to other models. However, this model also suffers from not addressing specific concerns brought by other board members.

consensus

Consensus decision-making is when decisions are made whereby the entire group comes to an agreement. Board members come to agreement through hearing each member's thoughts and opinions on how a decision might be made, and then synthesize those positions into a solution that is acceptable to all those involved in the process (APIRG, 2012). An example of how a consensus decision-making model might work in practice can be found in the box "Process for Consensus Decision-Making" (see below).

Seeds for Change, and NGO based in the United Kingdom, outlines the "conditions" that are necessary for a consensus decision making model to operate. Specifically, it notes that the organization must:

1. Have a clearly defined **common goal** that all members are willing to work towards.
2. Be **committed to reach consensus** such that members are willing to be patient and contribute the effort required of this model.
3. Foster an environment of **trust and openness** so that members feel that they are able to freely express their opinions, wishes and needs.
4. Provide **sufficient time** to make good decisions and have a **clear process** that ensures that members understand how decisions are made.
5. Ensure that **active participation** occurs and that all board members speak up during decision-making (Seeds For Change, 2012)

Once these conditions are established, specific roles within the board may be established. These roles usually include:

facilitator: A specific person may be given this role or the role may rotate among board members (APIRG, 2012). This person is responsible for defining decisions that need to be made, must keep the meeting moving and on-topic, must ensure that all members have the opportunity to participate and tests to see if consensus has been reached (ibid). The facilitator does not make decisions on behalf of the group and as much as possible should remain neutral on decisions (ibid). As Sager and Gastil (2006) note, consensus models require strong facilitators who have personalities that are extraverted, agreeable and open to differing options.

vibe watcher: This role may not be necessary for most decisions being made, but for controversial or difficult decisions this person is helpful since they are tasked with watching the “patterns of participation” and the power dynamics at play within the group (APIRG, 2012). They must comment whenever it seems as though certain members are being excluded from the conversation (ibid).

secretary: As in conventional majority-rules decision making models, this person is responsible for taking clear and understandable notes. Any decisions made and action items required of such decisions must be transcribed by the secretary (ibid).

Several CLTs in other jurisdictions attempt to achieve consensus on all decisions, but when this is not possible a decision is made by a majority vote of board members present at the meeting. Only one CLT interviewed employed a consensus model for all board decisions - OPAL CLT. The following appendix drawn from OPAL's bylaws (2003, pp.8-9) outlines their process for consensus decision-making.

process for consensus decision-making

Consensus refers to agreement on some decision by all members of the group. The consensus process is the process the group goes through to reach unity of agreement. Built into this consensus process are the assumptions that we are all trustworthy, that we are all equal, and that each of us has part of the truth and none has all of it.

To use this process four ingredients are necessary – a group of people willing to work together, a problem or issue that requires decision by the group, trust that there is a solution, and a commitment of time and energy to find the truth. It is important to come to meetings with a clear and open mind, and a firm willingness to listen to others. This is not to say that prior thinking should not have been done, but simply that the thinking must remain open throughout the discussion – or else there is no way to come to the full truth. So that all present know that they have agreed to the same thing, minutes on decisions that have been made need to be stated by the Secretary at the time of the decision.

There sometimes comes a point when all are in agreement but one or two. At that point, four options are open:

- (1) The dissenting individuals are willing to ‘step aside’. This means that they do not agree with the decision, but do not feel it is wrong and are willing to have it go forward. Their opinions are entered into the minutes as a dissenting opinion on that particular issue.
- (2) The issue is laid aside for another time. The need to make the decision at the moment is considered not as important as the need to come to unity around whatever decision is made.
- (3) One or two people may stop the group or meeting from moving forward. The individual(s) who are holding the group from making a decision must have examined themselves well to know that they are not doing so out of self-interest, bias, vengeance, or any other emotion or idea except the heart-felt belief that the decision is wrong, and that they would be doing the group a great disservice by allowing it to go forward. It is important that the group see the person who is holding up the meeting as doing so out of that person’s highest understanding and beliefs. The individual(s) who are holding the group from going forward must submit to arbitration, as per Article IV, Section 7, B, 3-4.
- (4) The decision may be put to a vote, with the 2/3 majority securing passage, and the dissenting opinion recorded in the minutes. Votes involving the Board of Trustees require a 2/3 majority.

Allen Smith, an OPAL board member, explained that the rationale for consensus came out of the belief that “everybody has a piece of the solution – what is important is that the solution be crafted to recognize those different interests and concerns” (personal communication, 2012). There are two main advantages to this process for OPAL. First, the model balances out the very vocal and the more reticent members of the Board, allowing each to speak in turn. Second, majority rule cannot steamroll minority concerns.

In OPAL’s board meetings, “probably 80% of those decisions are routine and handled in the traditional way after discussion (“All in favor, say aye”)” (Smith, n.d.), however when difficult issues arise a solution is either crafted by the board or sent back to committees or staff to work on or provide additional information. While technically this model could allow for one or more members

to stop the process by continuing to vote ‘no’ and refusing to abstain from the vote, Allen Smith noted “in seven years, I’ve only seen one decision that was tabled because a consensus could not be reached” (Smith, n.d.).

Thinking through the reasons for OPAL’s success in implementing this consensus model, Allen Smith explained “I’ve come to realize that the rules and techniques used when trying to implement consensus decision-making are less important than attitudes of the participants” (Smith, n.d.). There are several keys to the success of this model for OPAL. First, there is a rigorous selection process for board members to ensure that they understand and can work well within the consensus model. It is important to recognize that not all personalities will be suited to a consensus style of working - “We have passed on retired CEOs who had stellar credentials but were more comfortable making decisions than they were nurturing them” (Smith, n.d.). Second, to prevent the consensus process from becoming too wooden, the Chair of the board must know when to enact the consensus process and also how to encourage participation from all members.

While consensus decision-making requires extra training, strong facilitators, and can sometimes lead to “groupthink” there are significant benefits to this model since it is typically associated with greater equity, self-representation, other member representation and fairness (Sager & Gastil, 2006). Consensus decision-making attempts to create an environment in which all board members will have control over decision making and in which decision making builds trust, respect and cooperation so as to create solutions that are agreeable to all involved in the process (Seeds For Change, 2012).

Within the context of the PCLT, a consensus decision-making model aligns with key goals of fostering equity and inclusion. This model attempts to create a space in which differing viewpoints can be heard and integrated into a unified decisions of how the PCLT should function.

However, recognition should be given to the possibility that not all decisions may be able to achieve 100% consensus. With this possibility recognized, it makes sense to examine a modified consensus model that might also serve many of the functions of a consensus decision-making model as just described while also allowing some of the benefits of a majority-rule decision making model. Specifically, this modified model may allow the organization to continue to operate rather than being deadlocked by an inability to reach consensus on contentious issues.

modified consensus

In a modified consensus decision-making model, consensus is sought as a matter of regular practice. However, where it is clear that a particularly difficult decision cannot be made through consensus the decision is instead made through a supermajority vote. This supermajority vote requires that two thirds of the board agree with the decision being made. If a supermajority cannot be achieved then the decision-making process must either restart with the potential for new proposals or must be revisited at another time. T.R.U.S.T. South LA provides an example of a modified consensus process operating in another jurisdiction.

T.R.U.S.T. South LA was the only CLT interviewed that was currently using a modified consensus decision-making process for membership. This process flows from their core values and reflects the belief that each member has a point of view and it is important to listen to fellow members and judge the pros and cons before making a decision. When full consensus cannot be achieved, a supermajority vote is held instead. The modified consensus model is described below:

Modified consensus decision-making process involves identifying the issue that requires a vote by the membership, holding general discussion of the issue and brainstorming solutions, making a proposal, holding discussion on the proposal and addressing concerns, until unanimous agreement is reached. In the event that unanimity cannot be attained, a

decision shall be made by an affirmative vote of two-thirds of the Regular Members present and voting on the matter, a quorum being assembled except as otherwise provided in these bylaws. Before a vote is held on any motion, the exact language of the motion shall be recorded and read to the membership, and all members present shall have a reasonable opportunity to express their opinions on the proposition. Each year during the Annual Meeting of the Membership the membership will review and decide whether to uphold or alter this decision-making procedure. (T.R.U.S.T. South LA, 2011, pp.8-9)

decision-making considerations: quorum + proxy voting

Quorum requirements are intended to ensure that sufficient representation of the board and/or membership is present at each meeting to prevent a small number of board members or membership from making decisions that are unrepresentative of the interests of the larger board or membership. Quorum is especially important at any annual general meetings of the PCLT. Related to this is the use of proxy voting whereby absent members can still submit their votes.

Some CLTs have stipulations for a quorum when voting occurs. This can either be spelled out as a minimum number of members or a proportion of board members or membership present at a meeting. In some jurisdictional review cases, at the board level, a quorum requires at least one representative from each of the three categories of tripartite representation to be present (e.g. T.R.U.S.T. South LA). Similarly, for decisions at the membership level, Community Home Trust requires a quorum of 5% lessee members and 5% general members be present. Membership-level quorums can also require a simple proportion of total membership, as is the case with T.R.U.S.T. South LA who require one-third of total regular membership be present.

The use of proxy votes in decision-making is another important consideration for CLTs. Several CLTs in other jurisdictions mentioned that board members with work, volunteer, or family obligations often had trouble attending board meetings. This can be especially relevant for low-income board members who may work several jobs or be unable to obtain childcare. Proxy voting allows those members who are unable to attend a meeting to still cast a vote and have their interests represented in the decision. However, there can be drawbacks to this approach as several CLTs in other jurisdictions also noted. T.R.U.S.T. South LA, OPAL CLT, and Community Home Trust do not allow for proxy voting, arguing that when people miss meetings they also miss the discussions at those meetings and therefore cannot make an informed decision by proxy.

recommendations

- (3) The PCLT should use a consensus or modified consensus decision-making model for decisions at the board level and should use a supermajority of two-third consent for decision-making at annual general meetings.
- (4) The PCLT should consider developing specific policy frameworks for quorum and proxy voting.

2. accessibility and inclusivity

It is important that the PCLT operate with accessibility and inclusivity in mind so as to be aligned with the mandate and values of the PCLT while also helping to ensure that the organization is drawing from a broad-base of support in the community. The PCLT should continuously evaluate whether it is conducting its activities in a fashion that includes the greatest number of people through established processes that would work to remove barriers and prevent the formation of new ones. Realistically, it will not be possible to remove all barriers at all times for all people. However, the organization should work towards creating an inclusive environment with any resources available to the organization that might allow this to happen.

With limited resources, it is sensible to use both monetary and non-monetary resources to ensure accessibility. The creative use of community assets, such as agencies or community members capable of translating materials or acting as liaisons to certain ethno-cultural groups, may result in workable solutions for ensuring that more people are able to be involved in the PCLT (Roth; Posiat; Anglin, personal communications, 2012). When resources do not allow for the accommodation of certain needs, the PCLT should notify members in advance.

