Making Room: The Geography of Rooming House Regulation in Toronto.

by

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A thesis submitted in conformity with the requirements for the degree of Doctor of Philosophy

Department of Geography
University of Toronto

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Abstract

This dissertation addresses the contemporary moment of the uneven regulation of rooming houses using qualitative research methods including semi-structured interviews, participant observation and document analysis. The uneven regulation of rooming houses provides an opportunity to study the local administration of poverty, the fragmented legal landscape of municipal law, the suburbanization of poverty and the governance of a marginalized tenant population. This dissertation questions how municipal governments function administratively, how space—specifically suburban space— influences urban governance and how an imagined geography of a 1970s skid row permeates present-day debates concerning suburban rooming houses. The geography and regulation of rooming houses in Toronto is fragmented. This fragmented legal landscape provides an opportunity to study how the bureaucratic functions of the municipal government alter the state of affordable housing in the city. In 1974, Toronto implemented a rooming house licensing bylaw as a response to fatal fires and unsafe living conditions in rooming houses. Still, in 1989 the Rupert Hotel fire happened in a licensed downtown rooming house. This specific fire garnered considerable municipal attention to the ‘problem of rooming houses.’ When the City of Toronto amalgamated in 1998, the rooming house
licensing bylaw remained within the jurisdiction of the former City of Toronto (the
downtown) and rooming houses were prohibited in the former cities (the inner suburbs)
of Scarborough and North York and licensed (in a limited capacity) in Etobicoke. As
poverty continues to rise in Toronto’s inner suburbs, rooming houses are increasingly in
demand. Meanwhile, the legal status of rooming houses continue to be precarious as they
are perceived to be illegal in the suburbs and legal in the downtown. Overall, this
dissertation documents the geography of municipal bylaws in the context of
gentrification, urban renewal, increased poverty in the suburbs and the everyday role of
law.
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Introduction

The romantic representation of the rooming house complete with nurturing landladies and artistic characters engaging in intellectual discussions in the parlor, as seen in film and literature, has all but disappeared from the North American urban landscape. The occasional rooming house run by an older widow who regularly cooks dinner for her roomers, many of who are temporary workers, may still exist. However, rooming houses filled with writers and entertainers as depicted in films such as Cabaret (1972), Mr. Smith Goes to Washington (1939) and literature such as Franz Kafka’s The Trial (1925) and Fyodor Dostoyevsky’s Crime and Punishment (1866) are few and far between. The majority of rooming houses today are much different than these romantic representations. Common characteristics of present-day rooming houses include cramped rooms, bed bugs, filthy kitchens, cockroaches, drug use, tenant disputes, unannounced evictions and negligent landlords. Certainly, occasional good rooming house stories exist that tell of houses in clean condition, attentive landlords, student housing and friendly neighbours; but they are a noticeable minority.¹ For the past 40 years, rooming houses in Toronto and other large North American cities have been associated with vagrancy, substance abuse, crime and poor living conditions. Consequently, they have been the target of neighbourhood associations protecting the moral integrity of single-family dwelling

neighbourhoods and have been the focal point for governmental initiatives and municipal bylaws regulating low-income housing.

Rooming houses are a disappearing form of affordable housing in inner cities in large North American cities. Toronto is no exception. The number of downtown rooming houses has been on a slow decline since the implementation of the rooming house licensing bylaw in 1974. Since 2005, however, rooming houses have been increasing in numbers and visibility in Toronto’s inner suburbs of Scarborough, North York and Etobicoke. The presence of suburban rooming houses provides a unique regulatory problem for the City of Toronto. Rooming houses are only licensed in the downtown and prohibited in the majority of the inner suburbs. This inconsistent municipal regulation of rooming houses in the downtown and suburbs is part of the larger problem of increased suburban poverty and the lack of affordable housing in Toronto.

Rooming houses play a very important role in the affordable housing spectrum in Toronto – a city with few residential hotels, overflowing emergency shelters and lengthy waiting lists for publicly funded social housing. They provide temporary and permanent housing for single individuals and are often the first housing option for newcomers to Canada. The decline of downtown rooming houses and increase in unlicensed suburban rooming houses presents a problem for providing affordable housing for low-income individuals living on government assistance, especially when we consider that Toronto does not have large concentrations of Single Room Occupancy (SRO) hotels like San Francisco, New York and Vancouver. Yet, the need for and regulation of rooming houses is not just a ‘big city’ phenomenon.
In smaller industrial Ontario cities like Kitchener and Hamilton, rooming and lodging houses are licensed but threatened by municipal planning initiatives intending to ‘clean up’ the city by prohibiting single-person households (rooming houses and half-way homes) in certain downtown neighbourhoods. On the other hand, in smaller cities with limited supportive housing and a growing homeless population, rooming houses could provide much needed housing relief; for example, Yellowknife, Northwest Territories, a regional hub in the Canadian North, is experiencing an increase in homelessness amongst First Nations communities. Rooming houses would be a welcome addition to Yellowknife’s affordable housing spectrum, as they would create permanent and temporary housing for people living in emergency shelters or in extreme overcrowded situations. However, given the inflated real estate market in the Canadian North, purpose-built rooming houses are unlikely to become a reality despite being needed desperately.

Even though rooming houses are common in many large North American cities, a uniform or standard definition of a rooming house does not exist. This lack of uniformity stems in part from the fact that rooming houses are technically a living arrangement not a built form. Consequently, different terms are used to describe the same type of rooming house accommodation. Depending upon the city, region or country in which they were built, rooming houses may be defined as a residential hotel, boarding home, flop house, Dear, M & J. Wolch. Landscapes of Despair: From Deinstitutionalization to Homelessness Princeton University Press, 1987; Mifflin, E & R. Wilton. "No Place Like Home: Rooming Houses in Contemporary Urban Context." Environment and Planning A 37.3 (2005): 18; Associates, Social Housing Strategists in association with Richard Drdla. Background Report One: Description of the Rooming House Sector. Toronto, 2004.

lodging house, half-way house and/or group home. Still, rooming houses are distinguishable from these various forms of housing in terms of tenure of rent, support services, number of residents and the provisions of meals. Boarding houses, for example, usually offer meals and were traditionally situated within a family home. Yet, there are also Personal-Care rooming houses in Toronto that provide room, board and medical services (usually provision of medication) to former psychiatric patients. Flop houses, unlike rooming houses, have multiple beds in one room, do not include any shared common space and are rented by the day, not by the week or month. Though rooming houses provide the same single-person accommodation as residential SRO hotels, they vary considerably in number of rooms and residents. Even with all these similarities between single rooming accommodation dwellings, there are particular characteristics specific to rooming houses.

By and large, a rooming house consists of individual rooms with a shared kitchen and bathroom. Separate weekly or monthly rental agreements are determined between the landlord and each individual resident. The number of rooming house residents varies considerably depending on the size of the building and local bylaws. For example, Toronto’s rooming house bylaw does not have an upper cap on the number of residents in a rooming house, but categorizes a rooming house as a dwelling with a minimum requirement of four or more unrelated individuals. In Toronto, rooming houses that do not provide personal care services as commonly understood to operate as private businesses. The rooming house licensing bylaw distinguishes these business-oriented

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rooming houses by classifying houses according to the presence or absence of the owner/operator. There are owner-operated rooming houses where the owner lives in-house and absentee-owned rooming houses where the owner lives off site, runs the house like a business and hires a superintendent to manage the building. There are also non-profit Personal-Care rooming houses that are usually owned and operated by non-profit organizations. For the most part, however, these specific variations in ownership and function go unnoticed. Rooming houses are commonly thought to be temporary accommodations for vagrant and transient older men living with drug and alcohol addictions and surviving on social assistance. Consequently, rooming houses are not necessarily welcomed by gentrifiers in neighbourhoods with traditionally high concentrations of rooming houses. As a result, the problem of rooming houses in Toronto, including neighbourhood conflict and the implementation of restrictive bylaws, has garnered substantial media, governmental and public attention since the early 1970s.

To be fair, rooming houses in Toronto are not in the public limelight all that often. In fact, most people do not give them much attention. In many ways, rooming houses are an unwanted necessity. Most housing workers would rather find better housing for their clients and most tenants do not voluntarily live in rooming houses; they do so out of financial necessity. Rooming houses are last resort housing, not a wanted commodity. The only people that seem to consistently care about rooming houses and tenants are the people living next to a rooming house, their city councillors, the municipal bureaucrats administering the bylaw and housing activists fighting for tenant rights. However, when

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7 The Toronto Community Housing Corporation owns and operates several ‘public’ rooming houses. This, however, is not common knowledge amongst rooming house advocates in the City. This housing stock was purchased in the 1970s during a time of urban renewal disputes in the East Downtown, as noted in Chapter Two.
debates arise concerning rooming houses, they do become a heated and public affair. One housing worker I interviewed noted that rooming houses ‘hit the news’ every 10 years or so. And to my knowledge, he was correct.

Ultimately, this dissertation concerns one municipal licensing bylaw, a very small portion of the affordable housing market and one of the most marginalized and invisible groups of tenants in one city. Why then should people care about rooming houses in Toronto? To these people I would argue that this dissertation is not just about rooming houses, but is an exploration into the processes of municipal governance in relation to the administration of poverty and regulation of affordable housing. It raises questions about the role of local government within the process of gentrification, the ideals of suburbia and the relationship between legal mechanisms and forms of governance. This case study is a valuable contribution to the areas of urban governance, housing studies, urban geography and homelessness research.

My initial research questions focused on how local governments, private landlords, property owners and community advocates influenced the administration of the rooming house licensing bylaw and shaped the moral landscape of marginalized housing. While this multifaceted inquiry continues to guide this work to a certain extent, I have modified my questions as my research developed. I now ask what the study of rooming house regulation tells us about the ways in which poverty and housing in the downtown and suburbs are governed differently by municipal governments. In this study, I question how the governing practices of the municipal government creates nuanced forms of urban governance within and beyond meta-narratives of neoliberalism and gentrification that influence the legal landscape for rooming houses and constitute the identities of tenants.
Overall, this work is a study of municipal law in the city with a focus on the regulation of space, housing and identity.

Obviously, rooming houses are a central focus of this dissertation; however, they are not the object of study. Their evolving role in the affordable housing sector and the lived experiences of roomers are significant to this research. The personal narratives of tenants and the organizing experiences of housing advocates and city staff reveal how rooming houses as subjects of regulation show the limitations inherent when municipal legal mechanisms address land use matters, especially those that involve neighbourhood conflict and affordable housing. Thus, rooming houses are understood within an analysis of municipal law, governing practices and the administration of poverty at the local level.

I have organized this dissertation thematically in order to adequately document the rooming house bylaw within the context in which it was implemented (1970s) and the current situation in the suburbs (2008-2012). The first three chapters contextualize the present day regulation of rooming houses within the relevant literature, research methodologies and social history (from 1950 to 2000). The next two chapters address the regulatory and governance landscapes. The final chapter highlights tenant stories and their experiences living in rooming houses throughout the city. Overall, each chapter tells a specific story, and together they provide a detailed analysis of a municipal bylaw that licenses rooms and administers poverty.

Chapter One contextualizes my understanding of rooming houses as a liminal space by discussing the jurisdiction of the bylaw, the local understandings of rooming houses, suburban poverty and local governance. Chapter Two addresses the guiding literatures that help me frame my analysis of the administration of poverty. I outline my
theoretical perspective and discuss how this analysis of rooming houses moves within and beyond the relevant literature on, gentrification and neoliberalism, the ideals of suburbia and socio-legal studies of urban governance. Chapter Three provides a detailed section on qualitative research methodologies. Chapter Four focuses on the social history of rooming houses and discusses how associations with a 1970s imaginary of risk, regulation and skid row shape the future for advocacy and regulatory efforts in today’s suburbs. Chapter Five addresses suburban housing histories, divergent regulations and fragmented legal landscapes. In this chapter I ask how debates concerning the extension of the rooming house licensing bylaw reveal the fragmented municipal legal landscape of rooming house regulation in Toronto. Chapter Six builds on this analysis of the rooming house bylaw and provides an ethnographic account of various municipal governing bodies regulating rooming houses as well as a detailed account of the administrative, regulatory and advocacy governing practices within the municipal government. Chapter Seven addresses the connections between the rooming house licensing bylaw, the constitutive role of law and the identity of the roomer. This chapter questions how roomers have been viewed as transients, vagrants and the hard-to-house, and presents individual stories from tenants to challenge these longstanding and stereotypical representations of roomers.

Overall, this dissertation provides a narrative based around a banal municipal bylaw regulating a slowly evolving type of affordable housing in a post-amalgamated city. It is as much a detailed social history of a municipal bylaw as it is a representation of the lived experiences of low-income tenants and the untold stories of poverty and uneven regulation in the inner suburbs. Mostly, it is an analysis of the practices of
municipal governance and the ad hoc practices used in the regulation of affordable housing, the administration of poverty and the governing of marginality.
Chapter One
Administering Poverty:
Municipal Bylaws and the Regulation of Affordable Housing.

Introduction

In the summer of 2007, Lushan Lu plead guilty to violating zoning bylaw infractions and was fined $5,000 for operating an illegal rooming house in Toronto’s inner suburb of Scarborough. His illegal operation was difficult to detect. From the outside, his rooming house, “a nondescript, two-storey, red-brick house [with] a two-door garage,” looked like every other house on the typically suburban street in the neighbourhood of New Forest Square.¹ The inside, however, told another story. A few years earlier, Lu had converted this single-family house into a private market rooming house with 18 rooms and 8 bathrooms. Lu and other suburban housing operators were represented as exploitative landlords ‘making big bucks’ from desperate tenants, mainly other newcomers to Canada.

Rooming houses quickly became viewed as a manifestation of blight on suburban neighbourhoods. The exposure of an illegal rooming house in the inner suburb of Scarborough was reported as “a suburban spin on what is often seen as a downtown problem.”²

Framing the increased visibility of suburban rooming houses as a spin on an explicitly downtown problem says a lot. It immediately acknowledges the negative associations with rooming houses as a concern for the city and neighbouring houses, not for the tenants living in inadequate living conditions. Rooming houses and the accompanying imagery of unstable tenants, unwanted behavior, substance abuse,

² Ibid.
vagrancy, crime, abject poverty and stereotypical notions of mental illness, are viewed as a problem, a wound that downtown neighbourhoods and municipal governments have suffered. Now, like a disease they appear to be spreading to the inner suburbs. Rooming houses have become symptomatic of the demise of stable and secure residential neighbourhoods, when in fact rooming houses are not the problem. Their continued presence is indicative of larger social-economic concerns, namely the increase of suburban poverty and the continued (and chronic) lack of affordable housing in Toronto. The following chapter details my conceptual and methodological approaches to research on the regulation of rooming houses in the City of Toronto.

Lushan Lu’s story arises at a time when the regulation of rooming houses, their status in the affordable housing spectrum and location in the urban landscape are shifting. Lu’s example did not occur in isolation. Rooming houses have gained significant attention in Toronto for decades. In recent years, an increased number of media stories have documented the presence and illegality of suburban rooming houses, heated municipal government discussions about extending the rooming house bylaw, and the need for affordable housing within the context of hidden homeless amongst Toronto’s suburban immigrant population. In this chapter, I examine the current situation of rooming houses in Toronto within the framework of administering poverty. There are several levels of administering poverty in regards to rooming houses. This administration

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of poverty at the local level happens all the way from personal interactions to municipal regulation, from individual landlords controlling tenants’ welfare cheques to neighbourhood associations influencing the proceedings of the rooming house tribunal to the municipal government’s treatment and regulation of rooming houses as an informal part of the city’s social housing stock. In this section, I first contextualize rooming houses within the jurisdictional context of the City of Toronto’s rooming house licensing bylaw. Second, I briefly frame the situation of rooming houses as pockets of marginality in the city and in academic literature. Third, I situate this research within the literature on gentrification and neoliberalism, socio-legal studies and the suburbs. Then, I clarify my approach to the study of the regulation of rooming houses as a study into the re-regulation and local administration of poverty. Lastly, I discuss my choice of qualitative methodologies and outline the way they were employed in my research.

Overall, this dissertation is an interwoven analysis of a housing form, suburban poverty, community activism and a genealogical study of a municipal bylaw. This work is a history of the present moment of rooming house regulation in Toronto. I address the current situation of illegal and unlicensed rooming houses in Toronto’s inner suburbs by providing a narrative that weaves together the social history and the actual and imagined geography of rooming houses in the downtown; the discourse and support networks surrounding the rooming house licensing bylaw; and the lived experiences of tenants. This research is timely in addressing the regulation of poverty through municipal bylaws in a post-amalgamated city, especially given the jurisdictional divides between bylaws regulating rooming houses, the centralization of administrative duties in the downtown,
the increased presence of rooming houses in the suburbs and the decline in licensed houses in downtown Toronto.

The Territorial Jurisdiction of a Bylaw

Lu’s conviction for operating an illegal business and violating zoning bylaws provides insight into the present-day situation of rooming houses in Toronto. His substantial fine and subsequent media representation suggests that suburban rooming houses are illegal and convictions of this kind are standard or becoming increasingly normal. However, this is not the case. Since its amalgamation in 1998, the City of Toronto has inconsistent zoning and licensing bylaws regulating rooming houses in its former cities (see Figure 1.1). Rooming houses are only licensed in the former City of Toronto, the downtown. The inner suburbs (and former cities) of Scarborough and North York maintain pre-amalgamation exclusionary zoning bylaws prohibiting rooming houses in all residential zones. Meanwhile, the former City of Toronto (the downtown) and southern portions of Etobicoke have rooming house licensing bylaws with permissive but not as-of-right zoning. As-of-right zoning indicates that the property is already zoned and the particular use of that property is permitted. Despite the fact that rooming houses in downtown Toronto and South Etobicoke are technically permitted land uses, they cannot be built unless the owner has been granted permission from the municipal government.

Even though Lu’s rooming house may have been prohibited under zoning bylaws, he did not even have the opportunity to legalize his operation by converting it into a licensed rooming house since a rooming house licensing bylaw does not exist in
Scarborough. It is quite possible, however, that Lu was naïve to the illegality of his operation. Or perhaps, he was cognizant of how difficult it is for the City to shut down illegal rooming houses and purposefully navigated the regulatory loopholes in the zoning bylaws. The City of Toronto does not have the right-of-entry for illegal rooming houses and bylaw enforcement officers must gain permission from the rooming house operator to inspect the house. Shutting down illegal rooming houses, logistically and legally, is a very challenging administrative task for the municipal government. Besides, it is a known fact amongst housing advocates (and likely operators) that few illegal houses get closed down. Whether he intentionally ran an illegal operation or not, Lu exposed the limitations of municipal bylaw enforcement and highlighted the presence of unlicensed rooming houses in established single-family household suburban neighbourhoods in Scarborough.

The increase in suburban rooming houses operating beyond the jurisdictional reaches of the rooming house bylaw disrupts the established municipal governmental

Figure 1.1: Map of City of Toronto indicating community councils and ward boundaries. (www.toronto.ca, 2006).
response to this downtown problem. The City of Toronto has a rooming house licensing bylaw, a rooming house tribunal and a rooming house working group. The creation of a rooming house specific licensing bylaw, a quasi-judicial administrative tribunal, and an information-sharing working group have been the result of controversial debates and long-term collaboration between city staff, housing advocates and social service agencies since the 1970s. Consequently, when neighbours complain about a downtown rooming house there is a quasi-judicial tribunal, a City-run working group and numerous rooming house support workers prepared to respond. In the inner suburbs, there is minimal municipal support, even in routinely administrative ways. When the City of Toronto’s Planning Department developed a proposed harmonized zoning bylaw in 2009, controversial discussions arose around the possibility of extending the reach of the rooming house bylaw to the suburbs. After much public debate and City Council discussions, the harmonized zoning bylaw\(^4\) did not pass City Council, and as a result, the heated discussions about extending the rooming house bylaw (temporarily) ended.\(^5\) The jurisdictional divide and accompanying uneven regulation of rooming houses throughout the City of Toronto, however, still exists. Rooming houses in the suburbs continue to be perceived as illegal, and the administrative governmental bodies regulating rooming houses continue to reside within the jurisdictions of the former City of Toronto as the

\(^4\) Note: As of June 2012, the City of Toronto the harmonized zoning bylaw is back and city bureaucrats (and planners) are once again working on a new drafting a new and revised harmonized zoning bylaw.

need for stable and permanent rooming house accommodations in the inner suburbs continues to rise.

Why Rooming Houses? Why Now?

Rooming houses are the ideal subject for studying how and where municipal governments administer poverty. First, they are one of the few available affordable housing options for single people receiving provincial social assistance support, Ontario Works (OW) and/or Ontario Disability Support Program (ODSP), who are not currently living in Toronto Community Housing Corporation (TCHC) publicly-funded social housing. The monthly rates for rooming house accommodations ranges between $350.00-$500.00, with illegal houses tending towards the lower price range. Rooming houses are significantly less expensive than the 2011 Canadian Mortgage and Housing Corporation’s (CMHC) Average Market Rent (AMR) monthly rates for hostels ($668.00), bachelors ($822.00) and 1-bedroom apartments ($979.00) (see Figure 1.2). For people receiving the total monthly allowance of $585.00 from OW and $1020.00 from ODSP, the majority of private market rental accommodations are financially out of reach. Thus, rooming houses are one of the only private market housing options for single people living on social assistance and/or the working poor in Toronto. The term ‘working poor’ does not have a set definition. In the report, “The Working Poor” in the Toronto Region, the working poor is referred to as “persons with non-trivial paid earnings who live in a household with low income” defined as someone who has an after-tax income below the Low Income Measure, earns at least $3,000 a year, between ages of 18-64 years old, is not a student and lives independently. Stapleton, John, Murphy Brian & Yue Xing. ““The Working Poor” in the Toronto Region: Who they are, where they
municipal government relies on rooming houses for providing affordable housing for low-income tenants, though many rooming houses are technically private market housing, not socialized housing.

Secondly, rooming houses and their tenants inhabit an in-between space amongst the categories of private market and supportive housing, temporary and permanent accommodations, homelessness and housed, legal and illegal. The City of Toronto’s rooming house licensing bylaw distinguishes between multiple types of rooming houses with the main

![Table of Average Market Rents (AMR) for Greater Toronto Area 2007-2011](image)

**Figure 1.2:** Canada Housing and Mortgage Corporation. (Average Market Rents (AMR) for Greater Toronto Area 2007-2011).

distinction between a Personal-Care rooming house and a regular (private market and non-profit) rooming house, as discussed in Chapters Five and Seven. The Personal-Care

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rooming house, colloquially referred to as a boarding home, is similar to a regular rooming house in physical layout and rental rates, but includes staff support and meals. The majority of boarding homes in Toronto, at least in the neighbourhood of South Parkdale, are understood to provide supportive housing for former or current out-patients of the nearby Centre for Addictions and Mental Health (CAMH), the former Queen Street Psychiatric Institution, with a considerable number of tenants receiving ODSP. Boarding homes are operated by private owners, social service agencies and non-profit organizations.

Regular rooming houses, on the other hand, are predominantly owned by private landlords (some owning several houses) and operate as a business. However, a small number of these regular rooming houses are operated by non-profit organizations. Nonetheless, all regular rooming houses (both private market and non-profit houses) usually rent rooms on a monthly basis, though weekly tenancies are available in particular houses. Tenants share a kitchen, bathroom and occasionally a common space. Meals are not provided. Most of the tenants I interviewed who lived in private market boarding houses were receiving OW or ODSP. Despite differences in ownership models, business operations, institutionalized support and provisions of meals, boarding houses and rooming houses are quite similar. They are both regulated under Chapter 285 of the Municipal Code and usually exist in converted houses and share a similar clientele. Many roomers, perhaps as an example of Deverteuil and Wolch’s concept of institutional

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8 NB: Boarding Homes have two distinctive definitions. An older model of a Boarding Home entails a residential dwelling where a landlord, usually an older widow, rents out rooms in a private house. The predominant and current use of the term Boarding Home in Toronto refers to a Personal-Care Rooming Houses. That being said, the term Boarding Home is used in both ways in Toronto. However, throughout this dissertation I will refer to the Personal Care Homes when discussing Boarding Home unless clarified.
cycling, have lived in both boarding and rooming houses. As a result, rooming houses are perceived, to a certain degree, by housing workers and city staff as a type of housing precariously situated between the categories of private market rental housing and supportive non-profit housing. Rooming houses share many characteristics with boarding homes (ie. clientele, physical location in converted houses, social stigma) and thus may be seen as (informal) warehouses for individuals requiring the institutionalized care and meal provisions provided in boarding homes. Subsequently, they have become a form of housing that the City relies on and regulates to house a large portion of low-income people including OW and ODSP recipients who are not currently living in, or eligible to live in TCHC public housing.

Due to the perceived mobility of their tenants, rooming houses have historically been understood to be temporary housing for formerly or continually homeless individuals. They have been defined as last resort housing for a population of vagrant and transient men associated with the undesired behaviours and moral degradation of skid row neighbourhoods (as will be discussed in Chapter Four). This association with transient tenants links rooming houses with emergency shelters, residential hotels and hostels more so than with more stable affordable housing options like social housing or lower rental private market accommodations. Even though rooming houses may provide temporary accommodation for transient individuals, perhaps due to institutional cycling, many low-income tenants I interviewed considered rooming houses to be permanent

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housing. Although roomers may not live in one rooming house for more than a year or two, many have lived in several different rooming houses for the majority of their adult lives, sometimes moving between dozens of rooming houses over a 20-year span. The perceived transience of roomers has created an imagery of rooming houses as temporary housing for people living between the categories of homelessness and housed. This in-between status as temporary housing for street-involved individuals and/or a step up the housing ladder, keeps rooming houses and roomers in a permanent in-between and liminal space.

In this dissertation I use the terms liminal space and liminality to describe a particular type of in-between space in relation to rooming houses. A liminal space is a physical space imbued with a sense of personal transformation. Drawing from anthropologists Keith Hetherington and Victor Turner\(^\text{10}\) (scholars who have studied liminal spaces in terms of religious and ritualistic ceremonies) I understand a liminal space to be a rite-of-passage and a temporary space of transition from one identity or status to another. According to Hetherington, liminality is “associated with a transgressive middle stage of a rite, the threshold, margin or point at which activities and conditions are most uncertain, and in which the normative structure of society is temporarily overturned.”\(^\text{11}\) This threshold, this liminal space, is a place where a person stays for an indefinite period of time and then leaves better prepared for the next stage of their life.


\(^{11}\) Ibid.
My use of the term liminality, influenced by Turner and Herington, depicts liminal space in terms of social marginalization but emphasizes the association between liminality, transition and transience. Rooming houses are perceived to be a place where individuals transition from being homeless to being housed. Roomers are regularly (and inaccurately) thought to be in a constant state of transition and rooming houses a temporary housing form. Like Constance Perin’s analysis of the renter residing in a constant in-between state in comparison to the stability of the homeowner, the roomer is represented as existing in a constant in-between state of transience associated with homelessness. I refer to this constant state of transience as a liminal space. The roomer is perceived to be a transient individual living in a temporary accommodation, even if his/her living situation in a rooming house is permanent. The concept of liminality, then, aptly describes the common understanding of the roomer as an individual living in a temporary state of transition from one housing status to another. Since the rooming house is consistently represented as a temporary place for people transitioning out of homelessness and into stable housing, I argue that the rooming house itself has become perceived to be an in-between and liminal space for individuals in transition. However, the transitions associated with rooming houses, unlike Hetherington and Turner’s depiction of ritualistic liminal spaces, are permanent and stagnating; they not temporary rites-of-passage that lead to emancipatory personal transformations.

Thirdly and finally, the legal ambiguity of rooming houses in Toronto only furthers the liminal space of rooming houses. They are viewed to be cheap and affordable, not desirable and secure housing for the most marginalized and consistently

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low-income tenant population in the city. With a limited number of licensed houses and hundreds of unlicensed houses scattered throughout the downtown and the suburbs, the association with illegality further marginalizes this form of affordable housing. It is precisely the in-between status of rooming houses and their liminal position that makes them an ideal housing form for studying the administration of poverty. Rooming houses are a marginal form of housing. They are inconsistently regulated by the city despite the presence of a mandatory licensing procedure, and provide the city with vital though precarious low-income private-market accommodation that clearly eases the pressure on (and waiting list for) the social housing stock in Toronto. Rooming houses have consistently been associated with people living on skid row, dealing with addictions and mental illness living on OW and ODSP. They are perceived to be, like Lu’s suburban rooming houses, a blight on all neighbourhoods, not just those in the suburbs. The imagined geography of skid row follows rooming houses into the suburbs. Housing advocates and social workers argue for extending the reach of the rooming house bylaw because of, or to accommodate, the changing rooming house landscape that includes the expansion of illegal rooming houses in the suburbs. But the increased need for rooming house accommodation in the suburbs and a rise in ‘not-in-my-backyard’ (NIMBY) opposition to suburban rooming houses from city councillors and resident associations continues to be based on the antiquated and stereotypical perception of roomers and is indicative of broader socio-economic changes occurring in inner suburban neighbourhoods.
Rooming Houses and the Inner Suburbs

The presence of rooming houses in Toronto’s inner suburbs challenges the ideal norms of the suburbs and is indicative of changes in North American suburbs, namely increased poverty, a large part of which is racialized and hidden. Homelessness and precarious housing situations are on the rise amongst new immigrant and refugee communities in the inner suburbs.\(^\text{13}\) The lack of legal and affordable housing for newcomers to Canada is highly problematic especially for a city like Toronto whose motto ‘Diversity is our Strength,’ reflects the city’s commitment to multiculturalism and diversity in its official doctrine.\(^\text{14}\) Yet, with an increase in suburban poverty and precarious housing amongst new immigrant communities, the realities of living in this multicultural city do not reflect the public image and official doctrine of diversity. Thus, the analytical starting point for my research is this disjunction between the image of the multicultural city and the realities of immigrating to the suburbs of Toronto.

My research highlights how the fragmented legal landscape of the rooming house bylaw and subsequent disjunction between suburban and downtown governing practices directly impacts the affordable housing stock for newcomers to Canada. This dissertation focuses on a particular housing phenomenon, a municipal regulatory mechanism, governing practices, experiences of poverty and affordable housing within the suburbs. It


is a detailed study of the governing processes within the suburbs, but also the regulatory inconsistencies between the suburbs and the downtown.

A large portion of my analysis concerns the debates in which rooming houses in the suburbs are framed within a downtown rooming house context and presented as the illegal counterpart to the legal and licensed downtown. In Chapter Five, I address how this perception of an uneven geography of regulation, used by housing workers and advocates, depicts the majority of Toronto’s suburbs as illegal and misrepresents the legal mechanisms already present in the inner suburbs. I argue that understanding rooming house regulation in terms of a fragmented legal landscape is more representative of the Toronto rooming house situation. My understanding of this landscape in the city is informed by interviews with tenants (many newcomers to Canada and several long-term residents of the suburbs) and housing and immigrant settlement workers in the inner suburbs of Scarborough, North York and Etobicoke (refer to Figure 1.1). Scholarly research has recently highlighted the important role (illegal) rooming houses play in providing housing for low-income new immigrants in the inner suburbs. A recent study on homelessness and housing amongst newcomer populations in the Toronto Metropolitan Area presented evidence demonstrating the need for further regulation and legalization of suburban rooming houses.\(^{15}\) Thus, the personalized accounts of rooming house living, regulation and advocacy presented in my research directly contribute to the growing literature on the increased impoverishment, racialization and rise of immigrant

activism in and decline of the inner suburbs in North American cities.\textsuperscript{16} However, little attention has been given to the state of suburban governance and the lack of harmonized municipal bylaws in the post-amalgamated City of Toronto. In the following discussion, I contextualize my research with urban geographical research on the inner suburbs, focusing on the City of Toronto’s suburbs, amalgamation and suburban governance.

The changes occurring in Toronto’s inner suburbs have increasingly become a focus for urban research, collaborative projects and have garnered substantial media attention. David Hulchanski’s study \textit{The Three Cities within Toronto} and the United Way of Greater Toronto’s study \textit{Poverty by Postal Code} (in collaboration with the City of Toronto’s Priority Neighbourhoods Initiatives) have been influential and in some cases controversial. Hulchanski’s study maps the emergence of three separate cities based on socio-economic changes in average income levels in Toronto (see Figure 1.3). According to Hulchanski, “the pattern of who lives where in Toronto on the basis of socio-economic characteristics has changed dramatically” over a 35-year time span.\textsuperscript{17} As Figure 1.3 highlights, the lower-income city (City #3) is situated in the north eastern and north western inner suburban areas, whereas the higher-income area (City #1) has emerged in the downtown core near subway lines and the middle-income area while (City #2) has shrunk considerably. This new and emergent pattern indicates an increase in the gap between the rich and the poor, a rise in precarious employment, no increase in average


incomes and higher numbers of families living in poverty in the inner suburbs. The lack of affordable housing options and rise in homelessness amongst immigrant populations in the inner suburbs follows these trends indicated by Hulchanski’s study. The United Way’s study, on the other hand, identified several priority neighbourhoods, many of which were located in Hulchanski’s low-income third city in the inner suburbs (see Figure 1.4).

The United Way of the Greater Toronto Area’s Poverty by Postal Code aimed to raise public awareness of increases in poverty in Toronto’s neighbourhoods and to “influence government and community leaders to develop strategies” in order to change

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18 Ibid. Page 19.
approaches to growing poverty.\textsuperscript{19} The \textit{Poverty by Postal Code} report revealed increases in the number of neighbourhoods with concentrations of higher levels of poverty amongst low-income racialized and/or immigrant families in the inner suburbs, the former municipalities of Scarborough, North York, Etobicoke, York and East York.\textsuperscript{20} It was released prior to the City of Toronto’s Report of the Strong Neighbourhoods Task Force, and subsequently, the joint initiative The Priority Neighbourhood strategy emerged which identified several priority neighbourhoods in the city (see Figure 1.4). The \textit{Priority Neighbourhood Strategy}, according to Cowen and Parlette, had two central aims: “to invest in underserviced communities and to transform the way in which local residents, city staff and service providers participate in community planning” in underserviced neighbourhoods to create further projects and to ‘empower residents.’\textsuperscript{21} Cowen and Parlette suggest that the Priority Neighbourhood Strategy problematically associates increases in poverty with specific locations instead of being a local manifestation of a larger socio-economic problem.\textsuperscript{22} Despite the potential for stigmatizing communities living in priority neighbourhoods or Hulchanski’s third city, these studies draw our attention to the geographical shifts in poverty and contextualize the socio-economic context for the increased use and visibility of rooming house accommodations in the inner suburbs.

The 1998 amalgamation of the City of Toronto has had lasting consequences in the bureaucratic administration and governing bodies in the inner suburbs. The resulting

\textsuperscript{20} \textit{Ibid} at 10.
\textsuperscript{22} \textit{Ibid} at iv.
suburban governing structure impacts how increased suburban poverty will be addressed and managed by the municipal government in the future. The amalgamation of the former cities of Etobicoke, North York, York, East York and Scarborough, and Toronto, was a direct result of the Progressive Conservative Mike Harris Government and replaced the previous two-tiered regional governance of the Municipality of Metro Toronto.

Toronto’s amalgamation was part of a larger urban trend in the mid 1990s and was

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23 The amalgamation of Toronto was one of many cost cutting measures in the Mike Harris Provincial (Progressive Conservative) government’s Common Sense Revolution. During the Harris years, substantial cuts were made to social services, including housing and welfare costs, with more responsibility resting with municipal governments. Several housing workers and community advocates I interviewed repeatedly told me that the state of affordable housing and service provisions for marginally housed people is still ‘reeling from the Harris years.’

contested by multiple constituencies throughout the city. In the former municipalities of Scarborough, North York and Etobicoke (the present-day inner suburbs), amalgamation was not necessarily welcomed; people were fearful of potential losses of power and influence in an amalgamated city. And nearly 15 years later, their fears of decreased power and influence have been confirmed.

The administrative duties of the City of Toronto were and still are centralized in the former City of Toronto, the downtown. Regional hubs of governance no longer exist in the former cities and were replaced by community councils. Community councils were established under the City of Toronto act in 1997 as committees of City Council. Toronto has six community councils, each comprised of 6-10 wards representing between 300,000 and 600,000 people with specific boundaries (refer to Figure 1.1). According to the City of Toronto, community councils “provide a forum for local input into Council’s decision-making process” and make recommendations to Council on traffic plans, parking and local planning and development matters. They have very limited decision-making powers or substantial (mandated) influence at City Council. Community councils are, however, responsible for final decision-making regarding fence by-laws, appointments to local boards and the establishment of Business Improvement Associations (BIAs). Still, they have no jurisdiction and not are recognized by the municipal act.

Amalgamation may have cut provincial costs, but in terms of governing structures, administration and divergent zoning bylaws, it has not been beneficial for the city, especially those wards and constituents in the inner suburbs. Rooming house residents, in particular, feel the negative affects of amalgamation. Zoning bylaws are divergent throughout the city, there are few local suburban venues to access local councillors and the majority of rooming house administration is still centralized in the former City of Toronto. The organization (or lack thereof) of Toronto’s administrative and governing bodies is detrimental for low-income (and underrepresented) suburban residents. It raises further questions concerning the relationship between amalgamation, urban governance, and the shifting spaces for low-income affordable housing in this post-amalgamated city.

Shifting Pockets of Marginality

Rooming houses in Toronto have a long legacy that includes a shift in public perception from one of social acceptability to social marginality. Renting a room in a family home was common practice for immigrants, blue and white collar workers and working women in this ‘City of Homes’ between 1890 and 1950.29 According to Harris, the decline of rooming occurred in the 1950s as a “series of steps involving the decline of boarding, the growth of [purpose built] rooming houses and institutions and the increasing concentration of both [rooming house operators] and guests among the poor.”30 After 1950, rooming was no longer socially acceptable. Rooming houses challenged the norms of the nuclear family and disrupted the suburban ideal of single-family dwellings, as will

30 Ibid at 352.
be discussed further in this chapter. Rooming houses soon became associated with unwanted characteristics of the inner city such as vagrancy, crime, addictions and mental illness, as addressed in detail in Chapter Four. For the past 50 years this skid row legacy has universally stigmatized rooming houses as spaces for the marginally housed and homeless. Although this legacy continues, rooming houses are undergoing yet another shift. However, unlike the shift from social acceptability to social marginality in the 1950s as documented in Harris’ historical account, this current shift begins from a space of social marginality.

The current shift in the public perception of rooming houses reflects a change in their physical location, not a shift in stereotypical assumptions or a move away from social marginality. This is a move towards increased and continued marginality; it is one of invisibility and reflective of the rise in hidden homelessness within Toronto’s inner suburbs.31 The number of licensed rooming houses in the City of Toronto has remained steady between 1999-2008, ranging between 483-500 houses in any given year (see Figure 1.5). However, since 2008, the number of licensed rooming houses has been slowly declining, with only 412 licensed rooming houses reported by the Municipal Licensing and Standards Division of the City of Toronto in May 2012.32 Though the number of licensed rooming houses is on the decline, they continue to be visible in many downtown neighbourhoods. Still, a shift is occurring. Rooming houses in Toronto are

Figure 1.5: Pockets of licensed rooming houses in downtown neighbourhoods (from West to East) South Parkdale, Annex, South St. Jamestown, Cabbagetown, and Moss Park. All of the houses noted in the map functioned as rooming houses in 1999 and 2008 with the reasonable assumption that many of their licenses lapsed for a year or two within these years. The area that is highlighted green indicates the areas in the City of Toronto with licensed rooming houses.

less visible pockets of marginality throughout the amalgamated city. Since the majority of suburban rooming houses do not reflect the downtown norm of a run-down large Victorian house (split into numerous rooms) located in a historic rooming house district or skid row neighbourhood reminiscent of San Francisco’s Tenderloin and Vancouver’s Downtown Eastside, they are difficult to identify. Today, rooming houses appear in a variety of built forms, from residential hotels to small post-war bungalows to suburban monster homes. Additionally, rooming houses are home to a wider variety of tenants,
many whom may not look stereotypically homeless. In the section that follows, I briefly situate the current shift in the social perception and physical location of rooming houses within the spectrum of affordable and supportive housing in Toronto, governmental policy reports and scholarly literature.

Rooming houses exist alongside an extensive range of marginalized housing forms based on similarities in single-room and temporary accommodations, informal and formal supportive housing and a range of affordable housing for low-income individuals. The term rooming house is, in many ways, interchangeable with boarding homes and Single Room Occupancy (SRO) residential hotels, emergency homeless shelters and hostels. This is due to similarities in tenant population, single room accommodation, terms of tenancy, stigmatized association with skid row and categorizations as last resort housing. However, as noted earlier in this chapter, boarding homes have an institutional component, and residential hotels in Toronto are regularly classified as rooming houses in part due because they provide single room accommodation. Rooming houses serve a similar tenant population as emergency shelters and hostels. Many individuals move between shelters and rooming houses, with rooming houses being perceived as a step up the housing ladder from a shelter.

Even though rooming houses are technically not supportive housing, they do provide accommodation for people who have lived in group homes, recovery homes and half-way houses, and in some instances they’ve become de-facto and informal supportive living accommodations for people with mental illness, drug and alcohol addictions and those transitioning from prison. Some rooming house operators distribute funds from each tenant’s OW and/or ODSP cheques, ‘giving’ tenants a monthly allowance and
directly accessing money for rent. This informal and exploitative practice is often framed as a pre-requisite for renting a room and is an example of how low-income individuals are regulated through the administration—legal or not—of welfare. Several rooming house tenants and housing activists acknowledged that this informal control over individual welfare cheques was standard practice for many rooming house landlords. However, this practice did not seem to be as common as it was in the 1980s in the downtown neighbourhood of Parkdale.\(^{33}\) The regulation of poor people through welfare regimes has been addressed by scholarly literature highlighting the linkages between state welfare, local administration and the cycle of unemployment and poverty.\(^{34}\) Robert Fairbanks, in particular, provides a detailed ethnography of the recovery home movement in Philadelphia through a broader critique of the US welfare system in a post-industrialized city. In his detailed and first-hand account of one recovery home in a former abandoned house in Philadelphia, Fairbanks documents the informal local governing practices concerning welfare, recovery and affordable housing though interactions with recovery home operators and clients.\(^{35}\) One part of his analysis makes the link between welfare provision and the stability of an entire housing sector – a pattern that is present though not well established – in Toronto’s private market rooming houses. Even though Toronto does not have recovery homes (like in Fairbanks’ study), social workers affiliated with half-way houses (for people transitioning from Correctional Institutions) and supportive housing (for those recovering from addictions) are active

members of the City’s rooming house working group because they view rooming house accommodation as future housing options for their clientele.

The current shift in rooming house accommodation is not a move away from these quasi-supportive and marginalized single-room accommodations. This shift signifies an expanded number of housing arrangements associated with the stigma of rooming house accommodation. As rooming houses become less visible but more abundant in the inner suburbs, they are increasingly appearing in basement apartments and second suites. Basement apartments and second suites, as discussed in Chapter Five, were not always permitted uses under suburban zoning bylaws. In the 1990s, housing workers and activists fought for their legalization under the banner of providing affordable housing throughout the Greater Toronto Area. The visibility of basement apartments as affordable housing has recently gained substantial governmental and media attention in Ontario. In May 2012, the Province of Ontario mandated that all municipalities must make basement apartments legal.\textsuperscript{36} The fight to make basement apartments legal in the City of Brampton (in the Greater Toronto Area) was framed in the context of providing affordable private market housing for new immigrants to the city.

Overall, rooming houses are a permanent part of the low-income and supportive housing landscape for marginally housed individuals, people living with addictions, psychiatric survivors, people transitioning out of prison, newcomers to Canada and migrant workers. They exist alongside a broad network of emergency shelters, SRO accommodations and supportive housing, and are continually differentiated from social housing in terms of government funding. Although they serve a similar purpose, rooming

\textsuperscript{36} Grewal, San. “Pressure builds in Brampton to pass basement suite bylaw” \textit{The Toronto Star}. 18 April 2012.
houses in Toronto are not considered to be social housing in any formal or informal way, a fact that was re-affirmed during my research. Rooming houses were seen to have more in common with emergency shelters and half-way houses than with social housing, even though rooming houses do comprise a small portion of Toronto Community Housing Corporation’s housing stock. As rooming houses shift within the confines of marginal housing, the downtown identifiers and affiliations with half-way houses, emergency shelters and residential hotels may also shift. Suburban rooming houses have more in common with other housing arrangements – especially basement apartments and second suites – than they do with residential hotels and boarding homes.

Roaming houses have consistently been the subject of dozens of policy reports and governmental strategies since the 1960s. These reports address rooming houses in the context of the demographic and health of roomers; evaluation of the rooming house bylaw and specific rooming house pilot projects; City of Toronto Committee and Departmental reports; broader governmental strategies to alleviate homelessness; and specific municipal strategies to mediate conflict between neighbours. Since the 1970s, these reports have been used strategically to advocate for roomers, to substantiate the need for a rooming house licensing bylaw and to simply document the increased need for rooming and boarding houses throughout Toronto and Ontario. Some of these reports

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address province-wide concerns regarding housing and the deinstitutionalization of psychiatric institutions; others evaluate the specifics of the bylaw; and recent reports provide history on the rooming house regulation, demographics of roomers and the Toronto situation within the context of other Ontario cities – some were even commissioned to specifically tell good rooming house stories.

Overall, these reports are wide ranging in coverage and have contributed significantly to the discourse of rooming houses in Toronto. The sheer quantity of these commissioned reports, committee evaluations and community pilot projects, reveals the amount of concentrated attention given to the problem of rooming houses by the City of Toronto over the past 40 years. Yet, the majority of these municipal reports are limited in scope. They primarily frame rooming houses as a problem that needs to be solved and focus on documenting the declining housing stock. Paradoxically, these reports continue to advocate for rooming houses as a solution to continued homelessness even as they label rooming houses to be problematic housing for low-income single individuals. As rooming houses become associated with hidden homelessness and exist in over-crowded living situations, sublet apartments, basement apartments and second suites in the inner suburbs, rooming houses become more difficult to isolate, study and regulate.

Rooming houses are present in marginalized pockets of the city and in marginalized pockets of the literature. Rooming houses are discussed in scholarly literature that focuses on the urban processes of gentrification, deinstitutionalization and urban renewal, urban studies of specific neighbourhoods and within a broader historical analysis. The few articles that specifically address rooming houses do so within the

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confines of discussions concerning the meaning of home, homelessness, and their role in the service dependent ghetto during provincial deinstitutionalization policies in the 1980s, as described by Dear and Wolch.40

Rooming houses have consistently been represented within broader discussions in urban studies but are rarely the focus of scholarly studies. However, rooming houses have their own trajectory and merit in urban geographical research. My work, therefore, focuses on rooming houses and their regulation in the context of (sub)urban governance, affordable housing, social marginality and the administration of poverty. Rooming houses, as a topic of study, enable us to explore how city governments regulate a liminal space that is commonly understood through the identity of its inhabitants and contributes to multiple scholarly debates on gentrification, the changing nature of the suburbs and the interactions between law (legal mechanisms) and urban space. Further, the presence of rooming houses in Toronto’s inner suburbs, such as Lu’s ‘illegal’ rooming house, draws our attention to the role of municipal law in our cities and the contributions that a legal analysis brings to urban geography scholarship.

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Chapter Two
Re-framing the House

Introduction

Converting a single-family home into a legal rooming house is not an easy task. It involves ensuring the house is ‘up to code,’ purchasing the license and complying with all the regulatory expectations of the bylaw. And, more often than not, includes mediating conflict with nearby homeowners concerned with the potential impact a rooming house (and its residents) may have on the property values in their ‘up and coming’ neighbourhood. Similarly, analyzing rooming houses and their regulation in a perspective that dovetails the boundaries of multiple literatures and theoretical debates is not easy. However, in this case, it is necessary. Thus, my analysis of rooming houses is nestled between the intersection of multiple debates and references gentrification, neo-liberalism, urban and suburban governance and legal consciousness literatures amongst others.

The array of perspectives and literature in this dissertation is a result of the exploratory approach I used in my research and the interdisciplinary nature of my work. However, certain perspectives were integral to my approach, others were framing devices and others yet were launching points for future work. In this chapter, I clarify between my approach, the framing devices and contributions, and my specific approach to studying poverty. First, I clarify my theoretical approach to this research discussing how the concept of liminality and the scholarship on legal geography and governmentality were integral to my work. Second, I situate my contributions to the literatures on gentrification, socio-legal scholarship and the suburbs. Then, I conclude by framing my work as an inquiry into the administration, not criminalization, of poverty. Overall, this
chapter provides a review of the relevant literature and identifies another approach for understanding the interactions between law, space and marginality in the city.

Laying the Foundation

The absence of providing one overarching theoretical perspective in this dissertation is purposeful. From the beginning of my project I was very careful not to conduct my research or write my dissertation from one theoretical perspective. Initially, I was responding to (what I view as) the dominance of Marxist theory in urban geography, particularly in the scholarship on gentrification, conflicts over public space and debates around the right to the city. I am not challenging the numerous contributions that a Marxist analysis has brought to urban studies and geography. My interest in housing, social marginalization and economic inequalities has been inspired by the work of David Harvey, Neil Smith and Manuel Castells.1 However, I do question how influential urban geography literature frames conflicts over urban space, governmental actions and legal mechanisms predominantly within debates of top-down government, capitalism and neoliberalism.

Instead of countering what I view as a dominant theoretical approach in urban geography with another theoretical perspective, I wanted the research to guide my analysis and my writing. And, I wanted to contribute to the growing urban geography literature on homelessness that moves beyond the ‘revanchist’ framework.2

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Though I do not have one overarching theory guiding my analysis, my work makes multiple theoretical contributions without being situated in one particular theory. In addition, the conceptual framing of my work and focus on techniques of governance have been influenced by the writings of Michel Foucault.

The concept of liminality, as discussed in Chapter One, was a starting point for my theoretical analysis of rooming houses. It enabled me to situate the position of roomers in relation to the rooming house and the city. The idea of rooming houses as a liminal space provided an opportunity to understand the common perception of rooming houses as temporary and transitional housing. While the idea of liminality has been central to my analysis of rooming houses, my approach evolved and developed as I began my research and led me to ask the following questions: What role do municipal bylaws and community organizations play in the regulation of this liminal form of housing? How does the presence of rooming houses in the suburbs disrupt revanchist perspectives of neighbourhood change, gentrification and the role of law in the city?

The guiding literature and areas of study in this dissertation, apart from my initial thoughts on liminality, stem from legal geography and governmentality scholarship. I contribute to legal geography literature through my empirical study of the regulation of rooming houses in the suburbs, making the connections between forms of urban governance and the co-constitutive role of law and space, and especially in my critical analysis of how the concept ‘municipally-managed gentrification’ has been addressed in gentrification scholarship. I depart from Nicholas Blomley’s early work that was influenced by Henri Lefebvre’s hierarchal notions of space, by drawing more from a Foucauldian perspective in my analysis of the urban governance.
My interest in governmentality and governance scholarship grew as I conducted my qualitative research. After a few months of observing hearings at the rooming house tribunal, attending meetings of the Rupert Coalition and the Rooming House Working Group and reading municipal reports, I quickly realized that my research became focused on the bylaw. I would think of rooming houses in terms of the conditions placed on rooming houses at the hearings and the debates about extending the licensing bylaw and soon knew the names and wards of the city councilors who opposed suburban rooming houses. At first this shift in my research disturbed me because it was very clear that tenants were absent from these debates and hearings. I soon realized that this ‘disturbance’ was an opening for another direction in my research and provided me an opportunity to document the experiences of tenants as I told a story about the functions of government.

My focus on the ‘administration of poverty’ is a new concept I am developing through my research. It enables me to explore the relationship between law and poverty—in the context of housing and homelessness—beyond the framework of the criminalization of poverty. It became clear that the regulation of poverty is also administrative. Once a landlord purchases a business license for their rooming houses, they are opening up the house to annual inspections by MLS and the Fire Department. This example of ‘administering poverty’ is indirect. The City, then, regulates the housing for low-income single individuals by having the ability to shut, regulate and place conditions on their housing, without the roomers having any control or substantial say over the situation. Overall, this entire dissertation and its focus on the practices involved regulating rooming houses throughout Toronto is a study into the administration of
poverty. The remaining sections of this chapter frame this study into the administration of poverty in terms of a gentrifying city, the important contributions that a socio-legal analysis brings to urban geography, and the changing nature of suburbs.

**Municipal Law in a Gentrifying City**

Toronto is a gentrifying city. The process of gentrification in Toronto has been well documented. Gentrification is a term used to “describe the disturbing effects of the middle classes arriving in working-class neighborhoods.” The regulation and gradual disappearance of rooming houses in the gentrifying neighbourhoods of Cabbagetown, South St. Jamestown and South Parkdale has been accepted as part of, or a consequence of gentrification. This Toronto-based literature, in keeping with the broader North American literature on gentrification, has framed the history and regulation of rooming houses within a particular discourse of tenant displacement, class conflict, social exclusion and neoliberal urban policies supporting (or facilitating) the process of gentrification. This discourse, as noted by Larry Bourne, may have over exaggerated the impact of gentrification and overshadowed other urban processes affecting the inner city. Although the representation of rooming houses within the discourse on gentrification in

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Toronto is accurate, it overlooks the significance of rooming houses and other important urban processes, as discussed by Bourne, in the (North American) inner city affordable housing landscape. The current gentrification literatures remains a representation that encloses municipal regulation within a limiting framework of neoliberal governance that ignores the nuances of local law and the ad hoc organization and actions of municipal governments.

My research on the regulation of rooming houses in Toronto raises important questions concerning the role of municipal law in a gentrifying city. I argue that an analysis of legal mechanisms in the city provides an analysis of the role of municipal governments in gentrifying cities beyond the current gentrification discourse. This perspective, I argue, is important to understand the shifting landscape of affordable housing in gentrifying cities but also questions the role of municipal law in terms of the concept, municipally managed gentrification. The rooming house bylaw regulates landlords, manages low-income housing and attempts to protect tenants. It does not necessarily enhance or manage gentrification. However, there are moments in Toronto’s history when the bylaw was amended or a control bylaw was implemented (as we will see in Chapter Four) to impede the further concentration of rooming houses in neighbourhoods with an already high concentration of low-income single-person households. These moments can be (and have been) classified as moments where municipal governments are implicated in broader neoliberal strategies of gentrification. Yet, they can also be understood as isolated moments of community conflict that may be

6 Note: The term municipally managed gentrification is widely acknowledged in gentrification literature, and largely attributed to Tom Slater. However, Slater referenced Forrest and Murie’s book Selling the Welfare State: The Privatisation of Public Housing (1988) when he used the term ‘municipally-managed gentrification’ in his article, “Municipally Managed Gentrification in South Parkdale, Toronto.” The Canadian Geographer 48-3 (2004): 303-25.
reflective of the ad hoc organization of municipal governments as much as they are an indicator of municipally managed gentrification by neoliberal governments. Ultimately, my contribution to gentrification studies is the study of urban governance in the context of a local law focused on regulating a form of housing alongside the process of gentrification.

The literature on gentrification has generally been framed within an understanding of the three waves of gentrification and two binary perspectives within the gentrification scholarship. The three waves of gentrification have been classified in terms of state involvement in the economic underpinnings of gentrification and consequently, according to Loretta Lees, a mainstay of gentrification is “a focus on supply versus demand, mapped on top of economics versus culture and/or production versus consumption.”7 Alan Walks and Martine August (in the footsteps of several gentrification scholars) situate the waves of gentrification in the following manner: the first wave of gentrification prior to the 1970s involved active state intervention in demolishing buildings and funding urban renewal projects; the second wave in the 1980s was part of ‘roll-back’ state (dis)investment involving the sponsorship of neighbourhood improvement programmes that “enhanced the attractiveness of the inner city to gentrifiers;” and the third wave (1990s to present) involves the direct participation of the neoliberal state in redevelopment projects by encouraging the private sector to conduct “new ‘roll-out’ regulatory systems and by making selective investments in key public amenities, often in the name of attracting the ‘creative class.’”8

The literature documenting and critiquing the process of gentrification since the 1970s has been (roughly) categorized within two particular camps: the emancipatory city thesis and the revanchist city thesis.\(^9\) The former reflects literature, (often referring to the analysis of gentrification in Toronto by David Ley and Jon Caulfield) that focuses on the gentrifiers and their “forms of agency” while depicting gentrification as part of a movement of resistance against the dominant ideals of suburbia and as a transformative saviour while the latter in the Lower Eastside of Manhattan, reflects class conflicts and the process of displacement.

In contrast to the emancipatory city thesis, the revanchist city thesis considers the privileging of middle-class desires and the effects of the advancing gentrification ‘frontier’ on other class fractions. Reminiscent of the violent disposessions of native peoples, the rhetoric of an urban or gentrification frontier operates, Smith argues, to conceal the underlying violence of the process. The inner city for Smith is not an emancipatory space but a combat zone in which capital, embodied by middle-class gentrifiers, battles it out, block by block, house by house, to retake the city.\(^10\)

Though useful for identifying different approaches to gentrification scholarship, this binary division between approaches within the gentrification literature is problematic. It solidifies divisions within the scholarship and has the potential to stifle critical research. On one hand, scholars such as Tom Slater, use this divide to argue for further critical gentrification scholarship that focuses on the experiences of those dispossessed by gentrification. On the other hand, Loretta Lees suggests that it is time to move away from this binary classification of gentrification research and study gentrification in the context of a changing global economy, questions of liveability and sustainability, race and post-

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\(^10\) Ibid at 399.
colonialism as represented in urban policies directly and indirectly related to
gentrification.

Following these debates concerning the binary divisions in gentrification
scholarship, Loretta Lees and David Ley emphasize the important contributions that an
analysis of urban policy brings to the gentrification debate. Accordingly, Lees suggests
studying policy language that does not use the word gentrification. “Terms like urban
renaissance, urban revitalization, urban regeneration and urban sustainability are used
instead, avoiding the class constitution of the processes involved and neutralizing the
negative image that the process of gentrification brings with it.” These urban policies,
regardless of the specific non-gentrification language used, have recently focused on
implementing social mix and creative city plans that result in the displacement of low-
income communities. Gentrification scholars frame these urban polices that are
“promoted in the name of community regeneration” as state-led gentrification.

The role of the state, then, appears to be very clear within the recent gentrification
literature. For the most part, the state is viewed as facilitating and/or managing
gentrification. This occurs through “intensified partnerships between local governments
and private capital and authoritarian polices [that] contain and repress the poor.” This
connection between neoliberal government interventions and the process of gentrification
is pervasive in the gentrification literature, particularly in terms of the specific variations

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(or the chronology) of neoliberalism governance. “The effects of roll-out neoliberalism and municipally-managed gentrification have been negative for inner-city communities when they have been applied, and have often reinvigorated displacement.” Framing gentrification within the paradigm of neoliberalism has been useful for furthering debates and critiques concerning urban governance. However, I question this association with state-led gentrification as being municipally managed. My concern with the association between state-led gentrification and municipally managed gentrification is the framing of all actions of local governments as forms of neoliberal governance. This literature, I argue, has not sufficiently taken into account the nuances of municipal laws and the ad hoc functioning of municipal governments.

Equating the actions of municipal governments with the process of state-led gentrification creates a particular neoliberal trajectory for understanding the role of local law and governance within cities. Urban governance, in recent urban geography literature, has largely been understood in terms of neoliberalism. Neil Brenner and Nik Theodore, in particular, have made significant contributions to understanding neoliberal governance in the city. Their concept of ‘actually existing neoliberalism’ has proven a useful tool for identifying the entrenched ways in which neoliberal governance becomes embedded in urban policies. According to Brenner and Theodore, “the notion of actually existing neoliberalism is intended to illuminate the complex, contested ways in which neoliberal restructuring strategies interact with pre-existing uses of space, institutional

configurations, and constellations of sociopolitical power.”\textsuperscript{17} The restructuring of economic spaces and strategies of actually existing neoliberalism follows from the roll-back neoliberalism of the 1980s which included major municipal cost-cutting measures and roll-out neoliberalism in the 1990s when cities “as a purified arena for capitalist growth, commodification, and market discipline remained the dominant political project for municipal governments throughout the world economy.”\textsuperscript{18} Overall, Brenner and Theodore suggest that through a range of policy developments and institutional projects cities “have become the incubators for many major political and ideological strategies through which the dominance of neoliberalism is being maintained.”\textsuperscript{19}

Recent literature on urban governance draws from yet moves beyond this understanding of ‘actually existing neoliberalism’ and the dominance of urban neoliberal strategies in our cities. A growing number of scholars are addressing neoliberal urban governance in terms of ‘on the ground’ neoliberalism and ‘governance-beyond-the-state.’\textsuperscript{20} Marit Rosol’s analysis of the voluntary work of gardeners in Berlin in terms of outsourcing the responsibilities local state, is one example of governing-beyond-the-state. Rosol argues that active citizenship does not necessitate community participation in the city as emancipatory but instead,

\textsuperscript{18} Ibid at 372.
\textsuperscript{19} Ibid at 373.
this new model of the active citizen the increasing participation of non-state actors in (local) state decision making and the transformation of roles, responsibilities and institutional configurations of the (local) state and citizens in urban spatial politics. In many cases, this inclusion of non-state actors is less geared at citizens’ participatory rights, but rather at the outsourcing of traditional state functions to civil society organizations.21

These questions of local governance and state responsibilities are intertwined with Brenner and Theodore’s concept of ‘actually existing neoliberalism.’ Guarneros-Meza and Mike Geddes, for example, study participation and the conditions under which participation in local governance occurs. They suggest, drawing from Wendy Larner’s critique of neoliberalism, that it is time to move beyond a monolithic hegemonic entity of neoliberalism in terms of political participation in local governance. Yet, they “grapple with the issue of what factors contribution to the variety of ‘actually existing’ forms of local governance under neoliberalism” and such that ‘inherited landscapes’ and other contemporary processes must be understood as parallel to neoliberalization. These examples of recent scholarship on urban governance, neoliberalism and local governance indicate a growing number of scholars drawing from yet pushing the boundaries of what constitutes urban governance in the context of neoliberalism.

As other scholars grapple with questions pertaining to the idiosyncrasies of neoliberal governance, I wrestle with the steadfast reference to large neoliberal urban policies within the gentrification research, and particularly with the concept (or understanding) of neoliberal governments ‘managing’ gentrification. My purpose in this analysis of urban governance, gentrification, neoliberalism and municipal law is not to discount neoliberal scholarship but instead to push the debate forward. Why is law and

municipal legal mechanisms primarily situated in terms of neoliberal governance? Are there forms of governance in the city that do not fit within a neoliberal framework? I suggest, that an analysis of municipal legal mechanisms and rooming houses, as documented in this dissertation, provide an opportunity to study urban governance and the law beyond the scope of neoliberalism. Municipal governments’ management of gentrification may or may not be part of a larger framework of neoliberal urban governance, but it can provide a different vantage point from which to study the interrelations between gentrification, neoliberalism and municipal law.

If we can go beyond seeing in ‘neoliberalism’ an evil essence or an automatic unity, and instead learn to see a field of specific governmental techniques we may be surprised to find that some of them can be repurposed, and put our work in the service of political projects very different from those usually associated with that word.22

Perhaps, an analysis of government techniques, the administration of a bylaw and the regulation of low-income housing can provide insight into the multiple forms of urban governance that occur in gentrifying cities within (but not limited to) a neoliberal conception of urban policy and government.

Socio-legal Studies, Space and the Everyday Life of Law

In Ottawa in June 2003, I provided legal support for a group of local activists who occupied an abandoned house during an anti-globalization protest. By occupying an urban squat during a large demonstration, these activists attempted to make the connections between local poverty, the provincial crisis of homelessness and global policies created by the G20 and G8. As I participated in and observed this demonstration,

I kept thinking about how the organization and production of space was vital for political activism. The way in which people ‘took over’ the streets, occupied a building and established a right to public space was intoxicating and politically inspiring. Yet, at the same time, I could not help but think about the legal meanings associated with this act of ‘taking’ space. The law was, literally, all over this political action, and not only in the police presence and overt disregard for the law. The squatters were openly challenging the norms of private property, the regulation of poverty and, as demonstrators were forced away from the adjacent sidewalk, the regulation of public space. Yet, as I watched the squat develop in an abandoned house, I kept thinking about the other – less sensationalized and commonplace ways – in which law regulates our everyday lives.

Socio-legal scholarship has long dealt with questions regarding the regulation and organization of space. In the city, this relationship between law and space is evident in the regulation of public space, whether in use of the sidewalk and a park bench by homeless people, establishing a plot for a community garden or protecting private property. Law categorizes and classifies space. It formalizes borders, boundaries and relies on territorial jurisdictions. Law is inherently spatial. Subsequently, a socio-legal approach to the study of law is useful and valuable for geographers studying the regulation of space. It provides an analysis of law that emphasizes the everyday role of law and offers a perspective that explores the materiality of law beyond established legal institutions, case law and legislation. Socio-legal scholars study how the world is shaped by law through the understanding and practice of law by the average person and by legal professionals.23 Thus, a socio-legal approach contributes to the study of the regulation of space.

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space by drawing our attention to the ways in which legal norms, discourses and practices produce and influence the organization of space.

I analyze legal spaces from a perspective that is influenced by socio-legal scholars, such as Austin Sarat and Barbara Yngvesson, who identify the important role of law and legal meanings produced in the mundane spaces of a welfare waiting room or in the interactions between a court clerk and citizens in the doorway of a small town complaints hearing. These are spaces and interactions that are not as readily associated with the law as the courtroom or a lawyer’s office, but contribute to the study of law in everyday life. Sarat argues that for the welfare poor, the power of law is ‘all over’ and becomes a “significant part of one’s life organized by a regime of legal rules invoked by officials to claim jurisdiction over choices and decisions which those not on welfare would regard as personal and private.”24 In Sarat’s argument, the law is embedded within the daily lives of the welfare poor. In a similar vein, Yngvesson argues that the “work of the court, the roles played by court officials, and the meaning of law and of community at particular moments in time are shaped in the interaction of court staff with local citizens.”25 Yngvesson, like Sarat, argues that the practical meaning of law is shaped through interactions between court officials and citizens (or welfare officers and the welfare poor in Sarat’s case study) producing law in legal and non-traditionally legal ways. The study of law in everyday life offers geographers a way to ‘see’ law beyond a framework of the urban. It emphasizes the overlooked (and potentially under-researched) legal spaces that produce legal meanings in ways that emphasize the important

contributions those seemingly casual social interactions and non-descript spaces (like a welfare office) bring to the study of law.

A legal geography approach to the study of the everyday role of law and space explores how social space is saturated with legal meanings. As stated in the influential collection, *The Legal Geographies Reader*,

law is constitutive of the institutional world within which we act…Law is an instrument of change, domination or resistance, and as a means through which justice might be given practical realization, has, in innumerable ways, shaped—however provisionally—the basic terms and experience of social life.\(^{26}\)

Thus, legal geography considers how everyday experiences of inclusion or exclusion, for example, are shaped and understood in terms of the legal and the spatial. A considerable amount of legal geography scholarship has focused on the urban. This work has emphasized how the law structures and organizes urban space and influences the public sphere. However, legal geography is significant to (non-urban) scholarship spanning disciplines and topics including globalization, racial segregation, state formation, environmental regulation and the protection of territorial boundaries. Shamir Ronen’s analysis of how “the storytelling techniques of the law objectify the gradual extinction of the Indigenous Bedoin culture in the Israeli Negev,” shows how a legal geography approach is useful for studies where the law is not simply treated as an arm of the state but is contingent upon its cultural context.\(^{27}\) Thus, a legal geography approach is applicable to research beyond (but including) the urban, because it studies law from a critical geography perspective that highlights how legal meanings are produced through and in space.


\(^{27}\) *Ibid* at 135.
Nicholas Blomley is, perhaps, the most well known geographer who draws from socio-legal scholarship. In his foundational book, *Law, Space and the Geographies of Power*, Blomley emphasizes the important contributions that a critical analysis of law has to the field of geography and vice versa. According to Blomley, “in interweaving law and space, rather than treating them in terms of the “effect” of one upon another, we change the theoretical and the political terrain in suggestive and provocative ways.”

This legal geography approach, used by Blomley and many other socio-legal and geography scholars, is situated in a study of law from a constitutive and law in everyday life perspective. From this view of law as embedded in and influential to social life, Blomley analyzes the nexus of law and space as a co-constitutive relationship. A legal geography approach, then, provides a critical and integrated analysis of the co-constitutive relationship of law and space as a way to analyze the practices of power relationships, including but not limited to urban space, territory, and borders.

Blomley has contributed to the growing field of legal geography by focusing on the regulation of public space, the meanings attached to borders and property in the city, and the materiality of law and seemingly mundane objects in an analysis of legal spaces and exclusion. Much of his earlier work addressed conflicts over public space – and its regulation – within the context of neoliberal governments and the divisions between those regulating and those being regulated. He analyzed a politically charged urban squat in

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downtown Vancouver, studied the role of boundaries in public space and property (using community gardens as an example), and questioned the criminalization of homelessness.\(^{30}\) Much of this work framed regulation and law as violent and/or punitive but remained within a perspective highlighting the constitutive role of law.

In keeping with theoretical developments such as Actor Network Theory, Blomley gives considerable attention to material objects (and law) in the production of space. In his article analyzing how rows of hedges in rural England produced enclosure, Blomley emphasized, “the important work that hedges did, physically, symbolically and legally, in the dispossession of the commoner.”\(^{31}\) For Blomley, the hedgerow materialized private property rights, dictating who was included and excluded from particular spaces. In this analysis, Blomley once again argued for the importance of the “material and corporeal” in relation to property.\(^{32}\) His focus on the materiality of law in the organization and regulation of space, in particular, has been influential to my work.

Blomley’s latest book, *Rights of Passage: making sidewalks and regulating public flow* (2010), focuses on the regulation of the public sidewalk. He tries to “make sense of the everyday administrative logics through which the space of the sidewalk was conceived, governed and organized.”\(^{33}\) Blomley achieves this goal by studying what he calls pedestrianism and the public administration of the sidewalk. Once again, he adopts

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\(^{32}\) *Ibid* at 4.

an approach that takes legal mechanisms seriously and studies the materiality of law. For Blomley, the sidewalk, “is not simply a space in abstraction, but is produced by and made meaningful through prevailing forms of knowledge and practice.” Blomley questions geography literature that definitively views the sidewalk as a public space. Though he is not arguing against rights in public space, he questions approaches that view the regulation of public space as “excessive regulation and control” that excludes people from the public sphere. In so doing, he draws attention to municipal bylaws and the logic of the sidewalk from the perspective of the civil engineer. According to Blomley, “Municipal bylaws are thus overlooked by analysts of public space, who appear to be interested in more obvious and higher profile forms of regulation and control.”

In his recent work, Blomley continues to study of the materiality of law as he questions dominant perspectives in the geography literature on the regulation of public space that depict law and particular legal mechanisms simply as punitive examples of illiberal actions of the State. By taking legal mechanisms seriously, Blomley is able to study legislation and legal mechanisms, such as the traffic code and safe streets legislation, based on their own terms. In so doing, he draws our attention to how the discourse surrounding safe streets legislation (what he calls Safe Streets Talk) and the particular regulations of the sidewalk, challenge the understanding of the regulation of public space in purely punitive and illiberal ways. Instead of viewing anti-poverty legislation that bans homeless people from panhandling as a ‘smokescreen’ for hidden illiberal motivations of legislations and politicians, Blomley breaks down the discourse

34 Ibid at 71.
35 Ibid at 34.
and concludes that, in fact, the primacy of personal freedom of individuals to walk on the 
sidewalk without interruption from panhandlers is inherently liberal. In this analysis,
Blomley critiques dominant understandings within geography literature on public space 
that views most seemingly punitive legislation criminalizing panhandling as illiberal and 
shows the flaws within liberal discourse itself.

Socio-legal studies of legal mechanisms and the everyday role of law can be 
understood as an exploration into the “how of governance.” Understanding the how of 
governance, a major component of my dissertation, enables scholars to unpack legal 
mechanisms, governmental actions and regulation, and study the practices and 
administration of law. Mariana Valverde’s discussion of governing through land use 
raises important questions concerning the regulation of land use and the governing of 
people through municipal law. She argues that municipal law governs people in a 
different manner than criminal law and constitutional law. She suggests, “local 
authorities govern persons as well as pieces of land and buildings but they generally 
avoid governing through the category of ‘person.’” Valverde discusses the concept of 
governing through use using the example of a proposed as-of-right shelter bylaw in 
Toronto, including discussions on distance restrictions and Ontario Municipal Board 
decisions. The idea of governing through use shows how the (indirect) role of municipal 
law in governing people draws our attention to the practices, not only the written word, of 
law. It contributes to the literature on the regulation of public space by emphasizing how 
legal mechanisms (and understandings of these legal mechanisms), such as administrative

38 Ibid at 37.
bylaws and land use planning that technically do not govern people, actually affects and
governs our everyday life.

The governance of people and space, from a socio-legal approach, often involves
a discussion about the role of law within practices of government. Davina Cooper’s book,
_Governing out of Order: Space, Law and the Politics of Belonging_, analyzes
governmental excess beyond the central and local government with an emphasis on the
role of civic society. In her analysis, Cooper, “aims to explore the ways in which
activities and policies, generated by a diverse range of governing institutions, are
constructed, and contested, as excessive.”³⁹ In her discussions of the divide between
public and private (religious) space in the city (through the case study of a Jewish eruv in
London) and the local fox hunt, Cooper shows how bodies and people on the “on the
boundaries of the state and civil society govern.”⁴⁰ Cooper analyzes governance and
governmental forms that “cannot be unequivocally” be identified as state or non-state.⁴¹
Her analysis focuses on types of governance that occur beyond one set definition of the
state and explores the particular (governing) techniques used by different actors and
bodies in reinventing authority. Cooper has provided significant contributions to socio-
legal and legal geography literature by highlighting the ways in which a multi-faceted
form of governance, including state and non-state actors, governs in excess of formal
laws and procedures. Essentially, she argues, it governs out of order.

Both Valverde and Cooper contribute to socio-legal and legal geography
literatures by highlighting how legal mechanisms and forms of governance produce legal

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⁴⁰ _Ibid_ at 8.
⁴¹ _Ibid_.
meanings that affect social life through governing space. Paul Fairbanks, using a similar approach to studying governance as Valverde and Cooper, analyzes how informal and formal regulation (regarding poverty and welfare) governs recovering addicts. In his ethnographic study on the recovery home movement in post-industrial Philadelphia, he studies the governing of addicts in (illegally converted) recovery homes as a way to “recast conventional arguments about informal poverty survival strategies that focus on re-moralizing the poor.” Fairbanks draws from the experiences of (what he calls) street-level addicts to highlight how the management of poverty and the regulation of recovering subjects (street-level addicts) is part of the re-scaling of urban governance. For Fairbanks, his study on the everyday life of addicts and recovery addicts in the recovery home movement (in which old and abandoned houses in a derelict neighbourhood of Philadelphia are converted into recovery homes that run on a shoe-string budget) raises questions about larger regulatory processes within the welfare state and urban forms of governance. Fairbanks’ study contributes to socio-legal scholarship on urban governance by showing how the contemporary state relies highly localized and informal poverty management systems, like Philadelphia’s recovery home movement.

Socio-legal studies offers approaches and methodologies to the study of law that are beneficial to scholars, especially urban geographers, who study the regulation of space. It provides a perspective that highlights how mundane legal mechanisms contribute to our understanding of urban governance. However, socio-legal scholarship has much to contribute to geography that is not explicitly urban. Studies into the everyday life of law, for example, have significantly influenced how I approach and

conduct my research. Adopting an approach to studying law and legal mechanisms beyond (but often including) formal state law provided me an opportunity to see the legal meanings that are embedded in quasi-judicial tribunals, community meetings and in the personal experiences of roomers. Overall, socio-legal and legal geography scholarship offers geographers a way to analyze law that situates it in the everyday but also explores how law shapes social life and regulates space.

The Ideal Suburban Home: from single-family to single-room?

The very presence of rooming houses in established suburban residential neighbourhoods disrupts the ideology of suburbia. The pervasiveness of present-day opposition to rooming houses in Toronto’s suburbs reflects the long-held understandings of the ideal suburb. By renting a single room in a multi-residential dwelling, rooming house residents are (unknowingly) challenging the fundamental components of suburban living: the nuclear family, the single-family home and homeownership. A number of scholars have critiqued suburbia for its core principles of domesticity, home ownership, the nuclear family and the ideal home. This literature, as we will see in the following section, provides a valuable context for my research. It frames the history of suburbia in terms the ideologies associated with the single-family dwelling and clearly (though not explicitly) shows how rooming houses are the antithesis to the ideal of the suburban home.

My contribution to the literature on the suburbs is two-fold. First, my research documents the rise in single-person dwellings and the need for low-income rental housing in Toronto’s suburbs. As the reality of the modern suburb deviates from the suburban ideal of middle-class nuclear families living in single-family dwellings, research on alternative and affordable suburban housing is needed. Since North American suburbs are
increasingly home to significant concentrations of immigrant and low-income racialized communities, my research on the precarious nature of alternative housing forms for this changing suburban population is important. It situates Toronto within the changing patterns of North American suburbs but also provides one example of alternative single-person dwellings for people often classified as the hidden (suburban) homeless. It enables us to move our critique and understanding of affordable housing and homelessness beyond the downtown norm. Secondly, my work critiques (sub)urban forms of governance and draws our attention to the fragmented legal landscape of municipal bylaws, as will be discussed towards the end of this section. In the following paragraphs, I present a brief review of the literature drawing from key scholars critiquing the suburbs in terms of the nuclear family, female domesticity, the suburb as the bourgeois utopia and homeownership. I do so to situate my research within the literature but also to emphasize the ideological component of the suburbs challenged by the presence of rooming houses.

The nuclear family is the foundation from which the suburbs are built. The value attached to the nuclear family as “a sacred institution and the fundamental institution of our society,” has been a driving force in the establishment of suburbia. The attachment to this perceived idyllic form of the family has shaped the design of and social relations in the suburbs. The single-family home, then, has become a physical incarnation of this ideal form of family living and is viewed as the crowning jewel of suburbia. In fact, the very architecture of the single-family home, according the Gwendolyn Wright, has created a set of documents from which “it is possible to glean the common ideology of home and family, the most pervasive aesthetic ideas about architecture and furnishings,

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and the probable ways families might have used the various spaces in and around their homes.”

The design and architecture of the single-family suburban home itself has become a symbol of family life, social order and has created a “specialized home for the emotional life of the family and a self-conscious retreat.” The archetypical suburb has embodied “a new ideal of family life, an ideal so emotionally charged that it made the home more sacred to the bourgeoisie than any place of membership.”

The role of women within the scared hearth of the nuclear family is an essential component of the ideal (bourgeoisie) suburb. In fact, the architecture of the single-family suburban home is, it has been argued, “firmly entrenched in the role of women and the “cult of domesticity”.

This entrenchment of gender roles for women within the nuclear family, the single-family detached home and the design of suburbia has been a topic of concern for feminists.

Feminist scholars have critiqued suburbia as a “architecture of gender” and a “visual expression of gender” as an apt response to the prescribed gender roles for women within the architecture, design and family ideals of suburbia. Gwendolyn Wright argues, that the suburbs rely on a symbolic architecture of a “pure, protected womanhood” where domestic values are kept intact and other feminist scholars have described the suburbs as a built environment that is facilitating of one female role, that of

46 Ibid at 4.
housewife and mother.\textsuperscript{49} The suburban home came to be seen as the proper place of respectable women and, as Judy Giles argues, confined women to the private space of suburban domesticity that created firm boundaries between “spaces of masculinity (the city) and femininity (the suburb).”\textsuperscript{50} The prescribed gender roles within the suburban home, according to Delores Hayden, had a specific function. Hayden describes the gender roles within the suburban home as reflective of an “outdated ideal of the particular family life” based on “[e]xaggerated, socially created male and female roles [that] defined not only the labour market and housing design but also the parameters of urban planning.”\textsuperscript{51} Thus, the entrenched gender roles for women in the suburbs were fundamental not only for preserving the symbolic importance of the nuclear family but were an important component in the design and built environment of suburbia. Consequently, any challenges or changes to the ideal of the single-family home would (or do) not simply disrupt individual dwellings, they disrupt a norm from which the present day market economy was built and designed.

This single-family suburban home, and the order and stability associated with the nuclear family and female domesticity, was viewed as a retreat from the city. In the suburbs, the middle-class man could create a distance between home life and work life as he (and his family) escaped from the undesirable characteristics of the inner city – crime,


pollution and disease. Suburbia, for Fishman, came to be understood as a bourgeois utopia.

Its power derived ultimately from the capacity of suburban design to express a complex and compelling vision of the modern family freed from the corruption of the city, restored to harmony in nature, endowed with wealth and independence and protected by a close-knit stable community.  

Even though suburbia, for Fishman, was seen as an escape from the city, he suggests that suburbia could never fully escape its “bourgeois hell – the teeming world of the urban slum” because it depended on the crowded city for its prosperity. Thus, according to Fishman, the bourgeois utopia of suburbia was always to be understood in relation to its opposite, the metropolis. Since the inner city was perceived to be overcrowded, busy and full of transients, suburbia became its opposite. The suburbs promised a ‘better life’ for its inhabitants. “A ‘better’ life in these terms [meant] stability and order, rather than transience and random encounters.” The appeal of the suburbs is quite clear. It was a space for the nuclear family to live in a community of like-minded, middle-class neighbours living in single-family homes. Anything disruptive to this notion of stability and order – based on the ideal of the nuclear family and female domesticity – was thought to shake the foundations from which the suburbs were built.

Homeownership, then, guaranteed stability and order. In fact, homeownership was (and I would argue still is) thought to be one of the main pillars of suburbia.

Constance Perin, in her sociological study of the American suburbs (1987), aptly describes suburban homeownership in terms of the ladder of life that portrays a proper

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53 Ibid at 135.
54 See Fishman (1989) at 27.
chronology of life based on the hierarchy of land use. In Perin’s study, this ladder of life entails the proper upward movement from renter to owner that she equates to an evolutionary progress “toward salvation from “lower forms” to a “final divinely ordained form.” Homeownership –equated with the divine – clearly has a higher status and is associated with more valued behaviours than renting. According to Perin, the proper movement through these “many transitions to the ideal are substantiated in both housing and neighbourhoods; arrival is manifested in the single-family detached home.” Consequently, “the family and the good citizenship that homeownership is believed to instill are equally idealized and, thereby, equated.”

People who have risen to the top of this ladder of life and have not changed categories for a substantial period of time are considered to be safe and settled. Those who are perpetually in transition between the rungs of the ladder (between owner and renter) are perceived to be unsettled and disruptive to the good citizenship associated with homeownership. This in-between status makes these renters (or those between categories) dangerous. Perin emphasized the dangers of being between rungs, “there is no use in being in-between; it is unsafe; it is insecure.” Therefore, the transience associated with non-linear movement within the ladder of life is viewed as a threat to the norms of good citizenship and family life associated with homeownership.

Within Perin’s framework of the proper chronology of life in terms of a hierarchy of land use, it is clear that renters are not considered to be full (or good) citizens because

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57 Ibid at 81.
59 Ibid at 54.
they have not adequately transgressed through the rites of passage associated with homeownership. Rooming houses, then, can be understood as a permanent ‘transient’ step within this ladder of life, likely located at the very bottom of the ladder. Not only are roomers understood to be dangerous due to their position on the ladder of life, their status as renter makes them unstable and thus a threat to the order and stability of the suburbs. Additionally, the rooming house as a rental accommodation for single individuals clearly disrupts the ideals of the suburbs associated with the nuclear family, female domesticity and the single-family home. The physical structure of the rooming house – as a multi-residential dwelling – is contrary to the norm of the single-family dwelling and thus the social relations that occur within a rooming house do not fulfill the ideal norms of the nuclear family and the gendered role for women. Not only does the rooming house challenge the ideological foundations of the suburbs through the built form and the presence of renters; it challenges the image of the suburbs as a ‘retreat’ or ‘escape’ from the inner city. Residents in the Toronto inner suburb of Scarborough opposed rooming houses based on the unwanted behavior (of mental illness, poverty, addictions) associated with low-income downtown ‘inner-city’ neighbourhoods that rooming houses would (inevitably) bring to their neighbourhoods.

Ultimately, the rooming house is the antithesis of the ideal housing form in suburbia, the single-family detached house. “Because the form of housing carries so many aesthetic, social, and economic messages, a serious misfit between a society and its housing stock can create profound unrest and disorientation.”60 The profound unrest and disorientation presently visible in Toronto rests on the fact that the suburbs have been

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consistently moving past this outdated ideal of the single-family detached home. Even though the social demographics and the built environment of the suburbs have changed over the past thirty years to include the presence of large apartment buildings and social housing, the rooming house (at least in Toronto) has become one symbol of the filthy city, danger, and instability that challenges the dominance of the single-family detached dwelling as the ideal suburban home. Thus, it is not surprising that rooming houses are prohibited through exclusionary zoning bylaws in Toronto’s inner suburbs. Their very presence challenges the ideology and norms (of domesticity, the nuclear family and women’s roles) of the single-family suburban home and raises questions regarding the suburban governing structures in the city.

Suburban governance and disparity in the inner suburbs have increasingly become topics of research for critical urban geographers. This literature has addressed the inner suburbs in terms of urban decline, disinvestment, sprawl, suburbanization and neo-liberal governance. Roger Keil and several scholars at York University’s City Institute frame the inner suburbs in terms of neo-liberal governance with a focus on infrastructure and meta-narratives of capitalism, neo-liberalism and urban sprawl. In a recent publication, Douglas Yong, Patricia Wood and Roger Keil raise the question of the inner suburbs as an in-between space in terms of physical location and redefinitions of the relationship between rich and poor, deindustrialization and gentrification. Viewing the suburbs as ‘in-between’ enables Young, Wood and Keil to embark on an analysis of the suburbs that

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moves beyond addressing suburbs in terms of the city-countryside dichotomy and towards problematic forms of suburbanization, transitional zoning and suburban governance. The concept of the in-between is an apt adjective to describe the inner suburbs. Young, Wood and Keil’s work provides a macro analysis of the inner suburbs as an in-between space of socio-demographics, economics and infrastructure. My analysis explores the micro-geographies of the inner suburbs, including precarious housing forms that are viewed as illegal and legal. I examine how rooming houses are inconsistently regulated, viewed as illegal and prohibited by municipal laws in some parts of the suburbs, but are regulated, licensed and legal in others. Overall, my approach to the ‘in-betweeness’ of the inner suburbs is framed in terms of low-income single-person households (akin to Constance Perin’s classification of the hierarchy of land use in terms of renter and owner), the liminal space of the rooming house, discontinuous legalities, shadow jurisdictions of the former cities and the state of suburban governance within the post-amalgamated city.

Re-regulating the Poor, Administering Poverty

Framing the analysis of law, housing and urban space in terms of *administrating poverty* shifts our perspective of law’s role in the city. Much scholarly literature on law and poverty has placed considerable attention on the regulation of the poor through the welfare state, unemployment insurance, the regulation of urban space, social housing and abject homelessness in our cities. A growing number of scholars have studied

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homelessness and poverty in terms of the relationship between law and space. These studies have emphasized the relationship between law and urban space in terms of the criminalization of poverty, property, punitive doctrinal legislation, the right to the city and the regulation (and/or control) of public space.\(^6^5\) This literature provides an understanding of law in the city as a punitive, public and exclusionary mechanism that is part of larger political-economic processes of gentrification and perhaps an example of Brenner’s ‘actually existing neoliberalism.’\(^6^6\) Consequently, a large portion of critical scholarship on urban space, law and homelessness focuses on gentrification and exclusion, federal government interventions and the criminalization of poverty.

From the perspective of an *administering poverty* approach, law is not necessarily punitive like anti-homeless legislation criminalizing panhandling. Subsequently, my research focuses on the administration of poverty, not the criminalization of poverty. The regulation of rooming houses provides an opportunity to analyze the practices of government that are part of administering poverty at the level of the municipality. Addressing the administration – not criminalization – of poverty enables an understanding of municipal law beyond the solely punitive forms of law and towards the multiple and hidden spaces of poverty and the banal practices of urban governance. This work builds from socio-legal and legal geography literature that emphasizes how law and government function in the context of less noticeable forms of law in our cities.

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A significant amount of the legal geography literature has questioned how law (and social meanings) become embedded in our cities in a way that creates boundaries and exclusionary uses of urban space through implementing legislation that bans panhandling, placing curfews on parks and limiting the use of public space by homeless people by making their actions (i.e. sleeping in public) illegal. Many of these scholars draw our attention to the regulation of public space. Such inquiries have analyzed how municipal laws govern the sidewalk, restrict the licensing of dance clubs and limiting social spaces for racialized communities, control temporary immigrant employment through restricting the use of parking lots, and placing distancing restrictions on emergency homeless shelters that govern individual behaviour through land use. This focus on municipal law is regularly interspersed with questions about the actions of municipal governments’ governing practices, an area which I explore in this study.

My research focuses on the governing practices that occur in relation to a specific bylaw. I am not studying the rooming house licensing bylaw as a restrictive measure that punitively controls rooming houses in the City of Toronto. This is not the case. Instead, my work analyzes how the rooming house bylaw is divided jurisdictionally, the ways in

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which it is administered and how rooming houses are governed. The study of techniques of government from a governmentality perspective is integral to my approach. Subsequently, the practices of government and the particular uses of legal mechanisms are of major interest. Overall, this is a study of the conduct of conduct and the practices of government.

In his lecture on Governmentality, Foucault explored the problematic of government in contrast to Machiavelli’s writings on sovereignty in The Prince.69 Foucault moved away from an account of sovereignty in which a prince ruled over a territory, establishing territory as a means of controlling the population and ensuring control of the sovereign towards a theory of the art of government. Foucault notes that this shift from a sovereign power exercising control over boundaries to a government guarding against risk occurred as the art of government turned its focus towards gathering knowledge and ensuring the right disposition of things. Force and territorial control, then, were no longer a primary focus for government. Population, the things to be governed, became the end result for government. This new art of government resulted in new tactics and techniques of governing. Foucault’s notion of governmentality, then, is a basis from which I analyze the techniques of governing and the problematic of government.

An analysis of territorial boundaries and practices of government provide a framework for the conceptual approach to this case study. However, I am not suggesting that rooming houses are governed through territory. The relationship between rooming houses, territory and government is more complex. Although territorial jurisdictions within the former municipalities of the City of Toronto dictate how and where rooming

houses are (technically) governed, my analysis of the practices of government in relation to the rooming house licensing bylaw, suggests that the territorial jurisdictions are only part of the regulation of rooming houses. In the following chapters, I document that administration of the rooming house bylaw within and beyond the municipal government as a way to provide insight into the practices of governance and the regulation of housing. Governmentality scholarship has given considerable attention to the ways in which governments function. As Nikolas Rose notes,

> These studies do not seek to describe a field of institutions, of structures, of functional patterns or whatever. They try to diagnose an array of lines of thought, of will, of invention, of programmes and failures, of acts and counter-acts. Far from unifying all under a general theory of government, studies undertaken from this perspective draw attention to the heterogeneity of strategies, devices, ends sought, the conflicts between them, and the ways in which our present has been shaped by such conflicts.\(^{70}\)

As I will argue in the following chapters, my inquiry into the administration of poverty focuses on the regulation of private spaces and the territorial jurisdiction of a municipal bylaw. I address the changing spaces for, and inconsistent regulation of, rooming houses in a post-amalgamated city. I do not identify a part of the city as illegal or legal. Rooming houses do not inhabit a space of exception, a space beyond the reaches of law. Unlike Geraldine Pratt’s depiction of Vancouver’s Eastside as evidence of Agamben’s spaces of exception, I do not argue that unlicensed rooming houses inhabit a space of exception beyond the law.\(^{71}\) In fact, in this case study it is the opposite. I am presenting an analysis where spaces of exception do not exist. The law, as presented in the governing practices

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of municipal governments, the intervention of neighbours and the fragmented legal
landscape of municipal bylaws is everywhere in the city.

The regulation of rooming houses is not dependent upon the boundaries between
the inner suburbs and downtown. I am studying the regulation of a liminal space, the
marginal space of rooming houses that can occur anywhere within the city. Subsequently,
studying the regulation of rooming houses is not synonymous with studying the
regulation of public space. Rooming houses are technically a private space but in many
ways are regulated as a public good, a required and depended upon form of affordable
housing. Rooming houses reside in a liminal space. Thus, my research contributes to the
legal geography and governmentality research by analyzing the relationship between law
and space in terms of urban governance and the regulation of a liminal, not public, space.

Overall, this research is about the right to survival more so than an abstract claim
for the right to the city. Rooming house residents, especially those in the suburbs, do not
have any sort of substantive, let alone politically abstract, right or claim to the city. Their
right to the city is about survival. Rooming house residents are constantly moving,
between rooming houses and between the categories of homelessness and housed.
Furthermore, if and when they organize for their rights, their claims will involve fighting
for a right to safe housing, the right to not be evicted, the right to be housed—not exactly a
right to the city. Roomers struggle for small victories that exist beyond the broad scale
language of rights. They want to be recognized as tenants, want to feel secure in their
house and maintain daily routines without interference by the landlord or government. In
many ways, the struggle of rooming house residents exists beyond the reach of ‘right to
the city’ discourse. This is not to say that roomers are apolitical or apathetic; they have
different priorities and struggles. In time, perhaps the right to a functioning doorknob, a bedroom window or even basic recognition under municipal law will be viewed with the same respect and political relevancy as loud claims for the right to the city. Currently, rooming houses reside in a liminal space of regulation and housing in the shadows of loud and abstract struggles for the right to the city.

The theoretical contributions of this dissertation move beyond debates concerning loud cries for the right to the city and the regulation of public space. Instead, I focus on how techniques of governance regulate the liminal space for poor people in our cities. This dissertation analyzes the forms of governance that emerge from seemingly mundane legal mechanisms and asks how they shape the space of and for urban and suburban marginality. This work contributes to the gentrification scholarship by asking ‘where is the law’ in the policy-oriented literature and contributes to legal geography literature by providing an analysis of ‘a-legal’ and liminal spaces in our cities. Further, I contribute to urban geography research by showing how rooming houses (as a liminal or transitional space) challenge preconceived norms associated with the suburbs while paving the way for new understandings of housing in the inner suburbs.

In addition, my work provides an alternative perspective on poverty, affordable housing and social marginality than the dominant narratives present within current Marxist urban geography literature. I draw our attention to the small and seemingly mundane legal mechanisms of a municipal bylaw and the governing practices of (often unseen) city bureaucrats and community social workers. In so doing, I am highlighting how other theoretical perspectives, particularly one that analyzes power from a non-hierarchal perspective, question dominant narratives of top-down governance and focus
on the social implications of law, contribute to our understanding of uneven power relations in the city. By drawing from multiple literatures and contributing to several theoretical debates, my analysis raises important questions about the interconnections between urban (and suburban) forms of governance, liminal spaces and alternative understandings of urban law. In addition, this dissertation situates these theoretical questions and contributions within a grounded and narrative-based analysis of a municipal bylaw and marginalized form of affordable housing.
Chapter Three
Researching Marginality

Conducting research on a marginalized phenomenon such as rooming houses, roomers (one of the most marginalized group of tenants) and a municipal licensing bylaw requires giving close attention to methods. How exactly does one research the regulation of tenants and a housing form that reside in the margins and liminal spaces of our city and governmental structures? It is not easy or straightforward. Working with marginalized people, as noted by several urban studies scholars researching homelessness, necessitates a thoughtful and reflexive approach to selecting and using particular qualitative research methods including but not limited to in-depth interviews, ethnography, participatory action and biographical research.\(^1\) Likewise, drawing attention to the social importance of a seemingly banal municipal legal mechanism regulating a small (but vital) part of Toronto’s housing sector requires the use of a qualitative methodology that moves beyond simply looking at the effects of law in the books to analyze the law in action, mainly a detailed ethnographic study of governing practices and social meanings embedded within legal mechanisms.

In this chapter, I outline my qualitative and mixed methodological approach including in-depth semi-structured interviews, participant observation and document analysis. Within each section, I integrate my theoretical, political and methodological approaches to this research by describing why I chose each method. I include these brief

introductory disclaimers to highlight the ethical considerations taken for this research and the ways in which particular methods were fundamental to achieving my research goals. Given the large sample size of the rooming house tenant population (anywhere between 7,000 – 10,000 individuals scattered between licensed and unlicensed houses), I used a mixed-purposeful sampling and relied heavily on key informants. In my research, key informants were community contacts I quickly began to identify as colleagues. They consisted of housing and immigrant settlement workers, city staff and advocates, who, after a few months, welcomed me into their organizations, agencies, meetings and drop-in centres. The depth of my research is a direct result of the relationships I fostered with these individuals.

Building these relationships with community workers was not just a strategic move for my research; it was integral to my methodological approach. Like other scholars conducting research with vulnerable homeless and marginally housed populations, I adopted an engaged stance to my research, a stance that enabled me an opportunity to “detect the ‘not-so-loud’ voices in neighbourhoods” and let marginally housed and homeless people tell their stories. Classifying their research in terms of a ‘engaged stance’ is widespread amongst scholars researching homelessness and has consistently involved conscious efforts to create attachments, consider ethical issues and cultivate trust between researcher and participant.

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2 Note: I will refer to key informants as community contacts. In this study key informants were actively involved in advocating for the rights of rooming house residents. I find the term key informant distant from the community-based action conducted by housing and immigration workers. The politic of grassroots community organizing does not fit with the term key informant, thus I hesitate from using it.


4 Martin, Robyn & Kunnen, Nola. “Reinterpreting the research path: using qualitative methods in
can be seen as an embodied and corporeal experience that includes manifesting the
toughness that is “needed to manage the constant physical, emotional and sensorial
bombardment of the chaos of living homeless.” It includes regular communication and
face-to-face interactions, while at the same time creating healthy and respectful
boundaries for communication with research participants. In my research, building trust
with marginally housed and homeless individuals started with gaining the trust of their
immigrant and/or housing workers. Once this trust was established, I was able to spend
time with people, hang out in drop-in centres and soup kitchens and have casual
conversations with potential participants prior to our interview. My ability to temporarily
become part of a trusted space (agency, drop-in centre or soup kitchen) and a respected
ally of workers enabled a heightened quality of communication derived from the safe
environments where research participants and I could just chat.

My qualitative research was informed by feminist research methodologies of
reflexivity and positionality. These perspectives provided a framework from which to
analyze questions of power between the researcher and researched. Moreover, they were
a starting point for reflecting on the ethical considerations in my research. According to
Kim England, “[R]eflexivity is a self-critical sympathetic introspection and the self-

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conscious analytical scrutiny of the self as researcher.”

Self-reflexivity is a way for the researcher to situate themselves—their identity and experiences—within the interactions between researcher and researched. A reflexive approach, noted by England, enables the researcher to consciously reflect on their role and influence in the production of knowledge.

This concept of reflexivity emerged amidst heated debates concerning feminist qualitative methods and the position of the researcher as a critique of (non-feminist) positivist quantitative methodologies in the 1990s. In her contribution to these debates, Gillian Rose noted that,

> [f]eminists of many kinds have elaborated their own role in the complex relations of power by exploring their ‘position’, and frequently ascribe the political of knowledge production to a geography of ‘positionality’. Facets of the self – institutional privilege, for example, as well as aspects of social identity – are articulated as ‘positions’ in a multidimensional geography of power relations.

Acknowledging one’s position in the production of knowledge is important. It enables the researcher to situate their experiences and privileges within the context of her research.

In my research, an awareness of my position as a graduate student, former social worker, anti-poverty activist, Canadian citizen and white woman led me to design my research in a particular way. I was cognizant of power relations (and a particular paternalism) that occurred between housing (social) workers and their clients. Yet, at the same time I wanted to maintain a professional and non-paternalistic relationship with the people I interviewed, especially the marginally housed individuals. I was aware of my position and maintained open and transparent communication with all research participants.

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participants, even if it meant sharing the notes I wrote during the interview. The feminist methods of reflexivity and positionality reinforced the dialogical component of my research process. Fieldwork, as noted by England, is a dialogical process that is structured by both the researcher and the person being researched.

An awareness of the dialogical process within fieldwork helped me identify two main ethical considerations in my research. These ethical concerns involved the power dynamics present when working with marginalized individuals and the risk taken by all participants in my study. The tenants, homeless and marginally housed individuals I interviewed were vulnerable. They were living in precarious situations, some were refugees and new immigrants, others were single mothers and many were dealing with addictions and mental illnesses. Even though, the majority of marginally housed people I interviewed were associated with social agencies and support workers and had a degree of stability, I needed to acknowledge and take into account their (potential) vulnerability. Several people I interviewed had fled violent situations, spent time in jail and psychiatric institutions and the majority had been evicted on numerous occasions.

The power dynamics stemming from our differences in housing security, citizenship status and economic stability were obvious in my research. Thus, I attempted to address these ethical considerations in three ways. First, I facilitated all interviews in a venue that was familiar to my interviewees. Locations ranged from private rooms in a social service agencies to a local diners to park benches throughout suburban and downtown neighbourhoods. Second, I established relationships with my interviewees housing and immigrant support workers. Third, I was keenly aware of my role as researcher and showed professional respect to all my interviewees by offering my
business card, and reading through all consent and information forms in depth. Overall, I aimed to address the power dynamics that regularly occur in qualitative research with marginalized individuals by interviewing people in familiar locations, gaining trust from their support workers and establishing a professional relationship.

In addition to addressing the power dynamics involved in qualitative research, I attempted to minimize the risk taken by all participants in my research. I took steps to ensure (to the best of my abilities) that my research did not negatively impact housing security for marginally housed individuals or job security and/or public reputation for professionals. I ensured anonymity in their interviews and conducted interviews in places they regularly spent time in, whether a local park bench, a diner or a private room in a social service agency. For the public professionals I interviewed, I ensured anonymity to the best of my abilities because it was not possible to guarantee complete anonymity due to the public nature of their work. Since the rooming house sector is quite small, several professionals I interviewed have been outspoken advocates for rooming house tenants and have participated in public meetings over the past 30 years. Thus, I gave all professionals the option to not include their name and/or professional title in this dissertation but could not ensure complete anonymity. As a researcher I provided all opportunities to give full disclosure and limit such risks to all participants by taking measures to ensure confidentiality and comfort, including the right to pause or end the interview at any given time. Overall, I ensured that all participants in this study took the minimal amount of risk possible.
However, as several scholars have noted, being sensitive to power relations does not remove them.\footnote{Maxey, Ian. “Beyond boundaries? Activism, academia, reflexivity and research” \textit{Area} 31:3 (1999): 199; McDowell, L. “Doing gender: Feminism, feminists and research methods in human geography.” \textit{Transactions of the Institute of British Geographers} 17 (1992): 399-416; Crang, Mike. “Qualitative Methods: Touchy, Feely, Look-See?” \textit{Progress in Human Geography} 27.4 (2003): 494-504.} Reflexivity, as critiqued by Gillian Rose, is problematic. “The reflexive gaze at a landscape of power is not sustainable, and this is because of its assumptions about agency and context.”\footnote{Rose, G. "Situating Knowledges: Positionality, Reflexivities and Other Tactics." \textit{Progress in Human Geography} 21.3 (1997): 312.} Rose critiques reflexivity for the manner in which the researcher “situates both herself and her research subjects in the same landscape of power, which is the context of the research project in question.”\footnote{Ibid.} Her critical analysis of reflexivity is important. Rose is correct, the playing field is not neutral and I did not view it as such. Feminist debates advocating for and critiquing reflexivity informed my research design and methodology. I was aware of power dynamics and my privileged position and at the same time I tried not to situate myself and research participants in the same landscape of power.

Maintaining respectful relationships with tenants, housing and settlement workers, and city staff, no matter how brief, was fundamental to my methods. As I began writing, I was nervous that I was becoming distant from the communities I had worked with for a few years. I feared I was losing the political and community-based component of my work. During this point in my writing phase, I spoke with Maria Campbell, a Metis playwright, author and academic, who told me that all of our research, and especially the ‘writing up stage’ is a necessary component of our advocacy work and respectful to the relationships built during the research. These words resonated as I wrote my first chapter. As I continued to write, segments of my interviews with tenants, the waft of cooking food
from the soup kitchen and the recollection of the slow but steady proceedings of the rooming house tribunal spark a sensory experience of the superficial banality of administrative municipal tribunals, and have significantly contributed to the depth and scope of this dissertation.

**Semi-Structured Interviews**

Semi-structured in-depth interviews are an important method used when conducting research with marginalized and vulnerable people, though they have been deemed to be a fairly standard component of qualitative research methodology in human geography.\(^\text{12}\)

In-depth interviews enable a thick description of experiences. This refers to research derived from in-depth interviews that “enables a more nuanced understanding of complex community interactions,” particularly those involving notions of community organizing and attachment to neighbourhoods.\(^\text{13}\) The 73 open-ended interviews I conducted with roomers, tenants, housing and settlement workers, city staff and community advocates provided thick descriptive data that enabled me to develop a nuanced understanding of the social and political dynamics involving living in and the regulating of rooming houses. These interviews loosely followed an interview schedule and most evolved into narratives based on individual experiences and perspectives. All interviewees signed a consent form and anonymity was guaranteed for tenants and to a limited degree, for people involved with public service and social agencies (see Appendix 1a & 1b).

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majority of interviews were digitally recorded (unless requested otherwise), transcribed by a research assistant and deleted upon completion of the written transcripts. My interviews took place in various neighbourhoods throughout the City of Toronto, including numerous coffee shops, park benches, offices, and community centres in Etobicoke, North York, Scarborough and the downtown neighbourhoods of Parkdale, South Riverdale, East Downtown and around City Hall. The range in locations of my interviews reflected the scope of research and dedication to ensuring that multiple voices in diverse areas of the city were represented. Thus, the following sections indicate where interviews took place, because each geographic location and each place uniquely contributed to this work.

Advocates, Housing and Settlement Workers

I interviewed 27 housing advocates, including housing workers, immigrant settlement workers, researchers, community advocates and city staff between 2007-2009 using a non-random sample selection. I did not guarantee complete anonymity to housing advocates since their work is public and the number of social and governmental organizations dedicated to housing (and rooming houses in particular) in Toronto is limited. However, I provided all housing advocates with the option to either grant explicit permission to use their name or use a general title of housing advocate in written publications (see Appendix 1a). Thus, all housing workers interviewed were given the opportunity to remain anonymous, to the degree I could provide granted the public nature of their work. A surprisingly large number of housing and settlement workers preferred a degree of anonymity while others, mainly those active with the Rupert Coalition, were
open about their identity and professional affiliations. Throughout this dissertation I broadly refer to this group of interviewees as housing advocates, yet consistently distinguish between housing workers and immigrant settlement workers. The use of this terminology is deliberate and intentional to distinguish the activist-oriented advocates (including several housing and immigrant settlement workers) from the social support workers.\(^{14}\)

Of the 27 housing advocates interviews, 8 interviews were with downtown advocates and 19 interviews were with suburban housing and immigrant settlement workers (see Appendix 2). My downtown interviews were accessed through my attendance at the Rooming House Working Group and Rupert Coalition meetings and my attendance at the rooming house tribunal. My suburban interviews were accessed through the working group, downtown housing workers, my attendance at the Immigrant and Refugee Housing Committee meeting at City Hall, email and phone requests. My interviews with downtown housing advocates differed substantially from my suburban interviews in terms of experience and knowledge of the rooming house sector. Most downtown advocates readily agreed to interviews and were excited that somebody was

\(^{14}\) Note: In this research I distinguish between three general terms when referring to people who work with marginally housed or homeless people, tenants and/or advocate on their behalf: housing advocate, housing worker and immigrant settlement worker. Housing advocate is used to refer to people who work in a variety of housing-related fields such as legal clinics, non-profit housing organizations, research institutions, law firms, and tenants’ rights organizations. Former and present-day City Councillors and Members of Provincial Parliament and City Staff sometimes fit under this broad definition of advocate. Housing workers refer to people who secure housing for marginally housed people as part of their professional jobs. Immigrant Settlement Workers, clearly professionals that support newcomers to Canada, secure residency, gain housing, employment and citizenship status amongst numerous other support services. Again, immigrant settlement workers are often ‘housing advocates, but most are doing housing work as part of their settlement work. Clearly, these three general terms are somewhat arbitrary as numerous people can fit within several or all categories. However, they are very important for showing the diversity in the spectrum of housing support services in Toronto and distinguish between the array of people interviewed for this research. The perspectives of immigrant settlement workers who sought housing for clients in North York, for example, differed substantially from those housing workers who only worked with rooming house tenants in Parkdale.
researching rooming houses; few interview requests were refused. The majority of these interviews were conducted with people who had worked for 5 to 30 years in agencies in the low-income east downtown neighbourhoods of Regent Park, South St.Jamestown, South Riverdale (Leslieville) and the west-end neighbourhood of South Parkdale (see Figure 3.1).

Suburban housing advocates, on the other hand, did not express a shared experience of rooming house advocacy, which is reflective of the illegality and potential newness of suburban rooming houses. Of the 19 suburban housing advocates I interviewed, eight were in Etobicoke, nine in Scarborough and two in North York. Many

Figure 3.1: Map of traditionally low-income and gentrifying Toronto neighbourhoods: South Parkdale, Cabbagetown and South St. Jamestown, Moss Park and Regent Park. (Martin Danyluk 2012).
suburban interviews were conducted at the City of Toronto’s Housing Help Centres, specifically the Albion North Etobicoke, Scarborough, COSTI North York, Woodgreen and West Toronto Housing Help Centres (see Figure 3.2). Unlike my interviews with downtown housing advocates, these suburban interviews did not reflect a common experience of rooming house advocacy or a historical trajectory of rooming house activism. Suburban housing advocates did not have a local hub or established network of advocates; their relationship is more informal, but they are aware of advocates at other Housing Help Centres. Each interview in Etobicoke, Scarborough and North York reflected the social histories and housing needs (and/or struggles and advocacy) specific to each location and/or neighbourhood.

Figure 3.2: Map of Housing Help Centres. (City of Toronto: Shelter, Support & Housing Administration).

My interviews in Etobicoke were primarily based in the South Etobicoke neighbourhoods of Mimico, New Toronto and Long Branch, near the Albion South Etobicoke Housing Help Centre (see Figure 3.2). The majority of these interviews were
with community advocates (including community organizers, former City Councillors, former Members of Provincial Parliament (MPP) and urban planners) and housing workers with ties (social or professional) to LAMP Community Health Centre and the local Housing Help Centre. Since South Etobicoke has a Lodging House Bylaw, I expected to hear about political debates (similar to the downtown narrative) concerning the licensing procedure and struggles to maintain the rooming house stock. Instead, I was provided with knowledge of approximately five known rooming houses, superficial awareness of the bylaw and many accounts of local organizing efforts to create cooperative apartments, retirement homes and mixed-use housing developments on the property of the former Good Year site. The majority of these interviews took place in the local café Birds and Beans and in agency offices. My interview with Ruth Grier, a respected former Alderman, MPP and community organizer, led to a three-hour guided tour of South Etobicoke.\footnote{Ruth Grier is a former Alderman for the City of Etobicoke from 1969 – 1985 and was an MPP with the New Democrat Party between 1985 – 1995. She was the MPP for Lakeshore until it the riding was abolished (1985-1987) and then was the MPP for Etobicoke-Lakeshore (1987-1995). She served as a high profile cabinet minister under Bob Rae and was Minister for the Environment (1990-1993) and Minister of Health (1993-1995).} Ruth, who had immigrated to the area when she was young, gave personal accounts of how renting out a room was a normal occurrence in this area that was once home to multiple factories and the Lakeshore Psychiatric Hospital. According to Ruth, as factories shut down and the Lakeshore Hospital closed down, rooming became less prevalent in the area. My interviews in South Etobicoke, especially my interviews with former politicians and community organizers, revealed a region in a former city (comprised of three former municipalities) with a strong history of community organizing around issues of mental health, provincial governmental support in terms of (affordable) housing and environmentalism. Though my interviews in
Etobicoke were primarily in the Southern portion of the suburb (with one interview at the Housing Help Centre in the North), this regional focus can be attributed to the different economic and housing needs in this inner suburb as much as it reflects limitations in accessing interviews throughout Etobicoke.¹⁶

My interviews in Scarborough occurred in several neighbourhoods throughout the inner suburb and my North York interviews were based at one immigrant settlement agency. Since rooming houses are technically illegal in these inner suburbs, the housing needs and the demographic of low-income people differed substantially from the downtown norm. Thus, in Scarborough and North York I purposefully sought interviews with immigrant settlement workers and housing workers. Several of these interviews led to continued interaction with specific agencies, housing advocates and immigrant settlement workers. In four agencies (three in Scarborough, one in North York), I was invited by the community advocates to meet (and potentially interview) their clients and spent time in women-only drop-in centres, soup kitchens, a food bank, and several community meetings. As a result, I established working relationships with several housing workers. One interview in Scarborough, similar to Ruth Grier’s in South Etobicoke, included a guided tour by a housing outreach worker who asked me to accompany him on his daily rounds in the homeless outreach van. During this drive-along interview, I was asked to identify rooming houses in multiple neighbourhoods in this large and sprawling suburb, and failed the test repeatedly.

¹⁶ One Etobicoke housing worker who worked in both South and North Etobicoke described the former city as divided vertically in terms of wealth and housing. To him, South Etobicoke was former working class, Middle Etobicoke was middle-upper class and single-family housing and North Etobicoke was poorer, racialized with more social housing and blocks of apartment buildings. I interviewed one housing worker in North Etobicoke.
On this tour, I was shown the wide variety of rooming houses in Scarborough, observed the largest rooming house concentration (three houses) and met a few tenants at the local residential hotel on Kingston Road. Though my number of interviews in the suburbs may seem small, they represent a significant portion of active and politically active housing advocates and settlement workers in this part of Toronto. Through these interviews, I gained an on-the-ground understanding of housing issues facing immigrant, homeless and youth populations in suburban neighbourhoods – knowledge that supplemented my understanding of rooming house accommodation and situated it within the already established landscape of affordable housing in the suburbs of Etobicoke, Scarborough and North York.

Overall, my housing advocate and housing and settlement worker interviews were extremely useful. They provided me with a strong understanding of the various support networks for marginally housed individuals. My two interviews with former city staff were very useful for providing the governmental context and dialogue about city-based rooming house support work and collaborations with community workers. I do acknowledge that a larger number of interviews with city staff would have been beneficial and represent one limitation to this research. However, several city staff members refused interviews, citing concerns about professionalism and accessing permission to give an interview. Thus, the city staff interviews were conducted with established, higher level or former (and/or retired) staff members. Of the two city staff I interviewed, one was a former Chief Architect and one was a senior level bureaucrat who retired the following year and did not want his name recorded. Still, through my participation in city working groups, observation at the rooming house tribunal and
reading numerous City-commissioned reports, meeting minutes and documents, I became well versed in the role city staff (bureaucrats) played in the regulating rooming houses.

**Roomers and Marginally Housed Tenants**

I conducted 45 interviews with roomers and tenants: 18 in the downtown and 27 in the suburbs. Anonymity was guaranteed and each tenant signed a consent form (see Appendix 1b). Tenants received an honorarium for participation. An interview schedule was loosely followed but given the nature of semi-structured interviews with open-ended questions, most questions were tailored around personal experiences and narratives. All of these interviews were accessed through a social worker, social service or immigrant settlement agency who provided the tenants and myself with safe and quiet spaces in which to talk about housing, a potentially emotional and personal matter. As mentioned earlier, introductions through housing and immigrant settlement workers established a certain level of trust and familiarity that may not have happened through random sampling. Since rooming house tenants are a marginalized group of individuals, likely with little access to phones or email, accessing interviews through community contacts was strategically necessary.