When evaluating whether the activities conducted by the CLT are accessible and inclusive, it would be helpful for the organization to consider creating an accessibility checklist for activities in the CLT. A sample checklist has been provided in the Box entitled “Accessibility and Inclusivity Checklist” and this checklist can be adapted for the organizations’ use. The organization should remain flexible and willing to adapt its practices according to participants’ needs insofar as they can be reasonably accommodated. In the sample checklist, it may not be necessary or feasible to provide all suggested accommodations; rather the point of this checklist is that accessibility be thoroughly considered in all activities of the PCLT.

recommendations

- (5) Evaluate all decisions, events and activities to verify that, broadly speaking, they are inclusive and accessible.
- (6) Develop or adapt an “Accessibility Checklist” which will allow the PCLT to verify if activities are accessible. When it is not possible for activities to be fully accessible, notify people in advance of this fact. For example, if a meeting will not have childcare due to limited resources indicate that this is the case and the reason for this limitation.
- (7) Use local, partner or internal resources to improve accessibility when resources are limited. For example, consider seeking out bilingual community members who could translate literature for the PCLT.

accessibility and inclusivity checklist

language

1. Are documents available in the major non-English languages spoken in the community (e.g. Tamil, Hungarian and Tibetan)?
 - When possible documents can be translated through machine translators (such as Google Translate) as an interim measure.
2. Is it possible to conduct separate meetings with non-English speaking community members?
3. Is literature available on the CLT website?
 - This will allow for materials to be accessible for those unable to be at all meetings and will allow for community members to access literature in alternative formats.
4. Are documents provided in MS Word format?
 - This format is the most accessible for screen-reading software and allows adjustment of fonts for readability
5. Is literature available in printed format as is required by those without access to the Internet (Williams, personal communication, 2012)?
6. Is literature written in a plain-language format (ibid)?
7. Have alternative dissemination formats been considered?
 - For example would audio, video, or web-based mediums be appropriate?

community

1. Have connections been made with community members and / or agencies that represent or are knowledgeable about different subset of the Parkdale community?
 - Have these groups advised the CLT on how activities might be conducted so as to maximize their involvement?

community meetings

1. Have community members been consulted to select a meeting time that will allow for the greatest attendance possible (Williams, personal communication, 2012)?
2. Are meeting spaces physically accessible for all peoples (ibid)?
 - Can people with physical disabilities enter the meeting space (ibid)?
3. Has a short check-in with community members been completed during a meeting to see if the meeting could be made more accessible for others in the future?
4. Is child care available for meetings (ibid)?
 - Community members should be consulted to see if this accommodation is required and if volunteers from the community could be supportive in this accommodation (ibid)?
5. Are board members compensated for expenses incurred in their duties (ibid)?
6. Has food been provided in meetings (Partanen, personal communication, 2012)?
 - Food helps to both bring people together in meetings while also ensuring that marginalized peoples with less food security are able to participate (ibid).
7. Are meetings conducted so as to maximize understanding and participation in meetings?
 - In larger meeting settings are microphones available so as to ensure that people are heard properly?
 - This allows for community members to be heard and for maximum understanding.

board members and meetings

1. Is office space with access to a telephone, computers and the Internet available for board members to use as necessary (Williams, personal communication, 2012)?
2. While physical presence is preferred, would it be possible for a person to attend a board meeting by a conference call?
 - Those who cannot attend board meetings should also be the opportunity to use a proxy vote.
3. Is the chair of the board ensuring that all members have the opportunity to participate?
 - An environment conducive to understanding and incorporation of board members' differing styles is necessary.
4. Is training available for board members so that members can participate at similar levels (ibid)?

b. effective

The PCLT must ensure that it operates effectively in order to achieve its goals as effective governance is the backbone of a successful organization. The PCLT may face challenges in attempting to ensure representation of the diverse Parkdale community while at the same time ensuring the board reflects the necessary skills and experience for effective governance and operations. This can be achieved through training and capacity building at the board level, or recruitment of board members with specific necessary skills. It can also involve partnerships with organizations that can offer their own skills and experience to the PCLT, or seeking out support and resources from political officials or existing CLT networks.

3. board responsibilities + benefits

roles + responsibilities of board members

It is very important for CLTs to outline “rights, responsibilities, expectations, and a code of conduct” for board members from the outset (Robinson et al, 2005, p.22). Board member benefits must be clearly defined, too, in terms of any monetary benefit. Interviews with other CLTs revealed that the boards of existing CLTs are all entirely volunteer-based. Typically this is stated in the CLT’s bylaws, for instance, “Directors shall serve without compensation. The Board may authorize the corporation to pay directors for the reasonable expenses they incur in performing their duties.” (T.R.U.S.T. South LA, 2011, p.20). Reimbursement for costs should be possible, but must also be closely monitored within an established budget and maintained by a treasurer.

Specific roles and responsibilities of CLT board members are typically specified in a CLT’s bylaws. CLTs in other jurisdictions often have an executive committee of several officers - Chair/President, Vice Chair/President, Treasurer, and Clerk/Secretary. The board itself elects these officers, with attention to the skills required for each position. A summary of the most common duties for each position is included in Appendix D.

A central role in the management of the board will be the Chair. As a leader, the Chair must foster and encourage other members on the board to assume leadership roles. However, the Chair may face challenges in ensuring that the board represents a diversity of local residents and opinions while still achieving consensus (Hou and Kinoshita, 2007; Eversole, 2003; Jewkes and Murcott, 1998; Mahjabeen, 2009; Robinson et al, 2005). Hou and Kinoshita note the difficulty in engaging a heterogeneous group of individuals who often have “diverse communication styles, cultural nuances and conceptions of issues” (2007, p.303). The Chair should have procedures for accommodating difference in the boardroom, and be sensitive to difficulties in meeting the expectations of board membership. All board members must be active in supporting the Chair in order for the board to be effective.

If a board member is neglecting their responsibilities to the CLT, clear problem-solving procedures can aid in resolving the issue. Often, the Chair will be tasked with ensuring that board members are attending meetings and fulfilling their respective duties, however the Chair should not take on the role of an unbiased disciplinarian in addressing problems with board members. Problem-solving procedures that involve multiple board members emphasize that it is the responsibility of the entire board to resolve problems. The goal of the procedures should be to create opportunities for the problem to be resolved quickly taking into account the offender's specific circumstances so as to create a better result for both the board member and the board as a whole.

training + capacity building

Taylor writes, “The demands of [...] governance can create a gulf between those who have learnt how to play the game and those they represent” (2003, p.193). Many community members in Parkdale may not necessarily have experience with board membership and “the incredibly steep learning curve that is often involved [...] makes it difficult to bring new people on board” (Taylor, 2003, p.193). However, the CLT model recognizes that community members bring a wealth of lived experience to board decisions, and so should not be excluded from the board due to a lack of skills. Therefore, internal capacity building and training is important for CLT board members.

Training should reflect the skills required of all board members, and should also address the understandings of equity and consensus decision-making. Equity requires paying keen attention to “the capacity gap between [...] social service organizations and other community groups,” and the community writ large, for this gap “presents a problem for [some] to participate equally in a formal process.” If proper skills are built among interested participants, notably those who may not have a strong skill set from the outset, then the board is more likely to be equitable, and participants have the added benefit of carrying forward skills learned.

CLTs in other jurisdictions were asked about board member training, and had a variety of approaches. An annual board retreat was common for several CLTs, with the goals of learning, training, or team building. Additionally, many CLTs offered some form of orientation for new board members that usually included conversations with the executive director and an orientation manual or binder containing all the relevant information about the CLT – including bylaws, meeting minutes, and strategic documents.

CLTs that undertook formal training did so based on the challenges at hand for upcoming projects. This could involve fundraising, effective board membership, project development, or finance. Training was provided at CLT conferences, regional meetings, government agencies and programs, and through local community agencies or hired consultants. One CLT respondent mentioned asking for scholarships or discounts for training to save costs.

recommendations

- (8) Clearly define the roles, responsibilities, expectations, and code of conduct relating to the Board of Directors.
- (9) Develop specific procedures to accommodate difference in the boardroom and problem-solving procedures to resolve any issues with board members that weaken the board’s effectiveness.
- (10) Undertake training for board members to ensure the board is effective and equitable.

4. balancing skills + representation

Ensuring representation of the communities the PCLT aims to serve while also ensuring the skills required for effective governance is a difficult task. Interviews revealed that the majority of CLT boards have a tripartite structure that includes representation from home owners/lessees, community members at large, and public members. When asked about the rationale for this structure, most respondents indicated that this was the ‘classic’ form of CLT governance that “seemed the most inclusive, balanced/equitable and one that other area CLTs use” (Robertson, personal communication, 2012). Many respondents indicated that the involvement of community members and homeowners was necessary, as evidenced by the following perspectives:

We felt like it was actually going to help facilitate communication and collaboration among different stakeholders, felt it important to have homeowners as they have obviously a major stake in what the organization does and the outcome of what we do. (Jordi, personal communication, 2012)

We feel it’s very important for the CLT to be part of overall community, so therefore we have community members on our board [...] we see CLTs as part of what makes a healthy community, and therefore have to be part of the community. (Smith, personal communication, 2012)

In addition, one of the key lessons from interviewees was that a skilled board was important for a CLT’s success. The board must be willing to commit their time to doing much of the work required to set up the CLT’s organization since most CLTs do not have the resources to hire staff at those beginning stages. Board members who believe in the CLT and are committed to the community are essential to success, “They’re kind of key people in the community, they’ve been here, they’ve worked here, they’re involved in the community at large” (Key, personal communication, 2012). One CLT recommended that PCLT pay very close attention from the beginning about what type of board will best serve the organization in the long run. Mapping out the desired skills and contributions of board members can be very helpful. Skills and expertise were said to be critical to the success of almost all CLTs.

When seeking to attract and recruit board members, many CLTs in other jurisdictions looked for demonstrated interest, connections, and expertise and skills of potential board members. Commitment and demonstrated interest in the CLT’s objectives were first and foremost reasons for approaching potential members. Individuals who were well connected within the community and could use those connections to open doors and forge relationships were also sought out by several CLTs. Parkdale interviews also revealed the substantial benefit that comes from a champion or a number of firm believers in the tasks undertaken by the CLT. Stuart Bannan, of Anchorage CLT explains: “I think one of the important parts of being a board member is your willingness not just to go to meetings, but to pick up the phone and make a connection for the organization and its mission” (personal communication, 2012).

Finally, CLTs in nearly all cases sought out specific skills and expertise they identified as essential to the projects and overall goals of the CLT. This expertise included finance, law, government, development, real estate, grant writing, architecture, and engineering. Professionals with intimate knowledge of these fields were chosen to provide expertise to the Board in decision-making. In the case of Community Home Trust, the need for skills and diversity is reflected in their bylaws:

It is the intent of the Corporation that the composition of the Board of Directors shall represent a diversity of technical skills to enable the Board of Directors to make informed, well-balanced decisions on the economic viability and social impact of its activities. It is the intent of the Corporation that there shall be socio-economic, racial, gender and geographic diversity among the Board of Directors. (Community Home Trust, 2011, Article 3)

When asked about how board members were recruited, many CLTs in other jurisdictions indicated that personal and community connections were the most commonly used way to identify potential board members. Existing board members were able to suggest connections from their own networks in many cases. Often, individuals or organizations that are working towards similar goals as the CLT are an obvious choice. One CLT did mention that they also placed advertisements to recruit board members.

recommendations

- (11) Ensure a balance of skills and representation in PCLT's governance.
- (12) Identify the specific skills, experience, and connections required to achieve PCLT's goals and recruit board members accordingly.

5. importance of partnerships

community partners

The general importance of partnerships was underscored by nearly all CLTs in other jurisdictions. Partnerships with local organizations who could provide specific technical assistance, education, construction, and financial services were key to the successes of many CLTs. Partnerships unrelated to the programs of the CLT can also be useful, as Cheryl Key from First Homes Properties noted, "From what I've seen it's extremely important to have great community partners, especially on the fundraising side and even on the networking" (personal communication, 2012). For affordable housing in particular, CLTs require partnerships with a diversity of actors to help to educate members about leasing or homeownership in the CLT system, provide financing and mortgages, provide legal assistance in developing group leases, and in some cases to build affordable housing. This can be extended to other land uses, where specific skills are required.

local government support

Local government support has been identified as a key variable in the success and ongoing sustainability of numerous U.S.-based CLTs (CMHC, 2005). Many CLT informants identified support from local government as essential to their success where financial support from local levels of government was an advantage. For example, with First Homes Properties the City of Rochester provided financial support from tax increment financing to reduce the purchase price of a home by \$10K (First Homes). In the case of Community Home Trust, political support was gained through board involvement, "Representation of elected officials is an advantage on our board because they come to know the organization in and out, are invested in the CLT, and are able to speak knowledgeably at town meetings about the CLT" (Bratch-Hines, personal communication, 2012).

In the context of Toronto, city councillors have considerable power to influence developments within their wards. Local councillor Gord Perks supports the establishment of a CLT in Parkdale,

and is open to the idea of sitting on its board of directors once the project is up and running (Perks, personal communication, 2012). However, substantive city resources may not be forthcoming in the current political and fiscal climate. Councillor Perks cautioned that the City of Toronto's ability to support social enterprise initiatives like the PCLT is currently constrained by a lack of political will at City Council, as well as by budget constraints and a lack of dedicated staff (Perks, personal communication, 2012).

Furthermore, negative relationships between local governments and CLTs can be major challenges to CLT operation and success. In some cases, the absence of political will to assist a CLT was an obstacle to a CLT obtaining lands or developing lands in a cost effective manner. The lack of knowledge about the CLT model, or aversion to the perceived risks of investing in a new affordable housing model, were cited as possible reasons for a lack of local government support. The strategies to obtain local government support included persistent and convincing lobbying, and inclusion of local political officials on the board of directors.

using local resources + CLT networks

Many CLTs in other jurisdictions felt that the relationships with and advice from existing CLTs, regional and national CLT networks were important to their success. Existing CLTs were often able to recommend partner organizations that could be useful for the CLT, or point them in the direction of existing tools and resources needed when establishing a CLT. In the United States, there is a national CLT network and also regional CLT networks that new or existing CLTs can lean on for advice, and ongoing coaching through conferences and workshops. One CLT respondent recommended that PCLT approach the National CLT Network to see whether they would be open to accepting a Canadian CLT as a member. PCLT could potentially benefit from the networking and training opportunities provided by the Network.

recommendations

- (13) Establish partnerships with existing Parkdale organizations that are working towards similar goals of the PCLT.
- (14) Build relationships with local government officials to gain support for the PCLT.
- (15) Explore existing CLT resources and networks that may be useful to PCLT.

c. sustainable

Sustaining the PCLT has several main components. In this report, we refer to sustainability as synonymous with the long term viability of an institution. To begin, continued outreach is key to maintaining and growing membership, while advancing community development goals. Second, implementing measures to ensure the model can adapt if necessary is paramount, for both the neighbourhood and the project are likely to change over the years. Below is a discussion of considerations for PARC to keep in the back of its mind as it works through the initial steps of developing the PCLT.

6. importance of outreach + communication

Outreach is necessary to establish and maintain an active membership who facilitate standard operations and ensure the longevity of the CLT. Outreach, however, is consistently identified as a common challenge, and something noted in the literature reviews and interviews. One Parkdale-based informant commented that if a community organization fails to devote significant resources to outreach - including that targeting hard-to-reach populations - it runs the risk of “becom[ing] irrelevant here” (Poseiat, personal communication, 2012). Likewise, without community buy-in, many CLTs struggle. As one CLT practitioner explained: “That’s why the community and resident input is very important -- you don’t want to seem like you are doing something to people, it’s just a challenge to always have that communication open” (S.Bannan, ACLT personal communications, 2012). This section details recommendations regarding outreach, specifically regarding engagement and retention of a membership of a CLT and for ongoing community support.

who to engage

It is important to consider who to engage when developing a governance model for a CLT. Arguments were made by many for ensuring that the board be composed of more than the usual players, (typically non-profit agencies, outspoken residents and gentrifiers). Making sure that a wide spectrum of community members are engaged is key, including the working poor, business owners, home owners, those receiving social assistance, politicians, planners, those with mental health or addiction issues, people with disabilities, and newcomers to Canada living in Parkdale -- that is, it is crucial that PARC engage people from all socio-economic and (ethno-)cultural groups residing in Parkdale. As previously mentioned, informants additionally emphasized the need to reach out to public members who had strong ties to the community and local governments, links to partner organizations working to achieve similar or related goals, and those with specific skills and expertise helpful to CLT operations.

effective communication

The use of effective communication strategies is a very important part of the development of outreach for the PCLT. Essential in this is the clear communication of the CLT concept and community benefits, as well as the anticipation of opposition

Many have observed that, especially at this early stage of development, the concept of the PCLT may be too abstract or complex for many neighbourhood residents to understand. Accordingly, engagement and public education strategies are required to make the idea of a CLT in Parkdale comprehensible and meaningful to a diverse audience. Even more simply, as we have mentioned elsewhere, language barriers need to be overcome, so any material produced ought to be produced in a variety of languages or given to those capable of translating to a specific community.

CLTs in other jurisdictions identified many challenges in communications and outreach. Educating partners and community members about the CLT model and processes was especially difficult where homeownership was concerned. Cheryl Key of First Home Properties states, “We had a hard

time in the beginning explaining to people how the program worked and making them believe that it could work with them not owning the land” (personal communication, 2012). First Homes Properties requires that potential CLT homeowners attend an orientation meeting at which the ground lease requirements are explained, financial lenders provide some education, and homeowners meet with an attorney to review the documents to ensure full understanding of what they are signing on to.

Several of our Parkdale-based informants felt that the idea of a group devoted to acquiring land and offering it to the community for growing food or facilitating affordable housing has the potential to generate a lot of excitement and support – that is, if it is conveyed clearly to the community. Problematic is that the PCLT currently lacks an established base of land and cannot demonstrate a “showcase” example of the concept in action, for PARC is more or less pioneering a model. However, pointing to successful cases of similar uses that are already established in the neighbourhood – Greenest City’s Hope Garden, for example – could assist in making the CLT concept more concrete.

The CLT has a social justice orientation wherein community control of lands results in greater access to land for marginalized peoples through an affordable non-profit leasing arrangement. Yet this is not to say that outreach activities cannot also showcase the benefits of the project for non-marginalized populations. The benefits of the CLT can be presented to the larger community so as to create a “seamless interface with the larger community” (Bunce, 2012), meaning a variety of people in Parkdale can see their interests as served by the CLT.

One informant suggested that the community land trust could be framed such that the idea of land stewardship is transcended and focus can be placed on specific uses of the land held by the trust. This would develop understanding of and interest in practical concrete reasons for the CLT and would show how the CLT could be viewed as a community development initiative, for Parkdale residents benefit from increases in green space, access to community gardening space, improvement of food security, and, potentially in the future, additional affordable housing units.

CLTs in other jurisdictions mentioned that an important part of their communications and outreach strategies relied on demonstrating successes to the community. They do so by sharing homeowner stories, thus demonstrating what the CLT has achieved and that the model can work. These success stories can be communicated through the CLT’s website, local media, and annual reports. As one CLT explained, “You want to engage the community to let them know what you are doing and trying to do, and the benefit that it would be for the community” (B.Ester, CLCLT, personal communication, 2012).

Focused and consistent answers to anticipated questions from community members should be developed prior to the implementation of an outreach campaign. For example, the campaign should consider basic questions like, “What is a community land trust?” in addition to more complex questions like, “Why does Parkdale need a community land trust?” Rationales from stakeholders and community members for establishing a community land trust in Parkdale should be detailed in outreach materials to show that initial support for the project exists at the local level.

Many CLTs in other jurisdictions have a website with background documents, brochures, or Frequently Asked Questions pages that provide information on the CLT model, and dispel any common misconceptions. Newsletters are also a common form of communication to keep members informed of the CLT’s progress.

Opposition to the CLT should be anticipated and responses to opposition should be planned ahead. Potential opposition to or misunderstandings of the community land trust should also be anticipated in an outreach campaign. Some informants, for instance, felt that this project was quite “utopian” and would therefore not be achievable. Examples of successful community land trust

projects should be presented in order to showcase the possibilities of a CLT and give a realistic picture of what is possible even with limited resources, like PARC's.

Another informant also felt that some Parkdale residents may perceive the CLT as being a “social experiment,” objecting to Parkdale always being the test site for such “experiments.” In this instance the CLT might benefit from emulating the model that PARC has used in the past to convert NIMBY reactions into support. Board members can act as ambassadors for the project by working to dispel myths, and use outreach campaign literature to inform those raising objections to the project.

Opposition to the CLT should not be seen as discouraging, but rather as an opportunity to engage Parkdale's diverse population, and generate dialogue within the community. Even if some community members remain unsupportive of the project, there is value in keeping open lines of communication with these dissenting voices, for they may raise valid concerns that need addressing, and with more information and time may become supportive of the CLT.

engaging the right communities at the outset

Before the CLT is formed, a membership should be burgeoning. Yet how can PARC forget relationships in sometimes unknown social spaces, “with communities who may be seen as hard to reach, to foster dialogue and participation” (Eversole, 2011, p.53)? Lack of successful outreach can cause many problems (Hou & Kinoshita, 2007) and thus must be undertaken diligently and with care. Lowndes and Sullivan remark that organizations ought to “develop a broad repertoire of participation methods in order to reach different citizen groups [...] -- from surveys to ‘listening days’, from focus groups to visioning exercises, from public meetings to community-run projects” (2004, p.68). Informal engagement processes are also advocated by Hou and Kinoshita, “broade[ning] the interactions among local residents and rais[ing] their awareness of the neighbourhood's challenges and assets. They write that these activities “have served as an important first step toward formulating future visions and actions in the [area]. They also contributed to the strengthening of interpersonal networks and organizational capacity that enabled the new [...] groups to undertake further initiatives” (2007, p.309-310). It is repeatedly stated that “it takes time to build community capacity and create partnerships imbued with trust and respect” (Robinson et al, 2005, p.20). There have been several categories of people, however, that have been specifically identified by key informants as necessary to engage.