I conducted my suburban roomer and tenant interviews through three separate social service agencies and accessed a diverse group of tenants. My first suburban tenant interviews were conducted in the Agincourt neighborhood of Scarborough. I met tenants through a housing worker, but also spent two months attending weekly drop-ins and lunches at the nearby soup kitchen. Even though I met several interviewees (primarily

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17 Thank-you to the Centre for Criminology and Socio-Legal Studies department for this funding through the John Beattie Research Grant.
older men who had been homeless in the area for many years), I changed my location to access a broader range of tenants, including those who were not formally defined as homeless. A few months later, I spent two months of Friday afternoons (in 2009) at the office of a housing support worker in an east Scarborough Toronto Community Housing Corporation (TCHC) apartment complex during their weekly food bank day. At this location, the housing worker pre-arranged interviews with tenants and all interviews took place in a private area of the TCHC office. In contrast to previous suburban locations, these interviews included more women and people who had been on the waiting list for social (TCHC) housing for extended periods of time. My third and final grouping of suburban interviews in Scarborough took place in west Scarborough at a community legal clinic. Again, these interviews were organized through a community worker and took place in the conference room of the legal clinic. In addition to my formal interviews at the West Scarborough Legal Clinic, I met tenants (and heard their experiences) informally through community work, tenant interviews for an outreach video and when I was supporting housing workers during media interviews. While these interactions with tenants were not part of my formal research, they no doubt influenced and enhanced my understanding of the tenant experience in Scarborough. My interviews in North York occurred at the COSTI immigrant settlement organization and Housing Help Centre, inside a local mall during their housing drop-in. The North York the settlement worker, personally introduced me to her clients and we asked them (on the spot) if they were able to participate in my research, a much appreciated and different experience in accessing that in previous suburban interviews. As a result, a few people declined to be interviewed but the majority accepted.
It was initially difficult to find rooming house residents to interview in the suburbs of Scarborough and Etobicoke. Consequently, I only interviewed rooming house residents in Scarborough and appended my study to include the suburb of North York. In the suburbs there is not a central neighbourhood, coffee shop or drop-in centre where large concentrations of marginally housed people congregate on a daily basis or in regular rotation like in the downtown. Additionally, since rooming houses are technically illegal and presumably not well known in the suburbs, few research participants immediately identified as roomers. After two short interviews and a few confused faces, I realized that many suburban research participants were not familiar with the term rooming house and/or were cautious to identify as rooming house tenants due to the precarious illegal situation of rooming houses in the suburbs. Thus, I modified my research strategy and broadened the scope of my sample to include tenants living in single-person rental units. Shortly thereafter, the number of interviews increased resulting in interviews with former, present and potential rooming house residents. Though several participants did not self-identify as roomers, nearly all of the people interviewed had either lived in a rooming house type of accommodation or had seen multiple rooms when they were looking for affordable housing. In fact, during the research it became clear that many rooming houses were located in basement apartments; thus, the confusion between rooming house tenant and basement apartment tenant was understandable. As my research progressed, the span of my interviews extended to North York. This move occurred as I met more immigrant settlement workers and realized that clients at the North York immigrant centre lived in single-person households across the city, often finding more affordable housing options in Scarborough than in North York.
The majority of my downtown interviews occurred in the east end neighbourhood of Leslieville (South Riverdale) at Woodgreen Community Services and in the west end neighbourhood of Parkdale at the Parkdale Advocacy and Recreation Centre (PARC), with a few occurring at other agencies or through personal contacts. My interviews were once again pre-arranged by housing workers. At Woodgreen Community Services, I was granted permission to interview clients and worked closely with Pablo, a housing worker I knew through the rooming house tribunal and Rupert Coalition. Pablo would post my sign-up sheet in the Centre, introduce me to clients and find a private space in Woodgreen to conduct interviews. Working with staff at Woodgreen was extremely useful because all of the research participants showed up for interviews, especially given that it is often difficult to confirm interview dates with marginally housed people who do not have regular access to the phone or internet. In Parkdale, I arranged interviews through Paul, a community worker at Parkdale Activity Recreation Centre (PARC) who I knew from the Rooming House Tribunal, Rooming House Working Group and Rupert Coalition. At PARC, I conducted interviews before and after the daily community meal on two Saturdays in September 2009. I interviewed people in a boardroom or coffee shop across the street; the tenants usually decided the location.

Even though my downtown interviews took place in two distinctive neighbourhoods, the people I interviewed had similar relationships with community organizations and represented a similar type of low-income tenant, many of whom had histories involving mental health institutions, drug and alcohol use and homelessness. Several of these tenants were actively engaged in rooming house advocacy, and had varied and multiple reasons for living in rooming houses. However, unlike the suburbs,
all downtown research participants readily identified as roomers, at least at one point in their lives. At Woodgreen Community Services, several of the tenants I interviewed lived in supportive housing or were in the midst of moving into Woodgreen’s newly established residential facility located down the street in The New Edwin Hotel, a renovated residential (SRO) hotel in South Riverdale. At PARC (in Parkdale) I met a few people who were very vocal about tenants’ rights and a surprising number who did not know about rooming house regulation. The downtown tenants were, likely, representative of a downtown population, although arguably my sample size was small.

Overall, my tenant interviews were more helpful than they appeared after the first few interviews. Initially, I was concerned that my suburban interviews were not going to be useful or plentiful, as interviews were difficult to access and occurred weeks apart from each other. After one month and incorporating additional community organizations into my non-random sample, I began to see patterns developing and could identify the multiple housing arrangements that constituted a suburban rooming house. During this time, I decided to include downtown tenants in my study, again adding participants to my research. After conducting participant observation, I felt it important to meet downtown tenants and record their perspectives instead of relying on representations of tenants present in municipal reports and tribunal hearings. Overall, my tenant interviews provided a glimpse into the multi-faceted world of affordable housing throughout the city. These interviews provided me with a nuanced understanding of how roomers viewed rooming houses. A surprising few did not refer to rooming houses as home, even though many had lived in rooming houses for over twenty years. Rooming houses, at
least from the majority of tenant perspectives, were the cheapest available accommodation for people on low and/or fixed incomes.

In the initial stages of this research project, I intended to interview suburban rooming house landlords. However, after conducting interviews with housing workers and tenants throughout the city, I realized that finding landlords to interview would be extremely difficult and not necessary at this point in my research. During my interactions with housing and immigrant workers, and tenants in the suburbs it became clear that accessing interviews with suburban landlords would take a considerable amount of time. Unlike the downtown network of housing supports and social agencies, housing workers in the inner suburbs have not yet established ongoing relationships with landlords. Since the rooming house bylaw is not applicable in the suburbs, there is no forum where I could regularly meet landlords. Instead of interviewing individual landlords, I gained information about suburban landlords from tenants, housing workers, community newspaper journalists, housing researchers and the one interview I conducted with a landlord of a ‘tourist hostel’ in South Etobicoke.¹⁸

Consequently, my information on suburban landlords revolved around the state of their rental homes and their interactions with tenants. Even though these sources provided a considerable amount of information on living situations and tenant-landlord relationships in suburban rooming houses, they did not provide an understanding of the experiences from the perspective of the landlord. The lack of interviews with suburban landlords does impose certain limitations on this research. A landlord’s perspective on

¹⁸ The landlord I interviewed in South Etobicoke refused to acknowledge his property as a rooming or lodging house, insisting it was a tourist hostel. After my one hour interview with him, I realized that interviewing landlords in each inner suburb in Toronto would be a significant undertaking and would benefit future research projects on suburban housing.
prohibitive zoning, interactions with bylaw enforcement and the experiences operating an illegal business is missing from this analysis. Interviews with suburban landlords may have provided valuable information about the demographics of suburban rooming house operators and the ways in which these individuals operate (illegal) rooming houses. However, the scope of interviews I conducted with tenants and housing and immigrant settlement workers in the inner suburbs of North York, Etobicoke and Scarborough, provided sufficient information on the landscape of suburban rooming houses for this dissertation.

**Participant Observation**

Participant observation was a necessary method for this study. It enabled me to observe the governing practices surrounding the regulation of rooming houses in Toronto. Drawing from Michel Foucault’s studies of technologies of power, my research tries to “identify and analyze the technology of power that utilized [particular] discourses and tries to put them to work.”19 My study uses the ethnographic methods to analyze how municipal bylaw and the accompanying administrative apparatus rely on particular discourses of risk, regulation and rights, as we will see in Chapter Four. The nuanced understanding of how the municipal regulation of rooming houses functions (as noted in an early section of this chapter) is a study of governmentality – the practices of governance – at the scale of the city. Ethnographic research enabled me to observe, witness and analyze the practices of government, the conduct regarding this one

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municipal bylaw and the accompanying regulation of a rooming house licensing bylaw as part of the broader project of administering poverty.

I conducted observations at the City of Toronto’s Rooming House Commission and participated in the City’s Rooming House Working Group and activist group the Rupert Coalition. I observed 11 tribunal meetings between January 2008-April 2010.

Tribunal meetings occurred on a case-by-case basis, with two or three matters being addressed per meeting. They were held in City Hall, usually midday. Since the tribunal is a public meeting, I did not ask for or receive permission from the Commissioner to attend. I did, however, always sign in (when requested by the Rooming House Commission Administrator) as a researcher and introduced myself to the Commissioner and Deputy Commissioner. During the course of my research, several meetings were cancelled and there would be a month or two without any hearings, resulting in a relatively low number of meetings. However, I did observe multiple hearings on the same matter and my time at the tribunal gave me an overall sense of how it functions, which was supplemented by my interviews and document analysis. The relatively low number of tribunal hearings could be attributed to few numbers of licensing matters occurring during my period of observation (see Appendix 2).

During the course of my research, the tribunal underwent multiple changes. First, a new Deputy-Commissioner and Commissioner began their appointments a few months after my first day. Second, the Rooming House Administrator, Terri, who had worked with the Commission for approximately 10 years, retired a few months after I began my observations. Initially, I was unaware of the vital role Terri played in the day-to-day function of the hearings, but upon her retirement, Terri’s knowledge of the bylaw, the
procedures of the hearings and specific landlords was quite evident in her absence. Consequently, the 22-month span of my observations was a period of change for the tribunal with all major administrative roles changing hands. Still, both the Commissioner and Deputy-Commissioner had prior legal experience and expertly conducted formal hearings and were able to mediate any conflicts in the absence of an Administrator who ‘knew the system’ extremely well.

After the formal period of my observations, I remained informed of all hearings before the tribunal through an email list sent by the Rooming House Administrator – a list that was regularly sent to all support workers notifying them of houses scheduled to appear at the tribunal. Terri, the former Administrator, granted my access to this list after a lengthy telephone conversation concerning my research and several personal introductions during my first few tribunal observations. My continued access to this notification list provided me with ongoing knowledge of the quantity, frequency and location of rooming house licenses before the tribunal between 2008 and 2012. After my observations, the tribunal began to hold its hearings in other locations throughout the city, often in multiple Municipal Licensing and Standards offices throughout the downtown. Occasionally, a contentious meeting (such as the rooming house near St.Clair West and Dufferin) would be held in the ward with the rooming house before the hearing, presumably so nearby residents (mainly property owners) could raise their concerns. This is a form of community involvement that is fairly common at the tribunal, as will be discussed in Chapter Six.

My participation in the Rooming House Working Group (working group) and the Rupert Coalition were substantially different from my observations at the tribunal.
During the tribunal, I was observing and documenting matters, social interactions, established patterns and the overall function of each Hearing. I was, in fact, studying and recording the tribunal. At the working group and the Rupert Coalition meetings, I was not studying the people or working groups. Instead, I used these meetings for their networking and information gathering potential. Throughout this dissertation I do describe how the meeting functioned, but my main purpose in observing the working group and Rupert Coalition meetings was to meet key informants and observe how municipal and non-governmental support networks for rooming houses were intertwined. I did take research notes, but was more of an active participant. I contributed ideas (based on my experiences with community activism and housing) and felt part of both groups. I attended seven working group meetings and five (formal) Rupert Coalition meetings between 2008 and 2010 (see Appendix 2). The working group meetings occurred at Metro Hall and had formal minutes and structure. The Rupert Coalition meetings were more focused around campaigns and schedules of members and met regularly with a flexible time frame. I kept in loose contact with the Rupert Coalition as my official research ended, but remained on relevant list serves and kept periodic communication. Still, the rooming house advocacy community is small. A few times a year I would run into a Rupert Coalition member who would ask about the progress of my research and update me on future campaigns. My ethnographic work at City Hall also included observations at relevant Planning and Growth Committee meetings, particularly when matters concerning the extension of the rooming house bylaw and discussions over the proposed harmonized bylaw were heard. Overall, my participation and ‘insider’ knowledge of the Rooming House Working Group, the Rupert Coalition and the tribunal
provided me with an ability to analyze the ways in which these community and support groups were part of the wider web of municipal governance and urban assemblage governing rooming houses, as discussed in Chapter Six.

**Document Analysis**

Document analysis was an important methodology in this research project. Reading newspaper articles, analyzing the language of municipal bylaws and referring to multiple municipal reports, non-governmental institutions, federal and provincial government and community agencies, provided an invaluable background and supplementary knowledge to my interviews and participant observation. In some ways, the *presence* of dozens of quantitative and demographic reports on rooming houses in the 1970s provided more information than the content. The concentrated attention given to rooming and boarding houses in municipal reports and newspaper articles between the 1970 and the 1990s provided me with the social history and discourse surrounding rooming houses. My use of document and discourse analysis enabled me to look beyond the banality of bylaws and the functioning of a municipal bureaucratic branch of government.

My two primary legal documents were the rooming house licensing bylaw (Chapter 285 of the Municipal Code for the City of Toronto) and the Etobicoke lodging house bylaw. These two documents, as is noted in Chapter Five, are standard bylaws that provide multiple categories and definitions for rooming and lodging houses. In addition to the rooming house licensing bylaw, I analyzed decisions of the Ontario Municipal Board, select case law, sections of the Residential Tenancy Act, municipal documents and commissioned reports that evaluated the rooming house bylaw before and after it was
implemented. The majority of the preliminary reports were commissioned by the Committee for Fire, Housing and Urban Renewal and accessed through the City of Toronto’s Urban Affairs Library, the City of Toronto Municipal Archives and the University of Toronto Catalogue.

I analyzed dozens of policy-oriented governmental and non-governmental reports published between 1970 and 1990 that addressed rooming houses. The majority of these reports were written in anticipation of, or as a direct result of, the Province of Ontario’s deinstitutionalization of psychiatric institutions and the rise of urban homelessness in the 1980s. Subsequently, a large number of these reports provided quantitative data on the need for rooming and boarding house accommodation amongst the elderly and psychiatric survivors; and qualitative research on the conditions, regulatory frameworks and reflections of social workers in the field. During this time, several reports that evaluated past pilot projects regarding rooming houses in Toronto’s east downtown and west end neighbourhoods were published. Towards the end of the 1990s, there were fewer reports specifically about rooming houses. However, broad policy reports concerning the alleviation of homelessness consistently cited the increase in number and regulation of rooming houses as part of a larger solution to homelessness and poverty.

Even though, the majority of these reports were Toronto-specific, there were several provincial reports and research bulletins from the Canadian Mortgage and Housing Corporation that cited or listed the current situation and need for rooming houses amongst Ontario’s and Canada’s affordable housing markets.

My newspaper analysis included articles from the Globe and Mail (1950-2000) and select articles from the Toronto Star (2000-2012) since there were few articles on
rooming houses between 1970-2000. These newspaper articles were integral to developing the consistent discourse concerning rooming houses in Toronto since their decline towards social marginality in the 1950s. Articles regularly included language pertaining to vagrancy, crime, immorality and murder, intertwined with documentation of multiple urban processes, most notably urban renewal, gentrification and deinstitutionalization, as will be addressed in Chapter Four. Overall, my discourse analysis of newspaper articles provided me with sensationalized news stories of deprivation and moral decline, but also provided a 50-year timeline of main events in the social history of rooming houses. Even though they predominantly focused on stories related to the high concentration of poverty and disasters in the 1970s and 1980s, these newspaper stories provided a window into the less noticed regulatory stories and incidents related to rooming houses, as noted in the section on counter narratives in Chapter Four.

In conclusion, the qualitative research methods used throughout this dissertation are reflective of my theoretical perspectives and overall approach to academic scholarship. The qualitative methods used and feminist approaches adopted, have provided a strong critical basis for accessing, documenting and analyzing data conducted with and concerning marginalized communities. In all qualitative research, but especially in housing and homelessness research, raising questions around positionality and reflexivity are important for critically situating the researcher within the research. My voice (as academic researcher, woman-identified individual and activist) is present throughout this piece, in my observations, interviews and analysis, but it is (and I emphasize) just one voice of many. The triangulation of research methods used in this
dissertation and my understanding (and critical analysis of) feminist research methods of positionality and reflexivity, have helped produce a considerable amount and range of research data that provides ample material for understanding the regulation and situation of rooming houses but also the history of housing, regulation and governance in Toronto.
Introduction

Standing on the corner of Queen and Parliament in Toronto’s East End on a snowy morning on December 17, 2009, I joined a small group of people on the sidewalk listening to three men, one donning a Santa Clause hat, playing folk music on electric guitars. As they played their last verse, “Remember the Rupert Hotel/ we can’t forget the ones who died/ Remember poverty’s not a crime,” our group increased in numbers spilling onto the street while a few local journalists snapped photos and two police officers herded pedestrians away from traffic. As the song ended, the group solemnly walked southward as one man knelt down and placed a green wreath beside a bronzed Rupert memorial plaque that blended in amongst the cracks, dirt and slush of the sidewalk. A long-term rooming house advocate then asked the crowd to take a moment of silence.

By now, this memorial to the victims of the 1989 Rupert Hotel fire is ritualistic in form and manner. For over 20 years, this memorial has included fiery speeches from housing activists, well-crafted messages from Barbara Hall, a former Mayor and current Chair of the Human Rights Commission, as well as a shifting number of housing workers, Members of Provincial Parliament (MPP) and city councillors. It always ended with the ritualistic moment of silence at the memorial plaque. Immediately after the memorial, a small group of people, mostly members of the Rupert Coalition, meet in the diner beside the parking lot that formally held the Rupert Hotel reminiscing about the ‘heydays’ of the Rupert Coalition and discussing future advocacy projects.
Even though most people could not differentiate today’s memorial from past services, there was one notable difference: the last speech of the day. After a Parkdale MPP in a fur coat spoke, a mild-mannered man dressed neatly in a suit with a toque on his head approached the microphone, unfolded papers and spoke. In his thick Tamil accent, he spoke of the living conditions he faced in a suburban rooming house in Scarborough. In a quiet yet determined manner he told the crowd that he is proud to be fighting for his right to safe and affordable housing and urged the City government to extend the rooming house license to the inner suburbs. The minute he stopped speaking, journalists and housing workers rushed to greet him. The interest his speech garnered demonstrates a change in Toronto’s rooming house landscape and the growing need for support and advocacy in the suburbs.

The history of downtown rooming houses is rife with stories of unsafe living conditions, criminality and poverty long associated with poor and working class neighbourhoods. The fatal fire at the Rupert Hotel in 1989 set the plight of rooming house tenants at the centre of long-lasting heated debates around affordable housing in Toronto. It sparked an increase in advocacy, governmental interest in rooming houses and provincial inquiries into municipal fire safety practices. While undoubtedly significant in its impact on policy and advocacy, the fire at the Rupert Hotel, a municipally licensed rooming house, was unfortunately the latest in a series of fatal fires and dangerous conditions in Toronto’s rooming houses since the 1970s. However, the association

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between rooming houses and risk is deeper than sensationalized newspaper headlines would have us believe. Risks and the regulatory responses to them have shaped the social history and imagined geography of rooming houses, and consequently, have influenced the way in which housing advocates and municipal governments respond to the changing landscape of rooming houses and the needs of tenants in Toronto today.

This relationship between risk and regulation has become a primary narrative in the history of rooming houses in downtown Toronto. By asking how responses to risk have shaped the legal regulation that in turn altered the spatial organization of rooming houses in Toronto, I am not only documenting a social history of a municipal bylaw, I am examining how an association between risk and regulation has created a particularly spatialized, temporal and localized trajectory for the future of rooming house regulation and advocacy in Toronto’s inner suburbs. Thus, I argue that this representation of a unified social history and imagined geography of downtown rooming houses based around past events and stereotypes has become the story of rooming houses in Toronto, shaping regulatory and community responses to the present-day situation. In spite of the best intentions of city staff and housing advocates, the prevalence of this downtown rooming house narrative frames the debate and limits the scope for tenants and advocates fighting for their right to safe and affordable housing in Toronto’s inner suburbs.

In this chapter, I provide a genealogy of a municipal bylaw through the documentation of key events in the history of Toronto’s rooming houses. A genealogical approach enables me to draw together and layer particular events specific to rooming house regulation within shifting urban geographies of skid row decline, urban renewal, gentrification and deinstitutionalization. A genealogy, as discussed and demonstrated by
Michel Foucault, does not “restore an unbroken continuity” or “map the destiny of people.”\textsuperscript{2} It is a meticulous documentation and record of singular events. It focuses on the specific, the minute and the micro-histories. In a discussion on methods, Foucault likens genealogy to a doctor attempting to diagnose a patient by identifying the jolts, surprises and unsteady victories in her personal medical history. History, according to Foucault “is a concrete body of becoming; with its moments of intensity, its lapses, its extended periods of feverish agitation, its fainting spells; and only a metaphysician would seek its soul in the distant ideality of the origin.”\textsuperscript{3} In this dissertation, I am not attempting to identify the origin of Toronto’s rooming houses or “find their soul” so to speak. I am, however, using a genealogical approach to document detailed accounts of periods of “feverish agitation” of heated public debates and neighbourhood conflicts alongside the “fainting spells” of seemingly banal bureaucratic decisions and municipal legal mechanisms.

In the following discussions, I draw attention to the less noticed stories – narratives that are regularly overshadowed by macro-narratives of neoliberalism and gentrification – that contribute to the history of rooming house governance in Toronto. I suggest that the history of rooming houses, risk and regulation raises important questions about municipal law and regulation as forms of urban governance during the process of gentrification. In so doing, I weave the story of rooming house regulation in Toronto, documenting key events including fires, house conversions, bureaucratic committees and bylaw amendments alongside – not within or supplementary to – the urban processes of skid row decline, gentrification, urban renewal and deinstitutionalization. These larger

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\textsuperscript{3} Ibid. 373.
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urban processes have contributed, as I note throughout this chapter, to a dominant imagined geography of rooming houses in Toronto. I discuss these imagined geographies with a focus on the ways in which they were created within the context of municipal regulatory responses to the risks associated with rooming houses. I provide a detailed narrative that emphasizes the long-standing history of rooming house advocacy, governmental responses, neighbourhood conflict and tenant displacement, and draw from municipal reports, municipal committee meeting minutes, commissioned reports, select interviews (with city staff, housing advocates and roomers) and newspaper articles between 1950 and 2011.

The components of this genealogy include a discussion of skid row, the Rupert Hotel Fire (1989), the rooming house fire at 5 Maitland Place (1974), and specific rooming house histories and regulatory responses in traditional low-income but gentrifying neighbourhoods. First, I begin by identifying and clarifying the association between skid row neighbourhoods and rooming houses in Toronto by contextualizing rooming houses amongst representations of the typical North American skid row. Second, I discuss the regulation of risk in terms of the history of fatal fires focusing on the Rupert Hotel Fire and the wave of fatal fires in the 1970s, with a focus on the fire at 5 Maitland Place. Third, I contextualize the role of rooming houses within the processes of gentrification, urban renewal and deinstitutionalization in the downtown neighbourhoods of South St. Jamestown, Cabbagetown and South Parkdale between 1970 and 2009. Fourth, I include several counter-narratives that influence how the history of rooming houses may be perceived and potentially frame future regulatory responses to rooming houses in the suburbs. These counter-narratives include the permitted zoning for rooming
houses (and the public reaction to it) in the wealthy neighbourhood of Rosedale in the 1950s, the multiple disparate municipal committees that governed rooming houses prior to 1975, and the acquisition of old rooming houses by Toronto’s community housing corporation in the 1970s. Lastly, I conclude by addressing how former advocacy and regulatory responses to rooming houses have constructed a framework for rooming house advocacy that relies on the pre-defined narratives of risks (such as fires, gentrification and urban renewal) that are no longer relevant to the contemporary moment of rooming house regulation and advocacy. In this chapter, I am critiquing how the dominant narratives and imagined geographies have become the story of rooming houses – a story that has the potential to shape and constrain future responses to rooming houses and their regulation throughout the City of Toronto post-amalgamation. I do so by presenting a genealogy of rooming house regulation that chronicles particular events and narratives in a non-chronological but purposeful way. In this chapter and throughout this dissertation, I critically analyze the social history and discourses surrounding rooming houses. In so doing, I am not, nor do I intend to, negate the relevancy or good intentions of earlier advocacy work and regulatory changes or the impact of devastating and fatal events in the history of rooming houses.

The Imagined Geography of Skid Row

The imagined geography of rooming houses in Toronto is intertwined with the social imaginary of a 1970s skid row, and coincides with local histories of poor neighbourhoods, low-income individuals and affordable housing. The association between rooming houses and skid row is perceived, for the most part, to be the imagined

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geography of rooming houses. This correlation between rooming houses and skid row does have merit, as indicated in several municipal reports, newspaper articles and qualitative interviews. Skid row has historically been home to a large concentration of rooming houses in Toronto, yet, when understood as the primary discourse for rooming houses, this common and widespread association between rooming houses and skid row becomes problematic. When city councillors, policy makers and (even) housing advocates adopt this imagined geography as the only narrative and geography of rooming houses, it becomes entrenched in the political discourse surrounding rooming houses, and has the potential to influence (sometimes negatively) future planning decisions, ignore the diversity of the housing stock and overshadow other social histories.

Taking in a lodger, sharing a family dwelling with a migrant worker or running a boarding house were all fairly normal occurrences in this ‘city of single-family homes’ between the 1890 and 1950s, as briefly discussed in Chapter One. Roomers, as noted by Harris, were a common part of the landscape and demographics of working and middle-class neighbourhoods between 1880 and the early 1920s. By the late 1950s, rooming “went into decline and became a mark of poverty.” This noted decline coincided with the transition to lodging, rooming and boarding and moved beyond private homes and into private businesses of purpose-built rooming houses, culminating in the development of skid row neighborhoods in large cities throughout North America. Skid row is a term used to describe the moral, geographical and physical characteristics of derelict urban neighbourhoods. In the North American northwest, the term skid road was used to

6 Ibid.
7 Ibid.
describe the part of town through which logs were shipped, leaving skids throughout the
neighbourhood. The colloquial term ‘the skids’ was adapted to describe parts of town
where migrant and seasonal workers resided, and over time, it became a space of acute
poverty and morally unacceptable behaviours.\(^8\) Skid row districts, particularly in cities
such as San Francisco, New York and Vancouver, were and are still known for “a
stigmatized residential population that is predominantly poor, street-entrenched, addicted,
alcoholic and/or mentally ill, [with] the presence of a local drug market and a
concentration of bars, low-rent hotel rooms and social service facilities.”\(^9\) In many cities,
the geographical areas of skid row have become synonymous with urban decay, derelict
housing, and social exclusion. Skid row neighbourhoods were “the bottom of a
downward path of social mobility.”\(^10\) In their ethnographic study on the use of the term
skid row, Huey and Kemple critiqued older social scientific studies and journalistic
articles relying on an ideology and/or traditional concept of skid row that,

\[\text{(text continues)}\]

\(^8\) Groth, Paul. Living Downtown: The History of Residential Hotels in the United States. Berkley & Los

\(^9\) Huey, Laura & Thomas Kemple. ""Let the Streets Take Care of Themselves': Making Sociological and
Common Sense of 'Skid Row'." Urban Studies 44.12 (2007): 2306; Murphy, Stacey. ""Compassionate"
305-25.

\(^10\) See Huey & Kemple, pg 2308; Herbet, Steve. "Contemporary Geographies of Exclusion I: Traversing
Skid Road." Progress in Human Geography 32.5 (2008): 659-66; Metraux, Stephen. "Waiting for the
Angeles." Environment and Planning A 24.9 (1992): 1317-36; Dear, M & J. Wolch. Landscapes of

Huey and Kemple questioned the former use of the term skid row and its continued characterization as a place associated with “perceived moral derelictions, stigmatized dependence and physical decay” within social scientific literature.¹²

In their sociological study critiquing the use of the term and the associations with skid row, Huey and Kemple question how skid row neighbourhoods have been understood through morally judgmental stigmatizations. In so doing, they explore sociological and commonsense understandings of the social, moral ad physical space of skid row in order to recast these understandings in an analytical concept suitable for use by social scientists. Conceptualising skid row as a civic space for the containment of moral and material dereliction displaces its deployment as a term of abuse in journalistic writing or colloquial speech at the same time as it replaces its use as a vaguely defined descriptive term by urban sociologists to indicate a site of social pathology.¹³

I agree with Huey and Kemple’s critique of the stigma of the historical depiction of skid row in terms of moral judgment. Challenging the use and meanings associated with discriminatory labels and language is useful. However, I question the omission of an analysis of urban space in their critique of skid row literature. Huey and Kemple’s argument reinforces the bounded nature of skid row as a “civic space for the containment of moral and material dereliction.”¹⁴ In my research, the physical space of skid row is, like Huey and Kemple’s assertion, understood as a physical space saturated with moral perceptions of degeneracy and vice. However, from my research, the meanings attached to skid row and its physical location are not bounded to a particular space nor contained within the boundaries of a particular neighbourhood.

¹³ Ibid at 2318.
¹⁴ Ibid.
Rooming houses have been dubbed the housing of skid row.\textsuperscript{15} They existed in skid row neighbourhoods alongside hostels, shelters, flophouses, residential hotels and boarding houses. All these forms of skid row housing, as mentioned in the previous chapter, have been known to house a similar tenant population: older men with few family ties leading transient lives and often dealing with multiple addictions.\textsuperscript{16} If rooming houses are defined as skid row housing, what happens when a rooming house becomes established in a non-skid row neighbourhood? Does the neighbourhood become skid row? Or does the rooming house and its inhabitants become an indicator of skid row and thus something to fear? Skid row, I suggest, is not a civic space for the containment of certain people, buildings or unwanted behaviours as depicted in earlier literature. In fact, I argue, at least in this Toronto example, that skid row is everywhere. Since skid row is defined through moral perceptions of vice and associated with a particular urban space, a type of housing (rooming houses) and a certain type of inhabitant, then skid row may, in turn, accompany rooming houses and roomers wherever they are located. This idea of skid row as potentially located everywhere fits well within the urban landscape of Toronto and explains, in part, the moral panic concerning the emergence of rooming houses in neighbourhoods previously thought to be morally upstanding spaces for single-family dwellings. Additionally, the geography of skid row in Toronto is fairly different from cities known for skid row neighbourhoods such as Vancouver and San Francisco.

It is difficult to designate one particular skid row neighbourhood in Toronto because there are multiple areas with skid row characteristics. In 1977, the City of Toronto’s Planning Board designated the eastern downtown, “the area bounded roughly by Queen, Yonge, Carleton and River Streets,” as the City’s traditional skid row. They also noted that Toronto has numerous and geographically dispersed skid row neighbourhoods in discernable nodes throughout the city. These nodes included specific street corners such as Queen and Spadina, College and Spadina, Queen and Broadview in South Riverdale and neighbourhoods such as South Parkdale and the Junction. In Toronto, skid row could not be described within the confines of the geographical boundaries of one neighbourhood. Skid row was identified in municipal reports during 1977 and still appears in these discernable nodes wherever there are high concentrations of skid row characteristics, including housing forms and people. The presence of rooming houses, then, became a noticeable identifier of skid row. A large concentration of rooming houses made the designation or affiliation of the neighbourhood as skid row inevitable. Yet, as rooming houses were converted back into single-family homes in the 1970s, these nodal skid row neighbourhoods, most noticeably Cabbagetown, South St. Jamestown, South Riverdale and South Parkdale, were transformed by urban renewal and gentrification. With the conversion of suburban homes into rooming houses becoming increasingly visible in 2006, the discernable nodes of skid row may be perceived to be expanding into Toronto’s inner suburbs.


18 City of Toronto Planning Board. Report on Skid Row. Toronto: City of Toronto, 1977. pg 3;

The dominance of rooming houses as skid row housing does not negate the ongoing presence of and need for residential Single Room Occupancy (SRO) hotels in Toronto. Residential hotels do provide temporary housing for marginally housed individuals and have done so for decades. The majority of Toronto’s residential hotels are dispersed throughout the downtown, often in, or adjacent, to skid row neighbourhoods. However, they are a disappearing form of single-room accommodation as they are relatively low in number and concentration when compared to San Francisco’s Tenderloin district or Vancouver’s Downtown Eastside. Several of Toronto’s well-known residential hotels have been renovated into boutique hotels and entertainment venues for middle-upper class clientele in the past 20 years. The Gladstone Hotel and The Drake Hotel, former residential hotels near Parkdale located near the Centre for Mental Health and Addictions (CAMH) and The Rex Hotel located further east on Queen Street West, are all examples of former residential hotels that have undergone extensive transformations (see Figure 4.1).

Despite the changes in these former SRO hotels, several residential hotels still exist in these neighbourhoods and provide rooms for marginally housed individuals. Most SROs are privately owned businesses with the exception of The Edwin, a former hotel and nightclub in South Riverdale, which was recently converted into supportive housing by Woodgreen Community Services (See Figure 4.2). Several hotels, the Broadview Inn in South Riverdale, the Parkview and the Palace Arms near CAMH on Queen Street West (near Parkdale), and the Waverly are examples of residential hotels (amongst several smaller and unmarked residential hotels in the east downtown) that continue to rent

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Figure 4.1: The Drake Hotel (top) and Gladstone Hotel (bottom) on Queen Street West, Toronto. (Photograph by Lisa Freeman. 2012).
Figure 4.2: The Edwin, Woodgreen Community Services Supportive Housing. Queen Street East, Toronto. (Photograph by Lisa Freeman. 2012).

Figure 4.3: The Palace Arms, residential hotel near CAMH. King Street West, Toronto. (Photographs by Lisa Freeman. 2012).

rooms by the day, week and/or month (See Figure 4.3). Even though their numbers are declining, rates are expensive and well-known hotels like The Gladstone and The Drake
have been converted into boutique hotels, residential hotels still provide much needed temporary and permanent single-room accommodation for low-income individuals in Toronto.

Several older men interviewed for this study spent decades moving between the street, residential hotels and rooming houses. Few spoke highly of residential hotels, citing their overall condition including the presence of cockroaches, bed bugs, rats, increased numbers of crack users, size of rooms and the lack of cooking facilities, as deterrents to hotel living. Rob, a former patron of The Broadview Inn in South Riverdale (known and referred to as Jilly’s for the strip club on its main floor) described it as a madhouse and total mess where mice and rats bit you while you slept (see Figure 4.4).21 Even though he felt that Jilly’s was not a desirable place to live, he told me that the other approximately 40-50 tenants, most of whom he described as transients “have been there for years and years and they love it.” Rob noted that some hotels and rooming houses are better than others and placed Jilly’s at the bottom of the list because “they don’t do a lick of maintenance or obviously extermination.”22 However, he made sure to tell me that the benefits of living at Jilly’s primarily consisted of its reasonable rental rates and its location close to free or cheap meals in soup kitchens and nearby shelters, welcoming community centres and social work agencies in South Riverdale.

Harvey, a 66 year old Aboriginal-identified man originally from rural British Columbia, spent the majority of his 30 years in Toronto living on the street, spending significant periods of time in residential hotels. His experiences reflect the changes in residential hotel living in Toronto since the 1970s and tell personal stories in the face of

22 Ibid.
Figure 4.4: The Broadview ‘Jilly’s’ Hotel. Queen Street East & Broadview Ave, Toronto. (Photographs by Lisa Freeman. 2012).
gentrification of affordable downtown living for street-involved individuals. Harvey identified changes in residential hotels in terms of intoxicating substances, payment methods and clientele. Referring to the 1970s as a time of “alcohol” and the present-day as “crack cocaine,” Harvey described other changes in residential hotels over the past thirty years:

Harvey: The hotels were great here—there was never any problems. You paid your rent, you had tvs and you could come and go; take a case of beer home. Nowadays it’s people banging on the door saying you want to buy this, want to buy that. No privacy, no nothing. It’s terrible. And the rents they want, $800 or $900 a month with no tv but you can watch the cockroaches go up and down the wall.

Lisa: Are these the same hotels?
Harvey: Yes.
Lisa: And they were pretty decent?
Harvey: They were decent then. Before I came here [East End Community Services Agency] I was in The Waverley Hotel --$800 a month. I only stayed one month and I had to get out—cockroaches. That was a famous hotel at one time—was—now it’s a piece of junk.
Lisa: What street is it on?
Harvey: Spadina and College, right next door to the Scott Mission. The Silver Dollar [bar] is underneath it. It has all changed now. Crack cocaine has taken the whole city. I don’t care where you live—if you live in Rosedale you’re going to find it if you want it.23

Even though Harvey currently lives in supportive housing in the east end neighbourhood of South Riverdale, his knowledge of residential hotels spans the city as he has “stayed all over the city, in different hotels.”24 He tells me that they were all ‘wrecks.’ His experiences in and near the west end neighbourhood of Parkdale tell another story of residential hotels, one that makes them as undesirable as The Waverly (see Figure 4.5). Only in this next account, the renovations to the hotels are as problematic for Harvey, as his former experiences in “piece of junk” hotels full of “boozle, blow and bugs.”

Lisa: Did you ever live in Parkdale?

23 Harvey. Personal Interview. 7 December 2009.
24 Ibid.
Harvey: Oh Jesus, yes. I lived in the Parkdale Hotel\textsuperscript{25} for years. I haven’t done that in about 30 years. That was a rotten place. Now they’ve cleaned it up a bit. Lisa: What hotel did you stay in? Harvey: Parkdale Hotel, The Elmgrove. The Gladstone; it’s the new fancy Gladstone now. I stayed at The Drake. I can’t afford to go in there for a can of beer now. Lisa: Yes, The Drake. The Gladstone maybe sometimes? Harvey: The Gladstone. I stayed there and you were lucky if you had a door. It was bad. They renovated it now. Lisa: What was it like then? That was only 10-15 years ago? Harvey: It was bad. Lots of bugs and a lot of people. They didn’t really care as long as you paid the rent and the key deposit. I went somewhere down by City Hall—The Rex—I went there and the guy said “you’ve got to have a major credit card just to get in here.” I said 20 years ago you didn’t need anything as long as you had a bottle of wine with you and some money…help yourself. No, that’s all changed now. Lisa: That’s the place that has jazz. Is that the place on Queen Street West? Harvey: Yes. Lisa: And they have a hotel upstairs? Harvey: Now they’ve got jazz downstairs. It’s for the yuppies now. You don’t see any street people in those places.\textsuperscript{26}

Harvey’s experiences in residential hotels draw attention to the dispersed geography of residential hotels in Toronto, the ongoing gentrification and inaccessibility of these establishments, and their associations with ‘skid row’ behaviours of substance use and transience. Even though Harvey made a clear distinction between a residential hotel and a rooming house, the two terms are used regularly and interchangeably in Toronto. After describing the Waverly hotel and increased rents in residential hotels, Harvey barely paused as he changed topics and started to talk about rooming house landlords and their only criteria for choosing tenants is the “paycheque in their hand.”

\textsuperscript{25} As of October 11, 2011, the Parkdale Hotel is currently still in use but does not appear as a hotel. The upper two floors are still rented out but the old beverage room on the main floor is boarded up. Community organizations and Parkdale residents are organizing to deal with it and the sale of the back lot for $3,900,000 by Metro Reality.

\textsuperscript{26} Harvey. Personal Interview. 7 December 2009.
Figure 4.5: The Rex Hotel, Queen Street West and The Waverly Hotel Spadina Avenue, Toronto. (Photographs by Lisa Freeman 2012).
In fact, the term rooming house is so imbedded in the narrative of affordable housing for single individuals in Toronto that residential hotels, such as the infamous Rupert Hotel, are commonly referred to and licensed as rooming houses. Even though the majority of downtown tenants and housing workers could easily distinguish a residential hotel from a rooming house, the term rooming house is widely used to describe a broad range of living arrangements and housing forms. Rooming houses have become a signifier of skid row that encompasses multiple types of single-occupancy dwellings used by low-income single and marginally housed individuals. This imagined geography of skid row is attached to the term rooming house, its built form and physical location. Huey and Kemple’s description of skid row as a void in the urban landscape is inaccurate, at least in the Toronto context. Skid row as a moral judgment and discourse associated with the physical buildings, geographical locations and unwanted behaviours can be anywhere. It appears that wherever a rooming house is located, the imagined geography of skid row – whether real or otherwise – becomes attached to the tenants, house and (willingly or not) the entire neighbourhood.

The demarcation of skid row, I would argue, has become a social label and theoretical marker on individuals, physical buildings and characteristics of lower-income neighbourhoods, regardless of geographic location. The imagined geography of skid row overshadows other characteristics of rooming houses and/or experiences of roomers, and has dominated the social history of rooming houses. So much so, that these associations with skid row are embedded in the identity of rooming houses and tenants. Even when the term skid row is not used to outwardly describe rooming houses, the characteristics and unwanted behaviours of skid row (vagrancy, alcoholism, drug use, transience) are
regularly used in arguments against the presence of rooming houses in suburban
neighbourhoods. Although skid row will always be a pervasive part of the imagined
gеography of rooming houses, it is not representative of the entire and dominant
downtown narrative of rooming houses in Toronto.

The Regulation of Risk

_In order to prove that there is a rooming house in Scarborough, you need to go in and see
how people live. And, in order to do that you need a Court Order. In order to get a Court
Order you can spend up to $30,000 just to go into one house. They’re (City of Toronto) not
going to do that. So this whole thing about some of these [suburban]ward councillors who
are going to shut them down…they’re not going to shut down anything until there is a fire.
A lot of these places are fire traps. So they can’t get into them and if they did get in they
would have to close them down and then they would have blood on their hands._

-Bart (Downtown Housing Advocate)

Risk, and responses to it, have shaped the social history and imagined geography of
rooming houses in downtown Toronto. Risk in this context is not a singular manifestation
of immediate harm. It is cumulative of multiple representations of potential harm,
associations with danger and perceptions of fear. As noted by several housing workers
and community advocates interviewed, the object of risk evolves over time. Many
workers noted that landlords are not as much of a risk or focus of community advocacy as
they once were. The geography of rooming house risk, like the nodal and dispersed
locations of Toronto’s skid rows, is concentrated in particular neighbourhoods, but not
always identifiable with one specific location or house. The risks associated with
rooming houses – fire, unsafe living conditions and older rundown houses – have
produced multiple understandings of the relationships between risk, rooming houses and
the city. In this chapter, I address risk from a governmentality perspective. Risk has been
widely used in criminological scholarship in terms of crime, social control, and the
creation of a society based on risk (Beck’s risk society\textsuperscript{27}), but has also been studied through the lens of governmental practices. According to Pat O’Malley, a governmentality approach to risk “is much more concerned to map out the diversity of risk-based approaches to government, and their distinct genealogies than to collapse them all into one unified category of risk or risk society.”\textsuperscript{28} In this chapter, I draw from governmentality approaches to risk by addressing the techniques and rationalities by which risk is governed.

The dominant narrative of how risk has been governed in regards to rooming houses in Toronto can be understood in three ways. First, there is a risk \textit{for} tenants in terms of safety and security of their residence. Second, there is a risk \textit{of} depletion and disappearance of the rooming house stock in Toronto. Thirdly, there is a (perceived) risk \textit{to} the stability of established and gentrifying neighbourhoods. By classifying the recipients and objects of risk in such a manner, I draw attention to the multiple types of risk associated with rooming houses. Each category of risk recipient does not neatly coincide with one specific risk, although patterns do arise. Fatal fires, for example, are obviously a risk for the lives of tenants. At the same time, fires are a potential risk for their role in depleting the rooming house stock by (literally) leaving an opening for new (non-rooming house) developments, and the consequences of fire have been recognized as a precursor to decreased property values for adjacent privately owned houses. These differentiated moments and types of risk become, in part, the object of risk for governmental interventions. It is important to understand this type of risk, not only as a guiding part of the rooming house narrative in Toronto, but as a variable dependent upon


interpretation by the people who are and may potentially be affected. For example, the
development of high-rise apartments may be viewed as a threat to both tenants and
homeowners. High-rise apartments may be a risk for tenants in terms of displacement and
demolition of rooming houses and a risk to the dominance of single-family privately
owned dwellings in one neighbourhood. The main risks in the social history and
imagined geography of rooming houses involve fatal fires, displacement due to
deinstitutionalization and gentrification, unresponsive landlords, urban development and
NIMBY-ism. Additionally, and ironically, the municipal bylaw intended to diminish
and/or govern these risks, as we will see later in this chapter, has become viewed as a risk
to the stability of the entire rooming house stock in Toronto. Risk, and in particular, the
governmental responses to it, as you will see in the following sections, has shaped the
narrative and discourse surrounding rooming houses in Toronto, though not necessarily
reducing or eradicating risk.

If the history of rooming houses in Toronto were to have one instrumental spark
that ignited the course of regulation, advocacy, and discourse, it would be fire. The
regulatory and advocacy responses to fire revolve around two formative events: the
Rupert Hotel fire in 1989 and the wave of fatal fires in the early 1970s. These two
incidents were significant, not only in the media attention fostered and the magnitude of
lives lost, but also in the manner in which resulting regulatory decisions and community
coalitions carved the early stages of a uniform response pattern to rooming house
emergencies in Toronto.
The Fire at the Rupert Hotel

The fire at the Rupert Hotel on December 23, 1989, left a lasting mark on housing and anti-poverty activists, municipal politicians and provincial governments. The imagery of the night alone is frightening: the sounds of people screaming, the horror of watching flames engulfing the house, people jumping out of windows and rows of observers outside feeling helpless. That night was certainly tragic but unfortunately not surprising. Built in the late 1800s, the Rupert Hotel was (by 1989) well known as a rundown establishment, with rent for one of its 31 single-occupancy rooms ranging between $275-$300 per month and home to self-described ‘drinkers.’ A local man, a frequent visitor to the Hotel, described the Rupert as a ‘death trap’ with third rate décor with “layers of yellowed paint over curling wallpaper, holes in walls, broken radiators, naked bulbs, cockroaches and flimsy doors that could be ‘kicked down with a single boot.’” The Rupert, in many ways, was an archetypical rooming house (see Figure 4.6). Its distinguishing factor, one that may explain the multi-leveled governmental attention it garnered and its present-day prominence rests on the fact that it was a licensed rooming house.

The fire at the Rupert Hotel, as a licensed rooming house, exposed the fatal inadequacies in the City’s regulatory responses to rooming house safety. Building and fire inspections had (reportedly) been completed a month prior to the fire. Despite the recent fire inspections and increased governmental attention given to nearby rooming house fires, the Rupert Fire was the last in a string of fatal fires that year. Clearly, the building inspections mandated under the 1974 licensing procedure and the increased

Figure 4.6: Rupert Hotel 1959 (top) and former site of Rupert Hotel (2012), Parliament Ave and Queen Street East, Toronto. (City of Toronto Archives, August 1959; Bottom Photo by Lisa Freeman 2012).
administrative attention to questions of safety in rooming houses were ineffective. The aftermath of the Rupert Fire reflects these failures. Thus, the immediate house inspections, implementation of a municipal task force, creation of the Rupert Coalition, a criminal court case and a lengthy provincial coroner’s inquest were reasonable responses to the Rupert fire.

In the days and weeks following the Rupert fire, the City of Toronto conducted an inspection blitz of all large rooming houses and a task force intended to report on health and safety conditions in the 460 licensed rooming houses was struck.31 The task force reported that two-thirds of the city’s rooming houses had inadequate fire-prevention systems, half the houses had serious building defects and one-third had health hazards.32 Mayor Arthur Eggleton responded positively to the task force’s six recommendations by increasing inspections, requiring on-site supervisors for rooming houses, and having fire-alarm systems installed and monitored by outside sources. He commented that the “call for the establishment of a municipal court system” had been asked for repeatedly in the past and would be significantly more efficient than the present system where rooming house cases “are put in the hopper in the criminal court system.”33 By December 1990, the City had hired 10 new inspectors, with plans to hire 10 more, and had submitted several other proposals (including fire prevention monitoring by outside companies,

higher fines, special municipal housing courts and increased power of entry for inspectors) to the Provincial Solicitor-General.\textsuperscript{34}

As the City government moved forward on the task force recommendations, the Rupert Coalition was created. The Coalition consisted of between 25-30 anti-poverty groups and agencies in Toronto, and its overall mission was to advocate and improve living conditions for poor and homeless individuals in Toronto.\textsuperscript{35} The Coalition wrote letters to Ontario’s chief coroner demanding a thorough review of municipal and provincial housing standards and members were regular commenters, during and after the provincial inquiry on the state of affordable housing in Toronto and Ontario.\textsuperscript{36} During the criminal court proceedings where Mr. Gordon Freeman, a 50-year old Rupert Hotel tenant and self-identified alcoholic plead guilty to 10 counts of manslaughter (facing a maximum 10 years in jail), Michael Shapcott, a community organizer with the Rupert Coalition, spoke about the living conditions at the Rupert Hotel.\textsuperscript{37} Mr. Shapcott told the court of the cramped conditions and foul smelling broken toilets in the Rupert Hotel and commented that the “city was unwilling to place work orders against many city rooming houses because they might simply close, worsening the already grim housing shortage,” a practice that continues to this day.\textsuperscript{38} Over the next five years, the Rupert Coalition, with funding and institutional support from the provincial and municipal governments, played


\textsuperscript{38} \textit{Ibid.}
a significant role in the aftermath of the fire by establishing organizing efforts between multiple levels of government, a pilot project and long-term advocacy efforts to remedy the wrongs that occurred at the Rupert fire.

By the time the provincial coroner’s inquest began on March 4, 1991, the City’s recommendations had been implemented, the Rupert Coalition active, the accused charged and imprisoned, the landlord questioned, and conflicting stories about the state of the Rupert Hotel’s fire alarm system and the liability of the landlord made the newspaper headlines. After questioning approximately 50 witnesses in a 23-day inquest, the inquiry found that the Rupert Hotel had been in several violations of the Ontario Fire Code and had an inconsistent record of licensing.39 The Rupert Hotel had been operating as an unlicensed rooming house with a lapsed license on three occasions since 1985. Inspection reports between 1982 and 1989 indicated numerous fire code infractions including “defective door closers, defective fire extinguishers, improperly maintaining fire extinguishers, an improperly maintained alarm system and defective batteries in the backup alarm system.”40 It is unsurprising that the majority of 54 recommendations from the coroner’s jury involved changes to the Ontario Fire Code and local fire safety protocol and only a few addressed the inefficiencies in the administration and content of the municipal inspections system.

Nonetheless, the coroner’s jury recommended a minimum of two yearly (as opposed to the previous annual) inspections for all rooming houses without the requirement of prior notice for the landlord and the creation of a municipal housing court to make prosecutions of non-compliant landlords proceed more quickly and provide

greater enforcement for fines for non-compliance with fire code. The fire-related recommendations included outside companies monitoring alarms, doubling the mandatory inspections of fire alarms, equipping entry and exit doors with automated door closers and the requirement that all government workers who enter a rooming house must inform affiliated municipal licensing departments if they suspect the house is an unlicensed rooming house. The City of Toronto, it should be noted, was (or appeared to be) very responsive to all recommendations, as evidenced in Mayor Eggleton’s immediate creation of a second rooming house task force. Overall, the provincial inquest greatly influenced the future provincial and municipal regulatory direction for rooming houses; their 54 recommendations had lasting impacts on the regulatory power of the fire department and the prominence of community-government coalitions, especially the Rupert Coalition.

Following the provincial inquest’s recommendations, Toronto Fire Services focused on instituting changes in terms of fire prevention and inspections. Tougher fire safety rules were a primary focus with proposed changes to the monitoring and maintaining of fire alarms, the storage of hazardous materials and changes to the Ontario Fire Code. Additionally, a “generic fire plan” was developed specifically for rooming houses by the Toronto Fire Services, as suggested by Chief Jack Collins, Head of inspections for the fire department during the inquest. He did note that fire exit plans are often forgotten by tenants and landlords, but emphasized that the adoption of a generic

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plan may help to initiate more house-specific strategies.43 Fire inspections and the power given to fire inspectors increased substantially following the provincial inquiry. Fire inspectors could enter a house upon suspicion, shut down a house, and would be required to check fire alarm systems any time they entered a rooming house. This increase in the regulatory and punitive powers of fire inspectors seems to be an appropriate response to the Rupert fire. However, this increased regulatory power has resulted in the fire department becoming the only enforcement body in the City of Toronto with the right to enter any rooming house without permission of the operator and the pre-authorization to shut down any rooming houses they find to be in violation of fire standards. The broader implications of these increased powers of Toronto Fire Services will be discussed in Chapter Six.

The action taken by the provincial government after the inquiry into the Rupert Hotel fire was one of the last substantial regulatory changes for rooming houses in Toronto. It resulted in a donation of $10 million dollars for the implementation of a rooming house program that would stabilize the rooming house stock in the city. The Rupert Coalition was allocated this multi-million dollar funding to implement the project that became known as the Rupert Pilot Project, which aimed to address the physical and social conditions in rooming houses through the implementation of a community development initiative with a focus on supporting tenants. In two years, the pilot project had renovated dozens of rooms in eight privately owned rooming houses and had

designed support services to meet the non-housing needs of tenants in 500 units.\textsuperscript{44} By 1993, the Rupert Pilot Project had helped secure over “340 units of relatively high quality rooming house stock [which were] occupied by rooming house tenants, many of whom [were then] living in better physical conditions than they have for many years.”\textsuperscript{45} Of these houses, 315 housing units were allocated amongst 7 non-profit housing providers and 33 were converted into family units.\textsuperscript{46} To achieve this self-proclaimed success, the pilot project focused on mixing non-profit and for-profit rooming houses, initiating collaborative strategies amongst community activists, social agencies and municipal government, and providing delinked support services for private and non-profit rooming house tenants.

Within the pilot project’s community development approach, the organizers implemented three specific initiatives of community economic development: the Community Economic Development Initiative, the Non-Conforming Houses Initiative and an one focused on supporting tenants classified as hard-to-house. The two initiatives focusing on supporting tenants (Community Economic Development and Hard-to-House) were implemented through programs that helped tenants successfully build life skills (such as cooking) and the creation of delinked supportive services—a support service model that was established outside of the rooming house. It was noted that the Hard-to-House initiative was controversial amongst Rupert Coalition members and tenants who disagreed over the categorization and stigma attached to the classification of hard-to-
house. The Non-Conforming Houses initiative was a primary focus for the Coalition as it sought to bring the worst rooming houses up to code,

The non-conforming initiative moved on three fronts: (i) working with tenants living in non-conforming houses; (ii) liaison with agencies providing support services and housing to the rooming house population; (iii) advocacy on behalf of tenants living in non-conforming rooming houses.47

With this initiative, the pilot project helped to renovate rooming houses, convert several private-sector rooming houses to non-profit (a perspective still viewed as the right approach to rooming houses today) and established an ongoing (if not antagonistic) relationship with the City of Toronto’s Rooming House Commission.

The pilot project, as part of the Non-Conforming Housing Initiative, advocated for the creation of a conditional license process for rooming house operators “whereby the City of Toronto’s Licensing Commissioner issues conditional short-term rooming house licenses that will be extended if certain conditions are met.”48 The creation of the conditional license relied on and indirectly supported the City’s reluctance to shut down rooming houses as a way to protect the declining housing stock. Subsequently, conditional licenses became a way for the City to pressure landlords to upgrade their houses and comply with the bylaw, a practice that is regularly implemented today. The Rupert Pilot Project’s community development approach, with its focus on tenant support and non-conforming landlords (though it had its problems), did secure a large portion of the rooming house stock that is reflective of the relatively stable (but not increasing) stock of licensed rooming houses today.

48 Ibid at 32.
Figure 4.7: Rupert Memorial Service at former site of Rupert Hotel, December 2008 (Photograph by Lisa Freeman. December 2008).
Overall, the Rupert Coalition played an instrumental role in addressing the needs of tenants in rooming houses and in maintaining an administrative and advocacy focus on rooming houses in Toronto, despite multiple stories of in-fighting and conflicts over the equal distribution of funding. Years after the formal Coalition dismantled and the pilot project was complete, the Rupert Coalition continued its activism and advocacy in a more informal manner. Alternating between the names Rupert Coalition and The Rooming House Advocacy Group, members made deputations at city council committee meetings, submitted charter challenges and human rights complaints about discriminatory and exclusionary zoning and met with city councillors in the suburbs to advocate for rooming houses. Today, while smaller than its salad days of the 1990s, the Rupert Coalition meets semi-regularly, consistently organizes the Rupert Hotel Memorial Service, and continues to advocate on behalf of rooming house tenants throughout Toronto (see Figure 4.7).

The Other Fires

The Rupert Hotel fire was an influential and disastrous event that has become entrenched in the social history of rooming houses in Toronto, and rightly so. The Rupert Hotel was a licensed rooming house and its fatal fire exposed the inadequacies and quasi-laxity in the City of Toronto’s regulatory mechanisms and municipal bodies governing rooming houses prior to 1989. The subsequent increase in regulatory powers given to the fire

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49 The Rupert Coalition has alternated between using the name The Rooming House Advocacy Group and the Rupert Coalition since I started my research in 2007. Several members told me that the group decided to use the name The Rooming House Advocacy Group to lessen any affiliations and potential liability.

50 Note: At time of writing, the Rupert Memorial took place annually for 20 years. In December 2001, Coalition members decided to hold the Memorial every four years and/or on big anniversaries such as the 25th anniversary in 2014.
department, the implementation of the provincial inquiry recommendations and the ongoing collaboration between the municipal government and the Rupert Coalition (and pilot project) have significantly influenced how rooming houses are governed today. However, the Rupert fire was, unfortunately, not the only fatal and influential fire in the history of Toronto’s rooming houses. Fatal rooming house fires were common throughout the 1970s, with 22 people dying in rooming house fires between 1969 and 1974, with the majority occurring between 1972 and 1974.\footnote{Keating, Michael. "Intimidation, Violence, House Burnings Alleged by Meridian Tenant Spokesman." The Globe and Mail April 11, 1974, 1.}

In this section, I discuss how these other fires, most notably the rooming house fire at 5 Maitland Place, and the community and municipal governmental responses to it, resulted in the implementation of a mandatory licensing procedure and annual fire and building inspections within the rooming house bylaw in 1974.\footnote{Social Housing Strategists in association with Richard Drdla Associates. Background Report One: Description of the Rooming House Sector, Toronto, 2004; Campsie, Philippa. A Brief History of Rooming Houses in Toronto, 1972-94. Toronto: Rupert Community Residential Services, 1994.} By the time of the provincial inquest into the Rupert Hotel fire, city bureaucrats, councillors and advocates had undergone nearly two decades of drafting and implementing municipal (arguably ineffective) bylaws in regulating rooming houses with the intention of preventing fires. In order to convey the genealogy of the rooming house licensing bylaw, it is necessary to address the key moments that occurred before and after the Rupert fire (see Figure 4.8).

The Rupert fire was a pivotal moment for rooming house regulation, though part of its significance is temporal and rests on the fact that it occurred shortly after two decades of targeted municipal and public attention given to the problem of rooming houses. The 1970s, as will be discussed in the following sections, were a formative, albeit tumultuous time in the history of Toronto’s rooming houses. Tenants were at risk of
eviction, displacement and fatal fires, and the entire rooming house stock itself was rapidly declining in the face of large-scale development and gentrification in inner-city neighbourhoods.

**Figure 4.8**: Timeline of Rooming House Events 1955 – 2000.

The majority of these other fatal fires occurred between the years of 1972 and 1974, with approximately 14 deaths in 1973 and at least 10 in 1974. These fires were geographically dispersed throughout the city though concentrated in the neighbourhoods of South Parkdale and Cabbagetown, with a few in Parkdale and South Riverdale (see Figure 4.9). The majority of these rooming house fires claimed the lives of one or two individuals and injured many more. Although a large number of the victims were older

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men ranging from the ages of 45 to 90 years old, there were incidents involving young and middle-aged women, and in one case a 4-year-old child. Newspaper stories reported that the causes of fire were predominantly the results of careless smoking by tenants, grease left on stoves and faulty wiring. However, my interviews with housing advocates and the recommendations from the coroner’s inquest confirmed that the fires during the early 1970s were emblematic of a wider housing problem involving the deterioration of buildings and unauthorized renovations.

The fire at the rooming house on Maitland Place killed five people on March 8, 1974. This fatal fire occurred at the tail end of a wave of fatal rooming house fires. It was located near Yonge Street in Toronto’s east downtown, which was close to several neighbourhoods undergoing significant and controversial urban redevelopment. Consequently, the fire at 5 Maitland Place was the spark needed to ignite public debates around the rooming house licensing bylaw and the recent block-busting, urban renewal development projects and gentrification occurring in the east downtown neighbourhoods of South St. Jamestown, Cabbagetown and Moss Park (see Figure 4.9).

By 1974, the City was aware that its rooming house bylaw was no longer sufficient to protect roomers and began to forge solutions to the rooming house problem. Shortly after the coroner’s inquest into the fire at 5 Maitland, the City commissioned the Lodging House Bylaw report that led to an amendment of the City’s rooming house

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bylaw. The amended bylaw included the addition of a mandatory licensing procedure for operators, increased fines for fire code violations, and right of entry for fire inspectors. Prior to these bylaw amendments, fire inspectors were not permitted to enter a rooming house without permission of the operator unless the rooming house was registered and/or a complaint was filed. According to the Toronto Fire Prevention Bureau, it was extremely difficult to inspect rooming houses prior to the 1974 bylaw because the majority of roomers and operators who answered their calls seemed to want

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lilie involvement with ‘officialdom.’ A former city bureaucrat in charge of building standards for rooming houses confirmed this skepticism and mistrust of the government by roomers and operators, commenting that during the 1970s it was a “nightmare to try and do the property standards inspections and licensing.”

The new bylaw amendments were not welcomed by a large number of vocal rooming house operators in the east downtown who opposed the mandatory rooming house license. They argued that the $50.00 annual license fee and increased renovations costs required to keep the houses up to the new Building and Fire Standards would make it too expensive to continue running their houses. Some estimated these new costs would range between $500.00 - $8,000.00 per house. As a result, many rooming house operators threatened to sell their properties rather than comply with the new standards. Other operators publicly critiqued this increase in ‘red tape,’ and provided examples of conflicting inspection reports and inconsistent regulation as proof of the ineffective administrative role of the municipal government. One operator, Lawrence Dolson (General Manager of Thornback Investments Ltd), threatened to evict the approximately 300 tenants in his 30 rooming houses and convert them to apartments if he was forced to comply with the bylaw, which would have consisted of installing smoke detectors and fire alarms and purchasing the license – fairly minor changes. Despite these objections

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60 "Be Reasonable or We'll Close, Rooming House Owners Tell City." The Globe and Mail 27 September. 1974.
and threats from rooming house operators, the City reported that fines from previous bylaw infractions were so minimal that they were not a deterrent for operators to improve building conditions.  

Even though there was widespread dissent amongst operators, the former chief architect for the City and the first Chair of the Rooming House Working Group, noted that new bylaw amendments had,

quite a broad base of supporters ranging from the community [including] community drop-in centres, rooming house operators. We had very active participation by the [provincial government’s] Ministry of Housing. In 1972 there was a very progressive Council elected so there wasn’t much debate. They understood the value of rooming houses and the necessity to keep everyone safe in the rooming houses as well as the community.

Thus, after substantial public debate and significant internal discussions, the City accepted the bylaw amendments. In an attempt to encourage rooming house operators to comply with the bylaw, the municipal government deferred enforcement of the bylaw for one year (until June 1975). Between 1974-75, several municipal committees were formed with the mandate to secure financing for operators, an indirect way of ensuring landlords complied with the new bylaw amendments. By the early 1980s, another municipal committee was struck to administer the Federal Residential Rehabilitation Assistance Program, a financing program for rooming house operators. The role of this program was “less to do with enforcement but more to do with generally getting a broader understanding of the role and facilitating and helping them get financing,” and it was welcomed by rooming house operators.

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64 Ibid.
The governmental response to rooming house fires in the 1970s clearly initiated an approach to municipal rooming house regulation that revealed a ‘fire then respond’ pattern. The municipal government responded to both the fire at 5 Maitland Place in 1974 and the Rupert Hotel fire in 1989 by immediately increasing building inspections and creating multiple task forces to respond to coroner inquests, which resulted in increased standards and amendments to the rooming house bylaw. Even though a clear ‘fire then respond’ pattern was established, as noted in my interviews and analysis of newspaper articles and municipal reports, these fires occurred alongside other changes in the rooming house sector. They coincided with the risks of tenant displacement and rooming house decline due to urban development, gentrification and deinstitutionalization during the 1970s and 1980s. Regardless of the particularities of the risk, increased municipal regulation was a standard response to fires and other phenomenon affecting rooming house tenants and operators during this time period.

And then came Gentrification…

Rooming houses were, at the time, the most economical way to hold property pending redevelopment. Because many properties were owned by absentee-owners, this contributed to neighbourhoods losing their stability as single-family residential areas.

-Bureau of Municipal Research

The decline of the rooming house stock and displacement of rooming house tenants has been acknowledged in scholarly literature as a negative consequence of gentrification. In Toronto, the deconversion of rooming houses back into single-family dwellings has become a local indicator of gentrification. In fact, the term ‘deconversion’ has long

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been part of the vocabulary of rooming houses in Toronto.\textsuperscript{66} It has been incorporated into media, governmental and academic reports of gentrification and the disappearance of rooming houses in the traditionally low-income neighbourhoods of South Parkdale and Cabbagetown. Gentrification is so firmly entrenched in the Toronto discourse of rooming houses that planning and academic terminology such as as-of-right zoning, land use, deconversion, and NIMBYism, are commonly used by rooming house advocates. A community worker I interviewed and spoke with at several meetings kept talking about how “The Nimby’s” were going to be upset at the Rupert Coalition’s campaign for as-of-right zoning for rooming houses throughout the city. He repeatedly used the term NIMBY as a noun to identify middle-class neighbours opposing rooming houses, not as a phrase describing a general process or sentiment regarding community opposition to unwanted land uses in or near their neighbourhood (e.g. prisons, landfill sites or rooming houses). Gentrification has become a generalized and commonly used discourse that has displaced other social histories and nuanced accounts of neighbourhood change. In the following sections, I approach gentrification as part of the larger story of rooming house regulation in Toronto, not as the main instigator for change but as a process and discourse that has framed the debates concerning affordable housing, single-room occupancy accommodations and displacement in inner city neighbourhoods.

Critical urban geography literature has predominantly addressed gentrification in terms of class conflict, social mix neighbourhoods, artistic communities, state-led

\textsuperscript{66} Rooming houses in Toronto are regularly referred to as ‘converted dwellings’ to signify rooming houses that are not purpose-built buildings (such as residential hotels and institutional housing) and are located in former single-family homes. Deconversion occurs when a rooming house is purchased and renovated (deonverted) from the single-occupancy rooming of a rooming house to a single-family house.
intervention and neoliberalism. My research, as mentioned in Chapter One, highlights the infrequently told stories that occurred alongside the process of gentrification in Toronto. The narrative of rooming houses in Toronto provides an opportunity to explore how municipal bylaws fit within the process of gentrification. I argue that the history of rooming houses situates the process of gentrification within a discourse of risk, regulation and rights. The City of Toronto was not necessarily ‘managing’ gentrification by implementing the rooming house bylaw and continuing to use temporary control bylaws to slow the construction of low-income single-person households in gentrifying neighbourhoods. The rooming house bylaw was not simply a tool used by the municipal government to manage or facilitate gentrification. The implementation of the bylaw, as you will see in the following sections, reveals a complex array of conflicts and resolutions between city councillors, developers, gentrifiers, tenants and activists. In the following paragraphs I suggest that Tom Slater’s critique of municipally managed gentrification in Parkdale was inaccurate and, most importantly, misrepresents the role of municipal law within the process of gentrification and the struggle for low-income single-person households in Toronto.

In his article on municipally managed gentrification in Toronto’s west end neighbourhood of South Parkdale in 1996, Slater discusses the implementation of a restrictive interim bylaw in terms of community conflict, tenant displacement and neoliberal actions of the municipal government. He supports his argument against the bylaw and its problematic consequences through a critique of former accounts of gentrification in Toronto (by David Ley and Jon Caulfield) and personal interviews with

middle-class gentrifiers and low-income non-gentrifying tenants in South Parkdale. In this critique, Slater argues that municipal bylaws, alongside the provincial government’s Landlord and Tenant Act, have produced neoliberalized municipally-managed gentrification in Parkdale. He merges the actions of the municipal government with the punitive neoliberal policies of the (former) Conservative Mike Harris provincial government. However, instead of analyzing the multiple instances of municipal bylaw amendments and decades of community processes in Parkdale, Slater relies on one community conflict in 1996, the Parkdale Conflict Resolution Process (coined by a local weekly paper as The Parkdale Rebellion), and polarizes first-hand accounts of gentrification from gentrifiers and low-income tenants. This isolated example of neighbourhood conflict which housing and anti-poverty activists organize alongside landlords is not a simple case of municipally managed gentrification; it reflects the complicated history of community conflict, rooming houses and bachelorettes and the varied understandings of the purposes of the municipal bylaws in Parkdale.

Slater’s argument concerning municipally managed gentrification misses the nuances and historical specificity of rooming house conflicts in South Parkdale. Once again, rooming houses become a moment, a harbinger or a point of conflict from which to identify and critique gentrification instead of being viewed as a specifically urban housing phenomenon with its own unique history and trajectory. A nuanced understanding of the history of rooming houses, the decades of debate concerning the rooming house bylaw, the activism that resulted in increased municipal regulation and the significant difference between the City of Toronto bureaucracy and the neoliberal conservative government was missing in this sensationalized account of one community’s
conflict. I raise this critique regarding Slater’s depiction of municipally managed gentrification in Toronto to, once again, question this concept of ‘managing’ gentrification through municipal law. As mentioned earlier, I suggest that viewing gentrification from the perspective of rooming houses and mundane municipal bylaws, provides an opportunity to, not only question the accuracy of this commonly used term municipally managed gentrification, but to see how processes of urban governance develop through mundane regulatory discussions, heated neighbourhood debates and government administration.

In the following two sections, I draw from particular moments in the history of gentrification in Toronto to present the regulatory and social history of rooming houses as presented in local newspaper reports and Toronto-based gentrification literature. Gentrification really ‘took hold’ between 1978 and 1981 with thousands of rental units lost due to conversions, renovations and demolitions. Ley illustrates gentrification in Toronto’s east downtown by prioritizing the stories of gentrifiers, with the renovations on Amelia Street being a primary example. He documents the shift from blue-collar to white-collar professionals to demonstrate the demographic changes in income and employment happening on this small tree-lined street. Even though Ley acknowledges that major residential redevelopment projects occurred in the neighbourhood as pianists replaced painters on Amelia Street, his prioritization of gentrification (perhaps unintentionally) overlooked the social context of urban renewal projects, tenant displacement and local activism against major redevelopment projects that were happening in Cabbagetown. As middle-class professionals on Amelia Street were

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investing in extensive home renovations to older historic Victorian houses and former
workers’ cottages, the Meridian Development Corporation had been purchasing blocks of
similar houses two blocks west on Bleecker Street for years, evicting tenants, and
systematically demolishing entire residential blocks slated for redevelopment.
Gentrification progressed during a tumultuous moment in the history of rooming houses
and low-income housing in Toronto. Tenants were being evicted *en masse*, dying in fatal
fires and were the subjects of heated community and governmental debates regarding
increased regulation. Thus, in the subsequent two sections, I address gentrification within
a broader discussion of neighbourhood change, not as the dominant discourse or primary
cause of tenant displacement and rooming house decline. I focus on the former working-
class (and skid row affiliated) neighbourhoods in east downtown (including but not
limited to Cabbagetown) and the west end neighbourhood of South Parkdale.

**Gentrification & Urban Renewal in East Downtown**

*Dundas Street East, that’s where I grew up, Pembroke Street. That’s where Norm’s Kitchen
was, that’s before your time. There were lots of rooming houses down there then. On Pembroke Street there were lots of rooming houses there; there were lots on Sherbourne, Berkley and Ontario. Now you go down there and there may be one rooming house... The houses are there but they’re not rooming houses.*

–Melvin, east downtown roomer

The number of rooming houses in Toronto’s east downtown neighbourhoods of
Cabbagetown, South St. Jamestown, Don Vale and Riverdale declined rapidly between
1972 and 1982. During this decade, urban renewal projects, an escalated housing market
and gentrification altered the social demographics, buildings and neighbourhood density
in these neighbourhoods. Urban renewal plans resulted in the construction of large
apartment complexes similar to North St. Jamestown, and gentrification progressed as middle-class individuals renovated and converted Victorian homes and workers’ cottages in Cabbagetown. According to Ley, “Don Vale housing prices more than doubled between 1978-1981” and nearly 54,000 people were displaced in North Riverdale at this time. One former rooming house, an older Victorian home purchased in 1976 for $130,000, was “placed on the market in 1982 for $895,000, after an estimated $300,000 had been spent in restorations.” As neighbourhood density increased with the construction of large apartment complexes, private property owners capitalized on this changing housing market by selling their properties to middle-class individuals and development corporations. The history of rooming houses in these east downtown neighbourhoods provides an opportunity to explore gentrification and urban renewal development through the narrative of rooming houses. Even though rooming houses were impacted by gentrification in terms of a decline in the housing stock and tenant displacement, particular moments in the history of rooming houses in Toronto play a pivotal role within in, not adjacent to or engulfed by, the history of gentrification in the city.

The rooming house fire at 5 Maitland Place is a useful example, not only for discussing the implementation of the 1974 licensing bylaw, but also for understanding the depth of the neighbourhood conflict and extent of development occurring in Toronto’s east downtown in the 1970s. The house at 5 Maitland Place was owned by the Meridian Building Corporation and leased out to a private caretaker who operated it as a rooming

71 See Ley at 47.
house. It was one of hundreds of houses owned by the Meridian Building Corporation slotted for redevelopment in the area south of Wellesley Street. When fire demolished the house killing four tenants in 1974, 5 Maitland Place became a focal point for the ongoing resistance to the redevelopment and tenant displacement in the area. It also provided the material evidence required for reformist city councillors to address the disappearance of rooming houses in the city and further advocate for changes to the rooming house bylaw.

By 1970 South St. Jamestown, once a “solid residential area for working families,” had become a zone of community conflict, rundown houses and neglect (see Figure 4.10). By 1972, it was “pockmarked with basement craters, houses extracted like teeth leaving yellow, blue and green scars on their neighbours.” The occasional tree-lined street managed to survive amidst the ruins. Multiple development corporations demolished houses that were in good condition to construct apartment complexes as far south as Dundas Street East as single-family homes were converted from multi-occupancy units. Even though the majority of apartment complexes led to the displacement of roomers and the decline of the rooming house stock, there were a small number of developments intended to replace, not displace, rooming houses. Baldwin Court, a 14-storey building with “mini-apartments” at 266 Sherbourne Street, was designed for the “rooming house crowd.” Despite this isolated attempt to replace

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rooming house-type accommodations, the number of development projects in South St. Jamestown resulted in the destruction of a significant portion of the single-occupancy accommodation and the displacement of low-income and working class people in Toronto’s east downtown neighbourhoods.

Block-busting was a technique used by the Meridian Corporation to clear their property for development in South St. Jamestown. The corporation began this steady process in 1967 through the continual acquisition of approximately 300 houses in the “super block” bounded by Parliament, Carleton, Sherbourne and Wellesley Streets (see Figure 4.11). By 1972, Meridian had demolished 100 houses in a smaller block (within

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the super block) bounded by Bleecker, Wellesley, Ontario and Carlton Streets. This process of buying, leasing and wholesale demolition consequently sparked substantial resistance from local tenants, including roomers.

![Map of the 'Superblock' in Cabbagetown and South St. Jamestown indicating key sites in the history of rooming houses in Toronto: the 'superblock', the mini-block on Bleecker street where numerous houses were destroyed (for and by Meridian Corporation) and the site of the Rupert Hotel Fire on Queen St. East and Parliament St.](image)

**Figure 4.11:** Map of the ‘Superblock’ in Cabbagetown and South St. Jamestown indicating key sites in the history of rooming houses in Toronto: the ‘superblock’, the mini-block on Bleecker street where numerous houses were destroyed (for and by Meridian Corporation) and the site of the Rupert Hotel Fire on Queen St. East and Parliament St.

In 1969 and 1970, community organizers facilitated tenants organizing against evictions in Meridian-owned houses. At this time, John Sewell, a newly elected reformist city councillor, “leased 20 houses from Meridian, replacing middlemen, and rented to the

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existing tenants.” When Meridian gave eviction notices in the spring of 1971, tenants refused to leave, marking the commencement of “The Battle of Bleecker Street,” and three summers of fighting against evictions ensued. A year later, tenants were still fighting. Roberta Shankey, a 24-year-old woman (who had lived in the area her entire life and was displaced by a St. Jamestown apartment tower) and her husband refused to leave the Meridian-owned row house they had moved into 18 months prior. Within a month of the Shankey’s eviction notice, 20 members of the South of St. Jamestown Tenants Association barricaded the front door and temporarily halted the removal of their furniture by landlords. Eventually, all of Meridian’s tenants were evicted and the houses demolished. It took the fire at 5 Maitland on March 8, 1974, to reinvigorate the organized campaigns against Meridian’s continual block-busting.

The fire at 5 Maitland Place occurred at an interesting moment and location in the redevelopment of the area. The rooming house was owned by Meridian and located only a couple of blocks west of Meridian’s ‘super block.’ After the fire, the routine bout of increased fire inspections took place in nearby houses. Since 5 Maitland Place was located near Meridian’s ‘super block,’ the majority of the 145 houses inspected in the neighbourhoods were owned by Meridian. A report to the City of Toronto’s Executive Committee reveals that nearly 2,000 violations of the rooming house bylaw and building codes were found, with approximately 12-13 of these emergency cases formerly brought

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to Meridian’s attention. Of the inspected houses, 11 did not meet fire safety regulations and “the city ordered them reduced to single-family occupancy whereupon Meridian’s middle men began evicting all occupants.”

After the inspections of Meridian-owned houses, the City of Toronto “won 88 convictions against Meridian on charges of breaking the building bylaw and the housing standards bylaw.”

During the coroner’s inquest into the fire at 5 Maitland Place, Philip Roth, president of the Meridian Building Group and Rose Park Howard Investments Ltd., told the jury that he had never visited 5 Maitland Place and that he himself was not in the “rooming house business” because he leased buildings to people who operated rooming houses.

On May 31, 1974, the City began negotiations with Philip Roth and settled on a new South of St. Jamestown scheme that was the starting point for the future of private development in the east downtown. After the negotiations, the City acquired 27 of Meridian’s remaining 68 rooming houses in South St. Jamestown, purchasing properties on and near Ontario Street for $20 a square foot and 72,000 square feet of Meridian property on Pembroke Street at $15 a square foot. Meridian’s post-negotiations development proposal included the construction of 1,400 housing units and a 3-acre park on the block between Ontario and Bleecker Streets, the location where Meridian had

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previously purchased and demolished nearly 75 homes amidst tenant protests. The revised development proposal remained large (covering 10 acres) with intense density and included 250 senior apartments and 200 condominium units available under the Assistant Home Ownership Program. In addition to these new development proposals, the City bargained with Meridian to ensure that all remaining tenants in Meridian-owned houses would receive a 90-day notice prior to eviction and Meridian would assist the City in a relocation program for evicted tenants. Overall, the negotiations between the City and Meridian, the regulatory aftermath of the Maitland Place fire and the end of Meridian’s block-busting were not completely positive for roomers. Far-reaching development projects were momentarily halted, and Meridian was required to construct houses for displaced tenants. However, even after the negotiations between the City and Meridian, employees of Meridian still evicted tenants living in the remaining Meridian-owned houses.

Overall, the mass evictions by the Meridian Corporation, gentrification in Cabbagetown and expansive urban renewal projects of east downtown neighbourhoods impacted the numbers and regulation of rooming houses in Toronto. Similarly, the number of fatal fires, tenant organization, inspection blitzes and changes to the rooming house bylaw – especially the City’s negotiations with the Meridian Corporation’s properties – affected the span of urban renewal and, in certain pockets in the downtown, shifted the development patterns. The targeted struggles against the Meridian Corporation

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and negligent (and business-minded) rooming house landlords did help the City to become more involved in regulating rooming houses, creating a limited number of low-income housing in the region and maintaining several rooming houses in the area. However, as of 2008 there were no longer any rooming houses in Bleecker Avenue and only a few licensed houses exist in Meridian’s former ‘super block’ between Bleecker, Wellesley, Ontario and Carlton Streets. Despite the continued decline in rooming houses in the east downtown, the local history of rooming houses shows that rooming houses are not just a victim of gentrification. Certainly, rooming houses declined during urban renewal and gentrification of the east downtown, but during this time the rooming house bylaw was amended to include a licensing procedure. The City conducted difficult negotiations over low-income housing with the Meridian Corporation and a strong network of local activists and housing advocates was created that would prove useful in the years to come, especially when the Rupert Hotel fire decimated another east downtown rooming house on Queen Street East and Parliament Avenue.

**Parkdale: Gentrification, Deinstitutionalization and Rebellion**

*In the 80s I lived in Parkdale, a bachelor apartment. In 1990 I was diagnosed with schizophrenia and the next four years I spent in and out of the hospital but that’s where the rooming house thing really took hold. Everywhere I went to—the least expensive places I could get were in a rooming house. None of them were legal. I guarantee you not any of them were legal.*

-Adam (Rooming House Tenant)

Parkdale has been a neighbourhood in conflict and change for decades. Rooming houses and other single-occupancy buildings have played a central role in the controversy surrounding the development of this west-end Toronto neighbourhood (see Figure 4.12). An affluent suburb in the 1880s, Parkdale has since been depicted as a slum, a service-
dependent ghetto and, with the latest round of gentrification, an urban oasis. In the 1960s, in part due to the construction of the Gardener Expressway, Parkdale’s large Victorian homes and estate properties were left derelict, demolished, converted into rooming houses or replaced by large apartment complexes. The resulting quantity of affordable rental rooms combined with its proximity to the Lakeshore Psychiatric Institution in South Etobicoke and Queen Street Mental Hospital (CAMH) made Parkdale an ideal community for ex-psychiatric patients looking for homes after the

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implementation of provincial policies on deinstitutionalization in the 1970s and 1980s. This dramatic increase in service-dependent and low-income individuals in Parkdale put high demand on the rental market for single-room accommodations, and in a short amount of time, the number boarding homes, rooming houses and illegal conversions grew rapidly.

At the same time, a growing number of middle-class homeowners in Parkdale were deconverting rooming houses into single-family homes and becoming more vocal in attempts to make the neighbourhood ‘safe.’ Consequently, conflicts arose concerning the legality of rooming house conversions, especially when the renovations did not reflect the romanticized Victorian aesthetic of the neighbourhood or when the tenants did not act appropriately. Resident associations organized against illegal conversions and rooming house accommodations were lost through illegal conversions and single-family home deconversions – all this during a time of increased need for rooming house accommodation in the neighbourhood.

As the neighbourhood with the highest concentration of rooming houses in the city, Parkdale has been known for its NIMBY sentiments from its residents’ associations. Uninhibited discrimination towards poor and unruly tenants has been a continual component of its neighbourhood dynamics. Parkdale has been depicted as a neighbourhood in which middle-class individuals (with artists initiating the path) gentrified the neighbourhood, unjustly targeted ex-psychiatric patients, and caused increased rents and evictions of long-term low-income individuals. Carolyn Whitzman

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90 Ibid.
has documented the historical evolution of Parkdale from its early days as a wealthy suburb to its decline as a skid row neighbourhood, and Tom Slater (as mentioned earlier) has analyzed gentrification in Parkdale in terms of municipally managed gentrification. In the following section, I highlight the municipal legal processes that occurred throughout the urban changes in Parkdale from 1970 and 2000. Although I question Slater’s idea of municipally managed gentrification, I do not negate the role of gentrification and class division in Parkdale. Instead, I am de-centering an analysis of gentrification and contextualizing Slater’s documentation of the Parkdale Conflict (1996) in the context of other processes affecting rooming houses in order to show the contested role and ineffectiveness of using municipal bylaws for managing social conflicts and the complicated and emergent forms of urban governance, as will be discussed in Chapter Six.

Bachelorette apartments began appearing alongside rooming houses in the 1970s and quickly became a focal point for community groups and municipal governments during debates regarding gentrification and deinstitutionalization. Bachelorettes are one-room dwellings that, unlike a room in a rooming house, include both kitchen and bathroom facilities. They sprung up during a declining rental housing market in which an increase in single-person households created a demand for housing suitable to single individuals.

Bachelorettes were created as a result of a gap in the rental market, which was not being filled. Through illegal methods, people maximized their return on investment by creating small self-contained units in building with few if any facilities or parking. Single people responded by renting the units, which gave them more privacy than the

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traditional rooming houses, were at prices competitive or lower than
the market, were rented weekly and were furnished.95

South Parkdale experienced the highest concentration of bachelorettes between 1970 and
1980, although a few were present in the Annex and Cabbagetown. Residents’ groups in
South Parkdale viewed bachelorettes as destructive to their neighbourhoods due to the
illegality of bachelorette conversions, the major exterior alterations to the architecture of
older houses, poor property management and a perceived increase in a transient tenant
population.96

By 1976, residents’ groups in South Parkdale began pressuring the City to control
further illegal conversions. According to the Bureau of Municipal Research’s report on
bachelorettes, the illegal conversion to bachelorettes followed a standard procedure.97
The construction of rooming houses (for the sole purpose of converting them to
bachelorettes) became a pathway to introduce illegal bachelorettes in Parkdale.
Bachelorette developers would purchase a property suitable to a multiple-occupancy
dwelling (usually a rooming house) and apply for a permit to build additional lodging
rooms without cooking facilities. Once the house fit a description of a rooming house,
zoning bylaws dictating the required number of parking spots no longer applied since
prior to 1975 there were no parking requirements for rooming houses. When the
renovations were complete and “the building cleared by the City’s Building Department,
cooking facilities were illegally added to the rooms. Sometimes these were only hotplates
and small refrigerators.”98 Once again, developers manipulated the restrictions of the

95 Ibid at 45.
96 Ibid at 9.
97 Ibid at 1.
98 See Bureau of Municipal Research at 3.
zoning and licensing bylaws for rooming houses for their own gain. They would initially renovate the building to meet the zoning and licensing requirements for rooming houses and once established as a legal dwelling, they would renovate the (temporary) rooming house into a bacherolette. The addition of cooking facilities and bathrooms, in particular, distinguished these self-contained dwellings from rooming houses. Thus, developers would evade the restrictive components of the bylaw through their detailed knowledge of it. However, these illegal conversions to bachelorettes did not go unnoticed. In fact, these renovations were extensive and usually quite visible to nearby neighbours who regularly complained to their ward councillor. Evidence of bachelorette conversions is still visible

Figure 4.13: A bachelorette on King Street West in South Parkdale, an example of the visible renovations taken to create these dwelling units. (Photo by Lisa Freeman, January 2012).
in Parkdale today and most (through the Parkdale Pilot Project) are licensed (see Figure 4.13). Even though these buildings were technically illegal, building inspectors did not have the right-of-entry even if they suspected a zoning violation (usually in the form of unapproved cooking facilities), the landlord would remove the small kitchen prior to a scheduled inspection by the municipal bylaw officer. Overall, bachelorette apartments represented a way in which owners could manipulate the bylaw and they provided needed (albeit potentially unsafe) housing to an increasing population of single-person households. Despite being perceived as unsafe and illegal, bachelorettes managed to survive amidst considerable neighbourhood protests.

It was the illegality of these dwelling units that provided the residents’ association with the evidence they needed in their complaints to the City. City staff and ward councillors were also concerned about the illegality of the bachelorettes because they “seemed to be unable to control [them] through existing bylaws and procedures.” In May 1977, the City of Toronto’s Planning Board endorsed several proposed bylaw amendments to stop the spread of bachelorettes. These amendments included a prohibition on rooming houses in South Parkdale, an upper limit of 6 to 12 permitted rooms per house depending on the zoning of the residential district, a prohibition on the conversion of any “family house at least 10 years old” into a rooming house and the prevention of changes to the exterior of rooming houses. The prohibition of any newly constructed purpose-built boarding, rooming or lodging houses was passed by Council on January 20, 1978, and was the most restrictive bylaw amendment at that time. These amendments prohibited the building of “boarding or lodging house within the area

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bounded on the north by Queen Street West, on the east by Dufferin Street, on the south by Lakeshore Boulevard and on the west by Roncesvalles Ave,” and stipulated that any converted dwelling in this area must adhere to a minimum size of 700 square feet.\textsuperscript{101} This prohibition was not applicable to legal boarding or lodging houses that were built or converted prior to January 30, 1978.

Between 1978 and 1980, the City responded to the bachelorette problem by reclassifying bachelorettes under the Assessment Act. This reclassification resulted in increased taxes for bachelorettes, the implementation of restrictive zoning bylaws intended to stop further conversions (from rooming house to bachelorette) and legal action against owners of existing illegal bachelorettes.\textsuperscript{102} On recommendation from the Mayor’s task force on bachelorettes, the Bachelorette Clean-up team was established in 1979 to take legal action against owners of illegal bachelorette apartments. The goal of the Bachelorette Clean-up team was punitive in nature. Its mission was to resolve the bachelorette problem in South Parkdale through enforcing the bylaw and reconverting illegal buildings from bachelorettes into rooming houses and/or other rental accommodations. It was intended to solve the problem of bachelorettes by introducing a balanced social mix of housing units including single-person dwellings and family-sized units in former bachelorette apartments. Clearly, the mission of the Bachelorette Clean-up team reflected the South Parkdale Residents’ Association perspective that single-person dwellings, specifically rooming houses and bachelorettes, were bad for the neighbourhood.

The 1978 prohibition on rooming houses and bachelorettes in South Parkdale and the loss of rental rooms due to deconversion coincided, as mentioned earlier, with the provincial policies of deinstitutionalization.\textsuperscript{103} South Parkdale was located between two psychiatric institutions. The Lakeshore Psychiatric Hospital located several kilometers west of Parkdale in South Etobicoke closed in 1979, resulting in a total loss of 409 patient beds. The Queen Street Mental Health Center, located a few blocks east of Dufferin Street near Parkdale, began discharging patients in the early 1980s. Consequently, South Parkdale became a “major zone of group home concentration” as the number of psychiatric beds in Toronto reduced from 16,000 to 4,600 within a 20 year-span with “over 12,000 ex-psychiatric patients living in approximately 80 commercial boarding houses.”\textsuperscript{104}

Dear and Wolch classified South Parkdale as a service-dependent-ghetto due to the considerable number of ex-psychiatric patients requiring community-based services at the Queen Street Mental Health Centre, the main source of continuing out-patient institutional support services. South Parkdale was a convenient geographic location for ex-patients requiring inexpensive housing near the Queen Street Mental Health Centre.

Although deinstitutionalization and restructuring provided the necessary preconditions for ghettoization, they were not themselves sufficient to cause the spatial clustering of clients and services in the modern service-dependent ghetto. The dynamics of supply and demand in the community welfare ‘market’ are also essential factors.\textsuperscript{105}


\textsuperscript{105} \textit{Ibid} at 102.
Since Parkdale already contained a sizeable stock of single-rooming accommodations – boarding homes, rooming houses and group homes near the hospital, an increase in the concentration of inexpensive rooms for a growing ex-patient population became part of the private market of community welfare services. Even though provincially funded programs and pilot projects for housing ex-psychiatric patients existed, there simply were not enough community beds to go around.

When the Lakeshore Psychiatric Hospital was closed, only $1.5 million of its $13 million annual operating budget was transferred directly to community health care in the area. In 1980/1, the province spent $340 million on psychiatric hospital programs and $14.3 million on community programs. Over 14,000 patients [were] discharged annually in Toronto, but there [were] only 250 community-based beds providing special care for the mentally ill.106

For ex-psychiatric patients surviving on welfare ($285.00 per month) or provincial disability support ($342.00 per month), approximately 90% of their earnings went to room and board leaving a mere $28.00 a month for other necessities.107 Affordability – not legal status or condition of the dwelling – was the primary condition for many ex-patients looking for housing.

The majority of ex-psychiatric patients were forced to live in unsafe rooming houses in South Parkdale for financial reasons. Many rooming houses closed due to bylaw infractions, fires and non-compliant landlords, leaving many ex-patients temporarily or permanently homeless.108 And there were few provincially funded supportive housing initiatives during the early 1980s aimed at providing safe

107 Ibid at 103.
accommodation and meals for ex-psychiatric patients. The 1985 Parkdale Pilot Project, through which the Province of Ontario gave the Anglican Church $760,000 to buy and renovate houses in Parkdale, provided some accommodation but was limited in scope and effectiveness. A tenant death on September 4, 1986, in Channan Court, a notoriously rundown boarding house on King Street West in South Parkdale that was part of a provincial pilot project, highlighted the problems with housing in Parkdale and provincial programs. By 1986, Channan Court “a Parkdale institution—a decaying boarding home for 55 former psychiatric patients since the early seventies that began as a once-pretty tourist home in the early 1900s” was put up for sale by the province. It was purchased by HouseLink Community Homes and continues to operate (as of 2012) as cooperative housing and apartments for ex-psychiatric patients in South Parkdale.

The housing situation for former psychiatric patients in south Parkdale in the 1980s was difficult and precarious and the (middle-class) neighbourhood resistance to their presence did not help. Pat Capponi is a psychiatric survivor and former resident of Channan Court who wrote about her experiences living in this notorious boarding house in Parkdale during the tumultuous 1980s. Capponi describes the organized community resistance to the ex-psychiatric patients through her personal experiences. On a day when

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she finally felt ready to leave the safety of her room in Channan Court, Capponi describes browsing the postings at the local library and reading a poster for a community meeting.

One of these notices advertised a community meeting, and I was amazed at the reason given for it: the crazy people. It seemed that a segment of the community felt hard done by. The provincial government, they said, was “dumping” the de-institutionalized in their neighbourhood...It sounded so strange that I decided to attend. Locked away in the boarding house, we weren’t aware of the organized resistance to our being here. I couldn’t help wondering where there was left for us to hide ourselves, where the “more productive” citizens expected us to go.113

Attending heated community meetings about her presence as a psychiatric survivor may have sparked Caponni’s career as a well-known advocate for the rights of psychiatric survivors. Her story shows a first-hand account of the intense and organized community resistance to psychiatric survivors in rooming houses happening in Parkdale in the 1980s.

Amidst Parkdale’s continued protests, ward councillor Betty Disero initiated another 6-month freeze on rooming houses conversions in Parkdale in March 1988 as necessary and preventative “to stop a phenomenon that could turn whole neighbourhoods into ghettos.”114 This six-month freeze on conversions in 1988, known as an interim control bylaw, was controversial. “Council voted 15-6 to impose a tough, rarely used, interim control bylaw on new rooming houses in wards 1 through 4.”115 Though approved by the majority of ward councillors, Mayor Eggleton opposed the freeze as did several ward councillors who were actively involved in housing committees. Councillors in support of this interim control bylaw argued that existing rooming house bylaws took too

long to enforce and were inefficient.116 One week after the vote on the interim control bylaw, the Ontario Housing Ministry asked the Toronto City Council to rescind its ban and threatened to appeal the City’s decision the Ontario Municipal Board.117 As a response to the provincial government’s involvement, City Council voted to find ways (once again) to improve its licensing system for boarding houses, and agreed to spend $30,000 on a study of west-end boarding houses.118 Even with the increased attention on boarding houses in the west end and the interim control bylaw (supposedly) limiting the number of illegal boarding houses in the neighbourhood, the living conditions for and widespread acceptance of psychiatric survivors in South Parkdale did not change dramatically in the late 1980s and early 1990s.

The poor conditions of boarding houses, the concentration of illegal conversions and the community opposition to non-single-family households and ex-psychiatric patients continued in Parkdale throughout the 1980s and 1990s, escalating in the implementation of a (third) interim control bylaw and accompanying community conflict in 1996. By then, the situation for boarding and boarding house tenants in Parkdale had not changed significantly. ‘Garbage-bag’ evictions and boarding house fires were common, and government attempts to provide safe housing proved fruitless.119 Roomers and boarders were regularly evicted with all of their possessions collected in garbage bags, tossed out the door and left on the front lawns of South Parkdale boarding houses.

118 Ibid.
Roomers had little security in their accommodations and experienced these ‘creative’ and unannounced evictions multiple times. One such eviction occurred when a rooming house operator informed her tenants that they were going on a field trip. They boarded a bus to Aylmer, Ontario, and then she evicted them through forced re-location. Shortly thereafter, the operator started renovations on the rooming house. Though outrageous, this forced re-location was not a surprise for tenants in South Parkdale. Conditions for tenants in the mid-1990s were deteriorating or staying the same – not improving – and once again, the City intervened by implementing additional bylaws.

On December 13, 1996, Toronto City Council passed an interim control bylaw prohibiting all multi-residential development in South Parkdale, especially rooming houses and boarding homes. This included a new zoning system for the entire neighbourhood, thus acknowledging that previous plans had been ineffective. By this point, Parkdale had experienced nearly 20 years of conflict and consultation surrounding the deterioration of the neighbourhood due to bachelorettes and rooming houses. Residents’ associations had a heightened awareness of any changes to bachelorettes in the area and were vigilant in organizing against further conversions or alterations to these buildings. One city staff working with the City’s Buildings Committee in Parkdale in the mid-1990s quickly learned that the public was not in favour of rooming houses,

As a city official, one of the worst meetings I ever attended was over the pending repairs to an existing licensed rooming house. There were over 200 people there. This rooming house was licensed and all its owner wanted was some repair funding through one of the programs that I administered to do some essential repairs. The repair work was basically a Right but somehow the community got hold of it…the rooming house owner was meeting with about 3 or 4 contractors on the

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front lawn, and from that one of the community guys – activists – learned what was happening. He went to the City, reviewed what public information there was including a Building Permit Application, and from there it just went electric. It was unbelievable.\footnote{Steve. Personal Interview. 11 August 2009.}

It was in this climate of awareness and resistance to any changes to rooming houses (resembling potential conversions into bachelorettes) that additional restrictive bylaws were proposed.

Anti-poverty activists had little tolerance for the implementation of further restrictive measures such as the 1996 interim control bylaw limiting rooming houses in South Parkdale, which was extended until 1998. Community meetings, especially the meeting in October 1998, were extremely heated and a local paper dubbed the conflict “The Parkdale Rebellion.”\footnote{Lyons, Tom. “The Parkdale Rebellion: Local politicians call it ‘re-balancing.’ Residents call it ‘social cleansing.’ –and the fight was on.” The Eye Weekly 29 October 1998. Accessed May 26, 2012, http://contests.eyeweekly.com/eye/issue/issue_10.29.98/news_views/parkdale29.php.}

The two sides of the divide consisted of the Parkdale Residents’ Association and a coalition of anti-poverty activists, community workers, bachelorette owners and tenants, with City officials mediating the public meetings.

According to Bart, a community worker from Parkdale Community Legal Clinic,

\[w]e raised hell and we defeated the bylaw and went to City Hall. But in the process there were a couple of meetings called by the City about this that we packed and there were near riots. The cops came out with horses. I don’t know what they would have done with the horses – the horses wouldn’t even go through the door because the meeting was inside – it was so stupid. But that was a big thing.\footnote{Bart Posiet. Personal Interview. 30 December 2008.}

After the bylaw was defeated, the Parkdale Rebellion turned into the Parkdale Conflict Resolution Process, which resulted in a few City-led initiatives, most notably the Parkdale Pilot Project.
The Parkdale Pilot Project (PPP) was adopted by the Toronto City Council in February 2000 and was the outcome of the Parkdale Conflict Resolution process—a process that lasted nearly five years. The conflict resolution process included input from tenants, property owners (including owners of bachelorettes), local resident and tenant associations, business community and social/community agencies and organizations. “The Parkdale Pilot Project [was] directed at dealing with a large number of illegally-converted rooming houses, and particularly at preserving the units as much needed affordable housing while also ensuring that they meet basic safety and other standards.” The PPP addressed two types of illegal conversions occurring before the 1996 interim bylaw: conversions of previously legal rooming houses into bachelorettes and the conversion of other single-family homes into rooming houses and bachelorette units. The PPP established “temporary procedures for approving these illegal conversions through comprehensive site-specific re-zoning amendments that deal with all zoning deficiencies.” During the implementation of the pilot project, owners of rooming houses and bachelorettes were encouraged to apply for the pilot project and were “temporarily subject to reduced development standards” because different standards were given to houses with a building permit, approved before January 31, 1978.

Additionally, a benefit of being part of the pilot program for landlords included support for an application to the Ontario Municipal Board and the suspension of on-going municipal enforcement proceedings until the end of the pilot project. All rooming houses

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125 Ibid at 29.
127 Ibid at 26.
participating in the pilot project were licensed under the existing rooming house bylaw, even those illegally converted bachelorette apartments that were not technically considered to be rooming houses. Subsequently, the City altered the definition of rooming houses in the rooming house bylaw to include converted houses, indicating landlord compliance with the Parkdale Pilot project. The Parkdale Pilot Project was administered by the City’s Municipal Licensing and Standards Division and concerned Parkdale residents.

South Parkdale is a neighbourhood known for its rooming houses and community resistance to them. The disappearance of rooming houses and low-income housing is not a mere signal for gentrification in South Parkdale. Roomers and boarders, many of whom are psychiatric survivors, are long-term residents; even though the neighbourhood is becoming less accessible as its cafes, restaurants and stores cater more to higher-income residents.128 Although gentrification is continuing and the stores on Queen Street West are steadily turning into trendy bars and restaurants, South Parkdale continues to be a diverse neighbourhood in terms of its housing, population and its role in providing affordable housing to new immigrants. However, it is still a neighbourhood of considerable contestation spanning nearly 30 years of neighbourhood resistance to rooming houses. The story of South Parkdale, for many people in Toronto, is the story of rooming houses.

The Counter-Narratives

Even though the dominant narrative of rooming houses (including associations with skid row, fatal fires, gentrification and deinstitutionalization) is well established and thoroughly documented, it does not tell the full story of rooming houses in Toronto. There are additional events, discourses and observations that enable us to glimpse at some less known histories. In some ways, these counter-narratives are the footnotes to the dominant story, footnotes that, I argue, should be transferred into the primary document. They expand our understandings of rooming houses beyond the specific regulation framed within a particular time period (1970-2000) and contribute to setting a trajectory for regulatory and advocacy responses. Some of these counter-narratives help us understand the historical depth of the association with skid row and generalized stereotypes of rooming houses, while others provide us an opportunity to question why certain components of the narrative were left out of the main story.

I am including these counter-narratives, not to discredit the dominant story, but to provide us with an opportunity to assess the contemporary moment of rooming houses beyond the confinement of a social history that is based on prescribed responses to risks, which may no longer be relevant to the regulation of rooming houses in Toronto’s inner suburbs. Fatal fires, for example, are no longer a main threat to the safety of tenants or security of the rooming house stock in Toronto. Suburban rooming houses are not the ‘fire traps’ of former rooming houses in the 1970s and 1980s. Thus, the ‘fire then respond pattern’ embraced by the municipal government and community advocates may no longer be effective for meeting the needs of rooming house tenants and advocates in the inner suburbs today (2012). In the following paragraphs, I discuss the discourse surrounding
rooming houses and their regulation in the 1950s and 1960s, the bureaucratic inefficiencies regarding municipal committees and the unnoticed inclusion of rooming houses into Toronto’s stock of subsidized social housing. By expanding our understandings of the histories of rooming houses it opens up the possibilities for future regulatory changes and advocacy efforts.

In newspaper articles in the 1950s and 1960s, rooming houses were consistently represented in accounts of crimes, social vice, disease and poverty. In fact, most accounts of rooming houses were within stories of violent assaults, murder, gambling and drug use.129 From these stories it seemed that most murderers, alcoholics and socially unacceptable people lived in rooming houses. Interspersed with these often sensationalized representations of rooming house tenants were news stories that documented over-crowded living conditions, tenant displacement, fatal fires and heated discussions about the rooming house bylaw.130 The municipal government’s response pattern to rooming house fires did not begin in the 1970s. Between 1955 and 1957, the municipal government responded to several rooming house fires with a blitz of building inspections and with recommendations for implementing a more restrictive bylaw.


including a license for roaming house operators. The drafting of proposed bylaws led to further discussions amongst ward councillors, and the requirement of a license encountered vocal opposition from roaming house operators who made repeated claims of discrimination.\textsuperscript{131} The reasons behind the 1950s bylaw amendments – spurred by increased moral panic over the existence of roaming houses – appear to be a combination of concern for tenant safety and a drive to control rundown and ‘vice-driven dens.’\textsuperscript{132}

By 1955, roaming house fires and public concerns over the (in)effectiveness of municipal responses was an old story,

Laxity in the enforcement of the city’s building and fire prevention bylaws has again been demonstrated by the death of three more people in a roaming house on Dundas Street East. We say “again” because\textit{this is an old story in Toronto}. In 1949, just six years and one month ago, five people died in just such circumstances. Five years ago, there was an uninspected factory at Richmond Street and Spadina Avenue, in which a terrible fire caused loss of life. There was another fire in a roaming house on Dundas Street in 1952 and last November a mother and four children lost their lives on Sydenham Street in the same tragic way [italics added].\textsuperscript{133}

This public concern regarding the laxity of enforcement measures and incidents of fire occurred as roaming houses became associated with skid row and a large roaming house district was demolished to construct federally and provincially-funded affordable housing in the Alexandra Park neighborhood.\textsuperscript{134} Yet, the public discussions about roaming houses

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\textsuperscript{133} “Inexcusable Negligence.” \textit{The Globe and Mail} 10 February. 1955.
\end{flushright}
were not confined to the east downtown, former slum districts or campaigns for the implementation of more restrictive bylaw amendments for the safety and security of roomers.

By the 1960s, the presence of rooming houses in the wealthy downtown neighbourhood of Rosedale made newspaper headlines. Rooming houses and boarding homes became noticeable in Rosedale during World War II. The City government eased zoning restrictions on rooming houses in an attempt to provide additional wartime housing. By the end of the war, rooming houses were “permitted to remain as legal non-conforming uses” in neighbourhoods, like Rosedale, where they were previously prohibited. Oppositional residents challenged the presence of rooming houses, depicting them as evidence of the deterioration of Rosedale, and campaigned for a reversal of the World War II emergency zoning amendments. The presence of rooming houses in a wealthy neighbourhood and the existence of temporary exemptions to zoning bylaws reveal an additional use of rooming house-related bylaws beyond licensing landlords and increasing inspections. The example of rooming houses in Rosedale, including accommodating zoning bylaws and accepted non-conforming uses of property, shows that it is possible to use zoning bylaws to create more housing, not limit it like the restrictive interim control bylaws prohibiting the conversion of rooming houses and bachelorettes in parts of South Parkdale in 1978 and 1996.

"Immigrants Play Big Role in City Life." The Globe and Mail 3 September 1956. 13.
The rooming house bylaw has been on the books in Toronto for over 60 years. The controversy over the addition of a licensing procedure in the 1970s was framed – and rightly so – in terms of neglectful landlords and risks. However, another less noticed (potential) risk existed: the inefficiency and disorganization of the municipal committees governing rooming houses. Perhaps the rooming house operators opposing the implementation of increased inspections and the license to the bylaw in 1974 had substantive arguments concerning the City’s bureaucracy that were not only reactionary. Prior to the creation of the Housing, Fire and Urban Renewal Committee in 1974, the City of Toronto had numerous and dispersed committees, each assigned to one specific component of rooming house regulation. Even though the Planning Department, Fire Department and Building Standards Committee were the main governing bodies for rooming houses, there was not a single municipal governing body with an explicit focus on or mandate for rooming houses. Thus, when people were dying in fires and the rooming house stock was at risk of massive decline, substantial amendments to the bylaw and increased administrative duties for municipal committees were made. Consequently, the recommendations of the provincial coroner’s inquiry and fire marshal’s office after the 5 Maitland Place fire in 1974 and the Rupert Hotel fire in 1989 represent key turning points for the single-focused administrative bodies governing rooming houses today (2012).

In fact, the provincial coroner’s office and office of the fire marshal played a central role in the history of rooming houses in Toronto – a role that is regularly overlooked in the dominant narrative. Their multiple recommendations were instrumental in the creation of regulatory changes for rooming houses in Toronto, including a
streamlined administrative focus on rooming houses, a housing court (the Tribunal), stricter inspections and as-of-right entry for fire inspectors. Thus, the dominant story of rooming houses overlooks the role of municipal government – who rely on the outside (provincial) offices of the coroner and fire marshal to regulate the rooming house sector – in the decline of rooming house stock.

The final counter-narrative I address involves questions surrounding the ownership of rooming houses. Rooming houses have consistently been represented as private-market housing and/or supportive boarding house accommodation owned by private landlords or non-profit organizations, and are seen to be operating at a distance from Toronto Community Housing Corporation (TCHC) subsidized housing. However, TCHC owns, or did own, several rooming houses prior to the controversial housing sales proposed in 2011. As noted earlier in this chapter, the City purchased numerous rooming houses in the 1970s through the actions of then-ward councillor Sewell. Yet, few housing advocates I interviewed (between 2009-2010) were aware that TCHC owned rooming houses.

I discovered this important fact while observing a meeting of the Buildings Committee in October 2008. Derek Ballantyne, then head of TCHC, gave a presentation in which he identified the TCHC’s assets that he wanted to sell for profit. As it turns out, the majority of these assets were former rooming houses. When Paula Fletcher (councillor for ward 30, South Riverdale, a formerly low-income gentrifying neighbourhood with many rooming houses) asked pointed questions about the

137 Several TCHC homes (single-family detached) were slated for sale and sold as part of Toronto’s conservative mayor Rob Ford’s mandate to cut the ‘gravy train’ of costs at City Hall between 2011 and 2012. Proposed cuts to libraries, child care and TCHC houses were hotly debated and protested.
consequences of selling and losing affordable housing units for single individuals, Ballantyne replied that few individuals wanted to live in TCHC’s rooming houses. He substantiated this claim by telling the Committee that most people on the waiting list for TCHC housing prefer to wait longer for a larger apartment than settle for a rooming house unit. However, his argument is questionable. Of my 45 interviews with rooming house tenants (many of whom were on waiting lists for TCHC housing), not one individual mentioned living in or waiting for a TCHC rooming house unit. Additionally, the presence of TCHC rooming houses were never mentioned as an affordable housing option by the 25 housing and immigrant settlement workers I interviewed. The fact that TCHC has owned rooming house units since the 1970s and these units have largely remained hidden is telling. It shows a lack of interest in rooming houses and reveals that the TCHC did not publicize this portion of their affordable housing stock or attempt to ensure its survival despite the numerous municipal reports citing rooming houses as a key solution to alleviate homelessness and a fundamental component of the city’s affordable housing stock.

Overall, these counter-narratives provide us with a few alternatives to the dominant imagined geography of rooming houses, risks and regulation. These narratives reveal a certain degree of flexibility in zoning bylaws (e.g. Rosedale), the depth of the skid row association, the influence of non-municipal governments on the administrative bodies regulating rooming houses and the potential for TCHC-owned rooming houses. They also show gaps in the dominant discourse that could potentially provide suburban housing advocates an alternative story to draw from in their campaigns for tenants’ rights and in their fight for legalized suburban rooming houses. Yet, in many ways, housing
advocates in the suburbs today are handed a prescription for how to advocate for rooming houses and roomers based on the downtown narrative. This prescription includes an assumption of risks, a prescribed way of regulating those risks and an established pattern of community organizing. It is based on an imagined geography of downtown rooming houses that is not relevant to the contemporary moment in Toronto’s suburbs.

Consequently, it becomes difficult to create a new narrative or imagined geography when there already exist preconceived notions and enduring practices of municipal responses to ‘the problem of rooming houses.’ Suburban advocates need an alternative story to help them break from the prescribed downtown imagined geography of rooming house regulation and advocacy. If the wealthy neighbourhood of Rosedale had legal non-conforming rooming houses and temporary permissive zoning, surely the inner suburb of Scarborough could do the same?

Conclusion: Shifting the Focus for the Suburban Future

Rooming houses in Toronto have, in several ways, been governed through risk. However, the risks, like the location of rooming houses in Toronto, have shifted. Still, the focused amount of governmental, media and community attention given to the problem of rooming houses between 1970 and 2006 was justified. Tenants were dying in fires. Entire blocks of rooming houses in the east end were bulldozed. Former psychiatric patients in Parkdale were evicted without notice. Landlords were converting buildings illegally. The need for affordable housing increased substantially, and due to fires, urban renewal projects and deconversions, rooming houses were rapidly disappearing. Something needed to be done, and routine governmental response patterns emerged. The City
licensed landlords and intensified fire and building code inspections. They amended zoning bylaws and regularly implemented recommendations made by the coroner’s inquests and the office of the fire marshal. The municipal government reacted to the crisis in rooming houses and governed to prevent future risks. However, the legal tools afforded to the City (licensing procedures and zoning bylaws) were not sufficient to protect tenants from unsafe living conditions or to protect the housing stock from disappearing.

The imagined geography and dominant narrative of rooming houses in Toronto has spurred decades of advocacy and a narrow administrative focus on rooming houses. It continues to shape how people respond to rooming houses. However, this imagined geography, as discussed in the previous section, overshadows other narratives and has the potential to overshadow future narratives. In order for the contemporary moment in the social and regulatory history of rooming houses in Toronto to change, the imagined geography and accompanying established responses to risks must shift. This shift comes from critical analysis of the pivotal past rooming house events, the governing mechanisms and the existing regulatory regimes in Toronto’s post-amalgamated inner suburbs.

The Rupert Hotel fire occurred in a licensed rooming house and its memorial service is a reminder that “We can’t forget the ones that died/ poverty is not a crime.” However, tenants are no longer dying in rooming house fires, and in some parts of the city, there is not a longstanding rooming house bylaw to amend. The rooming house bylaw simply is not applicable to the post-amalgamated inner suburbs. In order to shift the focus for the suburban future of rooming houses, the discourse must move beyond the
imagined geography of a 1970s skid row neighbourhood, study the legal landscape of the inner suburbs themselves, and critically analyze the governing practices within the post-amalgamated city of Toronto. The key moments in the genealogy of rooming houses in Toronto should provide a background for action and analysis; they should not limit the framework for future tenants, advocates and governing practices throughout the inner suburbs.

In addition, this genealogy contributes to our theoretical understandings of skid row, municipal law and gentrification, and the governance of risk. The association of rooming houses and roomers with skid row, as noted in this chapter, presents an understanding of skid row as a mobile concept (and not only a specific neighbourhood) that is as attached to particular people and housing forms as much as it is attached to a physical location. The idea of skid row as being ‘everywhere’ suggests that certain (often discriminatory characteristics) of urban space become attached to particular identities in a manner that allows the markers of poverty and destitution to become mobile and transient. Further, questioning the stability of skid row neighbourhoods – particularly in Toronto, a city with multiple neighbourhoods defined to be skid row – provides an opportunity to push the boundaries of how municipal bylaws are understood in the context of gentrification literature. If skid row neighbourhoods are gentrifying and the place-attached understanding of skid row is shifting, then what role do municipal bylaws (especially the rooming house bylaw) play in gentrification?