Keeping in mind recommendations listed above for engagement, it was recommended that events be held, sponsored by the CLT, as well as a membership drive. Seeing as the community of Parkdale contains a multitude of established networks and partnerships, recommendations were made to integrate those assets in fashioning an engagement strategy. For example, the CLT could pair up with currently active organizations to communicate information about the CLT and CLT membership. Face-to-face interactions and local social events are also important for advocating for the CLT in the community. Hosting community informational meetings with free food as an incentive for attendance has been noted as a successful method for attracting interest, too. This could take the form of a kick-off day hosted by the CLT, where potential members could come to learn about the CLT, meet others, and ask questions.

Outside of Parkdale, establishing and maintaining partnerships with other groups would be beneficial. Key partners would be the City of Toronto and other organizations that are involved in similar efforts. Strong partnerships can ensure a wide base of people to access for help with jobs requiring specific experience, whether that be legal, policy, real estate development, or organizing (as mentioned in finding #5). Gray and Galande reinforce that “community organizing goals are much more time- and labour-intensive and overall difficult to achieve than are housing [or urban agriculture] goals, which is why most community development organizations focus only on the latter. Although many CLTs claim to build community, their activities probably only take the form of housing development” (2011, p. 242). PARC is, again, proposing something quite innovative, for engaging and collaborating with Parkdale's diverse population is paramount to the project.

In any outreach campaign the PCLT would benefit from showing how the CLT model has been used in other jurisdictions, both similar to and different from Parkdale, in an effort to showcase the success of the model. It would also be useful to show how the CLT model might operate in other contexts within the City of Toronto, evincing how a successful Parkdale model might have positive impacts for the whole of the city. A community member suggested that an outreach campaign should focus upon the positive imagery associated with the benefits of a CLT and to work towards establishing a strong brand, as it were, for the community land trust.

engaging people after establishment

After establishment, the CLT must continue communication with its members and with other community members on progress and successes of the program. The CLT must also develop an engagement strategy to constantly be attracting new members. New members are important for sustaining the CLT over the long term.

As many informants noted, members of the CLT board will have to function as advocates for the CLT, continuously seeking new membership. Within reason and keeping in mind the potential for burnout, board members should be tasked with a certain actions related to engaging membership. For example, board members might be collectively responsible for reporting to members in Annual General Meetings, developing communication material for members, seeking to establish new relationships with organizations, and involving more people in the CLT.

Many of the same techniques used to engage potential members at the outset can be used throughout the operation of the CLT. Engaging and partnering with other agencies will still be important especially for reaching new members. In the same vein, the CLT should constantly be communicating results of its efforts. Regular information about successes of the CLT should be shared publicly, through whatever mediums are most effective. A central website would be useful for acting as both a communication hub, resource base, and news centre, though hard copies of materials should also be made available at PARC.

recommendations

- (16) Engage more than the usual players.
- (17) Produce materials to engage and educate residents in a variety of languages. Engage and educate early, and continue this work after the PCLT is established.
- (18) Explain using tangible examples how the PCLT is of benefit to all residents, not just a small subset.
- (19) All messaging should be clear, consistent, and comprehensible by a diverse audience.
- (20) Anticipate resistance and prepare responses in advance.
- (21) Consider recruiting PCLT ‘ambassadors’ from within the community.

7. flexibility + adaptability

Informants involved in working with public agencies noted the importance of flexibility and adaptability in the structure of the PCLT. This was observed as desirable because of the high potential for change in the community and in the scope of the work of the PCLT. This section outlines some suggestions for how flexibility can be achieved in a CLT, centering on adopted processes and bylaws.

Long-term planning can aid in ensuring flexibility of the CLT; as circumstances change, amendments to a long-term plan can be made. A long-term plan can include goals for land acquisitions or studies, goals for membership, or goals for new programming. The board should continuously evaluate its long-term plan to ensure that it is still relevant to the Parkdale community. Several CLTs in other jurisdictions held regular ‘visioning’ and strategic planning sessions at the board level to identify the goals and specific objectives of the CLT. While the strategic objectives of the CLT may change over time, these objectives and strategies must always relate to the values and mission of the CLT. Outreach to the membership base will remain necessary to make sure that the PCLT’s work meets the mandate of the broader community.

Many CLTs in other jurisdictions developed specific committees at the board level to tackle specific projects or tasks such as finance, outreach, fundraising, housing, or agriculture. Lopez CLT requires that every board member sit on at least two committees (K.Keeler, personal communication, 2012). Some CLTs also had advisory committees of lessees or users of the CLT who could provide feedback on specific issues to the CLT, or working committees of board members and regular members who wanted to be involved in specific projects or tasks. A representative of the Lincoln CLT said, “We can (and have) created sub-committees as needed, for smaller groups to get together more often than the monthly board meetings so that things needing more time and attention can move forward” (A.Robertson, personal communication, 2012). Often, these committees were not specified in bylaws, but powers were given to the board to create committees as necessary.

Specific to flexibility in the bylaws themselves, two key suggestions were made regarding specific procedures for changing bylaws:

- 1) bylaws concerning the mission, vision, values and governance of the CLT would require an unanimous vote from the board and a majority vote from the membership for change to occur.
- 2) bylaws concerning all areas not affecting the mission, vision, values and governance of the CLT would requiring a simple majority from the board.

A key problem here is the balance of flexibility and usefulness -- that is, with overly vague or openly defined bylaws and governance structures there is a danger that interpretation can lead to exploitation. Careful definition of the bylaws for specificity is likely the best route, where flexibility can be engendered using structures for bylaw amendment.

It is crucial that the CLT establish its early so that the CLT has a strong foundation upon which to stand. Yet, at the same time, the board must build in an ability to adapt to changing circumstances in Parkdale so as to create a dynamic, “living” organization (Roth, 2012).

recommendations

- (22) Set short and long term goals for the PCLT, while frequently reflecting to ensure relevancy.
- (23) Establish committees to manage certain tasks.
- (24) Detail a policy framework early, while also building in procedures to make changes if necessary.

d. feasible

8. Financial Concerns

The most important concern and challenge for existing CLTs in other jurisdictions, regardless of size or governance model, was funding. First Homes properties explained the need for financial sustainability “You are making a long term commitment to people’s lives, so you also have to make a long term commitment to the organization – and to organizational sustainability. Striking a balance between sources of revenue and sustainability is necessary for effective stewardship” (Cornerstone Partnership, n.d.).

funding sources

CLTs in other jurisdictions relied on a variety of funding sources, ranging from government support (local, state, and federal), private support (from businesses, foundations, and individuals), and fundraising. CLT key informants recommended ensuring that PCLT has long term revenue sources.

Several existing CLTs recommended that Parkdale explore local funding options , especially from local government since these are often more flexible and less bureaucratic than provincial or federal sources. Fundraising is also an important task for many CLTs. Fundraising skills are very important to a CLT organization, and can be a function of CLT staff, board members or committees, and regular members who wish to become involved. Drawing on the broader community and membership to assist in fundraising can be especially helpful. The board structure and representation of Community Home Trust has limited the fundraising capabilities of the CLT since elected officials are not able to fundraise and low-income members are often not well-connected to upper-incomes who are able to provide funds (Key, personal communication, 2012).

One CLT mentioned it was especially important to consider a diversity of funding sources to protect against the possibility of one funding source drying up, and the CLT having to scramble to find other sources of funding to recover.

While many government supports are available to CLT’s in the U.S. (e.g. legislation legitimizing CLTs, seed funding for CLT operating costs, funding programs that give preferential treatment to initiatives that ensure perpetual affordability) few have yet to be institutionalized in Canada (CMHC, 2005, pp. 109-112). The PCLT should actively seek out whatever public sector assistance might be available. There are positive examples of this in the Canadian context. Two Canadian CLTs, the Calgary Community Land Trust Society and the Vancouver-based Community Housing Land Trust Foundation, received their first land donations from government sources (a federal donation, with municipal assistance, in the former case, and a provincial donation in the latter), while the Calgary Community Land Trust Society also benefitted from municipal support in brokering a land deal between the CLT and a private landowner (CMHC, 2005).

expenses

For CLTs involved in land redevelopment, construction, or rehabilitation of properties, it is important to note that these activities are often very expensive and there are always unexpected costs. It is important for a CLT to know what they are getting into before beginning any land redevelopment project. One CLT advised Parkdale to be conservative with any financial decisions, and avoid taking on too much risk.

The housing crisis in the United States also had unforeseen consequences on the value of CLT properties, and when CLT homeowners wanted to sell their properties, First Homes Properties had to re-subsidize some of those homes which created an unexpected expense (Key, personal communication, 2012). In some cases, CLTs did not have enough funding to hire staff, or to support more than one staff member. This places more burden on the board to complete much of the

administration for the CLT and can reduce the time available to focus on more strategic and long-term issues.

recommendations

(25) Develop a fundraising campaign that will seek funds necessary for board activities and CLT operation and for potential land acquisitions.

(26) Develop a campaign to secure land donations including of land currently occupied. (26)

9. Obtaining Charitable Status

There are many advantages and disadvantages for obtaining charitable status. The main advantages of charitable status, as outlined in the *Income Tax Act*, are that registered charities can issue tax receipts to donors and they are more eligible for grants from other charitable organization, as well as benefit from the favourable reputation of the charitable organizations industry (Imagine Canada, 2012). Disadvantages that would have to be dealt with relate to the process of registering, the administration and auditing of the charity, and reporting to the CRA regarding the charity. As these processes are not simple, hired or volunteered help would be required. These considerations were also noted by one CLT respondent, who felt that the advantages were enough to make the challenging process worthwhile.

recommendations

(27) The PLCT should apply for charitable status, keeping in mind that the process would likely require hired or volunteer help.

10. Legal Considerations

potential impact of the Not-for-Profit Corporations Act, 2010

The *Not-for-Profit Corporations Act, 2010* (ONPCA) was passed by the Ontario Legislature in October, 2010 and it is expected to come into force on July 1st, 2013. The Act contains several new provisions that will likely have important implications for the governance structure of the PCLT. Of particular significance are the expanded rights and powers that ONPCA grants to members of nonprofit corporations. For example, ONPCA gives members of a nonprofit corporation the power to pass binding resolutions on its Board of Directors and thus make fundamental changes to the organization. According to Part XI, Section 103(1) of the Act, members - with a two-thirds majority vote - may pass binding resolutions to:

- “change the corporation’s name” (a);
- “add, change or remove any restriction on the activities that the corporation may carry on” (b);
- “change the purposes of the corporation” (i);
- change the number of directors, subject to certain restrictions (h); and
- make a variety of changes with respect to member classes or groups, including changing the “condition required for being a member” (d), and to “add, change or remove any rights or conditions of any such class or group” (e). (Ontario Legislative Assembly, 2010)

Assuming that ONPCA comes into force as it currently stands, this report's recommendation of a membership-based governance model for the PCLT is somewhat problematized. As an analysis by the Ontario Nonprofit Network (ONN) points out:

In all other corporate legislation, member resolutions are advisory and non-binding on Boards of Directors. Binding resolutions from members will place many Boards in difficult positions as member resolutions may be at odds with an organization's contracts and agreements with funders and community partners. Legislation allowing binding resolutions from members will be a huge disincentive to people considering serving on voluntary Boards. (ONN, n.d.)