In this chapter, I questioned the use and prevalence of the term ‘municipally-managed gentrification’ in the gentrification literature in order to push the conceptual boundaries of how urban geographers are framing the role of law in gentrification.
Municipal governments certainly do implement policies that promote gentrification, however, not all municipal bylaws or municipal initiatives that deal with poverty, displacement, and affordable housing can (or should be) classified as municipally-managed gentrification. A socio-legal understanding of law, a perspective that looks at the social components of law beyond legislation and lawyers, enables us to identify how legal mechanisms function in the city in a way that is not easily attributed to one political ideology or form of government. Thus, we can see that in the context of the rooming house licensing bylaw, this municipal legal mechanism has been used both as a control mechanism for the city government (limiting the space for poor people in the city) but also as an emancipatory rights mechanism to support tenants and maintain the stock of rooming houses as affordable housing in the city.

Therefore, in this chapter, the narrative of risk, regulation and rights enabled an analysis of the rooming house bylaw in a way that questioned the dominant associations between skid row, gentrification, and rooming houses. Drawing our attention to the ‘fire and response’ pattern of the municipal government provided an opportunity to analyze the governance of risk at the scale of the city. The concept of risk is something that, I suggest, silently accompanies rooming houses and is (unfortunately) underrepresented in urban geography literature. This case study provides a way to understand municipal governance and the administration of poverty in the context of the regulation and geography of risk. Studying the fragmented legal landscapes in the inner suburbs, the practices of municipal government and the experiences of rooming houses tenants, as discussed in the remaining chapters of this dissertation, draws attention to the micro-geographies of the administration of poverty which shed light on the governing practices,
lived experiences and minute details of rooming house regulation in a post-amalgamated Toronto.
Chapter 5
Fragmented Legal Landscapes

We have no friggin’ idea at the end of the day we’re talking out of our ear, we don’t know what’s going on in Scarborough – nobody really does. It’s all under-the-table, it’s all a black-market and we have no information on it. So it’s hard to say. It’s a big gap in our knowledge, so it’s hard for me to say if the stuff going in...how to even compare. But the truth is that these communities [the inner suburbs] were their own municipalities and they do have their own feeling to them and their own issues, and they are unique in certain ways. They are different little cities in a big city. So yeah, the issues that we have to deal with in the old City of Toronto are not going to map on directly to the issues that are going on in those other places.

- Pablo (east downtown housing worker).

Introduction
On January 8, 2009, the Planning and Growth Management Committee for the City of Toronto met to discuss matters pertaining to the newly proposed harmonized zoning bylaw and to consider a staff report titled “Extending Zoning and Licensing of Rooming Houses.” This wasn’t a routine meeting at City Hall. The room was abuzz with activity and nearing capacity. In addition to the city councilors on the Committee, all relevant city staff and dozens of concerned Torontonians filled the room. Though several contentious matters pertaining to proposed changes in zoning bylaws were scheduled, the debate turned to extending zoning for rooming houses, in part because this matter of extending the bylaw had been deferred since the November 13, 2008, committee meeting.

Sitting in the packed committee room with the agenda and supporting documentation in my hand, I read the list of scheduled deputations and flipped through the dozens of letters written in support of and opposition to this staff report on zoning for rooming houses. After listening to a few deputations from housing advocates and follow-up questions from city councilors, it became clear that these debates were less about the content of the staff report and more about the social perceptions of rooming houses and
suburban neighbourhoods. Some housing advocates framed the extension of the zoning bylaw in terms of the right to housing, while members of suburban residents’ associations argued for the protection of their single-family dwelling residential neighbourhoods. Adam Vaughn and Gord Perks, progressive downtown councillors with high concentrations of rooming houses in their wards, asked clarifying and supportive questions as Mike Del Grande, Chin Lee and Michael Thompson, more conservative suburban councilors with wards in Scarborough, raised concerns from their constituents and vehemently opposed any immediate changes to zoning bylaws for rooming houses in Scarborough.

In unapologetic opposition, Mike del Grande argued that rooming houses were harmful to residential neighbourhoods zoned for single-family dwellings in terms of noise, excessive traffic on quiet streets and insufficient parking spaces to accommodate the influx of individuals. In his written submission he was more direct in pinpointing the impending danger, “[r]ooming houses are the last nail in the coffin of our communities as they exist today. Their residents are transient and share no roots within the community.” He substantiated his arguments about the moral degradation of the suburbs by acknowledging the presence of illegal rooming houses and the previously permitted multi-residential dwellings such as second suites and basement apartments in residential properties he argued were not designed for such uses. He also voiced frustration at the City’s inability to shut down illegal houses, asked questions concerning how to get

1 Councilor Mike Del Grande is the representative for Scarborough-Agincourt, Ward 39 and after the November 2008 election he became Budget Committee Chair under conservative Mayor Rob Ford and played a major role in instigating budget cuts to public services including day care and public libraries amongst others.
around the right-of-entry law and inquired about the effectiveness of bylaw enforcement. Furthermore he noted, with a bit of sarcasm in his voice, that homeowners in his ward were already generous enough by allowing other homeowners to rent rooms to two boarders and create second suites and basement apartments in their neighbourhoods. He did not acknowledge the change in household incomes or housing needs in Scarborough. Instead, he focused on the binary and hostile division between owners and renters, single-family households and single-person households. Despite the reactionary, inaccurate and divisive nature of Del Grande’s position, he represented the inner suburbs through the context of affordable housing, existing bylaws, one perception of ‘community,’ stereotypical notions of rooming house residents and discriminatory viewpoints surrounding single-person households and low-income individuals.

The arguments for extending the rooming house bylaw cast a particular understanding of the post-amalgamated City of Toronto. They invoke the imagery of an uneven geography of regulation where the downtown is progressive and legal, and the inner suburbs are backwards and lacking adequate legal frameworks. This dichotomous framing of the legal downtown and illegal suburbs enables housing advocates to depict the bylaw as simultaneously discriminatory and emancipatory. Thus, the bylaw becomes viewed as discriminatory due to its limited territorial jurisdiction based in the former City of Toronto, and as emancipatory in its capacity to regulate and secure safe housing for roomers. Since licensing and permissive zoning bylaws are non-existent in the suburbs, extending the rooming house bylaw would erase its discriminatory component, while maintaining its emancipatory role as a tenants’ rights mechanism ensuring equality under the bylaw throughout the City. At first glance, this argument for increased regulation in
the suburbs may seem logical and this extension of the downtown bylaw progressive. However, both are highly problematic.

This uncritical push for extending the law into the far reaches of the suburbs by downtown rooming house advocates relies on a narrative of an uneven geography of regulation that depicts the suburbs as illegal. In addition, it frames the regulatory situation in the suburbs solely within the downtown regulatory mechanism, ignoring the numerous administrative and bureaucratic inconsistencies left over from Toronto’s 1998 amalgamation. Still, for suburban and downtown housing advocates, the campaign to extend the rooming house licensing bylaw is perceived to be the primary way to ensure equality for rooming house tenants throughout the city. The rooming house licensing bylaw has become one of the only tangible legal mechanisms that housing advocates and tenants find relevant in their fight for tenants’ rights. Yet, the rooming house licensing bylaw is not a rights mechanism, but an administrative bylaw. My goal in this chapter is not to critique or dismiss the hard work of well-intentioned housing advocates and activists; they have limited resources and fight to maintain any sort of legal recognition they feel rooming houses have gained over the years. Advocating for legal protection and municipal support for roomers is understandable given the reactionary opposition to suburban rooming houses and debates around extending the bylaw by city councillors like Mike Del Grande. However, this discursive use of law (used by city staff, housing advocates and tenants in the downtown and inner suburbs) misrepresents the legal landscape of rooming house regulation, and depicts the rooming house bylaw as the legal answer to the problem of unlicensed rooming houses and housing illegality in Toronto’s inner suburbs.
The intention of this chapter is to disrupt this narrative of an uneven geography of rooming house regulation that frames the downtown as the space of legality and the suburbs as the space of illegality. I suggest that this perception of an uneven geography of regulation and its focus on extending the bylaw as the solution to rooming house inequality ignores the substance of the licensing bylaw and produces an inaccurate binary division of downtown legality and suburban illegality. It also paints all inner suburbs with the same legal brush, when in fact there are multiple brushes. The rooming house licensing bylaw of Chapter 285 of Toronto’s Municipal Code is not applicable to the suburbs. However, there are multiple regulations and bylaws throughout the inner suburbs that address (but do not license) rooming houses. For example, regulations regarding building maintenance, fire-safety, health regulations and property standards are the same across the amalgamated city. Meanwhile, zoning and licensing procedures vary substantially between the six former cities. In downtown Toronto, zoning bylaws ‘widely but not universally’ permit rooming houses in all downtown neighbourhoods, even though the licensing bylaw exists. Though rooming houses are permitted in most downtown neighbourhoods, operators still must gain permission from the municipal government to open a rooming house. While rooming houses are a permitted land use in Etobicoke and York, they are subject to restrictive supplementary standards and are not common in these two inner suburbs. And rooming houses are still “recognized as a residential use but are not permitted in any land-use category” in the inner suburbs (North

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4 Ibid.
York, Scarborough and East York). Overall, zoning bylaws acknowledge, restrict and permit rooming houses to varying degrees throughout the amalgamated city. Yet, only the former city of Toronto and the inner suburb of Etobicoke have licensing bylaws regulating approximately 483 and 17 houses, respectively. The regulatory framework for rooming houses is very much dependent on their exact location throughout the amalgamated city, and is not reflective of a simple divide of the legal downtown and illegal suburbs. Therefore, in this chapter I argue that the current regulatory geography is best understood as a fragmented legal landscape.

Understanding the current situation as a fragmented legal landscape enables us to move beyond defining the license in terms of good or bad and avoids uncritically portraying parts of the city as legal or illegal. There are multiple (and perhaps ineffective) municipal legal tools regulating rooming houses in Toronto that directly impact the stock of affordable housing units and poverty in the city. Studying the social and political context of legal mechanisms, as demonstrated in socio-legal scholarship, enables an analysis of law situated within the everyday and goes beyond the scope doctrinal legislation. In addition, a focus on the materiality of legal mechanisms allows a critical examination of the practices and implications of urban governance. Recognizing this fragmented legal landscape enables us to interpret the licensing bylaw as a municipal tool outside its use as a tenants’ rights mechanism and to acknowledge the situation of rooming houses in the inner suburbs on their own terms without comparison to a downtown norm. In this chapter, I first analyze the substance of the rooming house

5 Ibid.
licensing bylaw. I do so to disrupt its current state as an infrequently critiqued municipal legal mechanism that is discursively used as a tenants’ rights mechanism, when in fact it is administered as a way to monitor landlords, maintain building standards and ensure annual fire inspections. Second, I will discuss how licensed and illegal rooming houses provide necessary accommodations for low-income single individuals in Toronto’s downtown. Thirdly, this chapter focuses on the regulatory landscape and understanding of the rooming house sector in the inner suburbs. This section will contextualize the debates surrounding the extension of the licensing bylaw within the context of suburban homelessness and the legal landscape of rooming houses drawing from interviews with housing workers and roomers in the former cities of Toronto, Scarborough, North York and Etobicoke. Overall, this chapter provides a socio-legal analysis of the rooming house licensing bylaw that will emphasize the social context embedded within and in response to the bylaw.

The Rooming House Licensing Bylaw

The rooming house licensing bylaw, Chapter 285 of the Municipal Code of the former City of Toronto, maintains building standards through regular housing inspections and the monitoring of landlords. It is administered through the City’s Municipal Licensing and Standards Division (MLS) and the Rooming House Commission, and enforced through MLS Bylaw Enforcement Officers. Over the past 35 years however, the rooming house license has become more than just a standard municipal license focused on building standards and fire safety. It has become a tangible form of law representing tenants’ rights, inefficient municipal law or excessive regulation, depending on one’s
position as advocate, homeowner or landlord. The presence of the license alone substantiates arguments for maintaining the housing stock. The comment ‘we have a license’ is an easy fallback for advocates defending rooming houses from NIMBY sentiments. When housing advocates incorporate the license as part of their tenant advocacy work, they bring to light the political uses of this bylaw. In this context, the bylaw is not simply an administrative tool of the municipal government; it becomes viewed as a legal mechanism protecting tenants rights. Yet, in practice, what does this license actually do?

In this section, I highlight certain components of the bylaw to provide a brief analysis of its contents, not to discredit it as a rights mechanism exactly, but to show its complex administrative and social role. Instead of embarking on an argument stating that the bylaw is discriminatory towards suburban roomers or situating the bylaw only within a context of NIMBYism, I unpack the content of the bylaw and its social context. Understanding the content and social context of a legal mechanism, as demonstrated in scholarly articles on homelessness, anti-poverty legislation and homeless shelter bylaws, is important for identifying the materiality of law and situating legal mechanisms within broader critiques of urban governance. Blomley situates his critique of Vancouver’s Traffic Code within the context of heated debates surrounding the Woodsworth Squat (an urban squat that took place on the sidewalks surrounding the abandoned Woodsworth department store in Vancouver’s Downtown Eastside). Political activists argued that the removal of protestors from the sidewalk was a violation of Charter entrenched rights. The

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City of Vancouver, on the other hand, countered that demonstrations on sidewalks hindered the purpose of the sidewalk, which is mobility and flow. This debate concerning the Traffic Code and ‘rights’ to the sidewalk coincide with Blomley’s discussion regarding Safe Streets Talk (in the context of provincial Safe Streets legislation criminalizing panhandling). Blomley argued that instead of situating his analysis – and understanding of the sidewalk – in terms of an illiberal action of the municipal and/or provincial government, he unpacked the meanings within the Traffic Code and the Safe Streets Talk. After analyzing laws and legal actors pertaining to the use of the sidewalk and the content of Safe Streets legislation Blomley argues that the Safe Streets talk is not an illiberal or reactionary response on behalf of government. He concluded that Safe Streets talk is inherently liberal. By unpacking the content of legal mechanisms, Blomley exposed how forms of urban governance that appear to be discriminatory or illiberal may in fact represent a fundamental attachment to liberal principles of personal freedom. Thus, it is important to unpack the content of the rooming house licensing bylaw to situate its meaning within and beyond binary debates concerning exclusionary zoning, NIMBYism and discrimination. When understood within the context of the history and social context of rooming houses, it becomes clear that certain clauses and definitions within the rooming house licensing bylaw were influenced by social circumstances (including campaigns of housing advocates, ward councilors and oppositional NIMBY neighbours) beyond routine building inspections, license enforcement and binary political debates situating the NIMBY’s against tenants.

As noted in Chapter Four, the rooming house licensing procedure was enacted in 1974 as a municipal governmental response to multiple fatal rooming house fires and
inadequate rooming house code enforcement. Prior enforcement of the code by Housing, Building, Planning, Fire and Health departments proved ineffective for identifying substandard housing conditions, correcting code violations, prosecuting violators and providing adequate support for rooming house operators. \(^8\) Additionally, the red tape involved in applying for building permits for renovations and improvements prior to 1974 was an impediment for even well meaning operators:

Rather than encourage the good operations of more rooming house units in the City, the system works to discourage the majority of adequate rooming house operators while failing to effectively act against the fewer number of serious violators, at a time when the supply of needed additional rooming house units is declining as a result of fewer land assemblies and an increase in re-conversion of older units for more profitable higher rents. \(^9\)

The former rooming house code did not maintain the required housing standards or provide adequate support for operators or protect tenants. Thus, the implementation of a licensing procedure with increased annual inspections and municipal government administrative attention was welcomed by city staff and housing advocates, despite the numbers of landlords opposed to the increased costs associated with the license. Nearly 40 years later, the primary components of the licensing procedure – the mandatory purchase of a license, annual fire and building standards inspection, a tribunal and a database of all licensed rooming houses seem normal and are rarely contested or even questioned.

The Rooming House Bylaw, Chapter 285 of Toronto’s Municipal Code is a standard municipal bylaw even though it has been used as a tenant’s rights mechanism. It

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\(^9\) *Ibid* at I-5.
outlines administrative duties, relevant legislation,\textsuperscript{10} enforcement practices, states minimal standards for inspections and safety precautions and sets licensing fees.

Categorized in two separate Articles, Chapter 285 of the Municipal Code addresses Personal-Care rooming houses (Article I) and Licensing (Article II, cited as “Rooming House Licensing Bylaw”). According to Article I, a Personal-Care rooming house (commonly referred to as a boarding home) is a residential facility “where the owner provides meals and where service is given to residents in caring for their personal needs or health, or both.”\textsuperscript{11} This designation of Personal-Care rooming houses rests under the jurisdiction of the Medical Officer of Health and includes: standards for staffing, medical support, nutrition requirements, maintenance and sanitation of bathrooms and filing of personal information.\textsuperscript{12} Though Personal-Care rooming houses provide a similar form of housing as the average rooming house, the authorized provision of medicine, care support and food sanctioned by the Medical Officer of Health sets them apart. Despite this regulatory distinction, boarding homes and rooming houses play a comparable role in providing affordable housing to a similar (if not the same) population of tenants, and are often indistinguishable to city councillors and neighbourhood groups who opposed them, as discussed in Chapter One. Even so, there are notable differences in these two types of accommodation. This chapter will focus primarily on the regular rooming house (the non-personal care private market rooming house as defined in Article II), mainly due to


\textsuperscript{12} Ibid. pg. 285.3-284.4.\end{flushleft}
differences in administrative jurisdiction and support services in personal-care rooming houses.

The rooming house licensing bylaw clarifies the definition of a rooming house, notes exceptions to this definition\(^\text{13}\) and provides five classifications for rooming houses, each with specific licensing costs. The two licensing bylaw definitions distinguish between a rooming house and a bachelorette based on the organization of individual rooms, the presence of personal or shared kitchen and bathroom facilities, and on specific geographical boundaries. Rooming houses are first defined as a building that contains dwelling rooms that are used, designed or intended “for use as a living accommodation by more than three (3) persons” and must be provided “in exchange for remuneration.”\(^\text{14}\) The second definition relies on very distinct geographical locations and additional specifications. It defines a rooming house as a “building located within the area bounded on the north by Dundas Street West, on the east by Dufferin Street and the rail lines, on the South by Lake Shore Boulevard West and on the west by Roncesvalles Avenue” – essentially the entire neighbourhood of South Parkdale.\(^\text{15}\) It specifies that the building must contain more than three dwelling units, with the requirement that one or more dwelling units be used in exchange for remuneration and the average floor area must be less than 65 square metres for each dwelling unit. The specific designations for rooming houses with the distinct boundaries of South Parkdale and the stipulations concerning

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\(^\text{13}\) The bylaw clearly states that fraternity and sorority houses, co-operative student housing and houses licensed by the Provincial government are not considered to be rooming houses (Pg. 285.10). The exclusion of these forms of housing could be viewed as a way for the city to further distinguish rooming houses as a type of low-income housing for a particular type of low-income (and skid row affiliated) tenant. Otherwise, houses of multi-occupancy like a fraternity house could be better regulated by the rooming house licensing bylaw. Adam Vaughn (ward councillor in the Annex neighbourhood adjacent to the University of Toronto) questioned why fraternity houses were not regulated under the bylaw in a Planning and Growth Committee meeting when he asked how to handle complaints from residents in his ward (January 2009).


\(^\text{15}\) Ibid.
dwelling units may seem overly cautious or perhaps absurd. However, given the social context of rooming house deconversion and the controversial emergence of bachelorette apartments in the neighbourhood of Parkdale in the 1980s and the Parkdale Pilot Project (as discussed in Chapter Four), the stipulations make sense as a strategy of containment and non-punitive social control to discourage further renovations and conversions.

Complicated restrictions on municipal bylaws are not uncommon in Toronto. In their analysis on governing homelessness, Ranasinghe and Valverde describe the complex process it took for the City of Toronto to pass a municipal shelter bylaw.\textsuperscript{16} This bylaw was intended to allow as-of-right shelters throughout the city as a way to alleviate homelessness. After many public debates, political complications, and delays the bylaw was passed, with several restrictions. Even though bylaw shelters were allowed throughout the city, they needed to compile with zoning provisions on height and density, be located on major arterial roads and be separated by a minimum of 250 metres. A bylaw that began as a rather simple effort to implement shelters as-of-right, according to Ranasinghe and Valverde, resulted “in a by-law fraught with restrictions making it difficult and expensive to create shelters even on existing city properties.”\textsuperscript{17} As noted in the example of both homeless shelters and rooming houses, restrictions placed on bylaws are regularly reflective of controversial debates and council decisions. Thus, the designated boundaries within the rooming house licensing bylaw may represent one instance where the rooming house bylaw was amended to meet the changing (and controversial) circumstances pertaining to rooming houses in the downtown.


\textsuperscript{17} Ibid at 340.
In addition to restrictive boundaries reflecting the conflict over bachelorettes in South Parkdale, the rooming house licensing bylaw provides three definitions based on the term *dwelling* and lists five different classifications for rooming houses. This attention to detail may seem superfluous and overly bureaucratic. However, these multiple categorizations are required to distinguish rooming houses from other single-person accommodations such as residential hotels, tourist homes, hostels, lodging and boarding homes and bachelorettes. Additionally, these detailed classifications identifying the differences between a dwelling, a dwelling room and a dwelling unit were most likely a response to the worst living conditions found in rooming houses. The bylaw defines a dwelling as a building that is used or capable of being used “for the purposes of human habitation.” A dwelling room, then, is a “room used or designed for human habitation, and may include either but not both culinary or sanitary conveniences,” but does not include a room in a hotel, tourist or guest home, a bathroom or kitchen and a windowless storage area. A dwelling unit, distinguishable from a dwelling room, is a “single housekeeping unit designed or intended for use by one person or by persons living together as a family” in which both a kitchen and bathroom are provided exclusively for the use of the persons renting the dwelling unit. Some of these definitions such as not being a “windowless storage area” or “designed for human habitation” may seem obvious and exaggeratedly detailed until you hear stories of people living in 10’ x 10’ windowless rooms in an unfinished basement with live electrical wires hanging from the ceiling and

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19 Ibid.  
20 Ibid.
constantly flooded cement floors. But these classifications and categorizations also have administrative purposes such as distinguishing rooming houses from bachelorettes and are useful in identifying the varied “class designations” of rooming houses.

There are five different class designations of licenses for rooming houses (see Figure 5.1). These designations distinguish rooming houses in terms of ownership, number of rooms, storeys and the combinations of dwelling rooms and dwelling units permitted in each home. Licenses purchased under each designation vary in length of tenure and cost. Typical licenses must be renewed each year or two and usually cost approximately $100.00, but as noted below, some cost as much as $300.00 a year. Rooming houses with Class 1 designation are owner-operated rooming houses where the registered owner must “occupy a dwelling unit of not less than 30 square metres as his or her personal residence” and the Class 5 rooming houses are those operated by a non-profit corporation. It is specifically clarified in the class designation chart that Class 2, 3, and 4 licenses are separate from Class 1 and Class 5 licenses. Subsequently, all Class 2, 3, and 4 licenses can be understood to have absentee-owners, i.e., those living off-site. Though the Class Designations do not explicitly state Class 2, 3, and 4 houses have absentee-owners, the bylaw clearly states that Class 2, 3, and 4 licenses include rooming houses “other than a Class 1 or 5 rooming house,” smaller owner-occupied and non-profit houses.

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Figure 5.1: Subsection 285.12 of Rooming House Licensing Bylaw, Chapter 285 of Municipal Code.

The distinction of absentee-owner licenses is significant. Not only do the buildings have an increased number of rooms and storeys and include basement dwellings,
absentee-owner houses have consistently been operated as a business venture with landlords owning multiple buildings. This often results in unsafe houses and poor living conditions. In short, there is an (unspoken) association between Class 2, 3, and 4 designations and a history of slum landlords. These mind-numbing details regarding specific classifications overshadow much larger narratives and former controversial incidents involving rooming houses. Consequently, there are very particular differences between these three licenses, reflecting a need to make clear distinctions between certain types of rooming houses. A Class 2 license cannot exceed more than 14 dwelling rooms (or a combination of dwelling rooms and units) and must not exceed three storeys with no more than 4 dwelling rooms or units being on the third storey, whereas a Class 3 license must possess more than 14 dwelling rooms and units but cannot exceed three storeys. A Class 4 designation, on the other hand, must have more than 3 storeys and has no limitations on the number of dwelling rooms or units and is the most expensive license at $300.00 per year.24

Besides assigning classifications for the licenses based on landlord and building specifications, the licensing bylaw provides details on issuing and revoking licenses, the duties of the Rooming House Commissioner and the procedures surrounding the Rooming House Commission hearings. The majority of these sections provide details on legislation related to inspections, proper notification of hearings and the procedures involved in issuing and revoking licenses. Interestingly enough, the role of the elected ward councillor is written into the content of the bylaw in sections: 285-13.CD: Inspection-Notice of Application, 285-14.B2, 285-16.B2: Issuance of License Hearing

(see Figure 5.2). The bylaw states that the ward councillor shall be notified when a license is issued and be given prior notice of the public hearing pertaining to a licensed

![Figure 5.2: Section 285-13 of Rooming House Licensing Bylaw. Note inclusion of the ward councillor in Subsection C.](image)

rooming house in their ward. This inclusion of the ward councillor, an elected official, within the substance of a bylaw is very uncommon in Canadian municipal law.\(^{25}\)

However, the de facto involvement of ward councilors in planning developments is fairly common and Section 37 of the Planning Act (1990) is a key example. Section 37 states that:

\[ \text{[the] council of a local municipality may, in a by-law passed under section 34, authorize increases in the height and density of development otherwise permitted by the by-law that will be permitted in return for the provisions of such facilities, services or matters as are let out in the by-law.}^{26} \]

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\(^{26}\) Planning Act, R.S.O. 1990, C. P.13. (Section 37 (1)).
Ward councillor involvement is not explicit within the text of Section 37 but in practice is quite evident and has been referred to as “let’s make a deal planning.”

According to Aaron Moore, these ‘deals’ in the forms of new facilities and services can be quite substantive. For example, the City of Toronto received $2 million from the developers of the Trump Tower to build an aquatic centre in Regent Park (the city’s oldest social housing development currently undergoing redevelopment) and accepted a $1 million dollar contribution for senior’s housing from Minto Developments during a controversial development in midtown.

The inclusion of the ward councillor within the text of the rooming house licensing bylaw erases the distinction that exists between the City bureaucracy and elected officials and also gives the ward councillor undue power when it comes to influencing the licensing of rooming houses in their ward. This power, as noted in Chapter Six, places the ward councillor in two roles: one with the ability to mobilize residents opposed to the rooming house in their neighbourhood and another (in the case of sympathetic councillors) with the role of conflict resolution mediator. This written inclusion of the ward councillor into a subsection of the bylaw reflects the power given to the ward councilors, a Toronto peculiarity.

The rooming house licensing bylaw is detailed and specific in its focus on classifying and inspecting houses and administering and enforcing the bylaw. It is written in legalistic language, reflected in its formulaic structural organization. It is a standard

bylaw. Yet, after years of conducting research on rooming houses in Toronto, I could identify the controversial incident, year in which the incident occurred, and other details that informed particular subsections of the bylaw. Seemingly innocuous subsections, and what appeared to be excessive details, were in fact regulatory responses to past community conflicts or debates about the sustainability of rooming houses (see Figure 5.3). Geographical boundaries indicated in the definition of rooming houses (285.7B(a)) reflect the conflicts over bachelorette apartments in Parkdale; the five-class designations of the license respond to the multiple built structures and categories of owners; and the inclusion of ward councilors in the wording of the bylaw has resulted in particularly heated moments and neighbourhood conflict over the regulation specific rooming houses. Even though the bylaw clearly focuses on the inspection of houses based on building, health and fire standards, it is not a bylaw solely focused on building standards or fire safety. At the same time, it is not a tenants’ rights mechanism. Tenants are rarely, if ever, mentioned in the bylaw, which is not surprising since bylaws are used to govern land uses, not people.29 However, tenant safety was presented as a primary reason for implementing the licensing procedure.

Thus, the rooming house licensing bylaw is neither a municipal bylaw focused only on building standards nor is it a rights mechanism. It is a bylaw with rigid definitions and procedures based on multiple codes and legislation with an undercurrent embedded in the social history of rooming houses. Its territorial jurisdiction is limited to the ghost jurisdiction of the former City of Toronto, and thus, is not really applicable to

# Rooming House Bylaw and its Social Context

The geographical boundaries in Section 285.7 of the rooming house licensing bylaw reflects the social context of bachelorette apartments in South Parkdale. The section 285.7 B is clearly a response to the community conflict addressed through the Public meetings and Parkdale Pilot Project. Bachelorettes are licensed through the Rooming House Licensing Bylaw (see #1) and Municipal Licensing and Standards produces annual reports on the number of bachelorette apartments in South Parkdale (#2).

## 1. Geographical Boundaries of Rooming House Bylaw

<table>
<thead>
<tr>
<th>B.</th>
<th>A building located within the area bounded on the north by Dundas Street West, on the east by Dufferin Street and the rail lines, on the South by Lake Shore Boulevard West and on the west by Roncesvalles Avenue, where:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>The building is a converted house as defined in former City of Toronto General Zoning By-law No. 438-86, as amended;</td>
</tr>
<tr>
<td>(b)</td>
<td>The building contains more than three dwelling units;</td>
</tr>
<tr>
<td>(c)</td>
<td>The average floor area of the dwelling units is less than 65 square metres; and</td>
</tr>
<tr>
<td>(d)</td>
<td>One or more dwelling units are intended to be used in return for remuneration.</td>
</tr>
</tbody>
</table>

## 2. Description of bachelorettes and public meeting in South Parkdale of area of converted house (bachelorettes).

In the late 1970's and early 1980's many of the large houses in South Parkdale that had been converted to rooming houses were renovated to add kitchen facilities to the rooms to create self-contained units. Most of these units were, prior to the addition of kitchen facilities, in conformity with approved standards for rooming houses. The conversion to small self-contained units was frequently completed without a building permit and in many cases were unable to meet the Zoning By-law requirements. The construction of new rooming houses was prohibited in South Parkdale in 1978.

In October 1998, Toronto Community Council held a public meeting to consider a report that included the following recommendations:

1. The creation of a conflict resolution process to achieve consensus on the appropriate approach the City should take to the existing bachelorettes and illegal rooming houses in South Parkdale;
2. The Zoning by-law 438-86 be further amended so as to limit the creation of units or rooms, through conversion or new construction, to three per lot.

In October, 1999, Toronto Community Council considered a report entitled, “Parkdale Conflict Resolution Process”.

The report outlined an approach for regularizing small units which have existed for a number of years and improving and enforcing standards for safe, good quality housing in Parkdale.

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**Figure 5.3.** Social Context the rooming house licensing bylaw.
the inner suburbs. Toronto’s rooming house licensing bylaw, according to Mariana Valverde, is an example of a ghost jurisdiction. It is an entity that has “been politically abolished but some of whose legal rules continue to be in force.” Valverde notes that these ghost jurisdictions “make local law much more obscure and inaccessible than necessary, and they cannot be easily exorcized if the city’s legal machinery does not keep pace with political changes.” The presence of the rooming house licensing bylaw and the number of unlicensed suburban rooming houses is a key example of how these ghost jurisdictions do not keep up with the political changes in the city, in this case amalgamation. The embedded narratives of geographically-bounded rooming house controversies and embedded distinctions between bachelorettes and rooming houses do not make the rooming house bylaw relevant to the issues facing rooming houses in the inner suburbs. However, the way in which the bylaw—within its subsections and classifications—reveals social understandings or histories of rooming houses may open a window into the argument that extending the bylaw to the suburbs, is and could be, feasible. For example, a separate class designation for owners of a suburban rooming house could be added into the bylaw. Yet, this could not happen without signification amendments, jurisdictional modifications, harmonization of the City’s zoning bylaw and heated debates between city councilors, resident associations and housing advocates.

Given that it took nearly 15 years to create a draft harmonized zoning bylaw in the former City of Toronto (only to be voted down in its final stages of approval and brought back in 2012), it is extremely unlikely that a controversial extension or inclusion of the suburbs within the rooming house licensing bylaw would ever happen. Yet, this singular focus on

31 Ibid.
the extension of the rooming house license may be more limiting than liberating for suburban tenants. Increased regulation may not be the answer. Especially when there is little evidence to prove that the current rooming house bylaw has resulted in an increase in legal and licensed houses. In fact, many housing advocates would argue that the implementation of the licensing procedure resulted in an increase in illegal, and decline in licensed, downtown rooming houses.

**Downtown (II)legality**

The presence of a rooming house licensing bylaw does not negate the presence of unlicensed and illegal rooming houses in the former City of Toronto; it just overshadows them. There are numerous unlicensed and illegal rooming houses through Toronto’s downtown. However, they do not receive substantial attention. Since the emergence of bachelorettes in the 1980s, little consideration has been given to the number of unlicensed downtown rooming houses or the legally ambiguous rooming houses, those consistently lapping in their license or permanently existing with a conditional license. Illegal and unlicensed downtown rooming houses were rarely discussed in meetings nor were they a focus for advocacy campaigns for the Rupert Coalition and the Rooming House Working Group during the two years of my research. Yet, when I asked downtown rooming house tenants and housing workers about unlicensed houses, it was clear that unlicensed houses made up a significant portion of the downtown rooming house stock. Thus, this section will briefly draw our attention to the less legal components of the downtown rooming house landscape. In the following paragraphs, I highlight certain inconsistencies within the narrative of downtown legality, including the time span of the licensing bylaw, the
known presence of unlicensed house and the way housing workers and tenants navigate
the licensed/unlicensed environment.

The licensing bylaw regulates rooming houses primarily concentrated in the
downtown neighbourhoods of Parkdale, Riverdale, South St. Jamestown and the Annex.
As of May 2011, there were 429 licensed rooming houses in Toronto, a slight decrease
from the 484 licensed rooming houses in 2004.\textsuperscript{32} The number of licensed rooming houses
varies year-to-year but (as discussed in Chapter One) has remained around 483 to 500
since 1999. The largest decrease in the number of known (not necessarily licensed)
rooming houses occurred shortly after the implementation of the rooming house licensing
bylaw in 1974. It is commonly known that the number of known (not necessarily
licensed) rooming houses decreased from 1200 in 1975 to 484 in 2004, as presented (but
not formerly cited) in several rooming house reports. Several housing researchers and
advocates directly blame the licensing bylaw for this drastic decline. The 429 to 483
licensed rooming houses exist between 1999 and 2009 consisted of Personal-Care
rooming houses, rooming houses and (former) bachelorettes. Bachelorettes were
classified in the Municipal Licensing and Standards (MLS) reports as \textit{converted} rooming
houses and, as one MLS worker told me, still operated within the Parkdale Pilot Project
in 2009. Within this population of licensed rooming houses, there was a range in degrees
of legality and minimal variation in the actual houses being regulated. Rooming houses
would regularly lapse in their license, appearing in the MLS report one year and absent
the next. Some houses were licensed every other year and others had a two or three-year
gap between licenses. It is possible that certain licenses simply were not recorded, but

since there are yearly rooming house reports, this is unlikely. Given the fact that the Rupert Hotel fire in 1989 happened in a rooming house with a consistently lapsed license, it would seem reasonable that the City would be more stringent with houses whose licenses regularly lapsed. However, this inconsistency in licensing could be attributed to houses with conditional licenses (as set by the Rooming House Commissioner), lack of enforcement or inconsistent reporting. In addition, the actual licensed houses do not vary significantly from year to year and newly licensed rooming houses are not a very common occurrence. Overall, there is a limited number of licensed rooming houses in Toronto that are slowly declining in number and many rooming houses within the downtown licensed stock regularly operated with lapsed or conditional licenses, making the legality of the downtown rooming house landscape questionable at best. It is possible that there are more unlicensed than licensed rooming houses in the downtown, but due to the underground nature of illegal houses, exact numbers are difficult to document.

Unlicensed (illegal) rooming houses are not exactly a welcome part of the rooming house landscape in the downtown, but are a common occurrence. Few unlicensed houses get shut down and some openly exist alongside licensed rooming houses (see Figure 5.4). However, the City only acknowledges and records the number of licensed rooming houses in downtown Toronto (see Figure 5.5). Bylaw enforcement officers and city staff regularly turn a blind eye to unlicensed rooming houses, allowing them to operate illegally but under the watchful gaze of enforcement officers and the fire department. Housing workers (even those who advocate for the rooming house bylaw) are regularly confronted with the dilemma of deciding whether to house a client in an unlicensed rooming house. As a result of the presence of unlicensed rooming houses in
Figure 5.4: Licensed (left) and unlicensed (middle) rooming houses co-exist in South Parkdale (Photograph by Lisa Freeman. 2012).

Figure 5.5: Map of licensed rooming houses in Toronto from 1999 and 2008 to show the cumulative number of rooming houses that were licensed during this nine-year span (University of Toronto Cartography Office. 2009). (Lisa Freeman with Centre for Cartography, University of Toronto).
the downtown, low-income tenants can readily distinguish between licensed and unlicensed houses and housing workers possess an ambivalent and/or pragmatic view of the licensed/unlicensed distinction.

For most tenants in the east downtown neighbourhood of Leslieville (in South Riverdale), the difference between unlicensed and licensed houses was obvious. Edward noted, “[y]ou can pretty well tell by the shape of it. The way it is outside, the way the conditions are on the outside, the lawn, the backyard, the houses next to it.”33 Other tenants, like Peter, observed the required licensing documentation, “[y]es, he’s got it advertised right inside the front door. Also, he has two building permits up there as well. He does everything by the book.”34 Yet, many downtown tenants were unaware of the difference between unlicensed and licensed houses. They chose houses based on low rent, relative cleanliness, behavior of tenants and the reputation of the landlord, not the presence of a license. For the most part, tenants were aware of illegal houses, lived in them regardless and generously shared their war stories.

East downtown roomers described unlicensed rooming houses as ‘bad’ because of unsanitary living conditions, slum landlords, excessive drug use and dealing amongst tenants and the presence of police. Rob, a roomer in a licensed house in Riverdale, discussed his experience living in an illegal rooming house. He described the lack of maintenance in the house and the behavior of his fellow roomers. His upstairs neighbour, a man with limited physical mobility, would regularly “fill up his container with urine and dump it out the window.”35 Despite the daily downpour of urine outside his window

33 Edward. Personal Interview. 6 December 2009.
34 Peter. Personal Interview. 27 September 2009.
35 Rob. Personal Interview. 8 December 2009.
and general lack of cleanliness, he noted that the rooming house “wasn’t bad.” He concluded by telling me that the house has since been sold, renovated and is now privately owned. Other tenants disclosed experiences of exploding ovens, mold, faulty wiring and an abundance of drug dealers. A few tenants challenged landlords through the Tribunal, but these attempts rarely resulted in altered living conditions. Edward, a long-term roomer aware of unlicensed houses and poor living conditions, commented that there was a fire in the house two weeks after he left. He commented that the fire “pretty well burned everything on the inside of the house. So I moved out at the right time.” Edward did not digress into a rant about unsafe housing conditions, fire safety or the licensing bylaw. He simply moved on, glad he missed the fire, and found another cheap room.

Pablo, an east end housing worker with the Rooming House Emergency Response Team and Woodgreen Community Services, acknowledged that there were decent living conditions in illegal houses throughout the downtown, but emphasized that the very worst houses he has seen were always unlicensed. He noted that the designation of a licensed house was fairly arbitrary in some instances, “Housing workers do not distinguish between licensed and unlicensed rooming houses when they refer tenants to landlords. They distinguish between affordable and unaffordable rooming houses…so we need them. We need $350.000 friggin’ pieces of crap where we can put our poor folks into that can’t afford anything else.” Joan, another east downtown housing worker, reported that she knew a very attentive rooming house landlord who “did everything to try and maintain the tenancy.” When I inquired if the landlord was licensed, Joan replied:

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36 Edward. Personal Interview. 6 December 2009.
I don’t even know because back then I wasn’t really so caring about whether it was licensed or not; it was just like okay this is a clean room and it’s a good safe environment for my client so I guess it’s okay. I wasn’t thinking in terms of licensed or unlicensed back then. But what was surprising for me is that landlords are not like…I was prepared to say landlords they’re all just out for the money. What was surprising to me is the variety of people—newcomers who can’t get a job doing something else are operating rooming houses—you know, not who I expected.38

Housing workers are placed in a difficult situation. Not only do they need to find their clients safe and affordable housing, they need to do so within an extremely limited budget of the $350.00 housing allowance allocated by Ontario Works (OW) from a total monthly check of $550.00. And, in many cases the most affordable option is an unregulated, unlicensed, illegal rooming house with “less of a chance of it being okay.”39 Housing workers and tenants find houses based on the definition of safe or unsafe living conditions, not based on whether they are licensed or unlicensed. Poverty, in this case, is administered through the financial limitations of provincial welfare and a landscape of rooming house regulation where unlicensed houses are often the most affordable housing option.

The way that landlords operate illegal rooming houses and ‘get around the legality’ relates to the provincial Residential Tenancy Act (RTA) as much as the rooming house licensing bylaw. Under the RTA, rooming house tenants have rights in the case of an absentee-landlord when a landlord is not sharing a bathroom or kitchen. However, the RTA does not apply if the landlord shares accommodation including a bathroom or a kitchen.40 Joan noted that when “the landlord has decided to live in one room officially,

38 Joan. Personal Interview. 16 April 2009.
39 Ibid.
even though they don’t really live there but say they do. And so then, it blows out the Residential Tenancy Act laws, so then the tenant can’t complain." Thus, some unlicensed houses are illegal under provincial legislation, making the housing situation for tenants even more precarious. In addition, some landlords try to evade the rooming house licensing bylaw out of frustration with bureaucratic administration, as Joan noted:

it’s so complicated for them, so bureaucratic, so challenging, that in the end they decide to rent it without the license. And that’s the danger because sometimes they don’t meet the minimum critical [standards]. And if you go and challenge them [on the lack of a license] they will say ‘I won’t rent the apartment.’

Unlicensed houses can be technically illegal or simply unlicensed, depending on the living arrangements or perceived living arrangement of the landlord. The rights of rooming house tenants, then, depend greatly on the individual landlord. For example, a tenant living in an unlicensed rooming house where the landlord does not live on site has protected rights as a tenant under the RTA. However, if the landlord lived on-site or pretended to live on-site, the rooming house tenant would not be protected under the RTA. In either situation, the rooming house tenant is placed in a precarious situation. Even if a tenant is protected through the RTA and files a formal complaint, she risks exposing the unlicensed house to the City that could lead to the (unlikely) closure of the house and eviction of all tenants. Tenants who are not protected by the RTA and live in an unlicensed rooming house have few, if any accessible legal resources available. Thus, in either situation tenants living in unlicensed houses feel as though they exist in a precarious legal space. Even though the closure of the entire rooming house is unlikely to occur if a tenant files a complaint through the RTA, the fear of eviction is enough to

41 Joan. Personal Interview. 16 April 2009.
42 Joan. Personal Interview. 16 April 2009.
deter most tenants from taking legal action against their landlord. Despite the precarious legality of living in unlicensed houses, many tenants choose a room based on affordability, not access to legal rights.

Unfortunately, unlicensed and illegal rooming houses are fairly common in downtown Toronto. Tenants and housing workers rely on them nearly as much as licensed houses. Decisions are made in terms of a good versus bad house, more so than an unlicensed or licensed house. One housing worker noted that some unlicensed houses were in better condition than licensed houses. However, most housing workers I spoke with, and Pablo in particular, emphasized that the worst housing conditions they had ever seen were consistently in unlicensed illegal houses.

The rooming houses that require more of our attention in terms of emergencies and emergency responses are usually unlicensed rooming houses. Either in terms of the City has found out about them or Fire has found out about them and is fining the landlord for everyday that there’s tenants in there. Or they default on their mortgage and abandon the place…there’s a whole bunch of stuff that is very typical to the unlicensed unregulated market than it is to the licensed regulated market.\(^{43}\)

Even though housing workers would prefer to house their clients in licensed rooming houses, it is not always an option. The presence of a rooming house bylaw and the considerable amount of municipal administrative attention focused on rooming houses completely ignores the prevalence of illegal rooming houses scattered throughout the downtown. Since the City relies on rooming house accommodation as part of its affordable housing stock, few unlicensed houses are shut down. Thus, this perceived legality of downtown Toronto is based on the presence of the bylaw and accompanying

\(^{43}\) Pablo Escobar. Personal Interview. 9 February 2009.
administrative attention, and not on the continued presence of unlicensed rooming houses and slowly declining numbers of licensed houses.

**The Suburbs, Fragmented Legalities and Shared Accommodations**

Toronto’s inner suburbs have multiple definitions and various zoning bylaws restricting (and prohibiting) rooming houses. Scarborough and North York prohibit rooming houses through exclusionary zoning bylaws. Meanwhile, the inner suburb of Etobicoke permits rooming houses and licenses them in a very restrictive manner. Subsequently, rooming houses exist in a very limited capacity in Etobicoke and are not permitted in North York and Scarborough. This lack of permissive zoning for single-person households does not reflect the lack of, or need for, single-room accommodation or the existence of rooming houses in the inner suburbs. With a rise in suburban poverty, an approximately a six to eight year waiting list for social housing and expensive rental apartments, relatively inexpensive shared accommodations such as rooming houses arrangements are often the best option for low-income individuals. The zoning bylaws that allow property owners to rent rooms to up to two boarders and rent out basement apartments do not provide enough low-income single-room accommodation for low-income single individuals living in the suburbs. It does, however, maintain the image of the suburbs as a place for single-family homes and a space for the nuclear family. Suburban homeowners are allowed to rent out two rooms within their family home and still maintain the status and respect associated with homeownership. The prohibitive zoning for rooming houses in Toronto’s suburbs then, is reflective of the broader ideology of suburbia (as mentioned in Chapter One).
The rooming house is clearly perceived to be a threat to the stability and security of the nuclear family. The single-family home, not multi-residential units for single individuals, is the crowning jewel of suburbia. A challenge to the built environment of the residential suburb is a challenge to the norms of good citizenship and images associated with the ‘proper’ suburban family home. If rooming houses are licensed, acknowledged and become socially acceptable in the suburbs, the image of the suburbs as a safe haven for the nuclear family from the undesirable characteristics of the family becomes tarnished. Even though the demand for rooming house accommodation in the suburbs is on the rise, rooming houses are an unwanted form of rental housing that challenge the ideology of the suburbs and thus are forced to operate illegally, in opposition to the zoning bylaws.

The legal ambiguity of suburban rooming houses needs further explanation. First, suburban rooming houses are merely depicted as illegal. In reality, they are both legal and illegal. Suburban rooming houses are legal under the provincial Residential Tenancy Act. Even so, they are perceived to be illegal due to the lack or absence of permits within local zoning bylaws. Although rooming houses are recognized and defined within zoning bylaws, they have different land use designations and have been purposefully legislated out of suburban neighbourhoods, as the recent debates over the harmonized zoning bylaw demonstrate. Second, in relation to licensing procedures, suburban rooming houses are deemed illegal simply because they are not licensed. Scarborough and North York do not have licensing bylaws in place, and the parameters of the rooming house licensing bylaw and lodging house bylaw are enforced only within the ghost

jurisdictions of the former City of Toronto and City of Etobicoke. There simply is not a license to break. Thus, in regards to licensing, rooming houses in Scarborough and North York are not exactly illegal. They are unlicensed because a licensing procedure does not exist, but they can be classified as illegal because they violate zoning bylaws. Still, for the most part, rooming houses are viewed and treated as illegal in these two inner suburbs.

Overall, there appears to be a considerable lack of knowledge regarding the legality or illegality of suburban rooming houses amongst landlords, ward councilors and tenants due to the varying representations of rooming houses in municipal bylaws and provincial legislation. Rooming house landlords seem unfamiliar with—or purposefully ignorant of—the zoning restrictions or the presence of a licensing bylaw. And several tenants living in rooming houses seemed unaware they were living in a rooming houses and/or an illegal dwelling. While oppositional ward councillors (especially in Scarborough) are aware of the downtown licensing bylaw and the illegality of suburban rooming houses, they do not have adequate knowledge of the enforcement procedures or working relationships with Municipal Licensing Enforcement Officers. However, ward councilor’s lack of knowledge may be attributed to the lack of administrative and bureaucratic resources in the former municipalities of Scarborough, North York and Etobicoke.

The socio-legal situation of rooming houses in the suburbs differs substantially from the downtown norm, yet the need for inexpensive single-room accommodation for low-income individuals is similar. Since suburban rooming houses violate zoning bylaws

and are not licensed, tenants fear eviction or closure of the entire house if they confront their landlord. In most instances, suburban roomers are nervous to challenge landlords in terms of basic housing rights such as requests for regular maintenance, privacy concerns or even the asking for rent receipts. Thus, in the following sections, I will contextualize the fragmented legal landscape of rooming house regulation in Toronto’s inner suburbs and former municipalities of Scarborough, North York and Etobicoke. First, to provide the reader with a sense of the need and differing face of homelessness in some parts of the inner suburbs, I will discuss the context of, and need for, rooming houses and the situation of homelessness in North York and Scarborough. Second, I will provide examples of rooming houses in Scarborough. Third, I will discuss how the rooming house situation in the inner suburb of Etobicoke differs from Scarborough and North York in terms of housing activist history and the presence of a lodging house licensing bylaw.

Rooming Houses in the Suburbs: Scarborough & North York

“Out here is as far away from Hell as you can get. I think.”
-Bob (Homeless man in Scarborough).

Rooming houses in the inner suburbs of Scarborough and North York provide affordable accommodation for low-income individuals despite their prohibition and ambiguous legality. While the need for rooming house accommodation is similar to the downtown norm, the environment of homelessness and social context surrounding rooming houses is quite different. Suburban rooming houses are still perceived to be the bottom rung of the housing ladder. Yet, in the suburbs of Scarborough and North York, this ladder looks different and serves a wider range of people. Thus, I discuss the suburban rooming house
experience, including the context of suburban homelessness, the physical composition of rooming houses and the identity of suburban rooming house tenants. I also illustrate how this fragmented legal landscape of rooming houses with established legal structures for single-person household’s affects and is understood by suburban tenants. In this section, I draw from the experiences of tenants and housing workers in the inner suburbs of Scarborough and North York. Though each inner suburb has a distinct history of housing, both inner suburbs prohibit rooming houses and many of the tenants I interviewed in North York live in Scarborough, but still access support services in North York. Overall, the following sections provide insights into the fragmented legal landscape and personal experiences of rooming house accommodation in the suburbs of North York, Scarborough and South Etobicoke.

**Context of Suburban Homelessness**

The topic of homelessness inevitably arises when one discusses rooming houses. During my interviews, it became clear that the landscape of homelessness and the rooming house population was significantly different in the suburbs of North York and Scarborough than the downtown. In order to find rooming house accommodations for marginally housed individuals, housing and immigrant settlement workers first needed to locate the people who required such inexpensive housing accommodation. Marginally housed and homeless individuals were not sleeping on street corners, warm subway grates or living in emergency shelters as they do in the downtown; they were camping in ravines, parks, sleeping in cars or couch-surfing with family or friends.47 Several settlement and housing

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workers explicitly expressed the fact that suburban homelessness is hidden and rarely visible from the streets. Richard, a homelessness outreach worker in east Scarborough, described the difficulty in identifying a homeless individual.

It doesn’t matter where they are [downtown] they look whatever the stereotypical image of homeless [is]. Up here they don’t look like that. They don’t. Most of the time, I can’t say none, but by and large. When I’m on days off I see people walking down the street and because of my work I know that they are homeless but they don’t look any different than the guy in front of him living in a condo and the guy behind him that’s living somewhere else. So visually they’re hard to find. Scarborough is a hundred and forty square kilometers, and finding them is hard.48

For newcomers to Canada, suburban homelessness is equally as invisible and complicated in terms of family and cultural community.

Caroline, the coordinator of an immigrant settlement organization in North York, shared the story of a male client who worked nights and slept at her employment centre during the day, saying he was ‘searching for work.’ When the employment counselors noticed this pattern, they alerted Caroline.

When I interviewed the person it was a sponsorship newcomer fairly new to Canada, had moved in with his wife who also had a grown-up family and grandchildren. The whole family had turned on him and expected him to go out and provide for the whole family. Then they started to sort of abuse him verbally and psychologically. So he ended up just leaving. The police were involved at one point. He ended up going to a friend and that friend said you can’t stay here anymore. So that’s what he did for pride. You’d never know he was homeless because he was always well kept and everything [his appearance] was immaculate. But then finally he disclosed he was homeless—and that’s the piece. So they don’t come in and say I’m on the street; they’ve been asked to leave…49

Caroline noted that she has documented several cases where the process by which immigrants and refugees have “ended up on the street was related to their relationship to either the family, the people that sponsored them or the people that brought them in to work.”

Newcomers to Canada, Toronto in particular, comprise a substantial segment of the people living in rooming house accommodations in the suburbs.

My interviews with settlement workers, housing workers and tenants indicate five general, neither mutually exclusive nor exhaustive, types of people living in or requiring rooming house types of accommodation: newcomers to Canada, senior citizens (mainly newcomers or immigrants), formerly-homeless men, long-term suburban residents and students (and youth). The majority of suburban roomers, regardless of their identification as newcomers to Canada or senior citizens, for example, live on a fixed income, usually Ontario Works (OW) or Ontario Disability Support Program (ODSP). Some workers noticed an increase in single parents, victims of abuse, and women looking for single-room accommodations, while others depicted tenants as largely single males, with a large number of (international) students clumped near colleges and universities (see Figure 5.6). By and large, the marginally housed population in Scarborough and North York reflects the increased poverty and diversity in established and newcomer communities in these two suburbs.

Helping new immigrants find affordable housing is a main job for immigrant settlement workers, in addition to filing paperwork for governmental income assistance

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50 Ibid.

Figure 5.6. A neighbourhood with a high concentration of rooming houses near York University in the suburb of North York, Toronto. (Photograph by Lisa Freeman, 2010).

and citizenship or permanent resident status. The immigrant settlement workers I interviewed noted that many newcomers to Toronto arrive in Canada with few familial or financial resources, have little credit and often gravitate towards living with or near people in their cultural community. People often find themselves in overcrowded situations, precarious rental agreements and, increasingly, in rooming house arrangements. Overcrowded accommodations where “probably 20 people live in a space that’s meant to be lived in by 4 or 5 people [or the situation of] 5 or 10 families living in a two-bedroom apartment” was quite common. A few housing workers described these

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52 Dawn. Personal Interview. 16 September 2009; Samir. Personal Interview. 9 November 2009.
overcrowding situations as hidden homelessness.\textsuperscript{53} Rooming houses, though more expensive, are a welcome alternative that appear to give people what they need in terms of housing, especially when there is a relationship and/or cultural connection with the landlord.\textsuperscript{54} Samir, a housing worker in Scarborough, noted that there usually is a “small bridge” between tenants and landlords,

[In] the newcomer communities which are a major sector of the populations in Scarborough, these kinds of relationships essentially happen within the same community so chances are you knew [the Landlord] or you know somebody who knew them and that is how come you got to rent…Having said that, [the Landlords] always house their friends first and sometimes they work and sometimes they don’t, but there is that kind of relationship.\textsuperscript{55}

For, Arti, a female Tamil roomer in Scarborough, this multi-dimensional relationship of landlord-friend cultural community was arduous. Her friend-of-a-friend landlord regularly impinged on her privacy. She was nervous to confront her landlord because she knew that a potential conflict could be interpreted as disrespectful to the people who helped her find housing and her extended community. Despite a stressful and grueling experience that unnecessarily involved the police, she found support within her community and a new living arrangement. It may be common for roomers to know their landlord; however, such an arrangement is limited to particular neighbourhoods and is not representative of all rooming house arrangements.

Senior citizens comprised another significant but unseen group of marginally housed individuals in the inner suburbs. The majority were newer immigrants who lived in Canada for less than 10 years, spoke little English and were dependent upon their adult

\textsuperscript{53} Samir. Personal Interview. 9 November 2009.
\textsuperscript{54} Rhonda. Personal Interview. 14 August 2009.
\textsuperscript{55} Samir. Personal Interview. 9 November 2009.
children. Their need for inexpensive housing resulted from family conflicts. Several settlement and housing workers identified these situations as cases of elder abuse.\textsuperscript{56} In these situations, senior citizens usually immigrated to Canada to help raise their grandchildren and were sponsored by their adult children. Once the children were in school and/or a conflict between the adults arose, the newly immigrated grandparents were asked or needed to leave. However, few spoke English, were financially dependent on their adult-children and had no place else to go,

\begin{quote}
Cai: Originally they all have a nice plan; the parents can be with them, they can live as a family. They all have that dream. But of course after they arrive that builds a lot of pressure for the children because now you also have to be financially taking care of the parents because if you bring them you are responsible for 10 years. If they decided to go to Welfare—the parents let’s say, that sometimes happens—Ontario Works…the Welfare would send a cheque to the [adult] children because [their] job is to sponsor—because you signed an agreement that you are responsible for your parents. So any benefits that your parents would receive in the future within this 10 years will go back to you…So a lot of the parents become isolated at home; they don’t speak English, they don’t know where to go because they are elderly. Lisa: And in the suburbs it’s hard.
Cai: Exactly. And it’s even harder if there are no other community centres where they can go out and have some activities. So basically a lot of them are just home and isolated and sometimes, not all the time, [the adult children] can be frustrated with their parents and so sometimes they mistreat their parents and the parents have no one to turn to. So that’s elder abuse.\textsuperscript{57}
\end{quote}

Another settlement worker commented that this pattern develops very quickly, usually within one or two years, and makes it very difficult for seniors to find affordable accommodations on fixed or non-existent incomes.\textsuperscript{58} Another housing worker noted that seniors fleeing elder abuse who did not receive government subsidized housing regularly

\begin{footnotes}
\textsuperscript{56} Cai. Personal Interview. 30 July 2009
\textsuperscript{57} Heidi. Personal Interview. 20 August 2009.
\textsuperscript{58} Cai. Personal Interview. 30 July 2009
\end{footnotes}
Not all marginally housed seniors were fleeing abusive situations, but most were responding to family conflicts. Giovani, a 64 year-old first generation immigrant from Sicily, had a different experience with homelessness and housing. When I spoke with him on a park bench outside a soup kitchen in Scarborough, he told me (in broken English) that he was eagerly waiting for his 65th birthday because he could then receive his old-age pension and afford to rent his own room. Giovani was currently couch-surfing with friends and spent the occasional night sleeping in a garden shed in his son’s backyard, without his son’s knowledge. He had immigrated to Canada 20 years ago and owned a house. He lost possession of his house after his divorce due to financial constraints and moved in with his adult son. When his son kicked him out, Giovani became homeless. He relied on friends, soup kitchens and community centres. Unlike elderly newer immigrants without citizenship, Giovani at least had his pension for security. However, like other immigrant seniors his homelessness and marginally housed status was hidden and difficult to detect.

Not all marginally housed or homeless individuals in the inner suburbs are immigrants, newcomers or seniors. In the interviews I conducted for my research, I met a number of people who had previously lived downtown or had lived in the suburbs their entire life; some of these people were homeless and many were living in rooming house arrangements. The homeless men I spoke with echoed the sentiments of middle-class people leaving the downtown for the suburbs. Bob regularly referred to downtown (mainly Parkdale) as ‘hell,’ equating the suburbs with heaven. Bob classified himself as a senior citizen (over 65-years old), still lived outside, regularly dodged attempts by an

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outreach worker to house him and earned money by collecting scrap metal. André, a former Montrealer and factory worker, preferred camping in Scarborough’s ravines, telling me that the suburbs were “a break from the cement.” Several housing workers discussed how the City’s Streets to Homes program was forcing older downtown homeless individuals to live in the suburbs. This program was designed to alleviate homelessness and required housing workers to house homeless individuals in the first available accommodation, regardless of where they had built community or previously lived. Workers were fairly neutral about this program, with a few remarking that several formerly downtown homeless individuals now living in the suburbs had lengthy trips downtown to access their established support services (including counselors and rehabilitation programs).

Several tenants I interviewed had lived in Scarborough for most of their lives and did not want to leave the suburb. They had a particular knowledge of the area, the shopping centres, bus routes, community support services and desirable neighbourhoods, and did not want to leave. A significant portion of tenants lived on social assistance but, as Pierre notes, there is considerable variation in the suburban rooming house tenant, especially in his house,

You had whoever came in off the street. You had from the very low to some of the biggest guys. I’ve seen guys with suits and ties and I’ve seen guys with no shoes on. I’ve seen every walk of life. People are surprising. Some people dress like bums and have millions of dollars. There’s a guy that runs around here in Scarborough; he’s got a

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61 De Jong, Iain. What "Housing First" Means to People Housed under Toronto's Streets to Homes Program. Toronto: City of Toronto: Shelter, Support and Housing Administrative Division, 2007. Note: Streets to Home is a housing first project based on the idea that moving people into permanent housing is a way to end street homelessness. It is fairly controversial and though widely implemented in Toronto, not widely respected amongst housing workers I interviewed.
pocketful of money but his feet are dirty...A good portion might be on social services but a lot of people work. It won’t be a regular job, like a “hire by day.” You go to the agency and they will hire you for today and you will get paid at the end of the week because you just started...the landlord will say I need my $50 today...I have to go to work and get the $50 and so you can’t get a paycheque.

Within this diverse array of tenants, several students, including a large portion of international students, live in rooming house accommodations. For students, living in one bedroom and sharing a kitchen or bathroom was not a problem. One student I interviewed commuted daily downtown but liked his room and wanted to live close to his family, so he remained in Scarborough. Others complained about poor living conditions, moldy basements and cramped rooms. Although students are not the primary demographic of roomer referred to in discussions about extending the bylaw in the suburbs, many housing workers I spoke with discussed the prevalence of international students living in rooming house accommodations.

Overall, the population of marginally housed individuals in the suburbs (some of whom lived, have lived in or looked at rooming houses accommodation) was diverse in age, gender and ethnicity. The age of roomers (marginally housed individuals) varied from youth (17-25 years) to seniors (65 plus). Most roomers are men. The female suburban roomers interviewed were almost always the only woman in the house, temporarily lived in rooming houses (some in the downtown) or saw rooming houses when searching for accommodation. Overall, the suburban rooming house tenants represent a wide range of individuals including women and families. Still, a growing majority of roomers are newcomers to Canada, single and male.

63 Regini David. Personal Interview. 18 December 2009.
Rooming Houses and Basement Apartments

Rooming houses are a flexible living arrangement and, as such, can be found in a wide variety of living accommodations. In the suburbs, rooming houses turn up in newer and older suburban homes, and usually appear in basements, which reveals how landlords push the boundaries of established bylaws that legalize basement apartments and second suites. Instead of renting their basement to one individual, many suburban landlords divide the basement into multiple rooms and operate the basement apartment as though it were a rooming house. Unlike their downtown counterparts, suburban rooming houses are not visibly concentrated in one or two (formerly) low-income neighbourhoods – likely because high concentrations of older decrepit multi-storied Victorian houses do not exist in Toronto’s inner suburbs. However undetectable suburban rooming houses may be, they are a commonly known form of affordable housing amongst diverse cultural communities clustered in specific areas of the suburb. For the most part, rooming houses in the inner suburbs of Toronto vary in physicality, are geographically dispersed, and blend into the suburban landscape.

Suburban rooming houses were difficult to identify for a downtowner like myself. When Richard, an east Scarborough homelessness outreach worker, asked me to find the rooming house on a quiet tree-lined street during our drive-along interview, I quickly realized that my downtown rooming house identifiers of peeling paint, curtain-less windows, paved front yards and mismatched chairs on the front porch were useless. As my eyes scanned the bungalows and manicured flowerbeds, I knew I was doomed. Indeed, I failed this first test. Richard (gleefully I might add) pointed to a small red-bricked bungalow in excellent condition operated by an older woman, a former nurse.
who rented rooms in her basement. He considered this house to be a good rooming house. I tried to imagine where multiple rooms could fit into this tiny post-war bungalow and continued to be taken aback by the neatly trimmed hedges and small fence bordering the property. Fifteen minutes later when Richard stopped the van in another Scarborough neighbourhood with typical suburban homes, I devised a new strategy for rooming house detection. This time I purposefully identified the house I thought would least likely be a rooming house – the large two-storey, yellow brick house with a three-car garage and visible ‘home gym’ in the living room. This time my strategy worked. Richard nodded when I made my choice and immediately pointed to a side door adjacent to the triple-car garage door, noting that rooming house tenants accessed their basement rooms through that separate door. Though I found suburban rooming houses difficult to identify, some people find them easily and use parking and the presence of multiple cars in a driveway or on an adjacent street as main indicators of suburban rooming houses. In City Hall meetings, oppositional councilors and homeowners consistently referred to the increase in street traffic, parked cars on the street and multiple cars in the driveway as the main indicator of and complaint pertaining to rooming houses. However, they rarely complained of a wealthier family with multiple-car garages or adult children with BMWs parked on their street as a problem. I quickly began to question parking as a legitimate indicator of suburban rooming houses. Besides, during my 45 interviews with rooming house tenants in Toronto, 26 of which were in the suburbs, I did not meet one roofer who owned a car or mentioned parking as an incentive or detriment to rooming house living.

Note: I did not include a picture of this known suburban rooming house due to limitations concerning the identification of unlicensed/illegal rooming houses as discussed in my agreement with the Research Ethics Board at the University of Toronto.
The typical suburban rooming house had three or more rental rooms, a common kitchen and a shared bathroom, and was often located in the basement of a smaller bungalow or large monster home (see Figure 5.7). Living conditions ranged considerably in terms of cleanliness, size and tenant contentment. A few tenants happily reported free Wifi, a big screen television in the living room and spacious bedrooms. Arti lived in a basement of a “huge suburban house” commenting, “I could have a queen bed and if I wanted I could have had my small computer table kind of set-up. So it was comfortable, very comfortable.” Yet, not all houses are so nice. Many roomers complained about small windowless bedrooms, the lack of screens on windows, the copious amounts of black mold in the bathroom and controlling landlords. Rooms in basements, however, were a norm. Pierre, a roomer in Scarborough who had previously lived in multiple rooming houses in the downtown, described the average suburban rooming house (see Figure 5.8),

It’s just a regular 2 level house. Some of them have like a second level and put in all these rooms, like you’ll have four or five rooms in the basement. They subdivide it all into rooms and have one little kitchen and one little dining area. A lot of places when you say I want a room—it’s exactly what you get, it’s a room. It’s an 8’ x 10’ and you get your bed and a dresser…that’s a rooming house. That’s $400.

The majority of rental rooms in the suburbs were located in converted basements resulting in a certain amount of confusion between rooming houses and basement apartments.

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The association between and conflation of rooming houses with basement apartments is common. Many tenants I interviewed did not immediately identify as roomers. They identified as living in a basement apartment and rarely used the term rooming houses in describing their living conditions. Sally, a younger woman who had recently been searching for a two-bedroom apartment with a friend, was quick to discern that a basement apartment she was viewing was, in fact, a rooming house.
The lady said new carpet, window covers, we were like “oh yes, scored, it’s only like $700.00.” She said “you have to enter through my house” and we had to walk through her house where she lives to get to a basement door and go down these really crappy steps. I said [to my friend] I don’t think I want to live here. We got down there and as soon as you got to the bottom of the stairs there was a sink and maybe a foot and a half of counter space and then a stove and fridge. And, there were all these doors. It was done up like a rooming house. She said this is a 2 bedroom apartment, here’s the bedroom and here is the other bedroom. The doors had locks. I said, “I thought that this was a two bedroom”. She said, “it is.” The way it was set up was literally like you’re in a kitchen and the bedrooms were off everywhere around it. Then she said, [pointing to the other bedroom doors] “this isn’t your space and this isn’t your space but this part and these two rooms are your area and the bathroom.” And I said, “other people use the kitchen? And she said yes. I said “we are not living here.”

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67 Sally Personal Interview. 30 September 2009.
Not all basements are crowded nor landlords as unclear (or purposefully deceitful) about the distinction between rooming houses and basement apartments, as evidenced by Sally’s experience. Some new immigrants who own large homes rely on renting rooms to students at nearby colleges to supplement their mortgages, noted Regini David, a Scarborough resident and housing worker. Some housing workers had good relationships with rooming house landlords, as was the case of the nurse renting out rooms in her red brick bungalow. Although the financial concerns and physical layout of suburban homes (with large basements) provide reason enough for the increased presence of rooming houses in converted basements, the association with legalized basement apartments is likely a significant driving force behind this (underground) housing pattern in Scarborough.

Rooming houses are not a permitted use in zoning bylaws in Scarborough, but basement apartments are. Thus, it appears as though landlords are pushing the boundaries of zoning bylaws that allow for the basement apartments (or ‘granny suites’) and permit homeowners to rent rooms for up to two boarders within their living quarters. Basement apartments, also referred to as ‘nanny flats’, ‘granny flats’, apartments-in-houses, in-law and second suites, were legalized in Toronto in 1999. At that time, basement apartments represented one-fifth of the entire rental stock in the former City of Scarborough, but were not allowed in many areas. They were allowed in the former City of York and East York, restrictively permitted in parts of Etobicoke and North York and were prohibited in Scarborough and specific neighbourhoods in the former City of Toronto.68 The debates concerning legalizing basement apartments had been ongoing since the mid-1980s and

were unsurprisingly very controversial. Between 1987 and 1999, discussions pertaining to illegal basement apartments and their legalization in the context of the crisis of homelessness hit the Toronto region.\textsuperscript{69} By the time the final vote took place, the legalization of basement apartments was a contested issue and passed City Council by a narrow margin of 27 24.\textsuperscript{70} This vote occurred during a heated moment in municipal politics: Scarborough had recently amalgamated with the City of Toronto, the City had gone through nearly ten years of debate concerning illegal apartments and there new city-wide zoning changes were underway.

There was a contested debate concerning the legalization of basement apartments. The fact that basement apartments are becoming \textit{de facto} rooming houses may provoke continued resistance to both basement apartments and rooming houses in certain suburban neighbourhoods. Councillor Del Grande commented that his constituents had “already done enough by allowing basement apartments” in their neighbourhoods, confirming a common distaste for and forced tolerance of basement apartments in Scarborough. Perhaps it is beneficial that oppositional residents have not yet made the link between the emergence of rooming houses and zoning for basement apartments. This conflation between basement apartments and rooming houses draws our attention to the problems inherent in specialized and specific municipal zoning and licensing regulations regarding housing, including the difference between legalized basement apartments and

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legalized rooming houses. But this question regarding specialized bylaws for specific housing forms may also indicate how such regulation emerges, and is one way to discover new (and illegal) forms of affordable housing.

Rooming houses, at least in the suburbs, are very much indicative of a living arrangement. All rooming houses are arguably a living arrangement; however, they have been historically associated with larger single-family houses converted into many individual rooms. Even though basement apartment rooming houses appear to be the norm in the inner suburb of Scarborough, there are multiple additional adaptations of rooming houses as living arrangements. Tenants and housing workers in the suburbs used the terminologies—room share, house share or shared accommodation—to describe rooming house-type living arrangements. According to several settlement workers, established immigrants would buy a house and rent out rooms to people within their cultural communities. Rooming houses could be found in privately owned, rented and communally owned houses. Overall, suburban rooming houses took multiple forms. A local Scarborough journalist for a community paper noted that several Filipino nannies in the area would pitch their money and rent a house together, spending their weekends off in their communally rented house. Even though this ‘nanny-house’ was technically not a rooming house, it bears a resemblance to a rooming house since its serves a similar purpose. Variations on rooming house arrangements abound in the inner suburbs. I heard about rooming house arrangements that were located in small one or two-bedroom apartments where the landlord (often a renter himself) would place multiple mattresses on the floors of living rooms and bedrooms, and several people would sleep in each room, sometimes in shifts to maximize usage (and likely save on rent). Some of these
overcrowding situations resembled the older model of a flop house more so than a rooming house, but the landlords were often renters themselves and unaware of the illegality of their subletting situation.

The exact composition of suburban rooming house living arrangements depends on the landlords and the suburb in which they exist. Many basement rooming houses resulted in over-crowded living conditions and most suburban rooming house tenants had precarious relationships with landlords. Overall, suburban rooming houses reflect the pre-established legal landscape of affordable housing in each suburb, and rely on informal processes (through specific cultural communities) of procuring stable temporary housing. Even though rooming houses are technically prohibited and difficult (for a downtowner like me) to identify easily in the inner suburbs of Scarborough and North York, they do exist in large numbers. The illegality of their existence does not seem to be a deterrent to tenants or landlords. Suburban rooming houses have become a flexible form of housing arrangement that can materialize in any type of house and neighbourhood while evading municipal enforcement bylaws.

Lodging and Housing in Etobicoke

The regulatory landscape of rooming and lodging houses in Etobicoke is quite distinctive from the suburbs of Scarborough and North York. First, Etobicoke has a lodging house licensing bylaw. As such, the media routinely reports it as the only suburb with a rooming house license, despite its obvious limitations. Second, lodging homes are acknowledged and licensed only in the southern part of the suburb, in the former (and traditionally low-
income and working class) industrial towns of Mimico, New Toronto and Long Branch.\textsuperscript{71} The association between lodging houses and south Etobicoke stems from the history of this region, the closure of the Lakeshore Psychiatric Asylum (1978), its proximity to South Parkdale and the clear geographical divides between income, race and housing forms throughout north-centre-southern regions of the suburb. Third, south Etobicoke has an established progressive network of community advocates and a diverse array of affordable housing options with the highest concentrations of lodging houses, co-operatives, low-income apartments and mixed-use housing developments in the suburb. The three former Lakeshore municipalities of the town of Mimico, the town of New Toronto and the Village of Long Branch merged in 1967 with the Township of Etobicoke to form the Borough of Etobicoke (see Figure 5.9). These three former municipalities reflect their history as a working class industry towns more so than as a bedroom community in a post-war suburb. This area, perched on the edge of Lake Ontario located just west of downtown Toronto, was once viewed as the ‘dumping ground’ for supportive and affordable housing. In the past ten years it has undergone major demographic changes – income-levels are increasing and gentrification is on the rise. New Toronto has recently been dubbed the Toronto’s west end ‘Beach’ in reference to an established higher-income beachside neighbourhood on the eastern downtown portion of Lake Ontario.\textsuperscript{72} Large condominium developments are encroaching upon the eastern edge of

\textsuperscript{71} The former towns of Mimico, New Toronto and Long Branch make up Ward 6 of the City of Toronto. The population is approximately 56,620 and is 18 square kilometers in size. In 2006, 56% of Ward residents occupied private dwellings and 44% rented. 31% of occupied private dwellings each were in single-detached houses and high-rise apartments with 26% in low-rise apartments. (City of Toronto: http://www.toronto.ca/wards2000/ward6.htm)

\textsuperscript{72} Keenan, Edward & Kate Underwood. “Toronto’s most underrated neighbourhood: #1. If you are priced out of The Beach, take a look at…NEW TORONTO.” The Grid. 14 March 2012. Real Estate. Online.
Mimico (where there used to be a string of older motels along the shores of Lake Ontario) and are shifting the small town feel of this once affordable lakeside community.

In this section, I focus on south Etobicoke because rooming and lodging houses have historically been concentrated in this southern region of the suburb, as has the lodging house licensing bylaw. Additionally, this former working class and industrial region has an extensive history of affordable low-income housing (including low-rise apartments and mixed-use developments on the former Good Year factory site), community resistance to the encroachment of condominium towers on the former ‘motel strip’ and a tight-knit community of local activists that have worked with progressive provincial governments on housing and community development projects. The data for

**Figure 5.9**: Map of south Etobicoke including: the former municipalities of Long Branch, New Toronto, Mimico and the Toronto neighbourhood of South Parkdale. (Martin Danyluk, 2012).
this section is based on open-ended interviews with community organizers and document analysis including, but not limited to, the lodging house bylaw and study, local newspaper articles and municipal reports. I also draw from my participation in workshops and presentations at the Mimico 20/20 Revitalization Action Plan Community Charette conducted by Urban Strategies Inc. between April 6 and 9, 2009. During the Charette planning meeting, I met several local and community advocates, listened to landlords defend their proposed development plans and spoke with a few tenants living in the low-rise apartments who were the subject of these revitalization discussions. A few weeks after the Charette, Ruth Grier, a long-time resident of Long Branch, former Alderman and former New Democrat MPP, offered to take me on a guided tour of south Etobicoke. Ruth drove me to the sites of former factories, the former grounds of the Lakeshore Psychiatric Hospital, seniors’ residences and we walked through low-rise apartment complexes situated on former rich housing estates, mixed-use developments and co-operatives. Her commentary was rich with stories about tenant organizations, quips about good landlords in the area, the history of psychiatric survivor groups, her first-hand experience fighting against the condominium development on the former motel strip and her efforts to protect natural habitat and parks on the former grounds of the Lakeshore Psychiatric Hospital in the former municipality of Long Branch. After my drive-along interview with Ruth, it became clear to me that south Etobicoke epitomized the fragmented landscape of rooming house regulation and (housing) diversity within the inner suburbs in Toronto. Thus, even though I did not interview rooming house tenants in Etobicoke, largely due to the small number of rooming houses, and only interviewed one rooming house operator, I feel as though the combination of interviews with housing
workers, community advocates like Ruth, my participation in the planning charette and document analysis provided ample information for understanding the landscape of lodging houses and licensing in south Etobicoke.

The former municipalities of Mimico, New Toronto and Long Branch in south Etobicoke feel like a small town with a tight-knit community more so than part of a larger inner suburb. There is a sense of solidarity and pride amongst the long-term residents – at least amongst the former politicians, community organizers and planners I interviewed. Many small but significant battles over control of the region have been fought. Housing co-operatives exist alongside seniors’ residences, mixed-use developments reside on former factory sites and there appears to be long-standing support for former patients of the Lakeshore Psychiatric hospital. In the 1980s, a locally based program for psychiatric survivors opened in the local community health centre after the closure of the Lakeshore Psychiatric Hospital, and remains a strong advocacy support service today. Several health centre employees I interviewed proudly told me that they regularly run into program participants on Lakeshore Avenue (the main street) who want to continue living in south Etobicoke. There is a sense of pride in the mixed income demographic of this neighbourhood, much of which pertains to the mix of low-income housing in this region. Although a significant number of the former workers’ cottages and two-storey brick homes have been purchased by middle-class individuals discovering the Lakeshore area,73 long-term residents were proud of the community struggles that resulted in the development of mixed-use housing developments, alternative uses of former factory sites,

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73 Note: Local residents use the term “The Lakeshore” in reference to south Etobicoke’s former towns of Mimico, New Toronto and Long Branch. The Lakeshore is also a term used to describe the main street and former psychiatric institution. For purposes of clarification, I will use the term “The Lakeshore” only in reference to the entire area of south Etobicoke.
the number of housing co-operatives and the community uses of the grounds around the former psychiatric hospital in the Lakeshore. The encroaching condominium complexes that replaced the old motel strip and the accompanying changing demographic of Mimico residents, however, were not a source of community pride. As plans for the re-development of the apartment strip were underway, local (long-term) residents discussed community planning strategies to revitalize Lakeshore Avenue with hopes of maintaining an active and economically sufficient main street for the traditional mix of renters and homeowners in the district.

During my interviews, few people immediately mentioned rooming houses when I asked about housing in the area. Instead, they would discuss rooming houses in terms of the broad range of low-income housing in the area or as something affiliated with The Lakeshore’s history: the factories and psychiatric hospital. Still, for most people I interviewed, rooming houses were just one part of the Lakeshore’s history. Rooming houses did not seem controversial nor did they seem to exist in large numbers or in concentrated areas of Mimico, New Toronto or Long Branch. People noted that South Parkdale was so close by (a short streetcar ride away) that most people looking for rooming house accommodation would go there. Nonetheless, after the Lakeshore Psychiatric Hospital closed, it appeared as though lodging houses—including boarding and rooming houses and group homes—became a concern for some residents and ward councillors in Etobicoke, so much so, that a licensing bylaw was proposed.

Etobicoke’s lodging house license is substantially different from the former City of Toronto’s rooming house licensing bylaw. It has a broad definition for a lodging home, is regulated under Public Health not Municipal Licensing and Standards and only licenses
17 houses. Under the Etobicoke license, lodging homes (much like rooming houses) are dwellings for more than two lodgers, with or without meals and cooking facilities. The term lodging house includes,

a rooming house, a boarding-house, a rest home or retirement home, a transitional residence, a dormitory and premises operated as a lodging-house by social clubs, fraternal societies and religious orders for their members, but shall not include a hotel, hospital, one-family dwellings as defined in the Zoning Code, student housing operated by a college or university, group home, home for the young or aged.  

This definition is quite expansive but for the most part includes rooming houses, retirement homes and/or supportive housing for seniors. Similar to the downtown rooming house bylaw, Etobicoke’s license has various categories for Personal-Care houses and regular rooming houses. However, it has many more clarifications based on the age of tenants and lengthy health protocols for kitchen and sanitary facilities. Though rooming and lodging houses are regularly referred to as single-person households based on individual room tenancies, this bylaw states that there can be no more than four people inhabiting one bedroom. This four person limit per bedroom in conjunction with the broad definition of lodging home provides us with a hint that the Etobicoke license is more focused on supportive housing and retirement homes than the single-person households of (private market) rooming houses. In addition, Etobicoke’s lodging house license has very particular standards for Schedule B: Personal-Care housing. In Etobicoke’s lodging house bylaw sections pertaining to personal care homes significant attention is given to parameters for employee relations, admission standards, health standards for dining rooms, bathrooms, common areas and food preparation. Overall, this

municipal bylaw does not specifically target rooming houses and boarding homes. It addresses health and safety standards for a broad definition of lodging home that concentrates on group homes, seniors housing and retirement homes. It also differs administratively. It is governed by Public Health not Municipal Licensing and Standards, does not have a tribunal and is not surrounded by a large and established network of municipal and community advocates.

Rooming and lodging homes in Etobicoke were recognized as a permitted residential use in mixed commercial residential zone categories in the original comprehensive zoning bylaw in the three Lakeshore municipalities in the late 1940s. Etobicoke City Council enacted the lodging house licensing bylaw in 1978 “after a fire resulting in loss of life, in a lodging house in the Lakeshore area.” Interestingly enough, this bylaw was enacted in the same year as provincial deinstitutionalization policies closed down the Lakeshore Psychiatric Asylum, in the former municipality of Long Branch in the western portion of south Etobicoke. According to Ruth Grier, local residents of the Lakeshore did not oppose the presence of lodging houses as lodging houses were perceived to be homes primarily to house senior citizens and the few outpatients left at the psychiatric hospital. However, there was substantial resistance to group homes in and beyond the southern portion of Etobicoke in the 1980s. Etobicoke passed an interim bylaw in 1980, only two years after the original lodging house bylaw was implemented, prohibiting the licensing (and conversion) of lodging houses for one year, contingent on the completion and recommendations of the Borough of Etobicoke

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75 Leibel, Barbara, Borough of Etobicoke. Planning Department & Policy and Research Division. The Lodging House Study, 1981. 5 May. 60 pages.
76 Ibid.
Planning Departments: The Lodging House Study (May 5, 1981). This interim prohibition was based on two 1980 incidents that led to concerns about the ineffectiveness of municipal bylaws in regulating the conversion of lodging homes to group homes. The controversial cases that preceded the control bylaw involved ex-psychiatric patients and the creation of a group home. One case involved changing the name and zoning for an institutional facility that originally housed four psychiatric patients, but wanted to house six to eight psychiatric patients. The other case involved the conversion (through the Committee of Adjustment) of a property that “had been used as a lodging house for senior citizens to be changed, through minor variance, to a group home for children from the Thistletown Regional Centre.”

After these two incidents of conflict and the publication of a Metropolitan Toronto Social Services and Housing Sub-committee on Boarding and Lodging Houses report in 1980, recommendations were given for individual municipalities to utilize their authority to provide support for boarding or lodging houses. Since the Lakeshore Area of south Etobicoke was already an area of lodging house concentration with lodging houses as a permitted use by existing zoning provisions, residents became concerned about further concentration of single-person households. Consequently, on June 6, 1980,

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78 See Leibel at 9.
Council enacted new bylaws in Mimico, New Toronto and Long Branch that deleted lodging houses as a permitted use in the Lakeshore municipalities.\textsuperscript{79} Under these bylaws, existing licensed lodging houses could continue to operate and have their licensed renewed. However, new boarding or lodging houses would be required to apply for a license with the local Board of Health with proof of their existence prior to the implementation of these new bylaws. Under these new restrictive bylaws, no new boarding or lodging houses were to be approved for one year, when the Lodging House Study was scheduled for completion.\textsuperscript{80} Despite the fact that there was a one-year time limit on these restrictive bylaws, time limits were deleted on permitted uses for lodging and boarding houses as a result of bureaucratic miscommunications. Consequently, the creation of new lodging and rooming houses was indirectly (and not temporarily) stalled. Thus, the limited number of rooming houses that exist today and the lack of long-term knowledge amongst community organizers are reflective of these restrictive temporary bylaw amendments and zoning changes in the 1980s.

There is no longer a fear of increased concentrations of lodging houses in south Etobicoke and their presence is not a real concern for property owning residents. Lodging houses are few in number and other single-room accommodations still exist in a couple of local taverns located on Lakeshore Avenue and other non-residential streets in the area. The decline in the lodging housing stock, however, provides a challenge for low-income individuals looking for affordable rooms in south Etobicoke. John, a housing worker in Etobicoke for nine years, noted that rooming houses do exist but in low numbers in south Etobicoke.

\textsuperscript{79} Ibid at 10.
\textsuperscript{80} Ibid at 11.
What we see in Etobicoke typically is if it’s a rooming house—and by rooming house I would say where more than 3 people live—then typically it’s pretty much of a commercial relationship where someone is renting rooms and…[providing] an area where someone could cook. And really, there is no personal care being provided, there’s no meals being provided. That’s typically what we see here.\textsuperscript{81}

There majority of people I interviewed knew that lodging/rooming houses existed in the area and had one or two stories to share, but nothing as long-term or controversial like Parkdale’s history.

Rooming houses, for the most part, were addressed as though they occurred in the past and were not seen as a present phenomenon in south Etobicoke. When I asked community organizers about rooming houses and lodging homes, I heard about the Blue Goose, a tavern with single rental rooms, and the closure of the Lakeshore Psychiatric Hospital. The lodging house bylaw was viewed positively and lodging houses were seen as a small part – no longer a relevant part – of the affordable housing stock in the area. The closure of the Lakeshore Psychiatric Hospital was simultaneously discussed in terms of community tolerance and boarding houses. Ruth Grier noted that prior to the closure of the Lakeshore Hospital, there were approximately 15 or 20 rooming houses providing housing ex-psychiatric patients in the area. She recalled that the Lakeshore was, like Parkdale, becoming a reception area for ex-psychiatric patients. She remembered one woman, Mrs. Anashkaovitch, who operated three or four boarding homes for former patients. She noted that these boarding houses were not great in terms of support services but the houses were clean and patients were housed and fed. She noted, without discussing any accounts of NIMBYism or community opposition, that the licensing

\textsuperscript{81} John Bagnell. Housing Worker. South Etobicoke Housing Help Centre. Personal Interview. 6 April 2009.
procedure was being discussed at this time. Iris, similarly, discussed the closure of the Lakeshore psychiatric hospital in terms of community tolerance.

We got used to seeing different folks and we got used to people on the Lakeshore [Ave], and we got used to people in white coats chasing after these people on the Lakeshore [Ave]. So, in that sense we were a fairly tolerant neighbourhood. When [The Lakeshore Institute] left, the jobs left and the folks ended up moving close to where their case was [located] which was 999 Queen St [closer to Parkdale].

Overall, the lodging house license has consistently been viewed in terms of providing licensed housing for senior citizens and has not been very controversial in the Lakeshore. Since lodging houses in the Lakeshore are primarily seen as housing for seniors, there are few objections to their presence. Iris noted that people welcomed rooming houses,

Nobody really objects to a home for seniors. What they get concerned about is a home for developmentally delayed people, people with mental health, psychiatric problems. Even that, since the bylaw went in there haven’t been any major issues down here. And people have become tolerant.

Clearly, there’s a relation between the closure of the Lakeshore Psychiatric Hospital, The Lakeshore’s proximity to Parkdale (and the other provincial Psychiatric Institute at 999 Queen Street) and the implementation of a lodging house license that excluded group homes and housing for psychiatric patients. The association between psychiatric patients, group homes and the lodging house license does not exactly replicate the picture of tolerance drawn by Iris. Yet, the success and number of support groups, long-term support services and advocacy for psychiatric survivors with the local community health centre in the Lakeshore is indicative of a tolerant and progressive community.

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82 As noted in the above paragraphs there were NIMBY sentiments towards group homes and not lodging houses because lodging houses were regularly associated with senior’s housing.

83 Iris. Personal Interview. 10 June 2009.

84 Ibid.
Most, though not all, recollections of rooming houses were in reference to the closure of the psychiatric hospital and the physical structures of the houses in the Lakeshore. Iris noted that several former lodging houses were large older houses. She alluded to the informal nature in which a rooming house arrangement blossomed, affirming my suspicion that there were few purpose-built or private market rooming houses in the area. Iris noted that “the homeowner rented a room to someone who is on welfare or whatever, and then they’d rent another room, and then it would be another room. Then the issues became was this a single-family home or is this a lodging house.”

This unintentional blossoming or normalization of renting a room, according to Ruth Grier, was not uncommon in the Lakeshore because there were so many single men working in nearby factories who needed a room to rent. However, the difference in housing forms in Mimico, New Toronto and Long Branch spurred two very different recollections of rooming houses, likely based on the differences between managerial housing and workers’ cottages. A few interviewees attributed the low number of rooming houses to the gentrification of these larger Victorian homes to single-family dwellings, others, like Ray, provided a different story,

If you go to a neighbourhood like Parkdale you’ve got those people old homes; we don’t have that here. So it’s hard to…the stock of the housing doesn’t allow it so much…The housing stock has certainly mitigated the amount of rooming houses that could be down here and there hasn’t been a lot. But there were some for sure.

Ray attributed the low numbers of lodging houses to the difference in built forms.

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85 Iris. Personal Interview. 10 June 2009.
86 Note: In 2006 along with three other graduate students. Former professor Gunter Gad gave a tour of Southern Etobicoke, pointing out (with references) the difference in managerial housing and workers cottages in this suburb.
87 Ray. Personal Interview. 4 August 2009.
Today, there are few rooming and/or lodging houses in south Etobicoke and their decline is noticeable. John, a housing worker in south Etobicoke noted, “[w]e have to really scour around to help people find rooms in this area. Your odds are better if you move to the east, if you go further east into the High Park/Parkdale area then you’ll find a lot more rooming houses in there.”\textsuperscript{88} He did not have many stories to share about good rooming and lodging houses or licensing stories as past recollections by Iris and Ruth suggest. For John, the housing scene and availability of rooming house accommodation in south Etobicoke was not great. He remarked,

some of [the rooming houses] are just bad. The one on Birchlea is notorious as the one with the most problems, just terrible problems. People are moving out of there all the time. The landlord is really unscrupulous; they’re evicting people illegally and the Legal Clinic has been battling with them…Then they’ve got massive problems in terms of drug dealing and prostitution and all this stuff going on which creates a very difficult environment for most people to live in.\textsuperscript{89}

Several people I interviewed mentioned the rooming house on Birchlea Street. It appeared to be one of the few remaining rooming houses in the area, or perhaps the most notorious. Overall, in south Etobicoke the lodging house license did not appear to be a central focus for housing workers, advocates, community organizers and former politicians I interviewed.

Patricia, volunteer chair of a tenants’ rights organization, was one of the few people I interviewed that knew of present and former rooming houses in The Lakeshore. She told stories of a fire in 1980, a divorced man finding a ‘nice enough place’ in Long Branch and gave the present-day situation of rooming houses in the context of changing

\textsuperscript{88} John Bagnell. Personal Interview. 6 April 2009.
\textsuperscript{89} Ibid.
housing availability and gentrification. She noted that many rooming houses ‘over in’ Long Branch, on Birchlea Ave are:

apartment buildings, the Birchela buildings. I think they’re only 12 or 14 units from the outside – that’s what I’ve seen. But they’ve been broken up into essentially illegal rooming houses. Like a 2 bedroom is…well there’s bedrooms and not very big apartments, and then there’s a living/dining area. And even there they have been broken up into 2 rooms. These buildings are terrible and the people in them – yikes. I remember when Ken [a local housing advocate] said to me once “I lost my contact in Birchlea.” [ie. he lost contact with the landlord and no longer houses clients on Birchlea Ave] That landlord has been fined repeatedly, I guess he figures it’s easier to pay the fine than to clean up the building. Now because of this new Audit Inspection Program there’s a number of work orders; and it’s not dependent on these tenants who are not capable. That’s what happens.  

She continually noted the process of gentrification in the context of lodging houses and low-income housing availability in the area,

I know the houses that were rooming houses, some of the big old houses have been in recent years as part of the gentrification of houses that’s happening. It’s a slow thing and you can’t really stop it, but those houses are being [converted] back to being single family dwellings. I know where they are. They are being renovated; so they don’t really exist [anymore].

Patricia is partially correct. Although the number of rooming and lodging houses in south Etobicoke are low and the remaining ones are disappearing quickly, southern Etobicoke is perceived—at least by City Staff and downtown rooming house advocates—to be the only inner suburb with a rooming house license, and thus an important symbol for the argument to extend the rooming house licensing.

However, as noted in the above discussion, Etobicoke’s lodging house license does not really address private market rooming houses. It appears to license primarily

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90 Patricia Smiley. Personal Interview. 16 June 2009.
91 Ibid.
retirement and group homes. Additionally, it is only applicable to a very small portion of Etobicoke that resembles a small town rather than large and expansive suburban neighbourhoods. Overall, the regulatory situation for rooming houses in Etobicoke reflects the fragmented legal landscape of rooming house regulation throughout the entire city. The enforcement of the bylaw became controversial as the Lakeshore Psychiatric Hospital closed and ex-patients needed single-room accommodations (1978-1980). Furthermore, the lodging house bylaw is restricted to south Etobicoke and only licenses 17 houses, many of which are not even rooming houses. Thus, the situation of rooming and lodging house regulation in south Etobicoke is an excellent example of the fragmented legal landscape of rooming house regulation in the amalgamated City of Toronto. This bylaw is derived from a housing and regulatory history particular to southern Etobicoke, is not applicable to or enforced in other areas of the inner suburb and is more focused on regulating supportive housing and retirement homes than private market rooming houses. It is not comparable to the (downtown) rooming house licensing bylaw. Etobicoke, then, is erroneously framed as the legal inner suburb in terms of rooming house regulation. Its bylaw is extremely limited in geographic scope and regulates few, if any, rooming houses. And the region itself has a very different design, built environment and community history than other inner suburbs in Toronto. Yet, the presence of Etobicoke’s lodging house bylaw illustrates the diversity within this fragmented legal landscape of rooming house regulation in Toronto. The media consistently represents Etobicoke as the only suburb with a rooming house license even though the three former municipalities in south Etobicoke and history of housing needs is unique amongst the inner suburbs. Still, south Etobicoke does have a lodging house
license, has previously addressed concerns regarding increased concentration of rooming houses and has its own micro-legal landscape of regulation.

In conclusion, the fragmented legal landscape of rooming house regulation draws our attention to multiple legalities within the post-amalgamated City of Toronto and contributes to legal geography literature. It negates the uneven geography framework that divides the legal downtown from the illegal suburbs and reveals how rooming houses disrupt the ideology of the single-family suburban home. There are a growing number of illegal rooming houses in the downtown and a number of quasi-licensed rooming houses (those with lapsed or conditional licenses) within the recorded stock of licensed rooming houses. Although a licensing bylaw does not exist and rooming houses are technically prohibited in the inner suburbs of Scarborough and North York, they exist in a supra-legal or a-legal space. They are legal under provincial legislation and illegal under municipal zoning bylaws, but are not contrary to the rooming house licensing bylaw because its territorial jurisdiction remains within the former City of Toronto. In the inner suburbs, rooming houses emerge within the legalized permitted zoning for basement apartments. They exist in the basements and main floors (and sometimes in garages) of bungalows, monster homes and typical suburban houses. And they are licensed under a broad definition of lodging houses in a limited part of Etobicoke. Even though rooming houses (and all rental accommodation in general) are perceived to be a threat and/or danger to the pervasive ideology of homeownership and nuclear families associated with the suburbs, they are growing in numbers. Suburban rooming houses oscillate between the categories of illegality, legality and acceptability. The same suburban rooming house that is prohibited by zoning bylaws in North York and Scarborough may be viewed as a
legal contract between a landlord and tenant under the provincial Residential Tenancy Act (RTA). Meanwhile, rooming houses are technically licensed and regulated within the suburban neighbourhoods in south Etobicoke but their numbers are small and the definition of lodging home quite broad. This seemingly legal inner suburb of Etobicoke likely has more unlicensed (and viewed as illegal) rooming houses than it does legal.

Therefore, addressing the situation of illegal suburban rooming houses is, in turn, actually addressing a fragmented landscape of single-room housing accommodations that signifies inadequacies within the broader municipal legal framework within the post-amalgamated city. It raises important insight concerning the materiality of law and the social norms associated with suburbs. The licensing bylaw, although technically not a rights mechanism, brings additional questions concerning the rights of roomers, rental properties and land use into the framework of urban governance in the suburbs.

Extending the rooming house licensing bylaw does not address the overarching problems of diverse and divergent regulatory practices within Toronto, though it will appease some housing advocates and perhaps give tenants a sense of security. Even if the licensing bylaw were to be extended to the inner suburbs, the problem of how the bylaw would be governed in the post-amalgamated city becomes the question. The arguments for extending the bylaw raise important theoretical questions concerning the categorization of legality and illegality, both within legal geography and urban governance. Legal geography literature has consistently framed certain spaces, particularly those in the city, within the binary categorizations of legal or illegal. But, how do we consider urban spaces that do not fit within either definition?
The analysis of the a-legal or quasi-legal space of the suburban rooming house helps us emphasize the importance of viewing rooming houses (and other single person households) as a liminal space residing between multiple categories, including but not limited to legal categories. Rooming houses, especially suburban ones, reside in an a-legal space beyond the reach of the rooming house licensing bylaw and outside of zoning bylaws. However, they are still regulated (and controlled) through the absence of legal mechanisms and the presence of prohibitive zoning bylaws. In this chapter, the discussion concerning illegal downtown houses, a-legal suburban houses and the fragmented legal landscape of rooming house regulations complicates our (legal geography) understanding of legal spaces. If rooming houses reside in a liminal and a-legal space, how then are they governed? Further, what forms of urban (and suburban) governance emerge through this understanding of a-legal and liminal spaces?
Chapter Six
Caught in the Web of Municipal Governance

Introduction

The mid-size committee room in Toronto’s City Hall is sparsely populated. A few people wearing jeans and t-shirts are seated in the neatly lined rows of office chairs that face the front of the room where office tables are structured in a large square, resembling the basic layout of a courtroom. There is a microphone on one end of the amalgamated table structure and a few people dressed in suits or ‘office casual’ attire on the left side of the table. On the right side, there is an older person anxiously discussing a matter with a colleague or family member. Generally though, the feeling in the room is relaxed. City staff talk to each other. A few people in the gallery say hello and a couple of people, like myself, sit alone quietly. It is rare to see more than 10 people, staff and commissioners included, in the room. Attendance is sparse. It is 9:50 am and Terri, the Rooming House Administrator, circles the room holding a clipboard and asks people sitting in the makeshift gallery to sign in. All observers, whether or not you are speaking at the hearing, must sign in. I sign in using my full name and the descriptor ‘student researcher.’ My presence at the hearings is never questioned. One day the Commissioner even jokingly told people to “watch what you say because a PhD student is in the room” looking my way briefly before he delivered his opening remarks. Today’s proceedings, however, seem routine and no jokes about my presence are made. Once Terri is satisfied that everyone has been signed into the hearing, she takes her place at the right side of the Commissioner who is now seated at the head of the amalgamated-table structure. The room becomes quiet and the hearing begins. Rooming House Commission hearings begin
in a formal manner. The rooming house Administrator calls the meeting to order and the rooming house Commissioner or Deputy Commissioner state that the proceedings are held under Chapter 285 of the Municipal Code (the rooming house licensing bylaw) and pursuant to the Statutory Powers and Procedures Act. After situating the tribunal within the proper legal structures, the Commissioner always clarifies that ‘this is not a community meeting.’ This clarification initially seemed quite obvious to me. The hearings appeared administrative, bureaucratic and procedural; they did not resemble a community meeting in the least. Representatives from the Toronto’s public service, the city divisions of Municipal Standards and Licensing, and Public Health are seated at the table to the Administrator’s right, often with an empty seat between them reserved for a representative from Fire Services, who is regularly absent or late. To the left of the Commissioner and across the table from city staff representatives sits the owner and/or operator of the rooming house in question. Directly across from the Commissioner, at the far end of the table rests a microphone and an empty chair. This space at the end of the table is reserved for members of the public to make a submission and remains empty until the Commissioner asks ‘who would like to make a submission?’ After observing a few hearings and chatting with local housing workers, I realized that this routine clarification of not being a community meeting does not stem from any particular statute or bylaw; it is a response to past hearings that transform this seemingly quiet makeshift gallery into a room packed with angry neighbours, city councillors, activists and reporters, resembling a heated and disorderly community meeting more than a procedural administrative housing tribunal.
When I first began attending the tribunal I was surprised by how this quasi-judicial hearing resembled court proceedings in some ways, and community conflict resolution processes in others. The hearings were procedural, the Commissioner was in charge and conditions were placed on licenses. Still, there was an air of informality in the room. The hearings rarely started on time, key city officials were unaccountably absent or late and observers, like me, regularly chatted with housing workers, landlords, city staff and the Deputy Commissioner prior to the hearing. But, when the hearings began, the Deputy Commissioner was clearly in charge. She commanded respect through the tone of her voice and interactions with city staff and operators, followed procedures and regularly made sure that both sides of an issue were heard, even if it involved identifying the storage location of garbage bins of the alleyway adjacent to the rooming house in question. This quasi-judicial tribunal is kept at a distance from city-operated and community-based advocacy groups perhaps due to its legalistic role in administering the bylaw. Yet, it is still an active space of unofficial information sharing and advocacy work.

The matters before the tribunal vary between routine administrative duties and neighbourhood disputes. The social components of the rooming house license (usually complaints from neighbours) are embedded in the content of certain conditional licenses and usually result in the presence of social workers and housing advocates at the hearing. The presence of housing workers in the gallery transforms this municipal committee room into an informal support network for tenants and landlords. Pablo, a worker with the Rooming House Emergency Support Services, attends hearings to learn about potential house closures before tenants are evicted. Paul, a worker with a landlord-
support agency, regularly follows rooming house operators out of the hearings, asking if they need financial support to meet the conditions involving costly repairs to their property. Sometimes representatives from the Affordable Housing division of the City of Toronto causally observe a hearing and regularly chat with the representative from MLS afterwards. Neighbours, ward councillors, support workers and researchers round out the remainder of this informal advocacy network situated in the gallery of the tribunal. Although the number of attendees at each hearing I observed was minimal and the tribunal officially functions at an arm’s length from advocacy organizations, the integrated relationships and importance of gallery observers to the functioning of the tribunal becomes evident after only a few weeks of observations. As I watched city staff and bureaucrats intermingling with community advocates and landlords, I knew that I had unintentionally stumbled upon a very interesting and potentially unique administrative space within the bureaucracy of the municipal government that really did, despite its best efforts, resemble a community meeting.

At first glance, the complex web of regulatory bodies governing rooming houses seems excessive (see Figure 6.1). There are at least seven city divisions and departments, including but not limited to Municipal Licensing and Standards (MLS), Fire Services, Affordable Housing Office, Shelter, Support and Housing Administration, Public Health and the Planning Department, addressing routine rooming house matters, in addition to the rooming house tribunal and rooming house working group. Licensed rooming houses are a small part of the affordable housing spectrum in Toronto. They house approximately 8,000 individuals, in comparison to the over 164,000 tenants living in
Figure 6.1: City of Toronto web of municipal governance governing rooming houses.
Toronto Community Housing Corporation (TCHC) homes.¹ Yet, rooming houses have been subject to specialized and sustained administrative attention within the City. Unlike shelters or TCHC housing, rooming houses are the exclusive focus of a municipal license, a quasi-judicial tribunal and municipal governmental working group. But why is there such extensive municipal attention exclusively on rooming houses? Why do rooming houses have a regulatory structure separate from city divisions addressing emergency shelters, hostels and social housing? Initially, such questions seemed the best approach to understanding the seemingly superfluous attention given to rooming houses. However, upon further research, it became clear that this administrative focus appeared to be an ad hoc result of, and a solution to, 30 years of disparate and ineffective regulatory practices of approximately 17 municipal committees with rooming houses in their purview. By comparison, this singular and seemingly excessive administrative attention keeps rooming houses on the governmental radar; but this web of governance is far from a perfect solution.

This chapter is about the processes and practices of government and the resulting forms of governance, not an analysis of whether administrative bodies are effective or ineffective. Instead of asking why the present-day web of municipal governance exists, I ask the how and what questions. How does this web of municipal governance function? What forms of governance emerge from this administrative attention on rooming houses? And what does this case study tell us about urban governance at the scale of individual municipalities? In asking how the administrative practices function and what they accomplish, I argue that the governing bodies within this tangled web of municipal

¹ Toronto Community Housing Corporation. Online: www.torontohousing.ca, last accessed May 24, 2012.
governance function in an ad hoc manner. This ad hoc form of urban governance addresses bylaw administration, advocacy and enforcement through the tribunal, working group and Rupert Coalition, as well as bylaw enforcement (see Figure 6.2). This ad-hoc assemblage is not representative of a hierarchical or ideologically defined notion of governance. The governing bodies, though technically part of the City of Toronto, have a certain air of informality and autonomy. They are an example of urban governance that blends forms, structures and individual approaches to the governing of a marginal part of Toronto’s affordable housing sector.

![Figure 6.2: Governing bodies relating to rooming houses.](image)

My focus on the administration of a particular municipal bylaw draws out the complex and multi-faceted forms of urban governance that emerge in relation to local law in the city. Studying the *how* of governance provides an opportunity to study the state and non-state components of governance. Thus, my analysis of the techniques of governance surrounding the rooming house licensing bylaw in this chapter enables me to distinguish
my work as an inquiry into the administration of poverty. As mentioned in Chapter Two, the governing apparatus surrounding the rooming house licensing bylaw provides an opportunity to examine law and legal mechanisms in the city beyond the scope of perspectives focused on punitive doctrinal legislation that criminalizes poverty. This draws attention to the techniques of governance that emerge through interactions with city bureaucrats, ward councillors, community advocates and tenants and highlights the varied forms of governance that administer poverty at the scale of the city. Nikolas Rose and Peter Miller defined technologies of government as “a domain of strategies, techniques and procedures through which different forces seek to render programmes operable, and by means of which a multitude of connections are established between the aspirations of authorities and the activities of individuals and groups.” Thus, situating the regulation of rooming houses within the framework of neoliberalism and municipally managed gentrification negates the fluidity, heterogeneity and community-activist-bureaucratic elements of the technologies of urban governance. A structured network or defined ideological model of government is not the guiding force in this web of municipal governance. The governing bodies pertaining to rooming houses shift according to circumstance and generally work from a liberal philanthropic perspective interspersed with the restrictions of administrative municipal bureaucracy and influence of oppositional neighbourhood residents’ associations. Therefore, I focus on the practices and processes of the government bodies within this ad-hoc web of municipal governance surrounding rooming houses.

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Throughout this chapter I draw from my ethnographic research and open-ended interviews with city staff and downtown housing workers. My field notes and participant observation of tribunal hearings, working group meetings and committee meetings at City Hall have given me a glimpse into how the rooming house administration and advocacy networks actually work. I conducted my participant observation from October 2008 to April 2010. I observed 11 tribunal hearings between February 2008 and December 2009 and received detailed notifications of each rooming house hearings for three years.\(^3\) I also attended seven meetings of the rooming house working group between October 2008 and January 2010, and had continued email contact and attended the occasional meeting until 2011. Throughout this time, I participated in multiple meetings of the Rupert Coalition and observed relevant committee meetings at Toronto’s City Hall. Overall, I many ways felt part of this extended advocacy network. This ethnographic approach grew from my prior experience conducting court observations in Toronto’s Drug Treatment Court\(^4\), and enabled me to observe the unrecorded or undocumented everyday procedures and practices within each governing body without relying on governmental documentations or formal state-centric perspectives. I was able to observe how these quasi-legal bodies did or did not work together and how individuals within each group, tribunal or committee positioned themselves within or apart from the assemblage. One long-term rooming house advocate who was active in the Rupert Coalition, the working group and a housing lawyer, regularly rolled his eyes whenever the tribunal was mentioned, clearly showing his distaste for its role in the regulation of rooming houses.

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\(^3\) The details of this hearing notification email list is discussed in Chapter 1. My continued ability to observe, from afar, the addresses of rooming houses at the Tribunal enabled me to remain connected the functions and fluctuations within the Tribunal.

My analysis and critique of the governing practices regarding rooming house regulation in Toronto is organized in three sections. First, I provide the reader with a brief overview of how rooming houses are situated within legislation, case law and the governing structures in Toronto. Second, I address the ad hoc organization of governing bodies by providing detailed accounts of the rooming house commission hearings (the tribunal), the rooming house working group and the rooming house bylaw enforcement. Underlying the rooming house bylaw is a complex set of formal and informal administrative practices that an ethnographic approach is able to document. Third, I conclude by summarizing the way in which reactive and community-informed governance emerge from the governing bodies regulating rooming houses in Toronto. In this chapter, I illustrate how urban governance at the local level is a mutable and changing practice and process that does not necessarily fit within prescribed frameworks of the regulation of space, urban governance or urban planning. In the case of isolated administrative attention given to rooming house regulation, it emerged in unanticipated and unplanned ways.

Division of Powers: Regulatory Context of Rooming Houses

In most Canadian cities, rooming houses are regulated at the municipal level through licensing procedures and zoning bylaws. Municipal governments administer bylaws, address neighbourhood conflicts and negotiate the legal standing (and location) of private market, non-profit and city-owned rooming houses. Federal and provincial statutes and case law address matters pertaining to rooming houses, yet do not explicitly regulate

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5 The cities of Toronto, Ottawa, Kitchener, Hamilton, Vancouver and Quebec City have rooming house licenses. Other cities address rooming houses through applicable zoning bylaws.
them. Rooming house regulation resides within the scope of municipal bylaws. Thus, rooming house matters only appear before the Ontario Municipal Board (OMB) when specific bylaws are being challenged. The following section provides a brief overview of relevant federal and provincial legislation and contextualizes rooming house regulation within the general governing structures of the City of Toronto.

Federal and provincial governments do not regularly address matters pertaining to rooming houses. Even though the regulation of rooming houses is predominantly a municipal affair, rooming houses have been represented in certain statutes and case law decisions. In the Province of Ontario, rooming houses are defined and addressed within the Residential Tenancy Act, the Provincial Building Code, the Fire Protection and Prevention Act and the Provincial Assessment Code. At the federal level, most case law involving rooming houses is administrative in nature with regards to business law, taxation and insurance. Such cases cite rooming houses in terms of businesses, clarifying exemptions from business tax and definitional clarifications in terms of insurance claims. Relevant case law dealing with rooming houses is primarily within the purview of administrative law, but some cases have been addressed within criminal law and through violations of Fire Protection and Prevention Act and in Estate law. In Ontario, the Residential Tenancy Act (RTA) is the only provincial legislation referring to rooming houses in terms of tenants, and not simply as a property or business. Prior to the addition of roomers into the Landlord and Tenant Act (the former name of the RTA) in 1986,

roomers were legislated under the Inn Keepers Act. The inclusion of roomers in 1986 was declared to be a victory for the Toronto-based groups campaigning for basic tenants rights for roomers.\(^8\) This shift in legislation marked over 10 years of community organizing in Toronto and guaranteed the acknowledgement of roomers as tenants under the Landlord and Tenant Act, as opposed to their previously legal representation as temporary guests in hotels and inns.

The Ontario Municipal Board (OMB), a provincially appointed decision-making body, is the key quasi-judicial tribunal addressing rooming house matters beyond each municipality. The OMB hears appeals from municipal tribunals involving disputes regarding interpretations of zoning bylaws, Official Plans and the Planning Act.\(^9\) The majority of OMB appeals regarding rooming houses involve changes to the property: the construction of an extra story on a building, the renovation of an already established rooming house or the conversion of a multi-residential dwelling to a rooming house.\(^10\) The local context of the OMB’s decisions does not necessarily address the needs of the tenants or landlords, but often defines neighbourhoods as designed for single-family homes (as exemplified in the case of the rooming house at 10 Stayner Avenue in the Toronto residential neighbourhood of Lawrence Heights).\(^11\) In this OMB case, the rooming house owner intended to build a second story addition onto his bungalow.

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\(^8\) Cam. Personal Interview. 27 February 2009.

\(^9\) In Toronto, the OMB responds to appeals from the City’s Committee of Adjustment, a City of Toronto quasi-judicial tribunal that “considers appeals for exemption from a bylaw”, governing building height, parking rights, property setbacks and the like (Cities Centre June 2010).


\(^11\) Lawrence Heights is an older residential (suburban) neighbourhood in the suburb of North York. It is interesting that this matter was dismissed but the house was not disclosed as being illegal since rooming houses technically are not zoned into the suburb of North York.
extra storey was not approved and the OMB dismissed the appeal because building a second story in an enclave of bungalows with ‘its own unique characters’ was not in “keeping with the detached single-family homes in the neighbourhood and represented an overdevelopment of the property.” 12 The OMB did not state that the illegality (unlicensed designation) of the house or the decades of resistance to rooming houses in residential neighbourhoods influenced their decision. The renovation was simply seen as disruptive to the unique character of the single-family home neighbourhood of bungalows. Cases like 10 Stayner Avenue are fairly typical cases found at the OMB. Neighbours complain about a renovation, a fence or something pertaining to their property, and the OMB makes a decision that usually seems to be in favour of owners of single-family dwellings. However, not all cases uphold the status quo for single-family dwelling property owners. In this regard, the 2009 Kitchener case at the OMB stands out from the rest. In fact, the OMB’s decisions in this case were groundbreaking for Canadian municipal law.

The OMB invoked the Human Rights Code to trump municipal laws in the Kitchener case, representing an important shift occurring at the OMB. The decision, held in favour of the appellant’s claims, was deemed a victory for the non-profit organizations advocating for the rights of single-person households in Ontario. This case involved the City of Kitchener’s use of exclusionary planning law (restrictive zoning) to deal with the (unwanted) concentration of low-income supportive housing and social service housing in the downtown neighbourhood of Cedar Hill. Kitchener incorporated the legal tools of the Official Plan and zoning bylaw amendments to prohibit further supportive housing

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12 OMB Decision PLO90156 May 6 2009.
initiatives, including rooming houses, within this neighbourhood in an attempt to disperse low-income supportive housing throughout the city. The appellants, the Advocacy Centre for Tenants Ontario and the Kitchener-based House of Friendship, argued that these municipal bylaw amendments were violating the rights of low-income tenants. The OMB (in a very unprecedented and unpredictable manner) decided that banning low-income supportive housing was a human rights violation and requested that the City of Kitchener go back to the drawing board and revise the amendments. In the end, the City of Kitchener did not end up changing their bylaws and the OMB’s decision held.

This unprecedented decision (in terms of restrictive zoning) was the first time in Canada that human rights were acknowledged in an OMB decision. Although it opens the door for further cases and may at one point be applicable to the rooming house situation in Toronto’s suburbs, the OMB’s decision was not progressive across the board. It did not question the fact that the City of Kitchener wanted to decentralize single-person households, and thus by omission, continued to perceive single-person households as a threat to the security and residential stability of the ‘good city.’ Additionally, the OMB did not discuss the restrictiveness of the City of Kitchener’s established rooming house bylaw and simply instructed the City to enforce its bylaw due to the presence of illegal rooming houses in the neighbourhood of Cedar Hill. Kitchener had previously implemented 400 metre distance restrictions on, and licensing procedures for, rooming houses that were rarely enforced. The OMB did not address the discriminatory nature of zoning distances nor question the need for, and security of, rooming houses. Thus, while this decision is groundbreaking on a certain level, in many ways the OMB continued to maintain its middle-of-the-road status in any cases that appear political.
Figure 6.3: City of Toronto Boards and Special Purpose Bodies (City of Toronto, 2011).