The provision allowing binding resolutions from members could conceivably (though not inevitably) create an antagonistic relationship between the PCLT's board of directors and its members, as well as increase the potential for "mandate drift". For example, while this report recommends that changes to bylaws concerning mission, values, and governance of the CLT should require a unanimous vote from the board as well as a majority vote from membership, under ONPCA, such changes could ostensibly be made without the board's consent by a two thirds majority vote of members. The tripartite governance structure recommended in this report - wherein power and interests are intentionally diffused - would help impede such potentially divisive maneuvers.

While the full implications of ONPCA for non-profit governance remain somewhat unclear - it could, for example be amended before coming into force - the *Act's* new provisions must be considered as the PCLT's governance model is formulated. More detailed information related to ONPCA is available from the Ontario Non Profit Corporation's website (<http://www.theonn.ca/>).

recommendation

(28) The PCLT should be mindful of the potential impact the forthcoming *Not-for-Profit Corporations Act, 2010* when formulating its governance model; if feasible, professional legal advice on the *Act's* implications should be sought.

summary of findings

Throughout this section of the report we have outlined many features that the PCLT should possess, as well as suggesting concrete actions it could take to advance its objectives. It is clear that the PCLT must have a strong foundation of guiding principles, values and mandate informed by an anti-oppressive practice perspective analytical framework. Specific recommendations included the use of consensus or modified consensus decision-making models, the identification of board member responsibilities and benefits and the need for a board representative of the diversity of Parkdale. We demonstrated how the board must also have members with specific practical skills and discussed the importance of network creation and partnerships. We recommended specific outreach campaigns that facilitate greater community participation and support and recognize the importance of ensuring that the PCLT is sustainable and feasible through its registration as a charity and through the necessity of ongoing fundraising activities. How might these recommended features of the PCLT be operationalized in a governance structure? We assess this question in the following section.

governance structure

Recommendations for a governance structure for the PCLT is outlined in the following section. The recommended structures reflect the findings in the areas of equity, sustainability, effectiveness, and feasibility discussed previously.

In order to develop the recommendations for the governance structure, findings were pooled and discussed within the project team. While the findings section provides recommendations on the processes and functioning of the CLT, they fall short of recommending an explicit governance structure. In order to achieve this, considerations from the findings were used to develop recommendations.

CLTs have a number of different moving parts, those being the board, the membership, committees, administrative supports and bylaws. Addressing each of these aspects separately, we asked the questions “what would a sustainable, equitable, feasible and effective board look like?” Adding to this were examples from other CLTs and experiences from the literature. The following section outlines our recommendations for a governance structure of the PCLT.

a. CLT governance structure

The board of directors will follow the tripartite membership that is typical of classic CLTs. The figure below shows the general structure of the CLT.

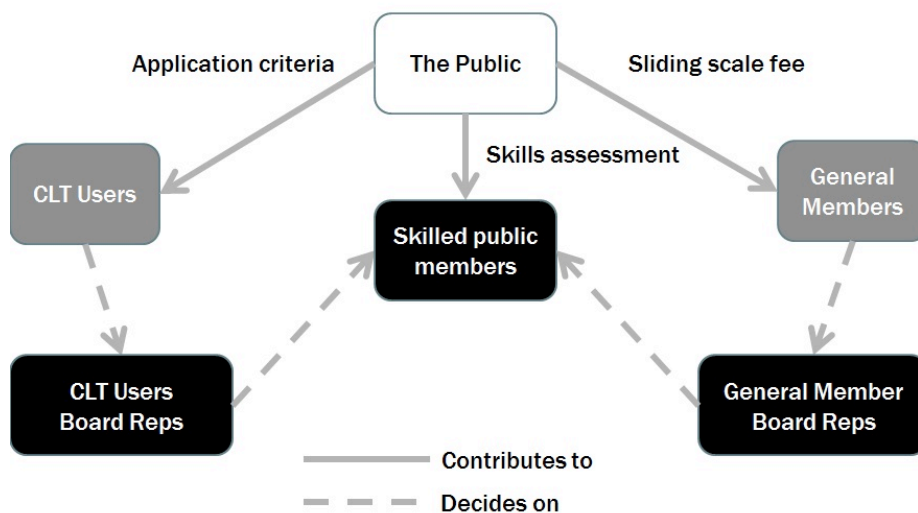


figure 1: visualization of the structure of the PCLT

As the figure outlines, the CLT is a membership organization that consists of two types of CLT members – CLT users and a broader membership. The members vote for respective representatives for the CLT board. The public representatives on the board are nominated by the board, and confirmed by all CLT members. Finally, while not depicted here, administrative support is present for the operation of the CLT.

This model is followed by most CLTs throughout the U.S. and many world wide. Instead of creating a model “from scratch”, this one leverages the experiences of many CLTs, while still offering options for customization to suit the Parkdale community context. The context-specific aspects come through the various parts of the model, each outlined below.

b. membership – CLT users

Different groups will be eligible for membership as CLT users depending on the CLT’s specific land uses. The following discussion is based primarily on the case where the PCLT will participate primarily in urban agriculture and providing land for community gardens. Nonetheless, the principles and recommendations can be extended for other land uses.

1. criteria for CLT user membership

CLT user membership is usage-based

CLT Users would be those individuals with a lease for a plot, or those people connected with the garden through primary production, maintenance or harvesting. They must also be residents of Parkdale.

A distinction between ‘CLT users’ and ‘General Members’ exists because of the differential experiences and interests of each group. CLT users, being primary users of the land, are directly impacted when changes happen to the land and how it is allocated or managed. For these reasons, although users may only consist of a small population in comparison to the general membership of the CLT, the number of CLT user and general member representatives on the board will be equal.

Although this distinction is commonly used by existing CLTs, and suggested for the PCLT, potential issues may arise in establishing this distinction. For example, the distinction could cause rifts between groups in Parkdale, in that certain individuals with the title of ‘CLT user’ may have more opportunity to sit on the board and exercise decision-making powers relative to general members who may have a greater number of members, but the same number of board seats - meaning potentially more competition for those seats. Moreover, general members who are not able to obtain plots may be disenfranchised or may resent the PCLT for the lost experience. Thus, the process of choosing plot users will be very important, and should be transparent to minimize conflicts.

The process for choosing plot users can be modelled on the one currently employed by Greenest City. In selecting gardeners and program participants, Greenest City attempts to mimic the diversity of the Parkdale community. To this end, the organization incorporates census data on the neighbourhood’s demographic composition, and has developed rough “quotas” for different subgroups (e.g. Tibetan, Roma, South Asian) within the neighbourhood. This helps to ensure that one group does not receive disproportionate access to garden plots. At the same time, Greenest City also employs an equity rationale when selecting gardeners: the majority of its gardeners are low income residents of South Parkdale (See Appendix G for additional discussion on Greenest City’s policies and efforts to promote equity and inclusion in its programming and decision-making).

CLT users require a contract

The criteria to become a CLT User will be spelled out in a contract with the PCLT or Greenest City. This contract will outline the terms of the plot lease that specifies the length of the lease (number of months) and any fee required to lease the plot or become a member of the PCLT. It will also require proof of residency in the Parkdale area, a signed declaration of support for the PCLT, and evidence that the person falls into a low-income category.

Greenest City currently requires gardeners to sign a contract that obliges them to follow certain rules when working in the garden. Included in these rules is a commitment to keeping the garden “free of discrimination, harassment, and hate”, and an obligation to engage in Greenest City’s conflict resolution process (see Appendix G) in the event of a conflict. Disciplinary action occurs over three stages: verbal warning, written warning, and dismissal.

2. rights + responsibilities of CLT users

Typically, CLT User members have certain rights and responsibilities within the organization that are spelled out in bylaws. Examples of common rights and responsibilities were gathered from CLTs in other jurisdictions are outlined below. Notably, CLT users are solely responsible for nominating and electing board representatives from within their membership.

- Nominate and vote for CLT User board members
- Vote for Public board members
- Cast one vote in membership meetings
- Serve on board of directors in the CLT User category, if chosen
- Serve on CLT committees, if interested
- Receive meeting notices, meeting minutes, and annual reports of the CLT
- Attend and participate in membership meetings
- Attend CLT orientation meeting
- Volunteer and/or participate in CLT events and celebrations

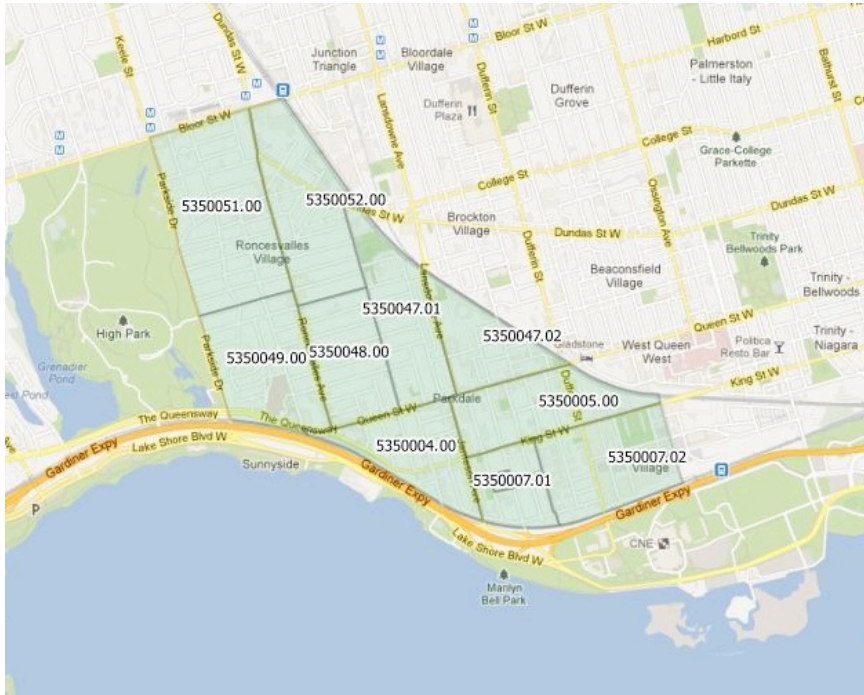
c. membership – general members

General members of the CLT represent the Parkdale community at large and are supporters of the PCLT. They are not currently direct users of the PCLT lands, however they may wish to become users in the future.

3. criteria for general membership

general membership is area-based

General membership eligibility will be based on the current boundaries of Parkdale as the area between Roncesvalles Ave., Write Ave., Dufferin St., and the QEW (see figure below). The area depicted below was chosen for a variety of reasons. First, the area falls under the jurisdiction of a single city councillor. This is relevant since land and a CLT crossing councillor boundaries may encounter a variety of administrative and political issues in the long run. Second, the area falls within the boundaries of the neighbourhoods of North and South Parkdale. While, in many cases, these neighbourhood boundaries are arbitrary, the areas still encompass the majority of low-income, marginalized people that the PCLT aims to target. Finally the boundaries are used commonly by other agencies in Parkdale, potentially allowing for greater opportunities to be developed between agencies. Any persons living or working within the boundaries set below would therefore be eligible for membership.