Before a bylaw involving a rooming house matter reaches the OMB it has likely been heard at one of the several boards or commissions within the City of Toronto,
including but not limited to the rooming house commission, Committee of Adjustment and/or Licensing Tribunal. The very presence of a rooming house tribunal, working group and multiple committees responding to rooming house regulation fits comfortably within the governing structures of the City of Toronto. In fact, Toronto functions through multiple municipal divisions, commissions, boards, departments and committees (see Figure 6.3). The mayor and city councillors, as witnessed in the 2011 debates concerning budget cuts and transit, are only a “small part of the municipal government.” However, the city councillor’s role within the rooming house licensing bylaw is not significant, as noted in Chapter Five. Though the presence of a tribunal, working group and bylaw fit within the pre-amalgamated City of Toronto, this web of municipal governance does not fit so comfortably in the post-amalgamated city. The territorial jurisdictions remain within the ghost jurisdiction of the former City of Toronto, and the community councils (non-decision making bodies representing the suburbs) have no real power to influence decisions. Thus, within the City of Toronto, while there are multiple municipal bodies and legal mechanisms that regulate rooming houses, as noted throughout this dissertation, their territorial jurisdictions are limited and in many ways irrelevant to the current situation in the suburbs. However, as I will note in the final section of this chapter, the emerging forms of reactive and community-led governance emerging from this ad hoc web of municipal governance may be more applicable to the current suburban situation—rather than extending the bylaw or increasing municipal administrative functions to the suburbs.

Mapping the Tangled Web of Governance

Drawing from urban geographers and governmentality scholars\textsuperscript{14}, this section will study the techniques of governments in ways that challenge hierarchical notions of one monolithic state apparatus or ideological approach. In the initial stages of this research, this tangled web of municipal governance appeared to work as a network based within and directed by the bureaucratic divisions and departments within the City of Toronto. However, as my research progressed and focused on the practices and techniques of government, it became evident that there was not one hierarchical division of governing bodies based around the bylaw and/or one specific department devoted to rooming houses. As noted by Rose and Miller, it is the humble and mundane mechanisms that enable us to observe how governments function.\textsuperscript{15} Thus, a focus on particular technologies of governance surrounding the arguably mundane legal mechanism of a municipal license provides an opportunity to analyze the shifts, movements and interwoven practices of government I was witnessing, whether in regulating the safety of rooming houses, the opposition to unlicensed rooms in the suburbs or the debates within the chambers of city council.

In order to adequately present the basic components of this tangled web of governance, I have sketched three general branches, areas or streams of governing practices or processes within the single-focused web of rooming house regulation in Toronto: administrative, advocacy and enforcement. As mentioned earlier, the three


primary parts of this shifting triad are the Rooming House Commission hearings (the tribunal), the Rooming House Working Group (the working group) and bylaw enforcement, respectively. I hesitate to confine each governing body in one category because individuals, city staff, political perspectives and administrative roles move and change over time. For example, as mentioned in the opening vignette to this chapter, the tribunal is an administrative body that exhibits elements of the conflict resolution processes and community meetings. Classifying the tribunal simply under the category of administration would overshadow and ignore the formal and informal types of advocacy occurring within and outside its walls. Situating the tribunal between the advocacy and administrative sections, while potentially limiting, more accurately defines its role.

These three governing bodies all work under and in relation to the rooming house bylaw but do not necessarily work together in a cohesive manner. They work alongside each other but function autonomously. Each of these governing bodies operates within the jurisdiction of a division or department within the City’s bureaucracy and alongside multiple adjacent departments within the web of municipal governance. The rooming house commission holds quasi-judicial hearings to ensure that the minimum standards of health and safety are met in licensed rooming houses while indirectly mediating conflict. The working group, less administrative than the tribunal and more policy-based, is a formal working group of the City of Toronto with a focus on information sharing, advocacy and support. Bylaw enforcement – the day-to-day work of bylaw officers – functions under the Municipal Licensing and Standards Division of the City and regularly reports to the tribunal, but otherwise keeps its distance from administrative and advocacy roles. Yet, it is commonly known amongst city staff and housing advocates that
enforcement officers rarely shut down a rooming house. This lack of enforcement is seen in terms of bureaucratic inefficiency (an inadequate number of bylaw officers) and as a purposeful strategy for maintaining this housing stock.

The day-to-day work of the tribunal, the working group and enforcement officers intersect with the administration of the bylaw in efforts to maintain the rooming house sector and the protection of roomers. The quasi-judicial and enforcement branches, much like formal judiciaries and police, work in their own sphere at a distance from advocacy work, despite overlapping tendencies. The working group communicates more frequently with city staff from the Planning Department, Municipal Licensing and Standards Division, Shelter and Housing Support Division and the Affordable Housing Office than with the Rooming House Commissioners or bylaw officers. Duties and interests do overlap between all governing bodies. For the most part, the regulatory parts of this assemblage function separately in terms of routine practices and day-to-day operations. It is only when one examines the techniques of governance emerging from this web of governance that the interspersed flows and directions become apparent.

**Administrative Branch: The Tribunal**

The tribunal plays an administrative role in the regulation of rooming houses yet its administrative functions are embedded within the social component of rooming house regulation. Consequently, the tribunal regularly handles matters resembling conflict resolution between neighbourhoods alongside its bylaw administrative duties such as issuing and monitoring licenses. The noticeable attention given to the social components within the administration of the rooming house license has led certain housing advocates
and city staff to identify a shift in the tribunal’s focus. Seemingly routine administrative matters such as ensuring a rooming house door is functioning properly for example, have the potential to become a concern for neighbours who find the improperly functioning door noisy and an infringement on their privacy and enjoyment of their private property. The Rooming House Commissioner then responds to the neighbour’s complaints and frames these concerns within the rooming house bylaw and the proper functioning of a doorknob, which turns into a discussion of the jurisdictional divides between different administrative divisions within the city and becomes a basis to address neighbourhood conflict. The day-to-day functioning of the tribunal and its interspersed administrative and social components is best understood through a descriptive account of its practices, content and responses to certain matters. Thus, in the following section I draw from my observations of the tribunal and interviews with former city staff and housing workers.

On November 18, 2008, the first matter before the Deputy Commission involved a Personal-Care rooming house at 4 Spencer Avenue in South Parkdale. Initially, this hearing seemed very straightforward. The representative from Municipal Licensing and Standards (MLS) reported that his recent inspection of 4 Spencer Avenue confirmed compliance with the previous conditions on the license and Terri, the Rooming House Administrator, read a report from the fire department\(^\text{16}\) noting additional compliance.\(^\text{17}\) Then, Terri read an email from councillor Gord Perks’ office that described detailed complaints from a resident and neighbours of 4 Spencer Ave. Upon hearing the email

\(^{16}\)Note: Throughout this chapter the fire department will be regularly referred to as ‘Fire’ as was common practice at the rooming house tribunal and in the municipal working group.

\(^{17}\)Note: The initial meeting for the property at 4 Spencer Avenue was heard on March 11, 2008. This meeting was scheduled, presumably, to confirm that the landlord had met all the required conditions. MLS dealt with a matter pertaining to debris on the lawn and the condition of the building, Public Health dealt with the menu plans.
being read, the assistant to councillor Gord Perks raised her hand and requested permission to leave the hearing to retrieve councillor Perks. Permission was granted and the Deputy Commissioner then asked who would like to give evidence to the matter of 4 Spencer Avenue. At this point, the tone and the content of the hearing shifted from one of reporting inspections to mediating community concerns (a.k.a. complaints).

The first person to give evidence was a resident of the Personal-Care rooming house at 4 Spencer Avenue. This was the first time I had ever seen a tenant speak at the tribunal. He approached the microphone with a pile of hand-written notes and the Deputy Commissioner listened intently to his lengthy submission. When he remarked that his concerns over slippery tiles in the bathroom, an improperly locking front door and the lack of nutritious food on the menu were ‘nothing,’ the Deputy Commissioner firmly responded “Nothing is minor when it is your house and you want to be safe and healthy. It is a matter of procedure.” The presence of the resident and the Deputy Commissioner’s careful attention to the resident’s concerns, while touching and perhaps idyllic, is not a regular occurrence at the tribunal. The complaints from neighbours and a superintendent of several nearby properties about the behaviour of residents at 4 Spencer Avenue and the landlord’s defensive responses were typical. The neighbours complained about “Sniperman” who was up “at 5am urinating on the front porch, playing GI Joe and pretending to have a rifle,” the number of people entering the house without a key at all hours of the day and night, and the resident who played his radio all day until someone “told him to turn off his fucking radio.” After listening to these concerns and the landlord’s subsequent explanations, the Deputy Commissioner left the room to confer with the Administrator. Upon her return, the Deputy Commissioner told the room that a
few things concerned her and stated that the hearing would reconvene on December 9, 2008. She then asked the representative from MLS if the responsibility of the door is an “MLS issue or with Fire,” likely in an attempt to solve this problem without further inspections. When the MLS representative replied that the “closing of the door is with Fire and that the lock is under the jurisdiction of MLS,” the Deputy Commissioner did not respond at all. She paused and then addressed another matter concerning food safety and inspections from Public Health. When the landlord disclosed that he would not be available for the hearing on December 9, the Deputy Commissioner replied, “Then the house will be operating without a license.” The landlord responded quickly to ask if a staff member could take his place on December 9 and the Deputy Commissioner agreed.

The Deputy Commissioner’s threat that the house might operate without a license appeared to be a sensationalized performance of authority. Even so, the landlord acquiesced in moments. But this quick response on behalf of the landlord is somewhat puzzling. What would have happened if his license wasn’t renewed or his license was revoked? The implications of this ‘threat’ appear serious, but in reality are unclear and potentially relatively minor. The Rooming House Commissioner rarely shuts down a rooming house, especially one where the landlord regularly appears at the tribunal. The implications of this threat and potential revocation or refusal to renew the license would likely result in a Kafka-esque continuation of appearances at the tribunal and another application for a renewal of the license. It is unlikely that it would have major consequences for the day-to-day operations of the rooming house. It is more likely to result in further appearances at the tribunal, not in a punishment or closure of the rooming
house. Thus, this threat of operating without a license is minor and superficial, even though the Deputy Commissioner technically has the power to revoke the license.

The Rooming House Commissioner and Deputy Commissioner can issue, renew, suspend, revoke and/or impose conditions on licenses. They have the power to rescind a rooming house license based on past conduct including, but not limited to, previous complaints against the owner, acts of endangering the health and safety of tenants or the public and criminal activity. But they rarely do so. Most rooming house matters, like the multiple conditions and complaints about 4 Spencer Avenue, take months to resolve. Hearings regularly address seemingly mundane and detailed conditions such as placing sticky grips on a bathtub, the removal of paint cans under the stairway or fixing the lock on a door. The dual jurisdiction of the door at 4 Spencer Avenue with its functioning to be ‘with Fire’ and the lock ‘an MLS issue’ is almost humorous in its meticulous regulatory cross-section, but oddly necessary within the context of the tribunal. The Deputy Commissioner needs to know who (MLS or Fire) will inspect the door to ensure landlord compliance and address the neighbours’ complaints. This door, like other inanimate objects dealt with at the tribunal, is key. It shows the complicated intersection between the administration of the license and attempts to mediate conflict resolution by issuing conditions on the landlord, no matter how specific the condition or seemingly small the object of inspection for compliance may be.

The tribunal was originally a way for city staff to “support rooming houses and figure them out in order to understand what the issues were for landlords, what other

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kinds of assistance [they] could provide to ensure their conformity. Landlord compliance was a cornerstone of the tribunal and in some ways still is. However, as seen in the example of 4 Spencer Avenue, hearings deal with more than landlord conformity. Steve, a former city staff member, noted a shift in the administrative functions of the tribunal in the 1990s as an oscillation between a bricks and mortar and social component approach,

My understanding is that the rooming house licensing looked only at the physical; so that the Property Standards people would look at the condition of the building, the Fire people would look at fire related conditions. If they were serving meals at one point they started with Public Health. But there was no one really looking at the condition of the people themselves, so it was very much just a bricks and mortar consideration.

Nowadays, whether intentionally or not, the tribunal addresses both the bricks and mortar and the social issues. The social component of the tribunal is commonly viewed in terms of political conflicts involving tenants, operators and neighbours. The tribunal is one of the few governing bodies dealing directly with rooming house landlords. Still, the majority of hearings, especially the contentious ones, involve more people than just the landlord, the Commissioner and city staff.

Over my 22 months observing the tribunal, I saw approximately 10 different landlords and listened to as many debates concerning dozens of conditions placed on each house. The landlords did not appear to be the slumlords I read about in municipal reports from the 1970s, although few were the ‘angels’ they appeared to be in front of the

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21 The tribunal occurs on a case-by-case basis. Several hearings were cancelled and rescheduled during my year of active observation. During my research the hearings happened every couple of months and were very inconsistent. Though I stopped attending Tribunal regularly by the end of 2009, I was still on the notification list and noticed a increase in hearings and a change in location from City Hall to different offices of MLS throughout the downtown.
Commissioner (as disclosed by a housing worker sitting next to me in the hearing). Some were business-minded people running a non-profit personal-care home or private market rooming house. Yet, I rarely saw (or so I thought) the stereotypical slumlord, a white middle-class man operating multiple houses with a clear defiance to the law or care for tenants. Rooming house operators were a diverse group of people in terms of age, gender, income and ethnicity. Several rooming house operators I observed were senior citizens and were first-generation immigrants to Canada nearing retirement who regularly attended tribunal hearings with their son, daughter or adult grandchild. A couple of these seniors were not ready to give up managing their rooming house, despite evidence showing they were not capable of running it on their own. One lady in particular was so attached to her cook (who had worked with her for 30 years), that she nearly lost her license by refusing to comply with a condition requiring the cook to take a health and safety certification test offered by Public Health. She repeatedly told the Deputy Commissioner that he was a good cook and did not need a test. After confronting the Deputy Commissioner and adamantly refusing this condition, the landlord took a quick recess and went to the hallway to speak (in private) with her grandson. Upon returning, she begrudgingly agreed to make the certification process mandatory for all of her employees, including her long-term cook. Her grandson apologized profusely to the Deputy Commissioner, telling the Deputy Commissioner that he would personally take care of the paperwork required to ensure that all the conditions on the license were met. As the grandson showed his confidence in handling the matter, a housing worker sitting beside me whispered that he has seen numerous cases like this where sons and daughters gradually take over the rooming house and within a year they sell it for a considerable
profit. In my observations, I saw older (often immigrant) owners with their adult grandchildren two or three times. Most of the landlords I encountered appeared to be people operating a business and wanting to comply with the conditions on the license. For the most part, operators and landlords were polite and not overly aggressive or disruptive during the hearings. Operators regularly disagreed with the conditions and questioned the assumptions made by the Commissioner, but the hierarchical structure of this quasi-judicial tribunal imposed a degree of respect and congeniality.

The divisions between what former city staffer Steve categorized as a ‘bricks and mortar’ and the ‘social component’ are most noticeable within the conditions placed on the rooming house license in question. Most conditions pertaining to the physical condition of the house were easily solved. When a routine matter appeared before the Commissioner, the Administrator would read the existing conditions on the license and the appropriate department (MLS, Fire or Public Health) would report on their inspections. Once the reports were complete, the Commissioner would summarize the evidence and decide whether or not the conditions should remain. When sufficient proof of compliance with the conditions was provided, they were lifted and the owner’s license would be granted in full. Quite regularly, however, a few conditions remained on the license, and the Commissioner would set another hearing date and a conditional license would be placed on the rooming house.

Conditions placed on licenses ranged in quantity, intensity and cost to the landlord. A March 10, 2009 condition relating to property maintenance at 1725 Dufferin Street stated that the property “be maintained in a proper state of good repair, free of debris and garbage, and in a state of quiet enjoyment. Garbage is to be kept in proper
containers” and that the owners “shall take all reasonable steps to prevent loitering by non-residents.”  

Inspection reports on conditions usually entailed the MLS representative telling the Commissioner that paint cans were removed from the hallway, lawns were free of debris and the window was fixed. The MLS representative regularly submitted photographs to the Commissioner providing evidence that the conditions were met. Representatives from the Fire Department and Public Health routinely reported findings from their house inspections, some of which became part of the conditions the Commissioner placed on the rooming house license in question. Their reports were usually quite detailed and lengthy but rarely included photographic evidence like MLS.

In one hearing alone, the fire department reported finding fire hazards including a fire alarm panel not functioning properly, eight doors not closing properly, missing smoke alarms, combustibles in the stairway and discharged fire extinguishers. Then, Public Health reported that results from the inside of a dishwasher showed ‘multi-service-articles’ (forks and spoons) exceeded food safety limits and MLS reported a cracked ceiling on the fourth floor, too many beds in one bedroom, light bulbs without protective coverings and broken air conditioners. 

Findings from MLS, Health and Fire inspections resulted in a diversity of minor and major conditions on rooming house licenses. Some major conditions included the construction of fire escapes and the installation of fire doors, while the seemingly minor conditions involved the removal of weeds from lawns, the proper maintenance of garbage containers and the removal of paint cans from stairwells. However minor some of these conditions appeared to an outside researcher like myself, the Commissioner took all conditions very seriously, especially when they

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23 Ibid.
involved a tenant’s complaint regarding the lack of sticky mats on a bathtub and an overabundance of white rice on the menu in a boarding home.

A large portion of tribunal hearings involved the Commissioner listening and responding to complaints from rooming house neighbours. The Deputy Commissioner and Commissioner were very clear in only addressing submissions to the tribunal that were directly within the purview of the rooming house licensing bylaw. Complaints about the behaviour of rooming house tenants, not the condition of the house or action of the operator, were fairly standard occurrences. In one hearing, an older gentleman who lived in a high-rise apartment provided a detailed description of how the rooming house next door disrupted his life. He told the Commissioner that from his balcony window he heard rooming house tenants ‘coughing and vomiting’ every morning, heard them talking and smoking on their front porch at ‘inappropriate hours’ and had watched them ‘scavenging’ the garbage bins beside his building. I remember how seriously the Commissioner appeared to take these submissions. She listened attentively but was very firm in telling the neighbour that noise complaints were not part of the tribunal. When the older gentleman started to challenge her decisions, she calmly yet firmly asked him if he had ever asked his neighbours, the rooming house tenants, to talk a bit more quietly when they are hanging out on their porch. With an air of disgust, he told the Deputy Commissioner that he did not and would not talk to them, and was not the only resident in his building that was regularly disrupted by the roomers. In cases like this, the Deputy Commissioner would ask the ward councillor to attend the hearing to help mediate the conflict or address the non-rooming house bylaw related concerns.

The appearance of disgruntled neighbours is a fairly regular occurrence at the tribunal. I observed angry neighbours ask the Commissioner to place a curfew on tenants, limit smoking and talking to the back porch and prohibit roomers from loitering on the front lawn of their rooming house. Most, if any, of these complaints had little merit being at the tribunal. Either way, the Commissioner listened astutely and responded in a firm and respectful manner. The involvement of sympathetic ward councillors, such as councillor Gord Perks from Parkdale/High Park, appeared to be welcomed by the Commissioner. Of the few Parkdale cases I observed, councillor Perks seemed to be a reliable source for the Commissioner. He or his assistant would attend tribunal meetings, follow-up on conditions and hold private meetings in his office for angry neighbours and frustrated operators to resolve their conflicts. In one Parkdale case, the Commissioner issued a condition on a license, with input from the ward councillor, that required the owner of the rooming house to give the (angry) neighbours an emergency contact number so they could reach her (the owner) any time they had a concern. In another such case involving individual neighbour complaints, the Commissioner asked the rooming house owner to invite the neighbours over to their holiday parties so they could meet the individual rooming house tenants and perhaps ease their fears. The owner quickly told the Deputy Commissioner that he regularly invited neighbours to all large events such as summer barbeques and the Christmas Party at the rooming house, but none ever attended. The Commissioner then turned to the neighbours and asked them to attend the next event. Oftentimes, these disputes ended with specific conditions of the rooming house license such as giving neighbours an emergency phone number, scheduling a meeting with the ward councillors, and in one case, it involved the Commissioner implementing a
condition on the rooming house license requiring proof that the two parties become ‘more neighbourly.’ In most instances of individual neighbour complaints, the Commissioner skillfully navigated communications between conflicting parties, kept the discussion reigned in to matters pertaining only to the rooming house bylaw, and firmly set boundaries on behaviour and language used by angry neighbours.

Although individual complaints against rooming houses are regularly addressed at the tribunal, such NIMBY sentiments are more readily identified as political when they involve organized groups of neighbours, usually in the form of oppositional residents’ associations that have the full support of their ward councillor. Steve, a former city staff involved in maintaining building standards noting the involvement of the community as a primary political aspect of the tribunal,

It’s not a political role, it has almost like a political undertone to it. The licensing committee—or whatever it’s called—is basically like an administrative type of tribunal that is supposed to only hear certain specific issues in a very narrow context. But certainly in the recent past it’s turned into a real political free-for-all. And some of that can be engineered either by the community themselves or the community in conjunction with the local politician.25

Steve recounted numerous instances of ‘community sabotage’ where a councillor, unhappy with a certain rooming house in their ward, would send out a rooming house bulletin encouraging all interested neighbours to attend a hearing at the tribunal where a license for a (disliked) rooming house in their neighbourhood was up for renewal. Steve noted that these bulletins and moments of community sabotage usually resulted in a big blow out. During the span of my observations, I did not witness any moments of ‘community sabotage’ but heard many stories and was present to observe the procedural

aftermath of one these incidents of community sabotage that ended in a political blowout. The matter of the license for the Salvation Army rooming house at 450 Pape Avenue was one such case.

On November 18, 2008, the hearing for 450 Pape Avenue initially resembled an average day at the tribunal. The normal procedures of placing conditions on licenses and reporting on inspections took place. However, the presence of a lawyer representing the owner, the ward councillor Paula Fletcher and the several representatives from the City’s Affordable Housing and legal departments told another story. The hearing itself was short and the lawyer was very concise in telling the Commissioner how the landlord complied with the conditions and addressed concerns vocalized (in previous hearings) by the local residents’ association. The fact that the lawyer responded directly to questions from the president of the residents’ association reveals the importance and unnecessary legitimacy given to these community groups within rooming house hearings. In a loud, formal and monotone voice, the lawyer read his carefully crafted responses concerning moving dates, completion of construction of 450 Pape Avenue and ways that the Salvation Army would inform the community about the newly constructed rooming house to those present at the tribunal. The Commissioner seemed satisfied with the lawyer’s submission and the actions taken by the Salvation Army and lifted the conditions on the rooming house at 450 Pape Avenue, though the president of the residents’ association did not seem too pleased with the outcome.

A year earlier, hearings involving 450 Pape Avenue were anything but mundane. Paul, a housing worker who regularly attended tribunal hearings, recalled,
[The residents’ association] had their people there. That was in Paula Fletcher’s riding, and oh my God the neighbours were really organized. They just hated it, totally against it. It had really gotten to the level where the Salvation Army was showing up with a lawyer. This guy was like a pit-bull…And that was sort of the tail-end of that whole saga…It was the guy who was like the leader, I suppose of the local residents’ groups who was testifying there; but before, it was like filled with the people there. As a matter of fact at that Hearing there was also about 3 or 4 staffers from the City as well. It was a big deal. Paula Fletcher was there [with] her assistant. The issue there—which was, I think most of the issues of what we saw today—that was a big one. It was basically around behaviour issues and the homeowners nearby don’t want people around bugging them…

Political blowouts of this manner do not happen regularly but are not a surprise at the tribunal. They illustrate the non-administrative function of the tribunal and demonstrate how the involvement of ward councillors and oppositional neighbours shift the focus of the tribunal from administrative ‘bricks and mortar’ issues to complicated social conflicts, political positioning and conflict resolution.

In many ways, the tribunal has shifted away from its ‘bricks and mortar’ administrative focus and now addresses the administration of the license within a framework of communication and conflict resolution, even if it concerns the proper functioning of a door. The Commissioner and Deputy Commissioner seem reluctant to revoke a license and rarely (if ever) shut down a rooming house. They focus on maintaining building, fire and health standards but consistently address social matters technically residing beyond their mandate as commissioners. The current Rooming House Commissioner and Deputy Commissioner appear to understand the social context of rooming houses and conduct their hearings with a keen awareness of conflict resolution and, at times, a dedication to ensuring that the concerns of rooming house

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26 Paul Dennison. Personal Interview. 10 March 2009.
tenants are heard and their housing rights protected. Although the Deputy Commissioner and Commissioner treat all rooming house matters within the confines of a structured legal format and with professional respect, it seems as though the social component of rooming houses has become part of their administrative duties. In the case of the rooming house tribunal, the actions of the Deputy Commissioner and Commissioner cannot be easily defined as part of a broad neoliberal project or a way for the government to manage gentrification. They make decisions on a case-by-case basis, use the limited parameters of the rooming house bylaw to quiet individual complaints about rooming houses, appear to understand the important role of rooming houses in Toronto’s affordable housing spectrum, while simultaneously providing a public space for upset neighbours, known by local housing advocates as ‘The Nimby’s’, to have their say.

Still, the context of rooming houses as a dwindling source of last-resort housing for low-income tenants in Toronto influences the governing perspective and actions of the tribunal. Paul, after a few years regularly attending the tribunal, was surprised by how the commissioners ‘got it’ and challenged his initial opinion of the tribunal as an apolitical administrative body.

Paul: The one thing that I’ve been impressed by—and again this is me learning and changing my assumptions and biases over the years—I was impressed by how everybody at the City seems to ‘get it’ in terms of rooming houses and how closing them down is an absolute last resort. I was kind of thinking there’d be almost a witch-hunt there, but it’s not…
Lisa: Is that the Commissioners…?
Paul: The Commissioners and most of the Inspectors that I’ve encountered, they all kind of ‘get it.’ I think for the City it’s a bigger headache for them; what do we do with these five, six, twelve, twenty people who we just made homeless—now what do we do? So there’s that as well as the altruistic or community interest in not losing these units. So, they have a real understanding that you want to work with
people to keep them going. So I was quite impressed by that, that’s one thing I learned. That challenged my biases.\textsuperscript{27}

For Paul, the fact that the commissioners ‘get it’ influenced how he viewed the tribunal in a way that departed from its original purpose of landlord compliance and license administration.

I’ve been very impressed by the process where they always stress communication and talking and working things out. It’s like a legal process but it’s what they call natural law so it’s less formal but they still use legal procedures. But their whole point is to mediate conflict…I’ve seen cases where neighbours were screaming like cats and dogs, and then six months later it’s like a love-in.\textsuperscript{28}

The quasi-judicial tribunal has modified within the social context of rooming houses in Toronto. Even though the Commissioner and Deputy Commissioner routinely stated, ‘this is not a community meeting’ at the beginning of each hearing, the community conflicts and social component of rooming houses in Toronto have clearly influenced the daily functions of this administrative tribunal function.

\textbf{Policy and Advocacy: The Rooming House Working Group & the Rupert Coalition}

Attending a meeting of the Rooming House Working Group (the working group) is quite different from observing a hearing of the tribunal. Upon entering, the Chair welcomes everybody, introduces herself, passes around a sign-in sheet and the previous meeting minutes, and asks if anyone has anything to add the agenda. The meeting room hums with conversation between the housing workers, landlords, city staff and tenants as people help themselves to coffee and donuts supplied by the City. There are

\textsuperscript{27} Paul Dennison. Personal Interview. 10 March 2009.\textsuperscript{28} \textit{Ibid.}
approximately 15 people at the table, most are casually dressed in jeans, t-shirts and outdoorsy vests (if it’s cycling season), with a few people, usually city staff, wearing suits or the equivalent. Even though the meeting has a set agenda and a formal Chair, it has an air of informality. People regularly interrupt each other and the discussion consistently veers into a multitude of unrelated but topical conversations. Apart from the presence of city staff and the fact that it takes place in Metro Hall, the meeting resembles a community group meeting as much as it does a formal working group of the City of Toronto – so much so that the Chair always identifies and refers to her Community Co-chair, a volunteer position held by a local housing worker from a participating agency or legal clinic, throughout the meeting.

The primary objective of this group, to “provide a forum for interaction and information sharing among rooming house tenants, rooming house providers, representatives from community agencies and government representatives, primarily city and potentially provincial and federal,” is clearly met.29 The objective of information sharing is achieved through regular updates from the city divisions of Shelter, Support and Administration, Municipal Licensing and Standards and Affordable Housing. There are issue-specific reports such as updates from the Waste Management Department on changes to garbage disposal, reports on the harmonized zoning bylaw and sharing between relevant housing groups. These are dealt with on a case-by-case basis. Sometimes academics, housing advocates and researchers present, discuss recent research, announce public events and share relevant information from their social agency, shelter or legal clinic. The working group consists primarily of city staff and housing

advocates, although a couple of rooming house operators and tenants are regular participants.

Members of the Rupert Coalition (which includes several long-term rooming house activists) comprise a significant portion of the working group. For these members, the working group is viewed less as a politically progressive forum but a necessary one for information sharing and collaboration with the City. The working group is clearly not an activist organization. However, it pushes the boundaries of an information-sharing and advocacy forum. During the two years of my attendance at meetings, the working group facilitated rooming house advocacy by commissioning research-based reports, providing information on rooming houses to relevant city departments and supporting community advocates in submitting deputations to controversial committee meetings. In some ways this combination of information sharing and advocacy has always been a component of the working group.

The Rooming House Working Group\textsuperscript{30} formed shortly after the implementation of the rooming house licensing bylaw in 1974 to help rooming house operators conform with the new bylaw, much like the original reasons for establishing the tribunal.\textsuperscript{31} At this time, the working group included representatives from municipal, provincial and federal governments. The working group supported operators by making significant gains for the inclusion of rooming houses in federal financing and residential rehabilitation programs. City staff also published a rooming house newsletter, conducted advocacy and shared information with professionals and multi-leveled government officials, conducted Human

\textsuperscript{30} Note: In the 1970s and 1980s the Rooming House Working Group was called the Boarding House Steering Committee. For purposes of clarification I will refer to it as the working group to represent all decades.

Rights Code work and had full-time staff working with rooming house operators. It was a place for City bureaucrats to collaborate with professionals from non-profit housing organization, mental health and homelessness agencies and representatives from multiple levels of government. According to Bob, the former working group chair in the 1970s-1980s, the working group had ‘less to do with enforcement issues’ and more to do with facilitating support for landlords. They were involved in slowing down or helping to avoid the closure and sale of rooming houses due to unexpected costs incurred by the operator as a result of trying to comply with the minimum standards of the bylaw.

The focus and membership of the working group changed after the Rupert Hotel fire in 1989. Prior to the Rupert fire, the working group did not have roomer representation or a focus on tenants’ rights. After the fire, it actively collaborated with the newly formed Rupert Coalition and directed its lobbying and organizing capacity towards the Rupert Pilot Project. This long-term association and advocacy relationship between the Rooming House Working Group and Rupert Coalition began. At this time, the working group membership expanded to include ‘the community’ and, according to former city official Steve, “[i]t was actually a really interesting work experience because it showed people at the provincial and local level and all these community agencies could be on the same page.” The working group’s previous collaborations with the provincial government led to further funding for repairs, tenant support and monitoring of rooming house operations. This collaboration with the Rupert Coalition shifted the focus of the working group from support for rooming house operators to advocating for the safety and

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33 Ibid.
34 Steve. Personal Interview. 11 August 2009.
35 Ibid.
security of rooming house residents. It also established a longstanding relationship between the two groups.

Nowadays, the working group functions with a strong advocacy role (though formally described as ‘information sharing’) and is community driven, no doubt influenced through its past work with the Rupert Coalition. The working group has modified its emphasis towards the survival of the rooming house sector, the rights of tenants through advocacy efforts at City Hall and the production and dissemination of information, primarily commissioned reports. Although rooming house operators are present (in small numbers) and infrastructural support in terms of insurance and repairs still exists, it no longer is a focal point for the working group. More often than not, the working group acts as a conduit through which more activist-oriented Rupert Coalition members can access the inner-workings of City Hall and familiarize themselves with key bureaucrats. The working group supports all its members (including Rupert members) to write deputations and speak at contentious Planning and Growth Committee meetings. The working group also, on occasion, served as a resource for the Planning Department. Members provided history and relevant information to city planners that would be useful for their 2009 Staff Report on extending the rooming house licensing bylaw. Even though the working group and Rupert Coalition no longer collaborate on similar projects, they share a common membership and a focus on rooming houses. They do, however, vary substantially in political approaches, tactics and ‘rowdiness.’ The Rupert Coalition members consider themselves activists, challenge the municipal government whenever an opportunity arises, make appeals to the Ontario Human Rights Tribunal, regularly talk
about drafting ‘Charter Challenges,’ organize the Rupert Memorial and try to get media representation for rooming houses in the local papers.

Perhaps unsurprisingly, there is minimal (visible and formal) communication between the rooming house commissioners and the working group staff. Their respective roles in the ad hoc assemblage are clear: the working group is staff-run and advocacy-focused and the tribunal is administrative and quasi-judicial. However, as is the case in the City bureaucracy, the lines of separation between administration and advocacy in the rooming house sector are quite blurry. Members of the working group regularly attend hearings and the head of Municipal Licensing and Standards (MLS) attends both tribunal hearings and working group meetings. When asked specifically to speak, he told the working group of general concerns (or houses) within the day-to-day functioning of the license but never in as much detail as when he presents inspection reports at tribunal hearings. However, like the head of MLS, many City bureaucrats from departments or divisions loosely associated with rooming houses will sporadically attend meetings of both the tribunal and working group.

Currently, the working group functions at arm’s length from the tribunal and oscillates between its advocacy and information sharing roles. During the course of my participation, the working group did not seem overtly political, although there were several moments when (more activist-minded) members would get visibly upset about ‘The Nimby’s.’ It did become clear to me, however, that the working group bases its advocacy on older and established methods of support, likely resulting from its collaborations with the Rupert Coalition. The working group is not ‘set in its ways’ in a purposefully stubborn way, but definitely approaches the rooming house advocacy with
an eye to the past. It revolves around the safety of roomers, focuses primarily on licensed rooming houses and on preserving the rooming house sector, presumably based on the decline of the rooming house stock as a result of deconversion into single-family houses in the 1970s and 1980s. During several meetings, members of the working group vocalized genuine concern about the discriminatory licensing bylaw and precarious housing situation in the suburbs. Yet, most members were downtown-based, regularly held their hour-long meetings downtown in Metro Hall, knew few suburban housing workers and did not seem to know how to start organizing and/or supporting people in the suburbs.

Enforcement: MLS and Fire

Since the 1970s, housing advocates have argued in favour of increased standards and frequency of inspections under the bylaw. Nowadays, inspection reports are a fundamental component of the administration of the bylaw and are a routine part of tribunal hearings. Bylaw enforcement officers (self-identified as officers or inspectors) are Municipal Licensing and Standards (MLS) employees and enforce three bylaws: business licensing, property standards and zoning. For officers, inspecting rooming houses under property standards and the licensing bylaw is just one part of their job.

There is a paradox in the enforcement of the rooming house bylaw. The City wants to enforce the bylaw and keep houses up to code but does not want to displace people. Bylaw officers unfortunately work on the frontlines of this dilemma. Though not unique to Toronto, this paradox between bylaw enforcement and turning a blind eye to

illegal or unlicensed rooming houses is under-documented. Robert Fairbanks’s ethnography of recovery home rooming houses in Philadelphia, as discussed in Chapter One, is one of the few studies addressing the practices involved in operating and regulating such marginalized forms of private housing that serve a public or social services (recovery) need. The affordable housing market in Philadelphia, for example, is much different than Toronto’s. But in both cases, ignoring bylaw infringements has the potential to lead to unsafe housing conditions, yet increased enforcement may lead to mass evictions and increased homelessness. Neither option is ideal. However, this connection between stronger enforcement and increased homelessness is quietly accepted in Toronto. As discussed earlier in this chapter, it is common knowledge that unlicensed and non-compliant rooming houses are rarely shut down by the City. Some staff refer to it simply as ‘turning a blind eye’ while some advocates, like Paul at the tribunal, applaud this passive philanthropic gesture. This paradox does not make bylaw enforcement less important but does make it less of a focus for advocates at the working group. Despite this discrepancy between enforcement and tenant displacement, officers still enforce the bylaw as part of their work routine. However, their work is regularly influenced more by ward councillors than by their own initiatives or those of the tribunal.

Bylaw officers routinely inspect houses with lapsed and conditional licenses as set by the tribunal. However, a large and generally unwelcome component of their work is complaint-driven from the ward councillors. On a regular day, the duties of enforcement officers include ensuring that the house meets the minimum building standards as per the Building Standards bylaw, that hazardous materials are removed, and that each house
complies with the conditions of its individual license. Even though most inspectors prefer to address issues involving safety hazards and health risks—like the house known for having raw sewage in the basement—a significant portion of their job is complaint-driven from nearby neighbours not rooming house residents. The work of officers involves responding to complaints from the local ward councillor such as ensuring that the front lawns of rooming houses are free of debris and properly manicured, as noted in Valverde’s study of municipal law.37

Bylaw officers deal with matters pertaining to the bylaw only in established houses; they are not involved in the initial inspections for new (likely converted, not purpose-built) rooming houses. Inspectors from the building department and fire department ensure that rooming houses are up to code prior to opening. Gaining the City’s approval and ‘getting a new house up to code,’ according to Loly, is not an easy task. Loly runs a settlement support organization for refugees in downtown Toronto and operates a few non-profit rooming houses for refugee women. Loly was dedicated to operating a safe, licensed and ‘above board’ operation since her organization supports refugee women seeking asylum and is funded by the Canadian Housing and Mortgage Corporation. In her experience, the entire process was lengthy, frustrating and costly. She described opening a new non-profit rooming house as a bureaucratic nightmare and noted that for some landlords “it’s so complicated, so bureaucratic, so challenging, that at the end they decide to rent it without the license.”38 For Loly, operating without a license was not an option.

38 Loly Rico. Personal Interview. 9 April 2009.
The initial cost of the license ($100.00) was not a problem for Loly. The bureaucratic process—including substantial delays, lengthy waits for permits and inspections, contradictory reports from city departments and the costs of meeting inspection requirements were the challenge. She recounted the numerous bureaucratic delays she experienced including waiting six months for a building permit and three months to receive the list of repairs, while trying to appease contradictory inspections from building inspectors, licensing officers and the fire department. It took three years for her house to be approved, in part, because during this process, her file went “to sleep.” The delays and her growing frustration with the process cumulated in her attempts to meet the changing minimum safety standards for installing fireproof doors. She tells a story of getting approval from one inspector to convert doors to the minimum standard fire door only to find out from another inspector this was no longer acceptable.

We put it together—it’s like two plates of steel that covered the wood and you covered the wood in everything. We passed the first year. The second year when they came to do the review...a different Inspector, and he said we had to change all the doors, which is $5,000.00. We went back and said if you review these doors were set up two years ago and we didn’t have any problems, why now? He said because the regulations changed. I said, “why didn’t you let us know?” [He replied], ‘because they give you [notice] after they do the inspection and you have 30 days to do it, if not your are fined.39

At the end of the day, Loly was able to negotiate with the City and talk with the inspectors to pass the next inspection by the fire department. Meanwhile, they were fundraising to pay for the new doors.

Due to the waiting times between inspections, repairs and final inspections, lengthy delays are not unexpected but make opening a rooming house very difficult. Over

39 Ibid.
her three-year span of opening a new rooming house, there were several times when regulations changed. One incident occurred after she had just installed a door on the cooling room (a room with an air conditioner so tenants could get relief from the heat and humidity in the summer months). After the inspections, Loly was informed that she needed to modify the house to meet these new regulations so they could acquire a license and house their clients.

They came and when they were ready to issue the license they said ‘you don’t have the cooling room.’ [We said], you approved it 3 years ago – then we had to run and get an air conditioner and put it in. In the house there is a room that doesn’t meet the criteria [for a bedroom] and we use it like a library and we put the air conditioner in there. Then we called and it takes 5 months for them to come and do the review, and then they issue the license. That’s when the guy came and said that the doors weren’t well protected. I almost cried. It depends who is coming and what they see. And even the Inspectors keep telling me ‘we are not that hard with you because we know that you are a non-profit organization.’

If Loly’s experience opening a non-profit rooming house with substantial financial aid was an example of inspection officers ‘being easy,’ it leads to the question of what a difficult case would entail, considering that most private market rooming houses operate as businesses with very small (if any) profit margins and no outside funding.

The enforcement of minimum building and fire standards can be a lengthy process, as evidenced by Loly’s experience of opening a non-profit rooming house. Before a rooming house is licensed, it must pass (like the average home renovation) initial inspections by the building inspector and fire department. Then, the landlord applies for a rooming house license and routine inspections by the bylaw enforcement officers begin. Bylaw officers ensure that licensed houses meet the minimum standards of

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the relevant bylaws and do not deal with unlicensed rooming houses. Their enforcement role, unlike police officers, does not entail policing illegal behaviour. In fact, bylaw officers do not have the power to enter houses they suspect are operating without a license. Though bylaw officers are likely aware of the location and potentially poor conditions of unlicensed houses, they do not have the right of entry and can only enter a house if given permission by the landlord. The fire department, as mentioned in earlier chapters, has the right of entry and is the only enforcement body within the City of Toronto with the power to shutdown an unlicensed and/or illegal rooming house at a moment’s notice.

The fire department and MLS have a somewhat antagonistic relationship in the enforcement and administration of the rooming house licensing bylaw. The routine administration and enforcement of the rooming house bylaw rests within the jurisdiction of MLS, yet the fire department has (unquestioned) control over enforcement and to a certain degree administration. In tribunal hearings and formal interactions, it appears, at least on the surface, that the fire department and MLS division work well together to inspect rooming houses. A few informal conversations with long-term housing workers told another story of this antagonistic relationship between Fire and MLS. One housing worker recounted the story where Fire trumps MLS. Apparently, there was a well-known illegal rooming house in downtown Toronto where MLS officers and staff had been working with several housing advocates to support the operator to license his house and get it up to code. At some point during these negotiations between MLS and the rooming house operator, the fire department swept in, ignored requests from MLS for more time to help get the house up to the fire code, and shut it down. I heard this story from the
housing worker who was left with the task of finding quick and affordable rooms for the evicted tenants. Unaccounted for evictions by the fire department or examples in which fire trumps MLS are not necessarily a common occurrence. However, it is quite possible that the dominance of the fire department in regulating (certain) rooming houses may stem from the memory of the Rupert Hotel Fire (1989) and the long association between rooming houses and fatal fires. However, it has been over twenty years since the Rupert Fire and rooming house fires are becoming an increasingly uncommon occurrence in Toronto.

During my observations at the tribunal, however, there appeared to be an unspoken hierarchy or veiled unease between the fire department and MLS. The fire department is regularly late—or absent altogether—for tribunal hearings and sometimes showed up at the tribunal with incomplete inspection reports. I witnessed Fire’s seemingly indifferent attitude to the tribunal during a hearing regarding the inspections involving the dual jurisdiction of the door at 4 Spencer Avenue. Since the functioning of the door was within the jurisdiction of Fire and the locking of the door was under the jurisdiction of MLS, the two departments had to work together to complete the mandated inspection. However, at the tribunal, the MLS inspector reported that ‘his guys’ could not complete their inspection because the representative for the fire department did not show up. Missed inspections, miscommunications and late attendance by Fire to the tribunal are a regular occurrence. In fact, it is not uncommon for the rooming house commissioner to postpone a hearing because Fire is not present or has not completed their rooming house inspections. On one hand, Fire’s apparent indifference to the administrative component of the bylaw seems surprising given the history of fires in rooming houses.
The prevention of fire has been a guiding force in the governance of rooming houses and implementation of the licensing bylaw (in 1974). Yet, on the other hand, this *laissez-faire* attitude to procedures of bureaucratic administration and rooming house enforcement seem strangely fitting within the history of rooming house regulation. Perhaps in the bureaucratic hierarchy in the City of Toronto, as least in relation to rooming houses, Fire really does trump MLS.

Bylaw enforcement appears to be an interestingly minor focus for the administrative bodies governing rooming houses. Initially, I found its minor role surprising. Wasn’t enforcement the primary purpose of the licensing bylaw? Since the 1970s, increased building inspections have consistently been raised as a reason for amending and strengthening restrictive sections of the bylaw. Prior to conducting my research, I thought enforcement was a primary part of the regulation of rooming houses. After spending many hours in meetings and tribunals at City Hall, my perspective changed. Bylaw enforcement is met with a certain degree of apathy in rooming house advocacy circles, including the working group and Rupert Coalition. Rooming houses rarely get shut down and many housing workers I spoke with at the Rooming House Working Group and Rupert Coalition meetings casually mentioned that bylaw enforcement ‘doesn’t really do anything.’ This negative view of enforcement was always met with a (unsubstantiated) remark about an inadequate number of bylaw officers to properly enforce the bylaw and municipal budget cuts. Little, if any, attention was given to the ineffectiveness or effectiveness of enforcement by the tribunal, working group or Rupert Coalition. Still, bylaw enforcement plays an important role in the regulation of rooming houses, even if it is a discursive and mediating role. Many key players in the
regulation of rooming houses – whether a ward councillor, upset neighbour, housing advocate or city bureaucrat – can affect the enforcement of the bylaw. The very fact that bylaw enforcement exists, whether or not it is effective in regularly inspecting houses (as witnessed in the case of the Rupert Fire), substantiates and reinforces the necessity for the tribunal, working group and, to a certain degree, the Rupert Coalition.

Overall, this ad hoc organization of municipal committees, tribunals and divisions governing rooming houses work autonomously but not necessarily harmoniously. Clear divisions between administration, enforcement and advocacy are difficult to identify. Even though the tribunal is clearly an administrative body, it also involves community conflicts, concern for tenants and moments of conflict resolution. And the working group evolved from a municipal group focused on fundraising and landlord compliance has morphed in many ways into a research-based tenants’ advocacy organization. Bylaw enforcement still continues in discursive and material ways. Since the Rupert Hotel fire, this entire web of governance has shifted from a punitive model based on landlord compliance and fire prevention to advocating for tenant support and protection of the entire rooming house sector. The ongoing presence and diligence of individual housing workers and advocates may, in fact, be the reason for the shift in the administrative or advocacy focus of the entire assemblage. Community advocates are embedded in every process of the licensing procedure. Yet, few have a formal or regulatory role. Still, their presence is obvious and influence undeniable.
Emerging Forms of Governance

Rooming houses are obviously the central focus for multiple working groups, city divisions and the tribunal working under the rooming house licensing bylaw. However, this concentrated administrative attention given to rooming houses was not exactly planned or predetermined. The single-focused attention given to rooming houses within Toronto’s municipal government was a response to fires, a declining housing stock and angry property-owning residents. It was not accidental nor was it intentional and it occurred over time. The City of Toronto did not set out to regulate rooming houses; it happened out of circumstances and was potentially a response to the lack of adequate municipal committees to regulate rooming houses. The administrative focus on rooming houses occurred in an ad-hoc and disorganized manner. From this narrow administrative focus on rooming houses I observed reactive and community-informed practices of (urban) governance.

These two forms of governance were not the intended goals of the municipal government, but have developed over the past 30 years. They emerged from the practices of each governing body: the tribunal, the working group and bylaw enforcement. They are a result of unintended collaboration (or lack thereof) and the shifting focuses of the administrative bodies governing rooming houses. Unlike the rooming house licensing bylaw, these two forms of governance do not have territorial jurisdictions and may be applicable to the suburbs. In fact, they may be more important to the situation in the suburbs or to tenants’ rights advocacy than a regimented bylaw and limited municipal legal mechanisms.
Reactive Governance: Fire Led the Blaze

The regulation of rooming houses has a distinct trajectory. This trajectory is visible in the chronology of events leading to the implementation of the license in 1974, to changes in rooming house stock (1980) and to multi-leveled governmental interventions. The chronology of rooming house events in Toronto is entrenched in the regulatory mechanisms governing rooming houses, so much so that this temporality associated with rooming houses appears as a distinctive form of governance: reactive governance. By raising this question of temporality, I illustrate how preventative measures, such as governing for the prevention of fatal fires, is actually backward looking, not future-oriented. Even though the bylaw, tribunal and working group aim to prevent future fires, they do so through a trajectory that looks back at past events. The focus on safety and fire prevention is a reaction to the debilitated buildings, fires, health risks and overcrowding situations in the 1970s—risks that may not appear today.

I use the term reactive governance as a way to pinpoint the disjuncture between a technique of governance whose discourse is preventative (future-oriented) and one whose practices are reactive (past). This reactive governance rests on the balance between reacting to past events and preventing future events. It is not unlike criminological discourse around risk and criminal justice approaches to crime. These governmental reactions to fire, deinstitutionalization or increased housing conversions, change the direction of governmental action and become entrenched in governing structures and situations that may no longer be addressed through the same techniques of governance. In the case of rooming houses, fire has been a primary spark highlighting the nature of this reactive governance.
Thus, the actions of the governing bodies frame their work around past reactions to perceived and real risks, such as fire, deinstitutionalization and deconversions. In framing future responses based around past events, the web of municipal governance is limited in its ability to respond to threats of this housing form based on current events and situations. Additionally, it does not build from past experiences, but merely draws from the strengths (or weaknesses) of governmental bureaucratic reactions and then regularizes them. Reactive governance is based on past events, prevents new future responses and works within a very limited and restrictive framework.

Community-informed Governance

Community advocates play a much larger role in the governing structures pertaining to rooming house regulation than the administration of the bylaw through MLS and the tribunal would suggest. Activists, advocates, housing workers, disgruntled neighbours, city councillors and settlement workers are present and/or active in most administrative and advocacy-based organizations within City Hall. The community of rooming house advocates has really influenced how rooming houses are governed. This community influence regularly occurs within the context of municipal bylaws and the governing practices of the municipal government. It is a component of governance that has been well documented and discussed.\(^{41}\) The role of housing advocates has become entrenched within the bureaucratic functioning of the regulation of rooming houses. Similarly, the municipal government’s regulatory framework and established reactions to risk (with regards to rooming houses) has substantially influenced how housing advocates conduct

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their support and campaign work. Even though the majority of community advocates active alongside the rooming house governing assemblage within the City of Toronto work on outside housing advocacy campaigns, they have invested considerable sweat-equity, volunteer time and paid work into the City’s bureaucracy. Whether they readily admit it or not, rooming house advocates are embedded within the bureaucracy of the municipal government.

This type of community-informed governance was visible in the interactions between rooming house advocates, oppositional residents’ associations and angry NIMBY neighbours. In terms of advocacy work, this type of governance can be seen through the informal and formal information sharing that occurs within the tribunal and working group. Community advocates and housing workers gain valuable insider information for Planning Department reports, personal updates about changes to the licensing bylaw, support services for landlords and controversial Planning and Growth Committee meetings. The bureaucrats within the working group supported independent housing workers to write deputations to the Committee and the Planning Department, and ask advice from the working group pertaining to their (controversial) Extending the Rooming House Bylaw report. Through the working group, advocates often work on commissioned reports and help organize public meetings around issues pertaining to rooming houses. This interwoven relationship between advocates, workers and city staff is important for the proper functioning of the governing assemblage, and provides workers with a nuanced understanding of how to weave through the web of municipal governance. This relationship is not exploitative of work or based on favouritism; it is a form of community organizing within the municipal bureaucracy. I find this interwoven
relationship fruitful on one hand and problematic on the other. It is fruitful on the basis that individual social agencies have access to City Hall. If a problem arises with a client or a rooming house, they have a direct line to the proper bureaucratic channels. Conversely, when a controversial matter arise as the tribunal, the working group can send out emails rallying up the ‘troops’ to support the tenants and landlords at the meeting. In regards to community advocates, community-informed governance is a symbiotic relationship. However, it can become problematic in its exclusionary component. People have developed routine interactions and routine responses (such as those noted in the section on reactionary governance) that can be exclusionary for new (and suburban) workers trying to connect with a bureaucratic structure that is not applicable to their needs.

The reactionary side of community-informed governance occurs through the participation of oppositional community groups, the governmental response to their needs and the role of the ward councillor. Residents’ associations, ratepayer groups and individual neighbours have a significant impact on the way in which rooming houses are governed through community-informed governance. This influence is best observed through the matters heard at the rooming house tribunal. At the tribunal, as noted earlier in this chapter, residents’ associations with complaints that are not within the scope of the bylaw regularly influence decisions, despite the best attempts of the commissioner. The case of 450 Pape Avenue is a perfect example. Residents’ associations did not want a new or newly renovated rooming house in their neighbourhood. As a result of their insistence and perseverance, their concerns about the Salvation Army House at 450 Pape Avenue became embedded in the conditions on the rooming house license. After their
intervention at the tribunal, the lawyer for the Salvation Army had to prove to the rooming house Commissioner that the Salvation Army would regularly send out informative notices to the residents’ association and interested neighbours. This amount of ‘community’ intervention is actually quite outrageous. Individual neighbours and residents’ association have continued to merge their interests within the administrative functions of the tribunal, so much so that their concerns have been incorporated into the conditions that the Commissioner places on the rooming house license. The presence of the ward councillor is often an instigator for this reactionary community-informed governance.

In conclusion, the administration of the rooming house bylaw and accompanying advocacy groups and enforcement procedures provide us with a unique perspective on the ways in which municipal bylaws and accompanying governing practices operate. On one hand, we have a standard municipal bylaw with an administrative tribunal that ensures that licensed landlords are keeping their houses up to the minimum building and fire standards. Yet, once you observe a few tribunal hearings, an alternate world of regulatory practices emerges. There is still the adherence to a standard procedure and respect for the parameters of the bylaw, but the commissioner is consistently confronted with the social conflicts, not administrative violations, pertaining to the object of the rooming house bylaw. After a few weeks of observing the tribunal and attentively listening to every story the housing worker beside you wants to share, not only are you more confused, but also you have heard multiple ‘insider’ stories about specific landlords, alternative ideas of the effectiveness of the tribunal and the history of rooming houses. Soon, you begin to see the other side of rooming house regulation in Toronto: the ad-hoc assemblage of complex
inter-relations between various groups (that respect each other to varying degrees) with
the purpose of maintaining a stock of rooming houses and protecting tenants, in addition
to administering a bylaw.

The rooming house licensing bylaw licenses a very limited number of houses and
even fewer of those houses are present at the tribunal. The Rooming House Working
Group consistently raises concerns about rooming house sustainability and support at
municipal committees and to specific departments, but their mission becomes
increasingly vague. Meanwhile, the Rupert Coalition continues to organize memorial
services and fight for tenants’ rights, but is anything really changing? The emerging
forms of governance are so enmeshed with the social history of rooming houses and the
organizing strategies of downtown community advocates and NIMBY complaints that the
reactive and community-informed types of governance are difficult to identify.
Furthermore, the ad hoc nature of this narrow-focused administrative web of governing
bodies becomes increasingly visible as stories emerge that reveal the multiple sides and
(in)effectiveness of the licensing bylaw, the enforcement practices, the tribunal and the
advocacy efforts.

Despite the possible ineffectiveness of the administrative governing bodies
surrounding the rooming house bylaw, my analysis of this web of municipal governance
contributes to governmentality scholarship. It contributes to Foucault’s perspective on the
art of government and Rose’s notion of the problematics of government by focusing on
the importance of the practices and mundane functions of government. The
administrative network surrounding rooming house regulation is an example of the ways
that particular techniques, practices and processes contribute to the function of
government. Perhaps, the ad hoc organization of Toronto’s web of governance
surrounding rooming houses is how governments function? Or perhaps, this example
draws our attention to the varied ways that techniques of governance regulate poverty
through regulating built forms, licensing landlords and (indirectly) guides the direction of
community-led forms of governance.

However, within this web of municipal governance, it becomes a bit unclear as to
what object or person is being governed. The intention and dedication of this web of
governance is refreshing, yet I am always left wondering how suburban housing
advocates would fit within this tightly woven web of governing practices? Where are the
rooming house tenants? Are they caught in this web or do they inhabit a space beyond its
reach?
Chapter Seven
Living in Rooms: Speaking from the Shadows of Constituted Identities

"Why is a significant portion of society treated as second class citizens because they are individuals living in rooms?"
-Norman Brown, Chair of Don Vale Tenants Association

Introduction

Roomers in Toronto inhabit the bottom rung of the housing ladder. The invisibility of their identities, voice and presence is not surprising. A social housing researcher recently re-confirmed this marginal position. Recounting conversations with Toronto Community Housing Corporation (TCHC) tenants who legitimated their good tenant status by differentiating themselves as ‘not roomers,’ this colleague bluntly concluded, ‘Nobody cares about roomers.’ Initially, I was shocked and annoyed at this statement. I had dedicated years of my life to thinking about the experiences of roomers. How could someone be so flippant? However, this simple comment drew my attention, once again, to the dismal status of roomers within the informal hierarchy of low-income tenants in Toronto. It re-affirmed the depth of the stereotypical associations of roomers with poverty and skid row and reinforced roomers’ marginalized position in the low-income housing spectrum. Yet, this identity of roomers as the lowest-of-the-low tenant is not simply derived from public perceptions of roomers, it is constituted through law.

In this chapter, I address how the legally constituted identity of roomers as skid row residents relies on problematic representations of roomers. These representations re-affirm the roomers’ liminality, and in so doing, they ignore the growing diversity in the

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1 Browne, Norman. “Roomers: The Lost Race of Society” Brief, Submitted to the Ontario Housing Corporation and City of Toronto Committee on Neighbourhoods. 5 February 1970.
roomer population. In fact, this representational and constituted identity of the roomer as hard-to-house transients that ‘nobody cares about’ seems central to the rooming house licensing bylaw and accompanying web of municipal governance. The hard-to-house tenant that ‘nobody cares about,’ in many ways, has become the perfect governable subject to substantiate the seemingly excessive administrative focus on rooming houses in the City of Toronto. But, if the identity of the ‘perfect governable subject’ no longer exists, what happens to the scope and purpose of the bylaw?