Possible boundaries of the PCLT, based on census tract boundaries (Google Maps 2012).

general membership requires a fee

General membership, unlike CLT user membership, will require a scaled fee based on income brackets. Fees are thought to be exclusionary especially when working with low-income and marginalized people. However, by scaling the fee to an individual's income this problem is addressed. As well, where there are potential members of high income, a much larger fee will be administered for membership to ensure engagement and involvement and to deter from takeovers (Greene, 2004).

All CLT respondents in other jurisdictions had a fee for general membership. These fees were often \$25-35 per year per individual member, and increasing levels of fees for family, small business, or corporate membership. Several CLTs indicated that membership fees could be paid in installments throughout the year, or through an in-kind contribution (e.g. volunteer labour) rather than money.

only adults can be general members, though provisions can be made for youth involvement

Many CLTs require that general members be at least 18 years or older. The reason for this distinction is primarily based on the perceived stakeholders in the development of a CLT. However, as this distinction is somewhat arbitrary, and also as many youth are involved in the upkeep and maintenance of garden lands, a separate or related youth membership may be an option. According to the Province of Ontario's forthcoming Not-for-Profit Corporations Act, 2010 there are no age restrictions for members of a nonprofit corporation (directors, on the other hand, must be over 18 years of age). This leaves the door open for creating a formal youth membership category if desired who would have membership rights but would not be able to be nominated or elected to the board until the age of 18.

members must support the values and mission of the PCLT

Many CLTs in other jurisdictions require member applicants to sign a declaration of support for the CLT and its values and mission. This statement can outline the equity and anti-oppression values of PCLT and hold members accountable to these values when they participate in membership meetings. This will help ensure that members are aware of the PCLT's values and vision and do not propose any changes to the PCLT that would be in conflict.

4. rights + responsibilities of CLT general members

Typically, CLT general members have certain rights and responsibilities within the organization that are spelled out in bylaws. Examples of common rights and responsibilities gathered from CLTs in other jurisdictions are listed below. Notably, general members are solely responsible for nominating and electing board representatives from within their membership.

- Nominate and vote for Community board members
- Vote for Public board members
- Cast one vote in membership meetings
- Serve on board of directors in the Community category, if chosen
- Serve on CLT committees, if interested
- Receive meeting notices, meeting minutes, and annual reports of the CLT
- Attend and participate in membership meetings
- Attend CLT orientation meeting
- Volunteer and/or participate in CLT events and celebrations

d. board of directors

The board's main responsibility is to represent the membership in making decisions for the CLT. The board should be representative of the community involved in and impacted by the CLT, which depends on adequate outreach to as many people as possible. Board members are volunteers and must be voted in by members of the CLT as outlined above.

5. CLT Board

The board of directors will follow the tripartite membership that is typical of classic CLTs. The number of board members will fall within a range of 9-18, and be split into three equal groups. The first group will consist of CLT users, the second group will consist of general members, and the third group will consist of public members. Within the board, various members must take on additional duties that serve a function for the management of the board. For example, the board will require a chair, vice chair, treasurer, and secretary. Other skills that are required by the board may include financial management, fundraising, legal, monitoring and evaluation, networking, policy-making, and planning. In order to establish what skills exist in the board, a skills assessment (Volunteer Now, n.d.) should be performed when a new board is elected. The skills that are not accounted for will be added to the board with the public members, as outlined below.

recommendation

(31) Establish a Board of Directors with equal tripartite representation of CLT users, general members, and public representatives.

6. public members

The third branch of board members will consist of public representatives who are nominated by the board to aid in matters specific to projects or maintenance of the board. Thus, after the skills assessment and discussions of upcoming projects of the CLT, the board will be tasked with finding public members who have the skills to help the board function and achieve the set goals. These public members may be staff of local non-profit organizations or businesses, or Toronto-wide organizations and associations who are committed to the values and aims of the PCLT. As noted by a number of key informants, the presence of skilled members of the board ensures long-term viability of the organization and will keep costs low if hired help is required otherwise.

recommendation

(32) Conduct a skills needs assessment and recruit public members who can provide the skills, experience, and connections necessary for the PCLT's objectives.

summary of criteria for PCLT participants

CLT users criteria

- Usage-based
- Must sign a contract and support values and mission of the PCLT
- Must be resident of Parkdale

general membership criteria

- Area-based -- living/working in Parkdale
- Requires a fee -- scaled to income
- Only Adults can be member -- provisions can be made for youth involvement
- Must support values and mission of the PCLT

public representatives criteria

- Can be from outside Parkdale
- Provide needed skills/experience/connections
- Must support values and mission of the PCLT

e. committees

CLTs in other jurisdictions had a variety of advisory and working committees that were tasked with providing feedback and advice on CLT operations or working towards specific projects or goals of the CLT. These committees included board members and regular members (CLT users and general members) who were interested in volunteering their time. Some examples of committees include resident advisory committees, finance, outreach, events, fundraising, and projects committees. These committees can help to reduce the burden on board members in terms of work required to move the CLT forward. They also provide an opportunity for general membership to become involved in governance and operations of the CLT and may provide experience and skills training for participants.

recommendation

(33) Consider establishing advisory and/or working committees consisting of board members and general membership to aid in the specific projects and goals of the PCLT.

f. administrative support

While perhaps financially unfeasible in the short term, the employment of paid administrative support for the CLT could solve many issues related to finding skilled workers. An administrative staff member can help with some duties on the board, such as minute taking, chairing, or budget management. As well, this member can answer questions, provide information and be a central location for CLT inquiries. Most CLTs in other jurisdictions had limited staff support, however an Executive Director was noted as an important position to provide leadership and support to the CLT.

recommendation

(34) Explore the possibility of employing an Executive Director or other administrative staff to help with day-to-day operations of the PCLT.

g. bylaws

Bylaws for PCLT should be developed with particular attention to the structures and processes discussed previously. It is likely too soon to develop the CLT's bylaws since many discussions and decisions about the specific values and aims of the CLT not yet taken place. For inspiration, Appendix F provides a number of examples of CLT bylaws provided by the jurisdictional review respondents.

recommendation

(35) Develop bylaws that reflect the values of the PCLT and clearly specify the provisions for how bylaws can be changed to reflect changing needs.

conclusion

It is our hope that this report aids PARC in mitigating some of the challenges and tensions that will certainly emerge in its future work establishing a governance model for the PCLT. We have explored the potential of the project to advance social justice without neglecting the practicalities of effective operations. Consideration has been given to questions such as how to balance the need for specific skill sets with the need for broad-based community representation and inclusion, and how to ensure continuity of core principles while also allowing for the flexibility to adapt to changing circumstances. These tensions are in many ways inherent in community governance and participatory planning initiatives -- this certainly holds true for the PCLT given its emphasis on engendering governance that is both democratic *and* equitable -- and cannot be definitively “resolved” (this would be utopian thinking). However, our recommendations offer strategies for anticipating and addressing these tensions in constructive ways based on the experiences of CLTs elsewhere, yet tailored to the unique Parkdale context. In closing, it is important to re-emphasize that “values-based” rationales (equitable, democratic), and “practice-based” rationales (effective, feasible, viable over the long term) do not have to be mutually exclusive -- in fact, we believe they can be in many ways mutually supportive.

This project has undertaken the complex issue of governing the PCLT, yet the PCLT has broader implications for neighbourhood affordability and community development that ought to remain front and centre. There is much at stake in PARC’s proposed work for Parkdale, Toronto, and Canada. Questions about who has access to land, how land is used, who governs its long-term use, who decides, and who benefits are increasingly salient in an era of rising income inequality at the local, regional and national scales. It is clear that in the context of rising gentrification pressures in Parkdale, affordability, whether of housing or food, is an increasingly critical issue for a significant portion of community members. PARC’s concept for a CLT offers an innovative way to address these affordability concerns in a manner that has the potential to empower both marginalized individuals and the community as a whole. The recommendations for a governance model contained in this report represent an initial step towards ensuring that the PCLT can realize these goals.

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The background of the page is a grayscale photograph of a garden. In the foreground, there is a dense patch of plants, possibly tomatoes, growing in a raised bed or container. A wire mesh fence is visible in the lower right. In the background, there are trees and a multi-story building with windows. A bright green line, resembling a stylized signature or scribble, is drawn vertically on the left side of the page, extending from the top to the bottom.

appendix a

informed consent form



Geography & Program in Planning UNIVERSITY OF TORONTO

Hello Interviewee,

We are a group of graduate students studying Planning at the University of Toronto. As part of our class “PLA1106: Workshop in Planning Practice”, we are working with the Parkdale Activity–Recreation Centre (PARC) to support them as they look to create an inclusive and democratic governance model for the Parkdale Community Land Trust (PCLT).

The PCLT is a new initiative of PARC and Greenest City. It is hoped that this initiative will establish community ownership and democratic control of specific lands in Parkdale. It is also hoped that the PCLT will allow for urban agriculture on the lands of the PCLT and that this will all occur under the guidance and control of residents of Parkdale.

This project will have benefits for the PCLT as the interim board will receive recommendations for the creation of an inclusive, equitable, anti-oppressive and locally based system of board governance.

In turn, the PCLT could potentially benefit residents of Parkdale since the lands of the PCLT would be protected from development and gentrification pressures that might otherwise work to remove these lands from community control. Since these lands may also be used for food production the community could also benefit from greater access to affordable and healthy food that this initiative would create.

Your participation in this project helps us support PARC in the goals outlined above. We appreciate your time with us. Thank you

Sincerely,

Amy Bath
Daniel Girard
Stephanie Ireland
Sheraz Khan
Sean Major

Room 5047, Sidney Smith Hall, 100 St. George Street, Toronto, ON M5S 3G3 Canada
Tel: +1 416-978-3375 · Fax: +1 416-946-3886 · www.geog.utoronto.ca



Geography & Program in Planning UNIVERSITY OF TORONTO

We want to make sure that you understand your rights in this research project. The details of these rights are below:

- Your participation is completely voluntary.
- We are asking you to provide consent to participate in this research project as an interviewee.
- You may ask us questions before you decide to participate or not.
- You can leave the research project at any time without hassle or pressure.
- You can leave any conversations, interviews or discussions at any time if you are feeling uncomfortable.
- You can refuse to answer any questions that make you feel uncomfortable.
- In all research reports, names or identifying information will be removed. If instead you do wish to have your actual name included in the final project, you will have to give us written permission to do so, which can be done below.
- If including your name may identify another research participant who wishes to remain anonymous then we will not include your name.
- The researcher might ask to audio record conversations and interviews. You must give written permission for the researcher to audio record you, which can be done below.
- All confidential data will be kept on a password-protected computer, stored in a safe place.

If you have questions about this research project (before, during or after the research), please ask us. You may contact Sean and he will attempt to answer your questions or to otherwise get you answers to your questions. He can be contacted at 647-235-1639 or spmajor@gmail.com.

I, _____, wish to participate in the “PLA1106: Workshop in Planning Practice” research project. My participation is completely voluntary and I may leave the project at any time without hassle or pressure.

I give consent for any interviews or discussions to be audio recorded: YES NO
 I give consent for my name to be used in the research report: YES NO

PRINT NAME	SIGNATURE	DATE
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appendix b

interview guides

Interview Guide – Community Members

- 1) Can you briefly tell us about your organization and your role in it?
- 2) If a community land trust was established in Parkdale, would you participate as a board member?
 - a. Why or why not?
 - b. What would make you excited about participating in a CLT?
- 3) How should diverse and especially marginalized communities be included in a board for a CLT?
 - a. How would a board or governance structure operate in an inclusive, equitable and accessible way?
- 4) What might prevent people from participating in a board?
 - a. What barriers might exist and how could this be eliminated?
- 5) Are there examples of community governance initiatives in Parkdale, past or present, which could be drawn upon to inform the governance of the CLT?
- 6) Who would you recommend that we speak to on this topic?

Interviews Guide - Staff of Organizations in Parkdale

- 1) Can you briefly tell us about your organization and your role in it?
- 2) Can you give us a general profile of your membership-base and/or the populations you provide services to?
- 3) Can you describe how your organization/agency's governance structure works and what criteria are used for selecting board members?
- 4) How have you ensured that your organization is accessible and inclusive to the diversity of the population in Parkdale? Have there been challenges with this? How have you addressed these?
- 5) How have you outreached to members of the Parkdale community and how do you get community members excited about your organization?
- 6) How could we create an environment in which diverse and especially marginalized communities be involved in a Parkdale Community Land Trust?
- 7) What do you think would help to make all kinds of people interested and excited about participating in a community land trust? What problems might we encounter in gaining diverse participation? How could we overcome these?

Interview Guide - Jurisdictional Review CLTs

A. Background Questions

- 1) Can you briefly describe your organization and your role in it? How long have you been in this role?
- 2) Can you tell us briefly about the populations your CLT serves?
- 3) Can you tell us more about your community partners and your relationships with them?

B. CLT Governance Structures

- 4) What governance structures does your CLT employ? (Ex: Tripartite Board of Directors or Trustees; Professional Board; Resident Board; etc). Please describe.
 - i. Why was this governance model chosen?
 - ii. Who is currently represented on the Board? (Ex: business, community at large, NGOs & service organizations, residents/lessees, public servants)
 - iii. What are the job descriptions / roles of Board members?
 - iv. How were Board members recruited? Please describe.
 - v. Have you undertaken any training for Board members? Please describe.
- 5) What membership models does your CLT employ?
 - i. Who can become a member? What requirements exist for membership?
 - ii. What does membership entail? What role do members play in the CLT?
- iii. Is there a fee for membership?

C. CLT Governance & Decision-Making Processes

- 6) Are a broad range of community members included in governance? How?
 - i. Do you have special advisory committees or other outlets for input?
- 7) Do you actively engage diverse communities? How?
- 8) How do you navigate potential conflicts? Resolution / mediation processes

D. CLT Experience, Lessons & Advice

- 9) What have been your successes as a CLT so far? What were the conditions for your success?
- 10) What challenges has your CLT faced? How have you addressed or overcome these challenges?
- 11) If you were to give advice to a CLT just starting out – what advice would you give based on your experiences so far?



appendix c

list of interviews

	Interviewee	Perspective/Affiliation of Interviewee
1	Roger Riendeau	Academic, Historian, long-time Parkdale resident
2	Kathy Allan	Former president, Ontario Community Land Trust Alliance, Parkdale Resident
3	Sally Miller	Academic with significant experience in cooperative board governance and non-profit board governance
4	Susannah Bunce	Academic with research interests in Community Land Trusts
5	James Partanen	West End Food Co-Op staff member
6	Terence Williams	PARC Ambassadors Program Coordinator, long-term Parkdale resident
7	Stephan Briones	Voices from the Street Participant, Parkdale Business Owner, long-term Parkdale resident
8	Rachel Roth	Executive Director, Greenest City, Partner with PCLT
9	Gord Perks	Ward 14 - Parkdale-High Park City of Toronto Councillor
10	Bart Poesiat	Parkdale Community Legal Clinic Worker, long-term Parkdale resident
11	Ellie Anglin	Parkdale Village Business Improvement Area staff member
12	Anastasia Brewster	1. Coordinator, San Diego Community Land Trust (San Diego, California, USA)
13	Dave Masled	1. Executive Director, Home Trust of Skagit (Burlington, Washington, USA)
14	Stuart Bannan	1. Business Development & Real Estate Manager, Anchorage Community Land Trust (Anchorage, Alaska, USA)
15	Amy Walls & Ken Smith	Board Members, Diamond State CLT (Delaware, USA)
16	Betty Ester	1. Former Board President, Citizens' Lighthouse Community Land Trust (Evanston, Illinois, USA)
17	Philippe Jordi	1. Executive Director, Island Housing Trust Corporation (Vineyard Haven, Massachusetts, USA)
18	Cheryl Key	1. Program Officer, First Homes Properties (Rochester, Minnesota, USA)
19	Alison Robertson	1. Board Member, Lincoln Community Land Trust (Corvallis, Oregon, USA)
20	Allen Smith	1. Board President, Of People and Land Community Land Trust (OPAL) (Eastsound, Washington, USA)
21	Kay Keeler	1. Board Member, Lopez Community Land Trust (Lopez Island, Washington, USA)
22	Mary Bratsch-Hines	1. Former Board Member, Community Home Trust (Carrboro, North Carolina, USA)
23	Georgina Serrano	1. Board Vice-President, T.R.U.S.T. South LA (Los Angeles, California, USA)



appendix d

jurisdictional review table

(separate digital attachment)



appendix e

issues and strategies list

issues +strategies

issues

1. It is difficult to engage diverse individuals and groups, often confronting “diverse communication styles, cultural nuances and conceptions of issues” (Hou and Kinoshita, p.303) (Beebeejaun and Grimshaw, 2011).
2. Community is not unitary, indeed it is communities with various aims and objectives. How do you ensure you’ve represented the heterogeneity of local residents and, further still, achieve consensus? (Hou and Kinoshita, 2007; Eversole, 2003, p.783; Jewkes and Murcott, 1998; Mahjabeen, 2009; Robinson et al, 2005)
3. How can PARC build trust among a diverse group of individuals?
4. How can PARC forge relationships in sometimes unknown social spaces, “with communities who may be seen as hard to reach, to foster dialogue and participation” (Eversole, 2011, p.53)?
5. There is a gap between “the way communities work and what communities know, and the government [or PARC] works and knows” (Eversole, 2011, p.61).
6. Stable power relations, characterized by negotiations and consensus seeking, “can at any time evolve into antagonistic confrontations” (Flyvbjerg, 1998, p.322). How can PARC manage power imbalances, including among citizens and other community partners like police or councillors or health service agencies? (Forester, 1989; Eversole, 2003; Lownes and Sullivan, 2004)
7. “How far is the transformation of power relationships between ‘citizen partners’ and others possible -- and what are the prospects within different types of partnerships?” (Lownes and Sullivan, p.70)
8. “Community organizing goals are much more time- and labour-intensive and overall difficult to achieve than are housing goals, which is why most community development organizations focus only on the latter. Although many CLTs claim to build community, their activities probably only take the form of housing development” (Gray and Galande, 2011, p.242).
9. There is often tension between fostering “unity and common belonging among citizens, and recognizing the demands of diversity” (Allen and Cars, 2001, p.2203).
10. “... they are going to have to operate with a considerable degree of sophistication. This raises major dilemmas around leadership and representation. The demands of neighbourhood governance can create a gulf between those who have learnt how to play the game and those they represent. If only a few learn to operate effectively in these new spaces, can it really be said that communities are engaged?” (Taylor, 2003, p.193).
11. “The demands on community representatives are enormous. They are caught in a no-mans land where they are expected to represent the views of their constituencies to partnerships on the one hand, but at the same time to embody the partnership back to the community on the other” (Taylor, 2003, p.193).
12. The heavy workload rules many people out. “The incredibly steep learning curve that is often involved also makes it difficult to bring new people on board” (Taylor, 2003, p.194).
13. “Disadvantaged communities are asked to do everything simultaneously” (Blakeley and Evans, 2008, p.106). Blakeley and Evans refer to this as the “triple whammy of inequality: the reality of relative poverty, expectations of participation and the burden of helping government agencies carry out their responsibilities” (p.107).
14. “Is it possible to achieve effective participation of poor and minority groups in programs that emerge from centrally controlled bureaucratic and political structures?” (Mahjabeen et al, p.46).
15. “How effective is collaborative planning in dealing with often competing and irreconcilable interest sets couched within a maze of democratic procedures and regulations?” (Mahjabeen et al, p.50).
16. “The capacity gap between [...] social service organizations and other community groups presents a problem for groups to participate equally in a formal process. [...] [Thus] not all

interests and voices are necessarily represented in the process. Lack of successful outreach has reinforced the problem” (Hou and Kinoshita, p.310).

17. Language barriers, in addition to those of technical knowledge (Hou and Kinoshita, p.310).
18. “The demands of neighbourhood governance can create a gulf between those who have learnt how to play to game and those they represent. If only a few learn to operate effectively in these new spaces, can it really be said that communities are engaged?” (Taylor, p.193).
19. “While there is a strong emphasis on community leadership, partners also complain about the ‘usual suspects’. And indeed the rules of hte game create them insofar as they require community ‘leaders’ to hit the ground running and to commit to a heavy workload which rules many people out. The incredibly steep learning curve that is often involved also makes it difficult to bring new people on board. At the same time, partners also latch only ‘stars’ and individuals, without enough consideration for the extent to which the ‘stars’ are empowering others” (Taylor, p.194).
20. Is it possible to reimburse participants for their many efforts? ‘Burn out’ is a significant problem (Robinson et al, p.23).

strategies

1. Informal processes “offer a wider range of opportunities for engagement, dialogue, and interactions may help [...] address the community and social differences” and negotiate conflicts (Hou and Kinoshita, p.303). Examples: walking tours, design games, social events, concert series, clubs. “Informal activities in Kogane have broadened the interactions among local residents and raised their awareness of the neighbourhood’s challenges and assets. These activities have served as an important first step toward formulating future visions and actions in the district. They also contributed to the strengthening of interpersonal networks and organizational capacity that enabled the new citizen groups to undertake further initiatives for local improvements” (p.309-310).
2. “People in communities may not know all the relevant information to understand [...]; yet what they do know, they know in context. Thus, while the knowledge of communities is often not sufficient unto itself, nor is the expertise of professionals with no community knowledge to ground it. *Both are needed* [italics mine]” (Eversole, 2010, p.34). Be sure to present information in a format and language(s) that make sense to the community. Think, too, about doing more than engaging, but collaborating with local participants (Arnstein, 1969); participation should be “multi-directional” (Eversole, 2010, p.38).
3. Cultivate network power (Booher and Innes, 2002). Booher and Innes write, “Network power emerges from communication and collaboration among individuals, public and private agencies, and businesses in society” (p.225).
4. Hire a staff member, a community development officer of sorts, responsible for community organizing; works at outreach and community participation (Gray and Galande, 2011).
5. Combine ‘hard’ institutional infrastructure with “a ‘soft’ infrastructure of relationship building so that sufficient consensus and mutual learning can occur to develop the social, intellectual and political capital required to manage a shared existence in space” (Allen and Cars, 2001, p.2202).
6. “Effective and acceptable neighbourhood governance structures need to be designed from the bottom up by the specific groups involved in an area and not imposed from the top down as a condition of the operation of agencies within the area” (Allen and Cars, 2001, p.2203). [yet is it realistic for self-organizing among diverse to take place? here it might be more important to manage power imbalances.]
7. Power ought to be decentralized (Allen and Cars, 2001, p.2204).
8. It is important the board “open doors for others and that there is an active and interested community to hold them accountable” (Taylor, 2003, p.194).
9. “Simply having community representatives on a local partnership board does not increase public participation. What is important is the role that such representatives play in decision-making, their

- influence vis-a-vis other 'partners', and their accountability to, and understanding of, wider community interests" (Lowndes and Sullivan, 2004, p.67-68).
10. "Partnerships need to develop a broad repertoire of participation methods in order to reach different citizen groups [...] -- from surveys to 'listening days', from focus groups to visioning exercises, from public meetings to community-run projects" (Lowndes and Sullivan, p.68).
 11. "To avoid 'consultation overload' and 'participation fatigue', local partnerships need to coordinate their efforts to recruit community representatives and to engage the wider public. [...] Co-ordination should be sought through the utilisation of existing, locally specific structures as far as possible. Policy-makers need to be aware of the dangers of over-regulating partnership activity, in order to protect a capacity for innovation and local adaptation" (Lowndes and Sullivan, p.69).
 12. "Partnerships will need to develop a capacity for local leadership that enables the brokering of competing demands and the formulation of a collective viewpoint. Different local interests will need to be acknowledged and explicitly 'weighed' against each other" (Lowndes and Sullivan, p.69).
 13. "*Variability and revisability* in the design of local partnerships should be prized. [...] Rather than seeking the universal application of a particular model, or the maximum spread of 'best practice', policy-makers need to tolerate, even promote, variability within local partnerships." Local fit is important (Lowndes and Sullivan, p.71).
 14. "Power can be thought of as the capacity to have a meaningful (effective) input into making and implementing decisions... . Having a meaningful role does not mean that an actor makes all decisions, but rather his/her interests are given serious attention in negotiations. Meaningful decision-making also involves implementation. If a decision cannot be implemented or enforced, then the role in decision-making does not involve effective power" (Fisher, 2003, as quoted by Mahjabeen et al, p.51).
 15. "The disagreement over community representation in the project took several months of negotiation behind the scenes to resolve. The result was the inclusion of a large number of representatives from different organizations on the project's steering committee. [...] The size made the process even more complex and difficult to manage but was politically necessary to move the project forward" (Hou and Kinoshita, p.307). > Process, too, functioned as community building.
 16. "Many participants viewed the rare opportunities of face-to-face interactions in small-group meetings as well as individual communication behind the scenes as constructive in eventually creating a working relationship among the opposing stakeholders. Despite continued tensions, this working relationship allowed the different stakeholders to stay in the planning process and communicate with each other" (Hou and Kinoshita, p.311).
 17. "Neighbourhood governance mechanisms must be designed from the bottom up in order to take account of the specific cultural groups living and working in the area" (Allen and Cars, p.2206).
 18. "Governance arrangements should be expected to evolve over time. What may work at the moment of first contact may become outmoded as multicultural understandings develop and mature" (Allen and Cars, p.2206).
 19. "Outcome is more important than output in assessing the adequacy of neighbourhood governance mechanisms." Wrapped up in how "local accountabilities are exercised. The point becomes especially important in the context of neighbourhood governance mechanisms which are tailor-made to the configuration of cultural groups within the neighbourhood and which may be evolving in nature as multicultural mechanisms and understanding develop. This point is especially important because the development of multicultural governance mechanisms requires the institutional space for experimentation, for learning from mistakes and for learning from each other" (Allen and Cars, p.2206-2207).
 20. "Much of the neighbourhood governance literature is premised on the ideas that 'conflicts should be resolved' and 'problems should be solved.' However [...] the question is one of being able to distinguish between those conflicts which need to be resolved to promote multicultural governance and those conflicts with which we can all live" (Allen and Cars, p.2207).
 21. Create a record of the decision making process to better ensure that all voices are represented (Mahjabeen et al, 2009).

22. It is important to open the doors to those who may not be the most equipped straight out of the gates “and that there is an active and interested community to hold [all] accountable. It is also crucial to plan for the succession” (Taylor, p.194).
23. “It takes time to build community capacity and create partnerships imbued with trust and respect. [...] The idea of building in a ‘year zero’ prior to implementation [...] needs to be seriously considered. [...] There is a need [...] to be patient and to allow time for development, experimentation and learning” (Robinson et al, p.20).
24. “Strong promotion of the opportunity to serve as a community representative and good information about what it entails, coupled with encouragement of all sections of the community to serve. Partnerships need to look out for new people who might serve as representatives; new members can refresh the board and help to sustain it over the long term” (Robinson et al, p.22).
25. “Creating clearly defined structures and pathways for the selection of community representatives, preferably through local elections and/or nomination” (Robinson et al, p.22).
26. “Ensuring that meetings are held at times and a t locations convenient to community representatives, plus arrangements for carers and provision of transport” (Robinson et al, p.22).
27. “Proper procedures for induction, and perhaps also mentoring, of all new board members. Also job specifications should be given to all members, together with details of rights, responsibilities, expectations and a code of conduct” (Robinson et al, p.22).
28. “Every effort needs to be made to make meetings as understandable as possible, avoiding unnecessary jargon, needless complexity and excessive paperwork. Clear procedures should be specified to promote mutual respect and an equal right to be heard. Simple but important issues, such as seating arrangements, should be thought about to promote equality and encourage participation” (Robinson et al, p.22).
29. “Learning opportunities need to be made available to all board members, including access to training and advice and also opportunities to meet representatives from other partnerships” (Robinson et al, p.22).
30. “All will have to develop their interpersonal skills. [...] There should be recognition of different capacities, respect for different roles and, above all, parity of esteem” (Robinson et al, p.24).



appendix f

bylaws of CLTs in other
jurisdictions

(separate digital attachment)



appendix g

Greenest City model for
ensuring inclusion +
equity

Based in South Parkdale since 2006, Greenest City operates several community gardens and provides environmental education programming geared toward local youth. Currently a member of the PCLT's interim board of directors, the organization has expressed interest in coordinating urban agricultural activities undertaken on CLT-owned land. Given this likely role, the ways in which Greenest City has dealt with the issues of inclusion and equity in its programming and decision-making merit further elaboration.

using census data

In terms of selecting gardeners and program participants, Greenest City attempts to mimic the diversity of the Parkdale community. To this end, the organization incorporates census data on the neighbourhood's demographic composition, and has developed rough "quotas" for different subgroups (e.g. Tibetan, Roma, South Asian) within the neighbourhood. This helps to ensure that one group does not receive disproportionate access to garden plots.

participant steering committees

Approximately half of Greenest City's board members do not reside in the neighbourhood, and the overall composition of the board is not fully representative of the diversity (e.g. socio-economic, ethno-cultural) of Parkdale (Roth, personal communication, 2012). To help ensure equitable and democratic decision-making, the Greenest City board incorporates input from steering committees led by program participants, many of whom are low-income and/or recent immigrants and all of whom are residents of Parkdale.

internal diversity survey

In the summer of 2011, Greenest City undertook an online survey of its board members, staff, program volunteers, and gardener. The goals of this survey were threefold: to gauge the level of diversity within the organization, to better understand how that diversity is perceived, and ultimately to help evaluate how Greenest City could better serve the community. Acknowledging that a significant number of its volunteers and gardeners have low English literacy or have irregular or no access to the internet, the organization also recognized a future need to employ alternate means of surveying those individuals for whom an online survey would be inaccessible.

The survey asked respondents to report (on voluntary basis) their age, gender, sexual orientation, race, cultural identity, language, citizenship, income, and employment status. The survey also asked a number of open-ended questions including:

- to describe what diversity means to them
- whether they felt Greenest City was a diverse and inclusive organization (why or why not)
- whether they have ever felt discriminated against at GC on basis of gender, mental health or economic status, and in what context this took place
- to suggest ways for improving diversity and inclusiveness
- to suggest opportunities for further learning

diversity workshops/training

Following an analysis of the survey results, Greenest City undertook a series of workshops and participatory activities to address some of the issues brought to light by the survey. It was felt these workshops enhanced staff capacity to work in a highly diverse community and to better mediate conflicts. They also provided opportunities for staff, volunteers, and participants to explore the topic of diversity together, to share personal stories and experiences related to discrimination and inclusiveness, and to break down some walls between different groups in the gardens. The reaction

to these workshops was overwhelmingly positive and many participants requested that they be held on an ongoing basis.

gardener contracts + conflict mediation process

Gardeners are required to sign a contract that obliges them to follow certain rules when working in the garden. Included in these rules is a commitment to keeping the garden “free of discrimination, harassment, and hate”, and an obligation to engage in Greenest City’s conflict resolution process (outlined below) in the event of a conflict. Disciplinary action occurs over three stages: verbal warning, written warning, and dismissal.

HOPE (Healthy Organic Parkdale Edibles) Community Garden Contract

Conflict Management in HOPE Community Garden – 2012

1. All gardeners can avert conflict by communicating, nurturing and encouraging appropriate attitudes and behaviours that will make the gardening experience a happy and a healthy one for all.
2. When a problem or conflict occurs in the garden and it cannot be worked out in conversation between the individuals involved, the matter should be taken to Greenest City staff who may ask for the complaint in writing.
3. All problems will be dealt with as soon as possible. Encourage working them out immediately. If extreme tension or anger is involved, there might be a delay to the resolution for a few days to give breathing time.
4. Greenest City staff will meet with the individuals separately to hear all sides of the story and discuss resolutions that will be beneficial for all parties.
5. Greenest City staff will then set up a meeting (if appropriate) for all involved individuals to discuss resolutions.
6. Greenest City staff may ask individual Steering Committee members for advice/input if appropriate.
7. If there is no solution that can be reached, the Greenest City Executive Director is responsible for coming up with an appropriate resolution.



appendix h

table of CLTs in north america

(separate digital attachment)

The purpose of this spreadsheet is to provide PARC with a variety of examples, contacts and data for future usage. This table is a resource for PARC and the PCLT especially when looking to connect with other CLTs, look for examples of other land uses, and perform further research. See digitally attached spreadsheet.

acknowledgments

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