The rooming house licensing bylaw constitutes the identity of roomer through its identification of rooming houses as a specific form of housing requiring its own regulation and administration. Through the bylaw, tenants become victims to be protected and subjects to be governed. But, are roomers really victims? Transients? Vagrants? Subjects to be governed? It is quite evident that the constituted identity of the roomer substantiates the existence of the bylaw. But, in law do roomers exist beyond their role as marginalized subject to be governed? After participating in and observing the rooming house working group and tribunal I kept wondering: where are the roomers? They were rarely involved in the community-informed governance related to their housing. Still, roomers were consistently the topic of conversation in community and municipal meetings and they were represented in multiple municipal reports. However, roomers (especially suburban roomers) were invisible. The invisibility of suburban roomers could be explained by their position on Constance Perin’s proper ladder of life chronology as renters and/or the illegality of their dwellings.\(^2\) However, the invisibility and lack of

participation within the governing practices pertaining to rooming house regulation, I argue, further marginalized roomers, whether they live in the downtown or suburbs.

Given the presence of a rooming house bylaw, rooming house commission, tribunal and working group, it is difficult to substantiate an argument that roomers are invisible. Does the presence of the quasi-judicial tribunal, working group and bylaw negate my argument about roomers’ invisibility? Roomers are at the centre of regulatory mechanisms, are they not? Certainly this central spot guarantees visibility. However, the presence of the rooming house bylaw has constituted an identity of the roomer it requires for its existence. In fact, the bylaw and accompanying governing bodies rely on this legally constituted identity of the roomer as a distinct type of hard-to-house and transient tenant. For the past 38 years, this identity of roomer has been one of the central focuses for the rooming house working group, tribunal, the Rupert Coalition and several local housing advocacy organizations. But, what if this identity constituted by the rooming house bylaw and governing bodies no longer exists or has never been truly representative of the tenant experience?

In this chapter, I address questions of agency, identity and tenant experiences through the relationships between law and representational identities. I suggest that identities have been created for roomers, identities I refer to as representational. These representational identities legitimize the bylaw and reinforce the marginality of roomers. They have been an understated yet fundamental component in the governance of rooming houses. In depicting these identities as representational I draw from Judith Butler’s work on gender, agency and identity and Gayatri Spivak’s analysis of subaltern women and representations to express the ways in which identities are constructed and viewed in
reference to particular norms and ideologies.\textsuperscript{3} I use the term representational identities to depict a type of identity that is created for a group of people, not by the identified group. Representational identities, I argue, are formed \textit{for} roomers, not \textit{by} roomers. Though municipal law technically does not govern people, multiple inquiries have suggested and documented the links between governing land use and governing people.\textsuperscript{4} In the case of roomers, the bylaw focuses on maintaining the physical security of the house and monitoring the landlord through a licensing procedure. However, unlike other municipal bylaws, the rooming house licensing bylaw is commonly understood to exist to ensure safe and secure housing \textit{for} roomers.

My underlying rationale for this chapter suggests that the tangled web of municipal governance governing rooming houses is based around the identity and formation of a particular subject, the roomer. If the identity or subjectivity of roomer were to deviate from the originally intended subject, then, would not the legal mechanisms governing this subject be required to modify, change or become obsolete? In the following sections, I argue that the identity of the roomer has changed, but the representational identity of roomers constituted by law for the past 38 years has not. Thus, this representational identity misrepresents roomers and shows how the constitutive role of law shapes longstanding identities based on stereotypical and stigmatizing representations associated with the object of regulation.


In the following discussions, I disrupt the representational liminal identity of roomers by showing that the roomers can indeed ‘speak.’ I draw from the 44 interviews I conducted with roomers and renters in the suburbs of North York and Scarborough and the downtown neighbourhoods of Leslieville, South Riverdale and South Parkdale. I contrast several personal rooming house narratives from tenants throughout the city. This purposeful sampling highlights multiple experiences of people living in single-person households and enables a more holistic understanding of the rooming house sector than interviews in one (likely over-researched) neighbourhood would provide. The importance of individual stories within this overly and unevenly regulated yet marginalized form of affordable housing became evident as I juxtaposed my observations in tribunal hearings and municipal working groups with my lunches in suburban church basements, interviews on park benches and conversations with tenants and homeless individuals in drop-in centres. These personal narratives and biographical interviews, and my interpretation and analysis of them, question and challenge the representational identities of roomers as hard-to-house transients and victims that need to be protected.

This chapter is organized in three sections. First, I will contextualize and define the term representational identities within an understanding of the constitutive role of law and the creation of the roomer as a subject to be governed. Second, I will present personal narratives from several individual tenants throughout the city to show the diversity in tenant experiences and to ‘let the roomers speak.’ Thirdly, I will discuss some generalized observations I witnessed concerning the commonalities amongst and differences between suburban and downtown tenants.
Roomers: The Constitutive Role of Law and the Subject to be Governed

_Hundreds of years have passed but everyone still thinks of “roomers” as transients! Certainly, a lot of roomers are transients. But very few are transient in the sense that they will live in a room for three or four days and then move on or go home. They are transient in the sense that they will live in a room for eight or ten years. They are transient in the sense that they may move constantly – but still live in rooms!_

-Norman Browne (Chair, Don Vale Tenant’s Association, 1978)

The commonplace understanding of roomers as transients, vagrants, bums and chronic alcoholics of skid row neighborhoods can be understood in terms of the constitutive role of law in everyday life. Socio-legal scholars address the study of law beyond the confines of legislation, as mentioned in Chapter Two, by studying the constitutive role of law in everyday life. Legal geographers are influenced by this sociolegal scholarship study—the co-constitutive nature of law and space. Blomley argued that as our understanding of law shapes our social relations, our understanding of space shapes power relations. Thus, according to Blomley, if we were to understand the co-constitutive role of law and space, new understandings of legal spaces, identities and political categories would develop. In the context of rooming house residents, the co-constitutive role of law and space has created an understanding of roomers as a category of tenant identifiable through law and everyday understandings of skid row.

Since roomers have long been depicted as skid row residents, the enactment of the rooming house licensing bylaw in some ways confirmed and legally constituted this identity. The constitutive role of law in producing meanings and categories does not rely on doctrinal law, but relies on law and legal meanings in everyday life. Thus, even

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though the rooming house licensing bylaw does not explicitly define roomers as skid row residents, the commonplace understanding of roomers in the context of skid row neighbourhoods, housing and unwanted behaviours is one example of the co-constitutive nature of law and space. This connection between skid row and roomer, as discussed in Chapter Four, was and is not predicated on the rooming house licensing bylaw. However, the understanding of the roomer as skid row resident has become enmeshed within social understandings of the subject the licensing procedure aims to govern.

To complicate this argument it must be noted that this association between roomers and skid row residents is not completely unfounded. Many residents of skid row live or have lived in rooming houses. The longevity of this association between roomers and skid row is well established despite its inaccuracy. In fact, these stereotypical notions of roomers as transients and hard-to-house skid row inhabitants may be an easy solution to the problem of accurately defining roomers. Roomers are, and have been, an extremely difficult tenant population to classify and define. They are often described as homeless or at risk of homelessness and “many shuttle between hostels and rooming houses, depending on how long the monthly welfare cheque lasts, whether they are employed at some point during the month, conflicts with landlord or other tenants, or crisis related to addictions or mental health,” but are a fairly diverse population including students, new immigrants, refugees, low-wage workers and increasing numbers of single parents. According to the Ontario Task Force on Roomers (1986), “[I]t is not a simple matter to

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calculate the numbers of roomers, boarders or lodgers in Ontario. There are a number of different statistical concepts and definitions in play and they have been used inconsistently over the years.\(^9\) One of these difficulties arises in accurately defining a rooming house.

Since it is difficult to define a rooming house, then would it not be equally as difficult to identify a roomer? The legally constituted identity of the roomer then can be considered a way to get around the difficulties of identifying a diverse group of tenants. Identifying a rooming house, as noted earlier in this dissertation, is not easy. Rooming houses have multiple definitions depending on the city and country of origin. As discussed in previous chapters, rooming houses can be classified as converted single-family dwellings, purpose-built rooming houses, institutions, boarding homes, flop houses, and residential hotels, to name a few.\(^10\) In the former City of Toronto, Chapter 285 of the Municipal Code differentiates between Personal-Care rooming houses and rooming houses, categorizing the differences between dwelling rooms and dwelling units. There are multiple differentiations between dwelling room and dwelling unit, including the inclusion of kitchen facilities and creation of geographical boundaries, as is the case for bachelorettes in South Parkdale. The complexities of accurately identifying a rooming house in downtown Toronto alone can be mind-boggling. Though a standard rooming house refers to renting a room in a house where the roomer shares either a kitchen or a bathroom, as mentioned throughout this dissertation, there are minor variations on the rooming house. There are bachelorettes, personal-care and regular rooming houses, 

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\(^9\) Ibid at 7.

residential hotels and illegally converted rooming houses in basement apartments in the inner suburbs. Additionally, there are hundreds of housing arrangements including sublet apartments, overcrowded situations and house shares that could be classified as rooming house arrangements. Given the range and specificity of rooming house arrangements and the fact that roomers’ identities are based on their living arrangements, it is not surprising that it is difficult to identify roomers.

Still, this legally constituted norm in relation to the identity of roomers is problematic. The existence of the bylaw based on the rooming house – a specific form of living arrangement – produces a relational identity of the roomer. Since a rooming house is perceived to be skid row housing and any one living in a rooming house is considered to be a roomer, they must in turn comprise the population of skid row tenant of transient and hard-to-house individuals. From my observations and research, it became obvious that this legally constituted normative identity of the roomer as a transient and hard-to-house skid row tenant substantiated the administrative attention given to rooming houses and the licensing bylaw. In aiming to solve the problem of unsafe living conditions, city bureaucrats and advocates alike have unintentionally reaffirmed stereotypical identities of roomers by depicting roomers as hard-to-house tenants. In many ways, the roomer has become a victim that requires protection through municipal law and governing practices. Drawing from Michel Foucault, Nicholas Rose and Judith Butler’s writings on subjectivity, governmentality and governance, I argue that the roomer has become a subject to be governed.  

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individual not only affirms the roomer as a passive subject to be governed, it provides oppositional groups unsubstantiated ammunition for opposing the presence of rooming houses in their neighbourhood.

In a Planning and Growth Committee meeting in January 2010, city councillors and residents’ associations from the inner suburb of Scarborough objected to rooming houses in their neighbourhoods based on stereotypical depictions of roomers as transients, addicts and people with mental illnesses. These stereotypical and stigmatizing representations do not reflect the broad spectrum of the roomer population, their needs and present circumstances. As Norman Browne’s passionately written brief to the City’s Committee on Urban Renewal, Housing, Fire and Legislation on February 5, 1970, noted, roomers are not necessarily transient individuals nor are rooming house accommodations always temporary. This depiction of roomers as transients is problematic and discriminatory. Yet, it has staying power. Roomers and all single-person households, as mentioned in Chapter Two, have continually been understood as a threat to the stability and security of the nuclear family. Their continual liminal position as permanent renters classifies renters (and arguably roomers), as noted by Perin (1987), as unstable and lesser citizens in relation to homeowning ‘good’ citizens. The dominant ideology of the nuclear family places roomers (and renters) on the lower rung of the proper chronology of life and frames any non-single family home as the antithesis to the good citizen and good neighbor. Renters (and roomers) have consistently been classified as transients due to their continued status as renters. Throughout my research, I repeatedly heard the most well intentioned city staff and advocates refer to tenants as transients and rooming houses as temporary dwellings. The representational and constituted identities of roomers as
transients and hard-to-house individuals are no longer—if they ever were—applicable. Even though the legal landscape, types of rooming house arrangements and identity of roomers is shifting, these representational identities are not. However, if the identity of roomers is changing and tenant experiences challenge these constituted representational identities, what is the future of the licensing bylaw? Does it have a future? Is it still relevant?

**The Roomers Speak**

The legally constituted identity of the roomer suggests a common or collective experience that all roomers share. But rooming, like other rental arrangements, is an individual experience. People live with other roomers yet have their own space and legal agreement with the landlord, and are not living intentionally or communally with other people. Of course roomers may face familiar situations related to comparable lodgings such as rental rates, conflicts with landlords and poor living conditions. However, these similarities are not substantially different from the experiences of tenants in private market or social housing arrangements, and do not necessitate a distinctive identity.

Roomers represent a diverse array of individuals living in single-person households. They are not passive subjects to be governed nor are they victims in need of protection. Roomers are survivors. They are survivors of an economic system and a financially exploitative housing market. Yet, at the same time, they are people living on fixed or low-incomes looking for affordable housing and doing what they need to do to survive. Consequently, their individual reasons for living in rooming houses varies as does their experiences with rooming house accommodations. This section highlights
individual experiences of people in the rooming house sector – whether they are entering, searching within, living in or leaving the sector – to show the diversity in roomer experiences. It also attempts to dispel the stereotypical notion and legally constituted identity of roomers as transients who descend upon and threaten the security of single-family dwellings. The rooming house sector is shifting in location, physical form and tenant population.

Many of the people interviewed in this chapter are part of this shifting housing sector and many continue to live in rooms despite poor living conditions, ambiguous legalities and financial constraints. It is difficult to gain an accurate number of rooming house tenants in the City of Toronto since the Canadian Census does not have rooming houses as a dwelling form in its surveys (it identifies bachelors and one-bedroom apartments) and besides, many roomers live in illegal houses. However, in their 2004 study Drdla et. al. suggest, (based on the Mayor’s Task Force on Homelessness in 1998) that between 6,000 and 10,000 people live in rooming houses and boarding homes.\textsuperscript{12} A more recent study (2008) estimated based on the 2006 Census data that Toronto has 165,000 low income adults who are unattached, that as many as 100,000 individuals live in rooming houses and/or single-room households.\textsuperscript{13} From this ambiguous and potentially large rooming house tenant population, I interviewed 45 tenants, 18 in the downtown neighbourhoods of South St. Jamestown, South Parkdale and Leslieville and 27 in the suburbs of North York and Scarborough. The following vignettes depict individual tenant

\textsuperscript{12} Richard Ddrla Associations. \textit{Background Report One: Description of the Rooming House Sector.} April, 2004.

stories from 7 tenants. These stories are representative of a broad spectrum of tenant experiences. I purposefully chose to highlight the experiences of Angela, Bob, Adam, Cathy, Arti, Gary and Sritharan because they reveal the diversity in tenant experiences. These interviews show how tenants are survivors of wars, domestic violence, economic systems and psychiatric institutions, but also provide a glimpse into the changing landscape of rooming house accommodation and the range in identities and experiences of roomers. These vignettes enable us to hear about rooming house living from the people who are rarely heard. They also provide an understanding of how tenants view their housing, from a basic financial perspective or as part of their ongoing struggles for social justice and equality, as is evident in Gary and Sritharan’s experiences. The tenant stories in the following section challenge the grand narrative of the collective unity of the roomer as a transient and hard-to-house tenant, and provide personalized accounts of individuals searching for and living in single-room low-income housing in Toronto.

**Angela**

Angela had been in Canada for two months when we spoke. At the time, she was living in a two-bedroom basement apartment in the suburbs of North York with her teenage daughter and was actively looking for a less expensive, and likely smaller, place to live. Her housing dilemma was not unlike that of other newcomers to Canada. Angela could not afford an apartment and did not feel safe raising her daughter in a shared accommodation situation or rooming house. Yet, she had few affordable housing options. When asked what type of housing she was looking for Angela said, “We don’t even care,

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Note: All of these names are pseudonyms to ensure anonymity to all tenants as outlined in a confidentiality form that was read and signed prior to each interview.
it’s just for safety and for economics [financial reasons].”\textsuperscript{15} Her insistence on safety was a common housing criterion for most people I interviewed and had increased significance when I learned how and why she fled Nigeria.

Angela left her small town in Nigeria, fled to a larger city and then to Canada out of fear that her husband would seriously hurt her and her daughter. Angela’s husband wanted her daughter to marry an older man, something Angela had personally experienced and strongly opposed, “I don’t want that life for my daughter because I went through hard times. It was hell for me. I’m still very bad with what I went through and I don’t want that for my daughter.”\textsuperscript{16} In the nearby city Angela ‘found a guy’ who could take them out of the country. She noted that she did not care where they would go, but “all I knew was that [my husband] was going to kill me.” At the time, Angela thought that she only had a few months to live, due to her husband’s threat and her diagnosis of HIV, so when the choice came, she sent her daughter away first without knowing exactly what country her daughter would be landing in.

When Angela managed to make her way to Canada, her daughter was settled in North York with a Nigerian family and going to high school. Shortly thereafter, Angela filed her refugee claim, applied for Ontario Works (OW) and found her and her daughter a basement apartment through members of a local Nigerian church in North York. After spending two months in Canada, Angela had established extensive support networks in women’s health organizations, immigrant settlement organizations and local food banks. In this short amount of time, Angela discovered that her original diagnosis of ‘only 4 months to live’ was false. She soon found out that she had ‘a long life to live’ and with

\textsuperscript{15} Angela. Personal Interview. 9 December 2009.
\textsuperscript{16} Ibid.
the proper medication could live with HIV. But during this time, she also realized that she could not afford to pay for both rent and food on the money provided by OW. Even though her journey and initial months in Canada were not easy, Angela was not overly concerned about the size, type or condition of her next housing situation, as long as it was safe for her daughter.

**Bob**

Bob was an older homeless man living in the ravines and parks of Scarborough who I met during lunch in a local church basement.\(^{17}\) He did not like rooming houses or any housing accommodation for that matter, and openly admitted to ‘blowing’ all housing appointments his housing worker made for him. He told me that his housing worker kept asking him if he was ready and ‘fed up yet [with being homeless].’ Bob smiled slowly and said he repeatedly told his worker, “You know whatever. I’ll let you know.” When I asked him if he’s okay with his housing situation, Bob told me that clearly he “was not okay,” but said that it really wasn’t too bad. If he needed a roof over his head he could always find a place to crash with a buddy.

Part of his aversion to being housed may be attributed to financial concerns, more than personal preference. The $335.00 housing allowance provided to Ontario Works (OW) recipients rarely covers the cost of rent. Since rental rates for single-room accommodations range between $350.00-$500.00, oftentimes little money is left for food and necessities. In ‘choosing’ to remain homeless, OW recipients like Bob can be guaranteed their $201.00 from OW without fear of losing any money from the base OW.

\(^{17}\) Bob. Personal Interview. 14 July 2009.
rate ($201.00). Some OW recipients, like Bob, remain homeless, waive the housing allowance to ensure a monthly cheque and supplement their income through other means. Bob does so by collecting scrap metal. He knew he could find housing if he needed it, noting that rooming houses were ‘all over the city’ in basements, top floors and those floors in-between.

But, like many homeless men I met in Scarborough, Bob liked living in the suburbs and did not want to move downtown. For him and many others, Scarborough and its ravines and parks were a needed ‘break from the cement,’ far away from the ‘addicts, drinkers, thieves and burnouts’ from the downtown neighbourhood of Parkdale. Bob had no use for shelters, did not want to be ‘tossed out’ during the day and was nervous about bed bugs. Downtown, for Bob, was not an ideal place to live, but he visited occasionally, equating trips downtown to a ‘vacation,’ especially when he attended the annual outdoor jazz festival in The Beaches. Bob clearly preferred living in the suburbs and enthusiastically told me that Scarborough “is as far away from Hell as you can get.”

Adam

In some ways Adam presented characteristics of the stereotypical roomer. He had lived in and out of rooming houses for the past 50 years, moving between rooming houses, residential hotels, the street, jail, mental institutions and market-rent apartments and interspersed with bouts of drug use, factory work and financial support from the Ontario Disability Support Program (ODSP). Even so, he was not a passive subject to be governed, nor was he a victim or a transient. The depth of his personal experiences and

19 Adam. Personal Interview. 7 December 2009.
detailed knowledge provide much-needed insight into the rooming house sector. Adam spoke for ninety uninterrupted minutes outlining a chronology of his life in rooms. Each decade represented multiple stories, each with an accompanying personal milestone or important occurrence.

In 1964, Adam ‘got into the rooming houses.’ He had left home at age 15, got a permit to leave school, worked full-time and paid $6.00 a week for a room in Yorkville “before it became the Village.” He noted that back in the 1960s, rooming houses were quite nice and clean, unlike his later experiences. In his early years, Adam knew members of the biker gang Paradise Riders Motorcycle Club and rented rooms in their illegal houses near Broadview Avenue and Queen Street East (see Figure 7.1). During this time, Adam told me that he was regularly using cocaine and having conflicts with the police. In the 1980s, Adam lived in rooming houses in Parkdale, worked in a nearby plastics factory, got very sick with cancer and in 1985 moved to the east end (suburban) neighbourhood of Thorncliffe Park, renting an apartment for close to 7 years.

When Adam was unofficially diagnosed with schizophrenia in October 1990, the ‘rooming house thing really took hold.’ He spent the next four years in and out of the hospital. He spoke candidly about his experiences with limited usage psychotropic medication, the deinstitutionalization of provincial psychiatric institutions and the stigma of being described as crazy. He told me of days spent in a prescribed drug haze living in an east downtown room with inadequate heat and being too scared to ask his neighbours for help. During this time, Adam moved frequently between rooming houses in Parkdale and South Riverdale (Leslieville) with the longest tenure being 2.5 years, the average

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20 Adam. Personal Interview. 7 December 2009.
being 10 months and the shortest a couple of months. From his experiences, Adam could list off dozens of rooming houses, their exact location, the cleanliness of the house,

![Image](image.jpg)

**Figure 7.1:** A row of houses near Broadview Avenue and Queen Street East in South Riverdale, possibly the house owned by the bikers Adam mentioned in his interview. (Photograph by Lisa Freeman 2012).

the temperament of the landlord and/or the quantity of drug use by the tenants. He knew which houses to stay away from and which ones were tolerable. Adam also had a keen knowledge of governmental assistance programs, having lived on and off support services and finding mainstay housing as he got older. Adam, at the time of the interview, was nearly 60 years old. A few months prior to our interview, Adam was living in what he defined to be permanent housing, had a supportive housing worker and seemed happy. Finally, he was not under pressure to find better housing. He seemed relieved to settle
down and have steady accommodations and ended the interview by saying, “Finally, I have a kitten.”

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Cathy

Cathy was living in a homeless shelter because she was sick of living in rooming houses. She purposefully chose to live in a shelter because rooming houses were the only form of permanent housing she could afford and she did not want to live on the street. Cathy was not always marginally housed, living between shelters and rooming houses. She had lived in a big two-bedroom apartment in the central downtown neighbourhood of Kensington Market with her 13-year old son prior to her present stay in a Riverdale homeless shelter. At that time, the rent for her two-bedroom apartment was manageable because she was receiving money from the Ontario Disability Support Program (ODSP) and the Child Tax Credit. When her circumstances changed – possibly due to a drug relapse – Cathy’s son moved in with his father and she was deemed to be a single-income household by the government. Her financial assistance decreased significantly, and she could no longer afford the two-bedroom apartment in Kensington Market.

Unfortunately, this change in housing status and decreased income was not new to Cathy; she was no stranger to rooming houses. She had spent years living in rooming houses on Bathurst Street and spent time living in Jilly’s (the Broadview Hotel) in South Riverdale (see Figure 7.2). She had experiences living amongst older men, people addicted to crack

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21 Adam. Personal Interview. 7 December 2009.
22 Cathy. Personal Interview. 7 December 2009.
and people who “had a fall from grace somewhere along the path, whether it’s been illness or divorce or addiction or something like that, or old age and [lack of] a good pension.”

Cathy remembered a few other women at one rooming house: one younger Aboriginal woman who died there, and an older lady who eventually found permanent subsidized housing.

**Figure 7.2:** Jilly’s at the New Broadview Hotel. Note the individual curtains on each window, indicating different and potentially personalized rooms in this ‘hotel.’ (Photograph by Lisa. 2012).

In her first rooming house experience, Cathy told me that she,

> just wanted a roof over my head. I had never been in a shelter in that kind of situation and so I was just looking for a roof over my head right away and so I wasn’t thinking about the [gender dynamics and lack of women roomers in rooming house].

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23 Cathy. Personal Interview. 7 December 2009.
Cathy was living in a shelter because she wanted to get permanent subsidized housing. If she were to live or stay in a rooming house, she said that the government would view her as ‘housed’ and she would not be on a priority list for social housing. Besides, she realized ‘that the shelter was actually not that bad.’ She told me that the food was good, personal space was small but clean and the rules were relatively flexible. Cathy told me that rooming houses weren’t for her, “[i]t felt uncivilized. I got depressed a lot. No matter what, they’re kind of grimy. You can only make it look as nice…I mean, it’s just a bed and a TV. I don’t like eating and sleeping within a 10x10ft area. It’s very difficult,” especially when you were paying $600.00 per month in rent. At this point in her life, Cathy viewed any housing arrangement to be a better option than living in a rooming house, even if it meant living in an emergency homeless shelter.

Arti

Arti has a Master’s Degree in computer science and had initially lived with her father in Montreal when she first arrived in Canada. Even though she liked living with her father, she wanted to be independent, live on her own and try to establish herself, so she decided to move to Scarborough to be close to a larger Tamil Sri Lankan community. She had just lost her job in Montreal and started to look for work in the Greater Toronto Area. However, she moved just as the recession hit (between 2006 and 2008), and did not find steady employment for at least three years. Renting a room was a financial necessity but also a strategic move. Arti emphasized that she “couldn’t move on [her] own in the beginning” because women in her culture do not live alone. Arti told me that by living

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25 Ibid.
alone and in a rooming house with single men, she was challenging the entrenched
gender norms in her culture of early marriage and motherhood. Thus, it was important for
her to rent from someone in her cultural community. She ended up renting a room from a
person she described as “somewhere in between an acquaintance and friend.”

Arti liked her room in the basement of a large suburban house in east
Scarborough. She shared the basement with four younger men, two of whom were
international students. Her room was large enough but Arti wasn’t completely
comfortable living with strangers, though the fact that two of the students were South
Asian helped her feel more at home. She had schedules for cooking and cleaning, and as
dictated by the landlady could only do her laundry on Saturdays and Sundays (to decrease
electricity costs) and had to share the machines with the two families who lived on the
main floor. Arti was sympathetic to energy costs, noting that her landlady was a single
mother and needed to save money. Initially, Arti’s relationship with her landlord was
quite good. They would share a cup of tea and Arti would help her write emails and fill
out forms.

However, in time Arti’s landlady began to encroach on her privacy and cross
personal boundaries. She would enter the basement without permission, shout for Arti
from the top of the stairs and knock on her bedroom door early in the morning. After a
few months, Arti felt judged for how she spent her time and just “wanted to do [my] own
thing.” Eventually, Arti set boundaries with her landlady, told her that she could not enter
her space and basically “had to deal with it as if she’s from another community.” Saying
no to her landlady and setting boundaries around personal space was another way Arti
was challenging her cultural (gender) norms. Their relationship went downhill after Arti became more comfortable stating her boundaries.

One afternoon after Arti returned home from grocery shopping, her landlady called her on the phone and said, “I don’t like your attitude. I want you to leave the house.” At this point Arti was not concerned about confrontation and told her landlady that she could not evict her in this manner. Even so, Arti quickly called some friends (who knew the landlady) and spent a few days away from her house. When she came home, her landlady entered the basement without permission, handed Arti her cellphone and told her to “talk to my lawyer.” Again, Arti was firm to her position, told her landlady that she needed to make an appointment to talk to her and could not just walk into the basement.

The next day while Arti was at the gym, she received a phone call from a fellow roomer telling her that the police had come into the basement apartment and began knocking on bedroom doors. Her fellow roomer was quite stressed about the police intervention as he was an international student in Canada on a limited student visa and was forced to give the police his name and contact information. Arti, who now was becoming well versed in tenant’s rights, told her fellow roomer that he is not involved and that the landlady could not bring the police inside the house without a legitimate reason. When she returned home, the landlady walked into the basement smiling as if nothing had happened. Arti clearly told her that she was not moving and would not be bullied into leaving. However, at this point Arti had an exit plan and was actively looking for new apartments. In summing up her experience in Scarborough rooming houses, Arti told me that she knew that she had rights as a tenant under the provincial legislation, but
since she was living in an illegal set-up, she didn’t know how things would proceed ‘when it came to the specifics.’ After this experience, Arti found a job, her father moved to Scarborough and they shared an apartment once again.

**Gary**

Gary was living in a bachelorette apartment in Parkdale. He enjoyed his participation at the local recreation centre and volunteered to share his ideas on mental health and addiction with me.\(^{27}\) Gary helped with reception and maintenance at the recreation centre, was a trainer for speaking engagements and was a member of the Mental Health and Addictions Panel at a nearby hospital. He lived in boarding houses for approximately nine years, and so he was still adjusting to cooking for himself and living alone. Gary liked the privacy of his bachelorette, the ability to say who came into his room and the safety of living on his own. He told me he had been healthy for the past seven years but wasn’t always as together as he was now.

He had lived on his own before, lost his job, lost his housing, attempted suicide and ended up living on the streets. When he was living on the streets, Gary was diagnosed with bi-polar disorder. Soon thereafter he “got back into the system again and into the hospital and then into a boarding house.”\(^{28}\) Gary chose a boarding house in the area where he got sick, noting it was not necessarily the best choice but was better than living on the streets. For Gary, boarding houses are “just about survival…they are just a place to survive and try to get along with everybody in the house…It’s just a place where people, I think waste their lives.” He noted that the bad thing about boarding houses

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\(^{27}\) Gary. Personal Interview. 27 September 2009.

\(^{28}\) *Ibid.*
(personal-care rooming houses) was that “time flies so fast and in a heartbeat years go by.”

Even so, he consistently focused on the people, fellow tenants and patients, when he described boarding houses, equating his experiences to living in a family. At the time of the interview, Gary felt healthier than ever before. He noted that he was “healthy as in active in the community, active [at the recreation centre] and giving back to society.” Even though he was still “dealing with his drinking,” he lived independently and was able to spend time with his 24-year old daughter, 19-year old son and 10-year old daughter, in addition to his community work.

Gary had a keen awareness of the licensing procedure for rooming and boarding houses. He had observed multiple inspections during his time in boarding houses and interacted regularly with housing workers at the recreation centre. In fact, during his interview Gary wanted to talk more about the social implications of rooming houses and psychiatric survivors than of detailed descriptions of buildings. He thought it was a crime that people had to live under poor housing conditions and told me, “I think it’s a time for change. We’re talking about people here. A building is only as good as a building can be. It’s what’s inside that counts. You don’t know a place until you’re actually there.”

He witnessed people getting trapped in boarding houses, losing their self-confidence, self-esteem and life skills. He openly talked about the pride he felt working for change and being engaged in his community.

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29 Ibid.
30 Gary. Personal Interview. 27 September 2009.
Sritharan

I met Sritharan on several occasions.31 We talked at community meetings, he participated in an outreach video I helped film and he spoke publicly about his experiences at the Rupert Hotel Memorial service. Sritharan was a soft spoken but determined man and active political organizer. He was passionate about fighting for rooming house tenants’ rights in Scarborough. He had moved to Scarborough from Brampton, in part to be closer to people in the Tamil Sri Lankan community there. He was receiving ODSP and was living in a west Scarborough rooming house located above a storefront. He was comfortable sharing a washroom and kitchen with strangers. He was glad to move to Scarborough to be closer to friends and people in the Tamil community, but found it a really difficult place to live because of the high cost of living. On one occasion, Sritharan had a conflict with his landlord over the possibility of having a friend share his room. There were four other rooms, many cockroaches, one kitchen and one shared washroom in his rooming house. Sritharan told me that he “had a problem with diseases” and did not like sharing space with strangers. He wanted a friend to share his space so he had someone with whom to talk when he wasn’t feeling emotionally stable. His doctor thought it was a good idea. Sritharan told me that he was “badly affected by the ethnic problems in Sri Lanka” and disclosed that people tried to kill him. In fact, he said that he was lucky to be alive. After surviving the civil war, he faced the “tsunami disaster.” He told me, “I went to the seaside, inside the sea. Luckily I escaped. I don’t know how to swim, but luckily one wave came and pushed me out.” When we spoke, he was living

Rooming Houses = Affordable Homes
by Regini David and Sritharan Kannamuthu

For over 21 years, West Scarborough Community Legal Services (WSCLS) has provided legal advice and representation on laws relating to poverty for low-income persons in Scarborough. One of the major areas of our work is helping tenants who cannot afford to buy or rent self-contained units.

The City has a strict licensing system to protect rooming house tenants and our neighbourhoods from overcrowding, bad maintenance and exploitation. However, because most rooming houses...
alone, not being allowed to have a friend share a room with him at a time when he needed the emotional support. Sritharan wants to work and study, but his doctor will not allow it.

Instead, Sritharan spends his time writing articles for a local newspaper and actively organizing for rooming house rights in Scarborough. He has worked closely with a caseworker at the West Scarborough Legal Clinic and has spoken to the local community paper, *The Scarborough Mirror*. In addition, he has started to attend the occasional meeting of the Rupert Coalition and spoke at the Rupert Memorial Service in December 2009 (see Figure 7.3). Sritharan, an experienced political activist, was very clear in connecting his personal experiences with his ideas for change,

I am a Scarborough resident and have been living in Scarborough, in so-called illegal rooming houses for the last four years in many parts of the city…I know there are many illegal rooming houses in my neighbourhood. I don’t want my friends to end up on the streets. Rooming houses are not our houses [or] our homes. We don’t want to be on the street or homeless. Rooming houses not only give people like me to have home, they also help landlords pay their mortgage. I am a person with epilepsy and I am emotionally disturbed due to a war in my country…Due to my health concerns and economic status I am now in this living condition. I see many new immigrants living with low-income in the same situations as me. We are already facing so many barriers in the city due to our status and health. Not allowing rooming houses in our neighbourhoods adds another barrier by making us live in illegal houses. It is another barrier to our most basic right, affordable housing. I am shocked and I do not understand why I have been treated differently from other tenants who have more money and better health. Why am I not allowed to live in our city and our own neighbourhoods that I have lived in for years? Why can’t I find a home for $350.00 near my family, friends, church and temple?\(^\text{32}\)

When Sritharan made this impassioned speech at the end of the Rupert Memorial in 2009, several reporters and politicians greeted him. He told the crowd that he was speaking out because he was disappointed in his city councillors and felt that rooming

houses were a necessity in Scarborough. He made it very clear that he was advocating for himself and other roomers, “We don’t want the city to label us differently because of our incomes and status…I will not let the city violate my basic human rights.” Sritharan made it very clear that he was proud to be fighting for his right to safe and affordable housing and would continue to do so.

Overall, each personal narrative in the paragraphs above embodies the contemporary history of rooming houses in Toronto. Each story reveals that rooming is a personal experience reflective of financial need. A distinctive population of the roomer no longer exists. There is not one generalized or even identifiable characteristic of the roomer as a distinctive tenant, except for the fact that the individual lives in a rooming house arrangement. There are few organized campaigns against a single slumlord or corporation buying up blocks of houses to demolish and sell for development. People are not being discharged from psychiatric institutions en masse, and organized neighbourhood campaigns fighting against rooming houses are not as prevalent or vocal as they were 20 to 30 years ago. Tenants live in rooming houses for numerous reasons and do not necessarily share a similar experience or identity. However, as rooming houses become more prevalent in the inner suburbs, tenants are sharing the experience of living in an unlicensed and illegal situation. Still, these experiences differ substantially. Some unlicensed/illega]
rooming houses throughout the City of Toronto is vastly different than it was 30 years ago and the roomer population is diversifying.

This diversity in the roomer population is not just indicative of the increasing number of newcomers and racialized people living in suburban rooming houses. As the economy continues to decline, Streets to Homes programs find housing for formerly downtown homeless individuals in the suburbs, waiting lists grow for social housing, emergency shelters burst at the seams and a wide range of individuals located across the spectrum of social acceptability rely on rooming house accommodation. Rooming houses continue to provide necessary affordable housing for many people. Yet, when discussions about rooming houses arise in the media, City Hall or community meetings, the stereotypical identity of roomers still prevails: a 1970s skid row transient population disruptive to the moral standards of established or gentrifying single-family home neighbourhoods. Although this discriminatory notion of a collective moral standing and identity of roomer is not accurate, there are certain commonalities derived from living in rooming houses or similar single-room accommodations. These commonalities do not indicate a specific identity of the roomer, and are potentially representative of the current shifts underway in this portion of Toronto’s affordable housing sector. As common experiences amongst roomers merge, the stereotypical imagery associated with roomers disappears, and in time a more nuanced understanding of the rooming house tenant as part of a larger population of affordable housing tenants may (or should) appear.
Amalgamating Experiences, Emerging Patterns

When writing about the experience of rooming house tenants in Toronto, it would be very easy to analyze these narratives within the former cities that form the amalgamated city. The fragmented legal landscape almost forces differentiation amongst tenants along geographical lines. In this section, I discuss the similarities and differences in tenant experiences that I observed. The vignettes discussed in the previous section highlighted the individual experiences of roomers throughout the city, dispelling stereotypical notions of a unified tenant identity. In so doing, I draw our attention to the individual experiences of rooming house tenants beyond geographic distinctions. I continue to argue that rooming is an individual experience and roomers are not part of a collective unified identity. However, some common patterns did emerge in my research.

These common experiences, patterns and observations are independent from the regulatory managed or jurisdictionally dictated patterns that emerge in similar housing situations. Though each roomer came to live in a rooming house or bounced between many living situations for multiple and individual reasons, a few common threads in their experiences emerged. Rooming house tenants had common reasons for choosing rooming houses, showed an on-the-ground knowledge, felt as though they were treated only as rent not people by their landlords, openly discussed attachments to their neighbourhoods, and were on waiting lists for social housing. Most of the women I interviewed expressed similar concerns living housing arrangements where the majority of tenants were men.

Most tenants did not live in rooming houses because of the great landlords, excellent living conditions or personalities of the other tenants. The appeal of a rooming house was its mere existence as an affordable and available housing option. Rooming
houses were *always* an option for people living on fixed incomes. They were attractive for their reliability in terms of affordability and vacancy rates, not in terms of safety, security or cleanliness. They were not viewed as an ideal living situation, but a dependable one. Few roomers, if any, referred to a rooming house as a home. Even fewer cited rooming houses as their number one choice for housing. Rooming houses were treated as both temporary and permanent housing. The majority of tenants, whether or not they were presently living in a rooming house, always looked at rooming houses accommodations when searching for new places to live. Rooming houses may not be a wanted commodity, as mentioned earlier, but they are a reliable form of affordable housing through their simple presence and visibility in the private rental market.

The roomers and tenants I interviewed have a clear, though not necessarily self-identified, on-the-ground knowledge of the rooming house sector. Their knowledge occasionally reflected the regulatory landscape, through most resided outside the regulatory frameworks and social service networks surrounding the rooming house sector. Most roomers, especially those who had lived in their neighbourhoods for years – whether downtown or in the suburbs – knew where to find listings for rooming houses, knew locations of houses and areas of high concentration and had identifiers for locations and outward indicators for good and bad houses. This on-the-ground knowledge was primarily derived from years of experience in the sector, through multiple evictions, and time spent talking to people in shelters, streets and hotels. In parts of the suburbs, this on-the-ground knowledge of rooming houses expanded to include knowledge of other types of living arrangements, and relied on extensive networks amongst cultural communities and informal economies. These informal economies may have included a local
convenience store where the owner would sign or write reference letters for housing applications, a camera store that would provide cheap ID photos or a landlord who would ask for a person’s welfare cheque in return for help with governmental forms. Oftentimes, these informal economic networks were spaces where people could find contacts for cheap housing. This on-the-ground knowledge occasionally, but rarely, included an understanding of the web of municipal governance, licensing and advocacy organizations supporting rooming house tenants. Tenants who were aware of the licensing procedure and their rights and the fact that they were living in a legally precarious situation were often affiliated with housing workers or advocacy organizations primarily in the downtown.

Tenants with this on-the-ground knowledge described rooming houses, not in the legalistic formula of the bylaw, but in terms of the temperament of the landlord, the state of the house, inclusion or exclusion of meals and the drug use of other tenants. This on-the-ground knowledge was useful for navigating an underground housing market, especially when people were looking for cheap and not necessarily legal housing. It also raised important questions about the private market component of rooming houses from the perspective of the roomer, not the business owner. Most tenants, regardless of locations, emphasized the impersonal side of rooming houses in the context of communication with landlords and on-site operators. Most thought that landlords simply treated them as though they were a rent cheque, not a person. Earl, a middle-aged man who has lived in rooming houses in Parkdale and Cabbagetown since he was 15 years old remarked,

It was more to the business side of it than you as a person…The only time you got any kind of expression whatsoever, I found in most
places I lived in the east end was when you were putting the money in their hand—that was the only “humanity” that you would see and the only expression that you could relate to—like “oh, thank you.” After that you’re just a number on a list.  

Several roomers commented that they had more business-like relationships with their landlords. Harvey, an east downtown homeless man and roomer, noted that “nowadays they don’t care who you are—whether you smoke crack or whatever you do. That’s a big thing—they don’t care as long as the rent is getting there, and their accommodations were garbage and they still are.”  

Most roomers referred to the arrangement of rooms by emphasizing how small the rooms were (few could hold more than a single bed and a dresser) and the difficult experiences with cockroaches, general filth and stolen food from the communal fridge.

A large portion of the tenants I interviewed did not declare any attachment or emotional connection to their room or house, but many were openly attached to their neighbours. I met several older and middle-aged men who had lived downtown (in rooming houses and on the street) for years and loved living in Scarborough, almost equating it with a middle-class ideas of the suburbs as safe, secure and stable. Other people had lived in the suburbs their entire life and wanted to remain close to family and/or neighbourhoods they were familiar with. Many newcomers to Canada migrated to areas throughout the city, mainly in the suburbs, where people from their cultural community lived. Some tenants I interviewed viewed the attachment to their current neighbourhood, mainly but not exclusively in the downtown neighbourhoods of Parkdale and Cabbagetown, in terms of negative associations with other areas. A couple of

34 Earl. Personal Interview. 27 September 2009.
35 Harvey. Personal Interview. 7 December 2009.
Parkdale roomers vowed never again to live in the east downtown area near Queen Street East and Sherbourne Avenue because of the amount of crackheads in the area, while some suburban tenants vowed never to live in Parkdale because of the drugs and burnouts. Several Parkdale tenants felt an attachment to their neighbourhood in terms of service support, the feeling of community and the amount of street traffic. One woman, Vera, told me that she was very comfortable living in South Parkdale, which is in contrast to her previous traumatic experiences. She said that Parkdale was familiar, she knew the faces and the streets. She told me that she knows safe corners in Parkdale and liked being close to the lake. Vera viewed her neighbourhood and housing in terms of psychological triggers. Even though she found comfort living near the lake, she was careful to point out that proximity to a large body of water may be a trigger for other people. Other roomers noted that Parkdale had different and cleaner air than the east downtown neighbourhoods of Cabbagetown and South St. Jamestown.

The one unifying factor that many tenants noted in their attachment to their neighbourhood was the number of families that lived nearby. For many roomers, living in a family neighbourhood was a selling point and provided a level of comfort. Interestingly enough, I am sure that many of these families who added to the comfortable neighbourhood feeling were the same people that would fight against the extension of the rooming house bylaw, complain about loitering or voice concern about lowering property rates due to the rooming house next door.

My interviews with women revealed one of the only collectively shared rooming house experiences I documented in my research. The majority of women I interviewed did not want to live in rooming houses and, for the most part, had negative experiences.
Few women disclosed many details of rooming house living, but every woman I interviewed remarked that they did not feel comfortable living with so many (older) men. One younger woman remarked that she got sick of cleaning up after men, especially in the bathroom. Others told me of isolated incidents where they experienced harassment based on their looks and/or gender. However, the majority of the concerns for women had to do with their role as mothers. All of the women I interviewed who were mothers firmly told me that they would not raise their children in a rooming house, in part because of the unhealthy living conditions and the other tenants, but primarily because of custody and financial support. Most women on waiting lists for social housing, especially those who were mothers, would couch-surf and temporarily live with family before attempting to live in a rooming house with their children.

In fact, a surprising number of rooming house tenants in the suburbs, not just women, were on waiting lists for Toronto Community Housing Corporation (TCHC) housing. Initially this surprised me since few municipal reports ever made this connection between rooming houses and people waiting for social housing. For many tenants I interviewed, rooming houses or other similar shared accommodation were a temporary spot from which to apply and wait for a TCHC apartment to become available. However, given the fact that the average waiting time for TCHC housing is 7 to 10 years, people would be living in rooming houses for extended periods of time. Though rooming houses may be perceived as temporary places to wait for social housing units, they are usually more permanent than most tenants waiting for social housing are willing to admit.

Even though living in a rooming housing is an individual experience, there are distinguishable differences between the experiences of suburban and downtown roomers.
First, rooming house arrangements in the suburbs, though illegal, appear to be in better condition than the illegal and the licensed rooming houses in the downtown. Suburban rooming houses, on the whole, included newer and larger rooms, laundry facilities and the potential for free wireless internet access and communal televisions. Complaints about living conditions in downtown (licensed) rooming houses included concerns about the small size of the rooms, the number of cockroaches, poor hygiene of other tenants, and the dealing and use of drugs by other tenants. Second, conflicts with landlords seemed to differ substantially. All roomers had conflicts with landlords but, as mentioned in Chapter Five, suburban tenants were unlikely to confront landlords, and when they did, conflicts were based more around questions of cultural community, cooking facilities and upgrades to the rooms. Downtown roomers on the other hand, told stories of landlords regularly threatening eviction for smoking in their bedrooms, removing older bikes on the front porch and not obeying house rules. Thirdly, the demographic of roomers I interviewed varied substantially in the suburbs and downtown. I interviewed a larger number of new immigrants in the suburbs (20 out of 27 interviews) and older men (10 out of 18) in the downtown. However, there were more women than I initially expected and a much larger number of younger men (between ages of 15 and 21 years old) in the suburbs. Though the experiences of roomers were as diverse as the people I interviewed, the clearest distinction involved the questions of legality and the rooming house licensing bylaw.

Perhaps it is unsurprising that the majority of suburban rooming house tenants did not know about the rooming house licensing bylaw or debates to extend the bylaw into the suburbs, and that the majority of downtown tenants knew about the licensing
procedure and the location of a number of licensed rooming houses. Most of the suburban tenants I interviewed did not know if they were living in a rooming house and many of them described numerous varied living arrangements, such as shared-accommodations, rental rooms within a family home, apartments and basement apartments, that resembled rooming house arrangements. Downtown tenants, on the other hand, knew the histories of numerous licensed or unlicensed houses and could readily distinguish between different types of rooming houses from non-profit and bachelorettes to boarding homes.

Most of the tenants I interviewed had a strong opinion about the rooming house licensing bylaw, even if they did not know about it prior to our interview. For the most part, downtown tenants thought the license was a good idea, yet continued living in houses that were the most affordable (licensed or unlicensed). A few had lived in houses with a license posted near the front door, but few tenants ever mentioned seeing a license. When I asked suburban tenants about their view on the debates surrounding extending the rooming house bylaw, I encountered surprisingly disparate and diverse reactions. A few tenants did not seem to care one way or another. A couple of women suggested creating women-only rooming houses. A few others, like Sritharan and others involved with advocacy groups, were enthusiastically in favour of the bylaw incorporating the language of ‘basic human rights.’ On the other hand, there were some tenants who were adamantly against further governmental intrusions in their lives and questioned whether landlords would even comply with a new bylaw. Just like their divergent views on the rooming house licensing bylaw, rooming house tenants throughout the City of Toronto were a diverse group of individuals with varied experiences, and most lived in rooming houses out of financial necessity.
There is a shifting dynamic and demographic of rooming house tenants. Roomers are not, if they ever were, a distinct group of tenants. They are low-income individuals living in single-person households and thus share certain similarities in living experiences. However, nowadays roomers are living in rooming house arrangements for a plethora of reasons and under many different circumstances. The constituted identity of the roomer as transient or vagrant is not, and perhaps never was, fully representative of the roomer population in Toronto. However, it was definitely the most visible representation of roomers. Since a rooming house bylaw does not exist in the suburbs, what will constitute or represent the identities of suburban roomers?

The way in which the identity of roomers has been constituted through the bylaw raises important questions regarding the relationship between identity and law. The identity of the roomer is, as I have argued through this chapter, understood through the bylaw. Yet, this relationship raises theoretical questions regarding the difference between the perfect governable subject and legally constituted identities. In many ways (influenced by Judith Butler’s concept of becoming the abject) the rooming house tenant has become the governable subject and ‘the roomer’ through the functions of the bylaw and the community-informed governance surrounding the regulation of rooming houses. The roomer (as a tenant) would still exist without the bylaw, but has become a legally constituted identity within municipal law and therefore appears more legitimate under law.

However, this legally legitimate identity is only a representation of the roomer through the law and multiple forms of governance. Thus, it is this representational identity of roomer, this ‘person under law,’ that has become the perfect governable
subject. But, the ‘perfect’ governable subject does not exist. The theoretical contribution of this chapter, then, lies in the ongoing analysis of the ways that legal mechanisms constitute identities. In this case, the identity of the roomer has been constituted as a governable subject through the governing and administrative bodies of a municipal bylaw.

Overall, this discussion on the constitutive identity raises questions concerning the experiences of marginalized individuals within the socio-legal studies legal consciousness literature. If the identity of the roomer is understood and constituted through a bylaw, then, it would be interesting to further understand the legal consciousness of individuals living outside or beyond the scope of law. However, since a collective or representational identity of the roomer as a transient and hard-to-house tenant is no longer representative, then perhaps roomers will and should be treated and regulated as any other tenant living in rental accommodations in the city.
Conclusion

On February 1, 2010 I was sitting at my desk with a pile of interview transcripts, newspaper articles, municipal reports and field notes beside me. I had just made myself a nice cup of tea and glanced around my one-bedroom apartment complete with beautiful hardwood floors and a cozy old plush chair. From the warmth of the sun coming from my bay window I watched neighbours walk their dogs down to the park at the end of the street. Everything was in its proper place. I was ready to write my dissertation. I had a calm workspace in my apartment, all the material I needed and plenty of motivation.

Shortly after I confidently sat down at my computer with my fingers poised to type my very first sentence I decided to check my mailbox, a part of my daily routine that I have always loved. As I brought in the few pieces of mail I received, I noticed a letter from my landlord. Initially, this letter did not surprise me as I was expecting notification of my annual rent increase. And then I opened the envelope.

At first glance the words ‘Notice to End Tenancy’ did not sink in, but the feeling of panic in my stomach did. I kept reading, still in disbelief. This was not the notice of a rent increase I had expected. I grasped onto the document with both hands and kept reading. Tears welled up in my eyes and my hands began to shake. I was being told to vacate my apartment. Sure enough, this was, for all intents and purposes, an eviction notice. I couldn’t control my emotions, my feeling of loss and my immediate feeling of lack of control. I was aware of my economic privilege, I knew that I would be okay and could find another apartment. But still, being evicted sucks.

Within two weeks I had signed a lease for an apartment in a quaint older building called The Everglades in South Parkdale. The first couple of months after my move were
not easy. I felt emotionally unstable. I couch-surfed for a couple of weeks while my apartment went through multiple exterminations and cleaned the entire apartment extensively. After a month, my new place was cockroach-free and clean. My personal experience of eviction is just that, a personal experience. Throughout my entire ordeal, I knew that I was going to be okay. I had a strong foundation of friends and family, knew my rights as a tenant and was financially stable. I was safe and supported. Yet, feelings of uncertainty, emotional instability and unease stayed with me for a long time.

As I finished writing my chapter about tenant experiences I began to reflect on my own housing experiences. Initially, I was resistant to tell my story because it was emotionally difficult and personal. And, I did not want to prioritize my own experiences at the expense of others represented in this research. Then, I recalled my interviews with tenants. If they could so bravely and openly share their personal housing stories for this research why couldn’t I? While our experiences do not compare, I did get a glimpse into that feeling of insecurity and uncertainty associated with unstable housing. Experiencing an eviction and living in South Parkdale has, in many ways, contributed to my dissertation. Each morning as I walk past Channan Court on King Street West, a notoriously bad rooming house for former psychiatric patients in the 1980s, I imagine my neighbourhood 25 years ago. I think about the numerous garbage bag evictions, the fires and the continued neighbourhood conflict that occurred on my street. After thinking about the history of Channan Court, deinstitutionalization and rooming houses in South Parkdale I walk past the Candy Haven tourist hostel.

The Candy Haven intrigues me because it appears to be operating as an unlicensed rooming house under the façade of a tourist hostel. I have never seen a tourist
or a person with luggage on the front porch of the Candy Haven. But, I have seen the same older men sitting on the front porch smoking cigarettes. Despite its probable illegal status, the Candy Haven has remained open for the past six years, and likely longer. Its very existence brings to light the regulatory inconsistencies within Toronto’s rooming house bylaw. While local authorities likely turn a blind eye to the unlicensed Candy Haven, they shut down an English Language School dormitory in September 2011 claiming it to be an unlicensed rooming house without the proper permits and licenses\(^1\), and keep zoning bylaws prohibiting suburban rooming houses on the books.

The rooming house bylaw is a curious legal mechanism. It is inconsistently administered, regularly used as a tenants’ rights mechanism and potentially irrelevant, especially for tenants in the inner suburbs. However, it is a legal mechanism embedded within the local histories of skid row, gentrification, urban governance and suburban poverty. This seemingly mundane legal mechanism is caught in a web of municipal governance and has been given a considerable amount of attention by city councillors, homeowners, housing advocates and city bureaucrats. The concentration of municipal administrative resources regulating rooming houses – along with the significant social history of rooming houses in Toronto – tell us a story about the local administration of poverty that spans decades, moves the debate beyond a narrow focus on gentrification in the inner city and raises questions about urban governance in a city post-amalgamation.

In this dissertation, I have argued that the regulation of rooming houses is an inquiry into the administration, not the criminalization, of poverty. I emphasized techniques of government, non-punitive laws and the pervasiveness of both the imagined

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geographies of skid row and the ideology rooted in the single-family suburban home surrounding the regulation of rooming houses in Toronto. Framing this dissertation in terms of the administration of poverty enabled me to question how governments function in regards to affordable housing, gentrification, suburban governance and low-income tenants (perceived to be transients). The rooming house is an ideal research subject to combine an analysis of affordable housing with an analysis of municipal bylaws and urban governance.

In Chapter One, I contextualized my research by describing the current state of the rooming house sector in Toronto. Chapter Two addressed how this dissertation is a response to the dominance of Marxist analysis in urban geography and consequently framed as a studying of the process of administering poverty that contributes to socio-legal and urban geography literature. Chapter Three discussed qualitative methods and in particular how feminist methodologies of reflexivity and positionality were integral to this research. In Chapter Four, I situated the social history of rooming houses in Toronto within a narrative of risk, regulation and rights. In so doing, I emphasized the association between rooming houses and skid row, the ‘fire then respond’ pattern of municipal governments and the ways in which the rooming house licensing bylaw was implemented alongside urban renewal, fatal fires and gentrification. At the same time, I acknowledged that this particular social history and association with skid row has framed rooming house advocacy in a certain way that ignores other narratives and limits the future organizing of suburban housing advocates. In Chapter Five, I provided a critique of the rooming house bylaw that situated the materiality and local context of this legal mechanism and analyzed the fragmented legal landscape of rooming house regulation. I questioned the dominant
narrative (used by local housing advocates) that there is an uneven geography of rooming house regulation by showing the prevalence of illegal rooming houses in the downtown and contextualizing suburban rooming houses within the legal and housing landscape in the suburbs. Chapter Six provided a glimpse into the practices of government that are present within the tangled web of governance surrounding rooming houses. I analyzed the shifts in the rooming house tribunal from a quasi-judicial tribunal based on ensuring building standards to one mediating conflict. I examined how the various parts of this web of municipal governance (the tribunal, working group and bylaw enforcement) work in terms of administration, advocacy and enforcement and result in reactive and community-informed governance. Lastly, in Chapter Seven, I questioned how the administration of the rooming house bylaw and its tangled web of urban governance relies on and constitutes a particular identity of the roomer associated with skid row and transience. By providing personal stories of seven rooming house residents in the downtown and the suburbs, I showed the diversity in tenant experience and the lack of a unified identity of the roomer.

My focus on rooming houses and the experiences of rooming house tenants is a timely contribution to housing studies (and housing geography) literature. It provides insight into a housing form that is disappearing in large North American cities. Currently, rooming houses are undergoing a transformation since they are no longer only temporary housing for transient individuals living on skid row. Rooming houses are growing in numbers throughout the inner suburbs and provide housing for a diverse array of tenants. Rooming houses have become a permanent home for many roomers and are an essential component of Toronto’s affordable housing stock. The municipal government relies on
rooming houses (private market housing) to provide a common good. In many ways, rooming houses are supplemental housing for those individuals spending years on the social housing waiting list. Thus, rooming houses are not just disappearing as a result of gentrification. The deconversion of rooming houses in Cabbagetown and South Parkdale since the 1970s and the declining number of licensed rooming houses in the downtown does not necessitate their disappearance from the affordable housing landscape. Rooming houses are not reliant on one particular built form, or on the licensing bylaw. Unlicensed rooming houses are common in the downtown and converted basement apartments make up the majority of rooming house accommodations in the suburbs. Rooming houses are evolving as the need and location for inexpensive housing changes. As the demand for low-income housing continues to rise and waiting lists for social housing become the norm, rooming houses (in any form) are becoming one of the most accessible and affordable housing options for newcomers to Canada and people on limited incomes.

And, the rooming house licensing bylaw has become viewed (accurately or not) as the legal mechanism ensuring the safety and stability of the rooming house stock.

As noted throughout this dissertation, the rooming house licensing bylaw is an legal mechanism from which we can question the dominant discourse of municipally managed gentrification, the practices of urban governance, and the pervasiveness of the ideology of the single-family suburban home. Even though cities and governments facilitate gentrification through the implementation of social mix developments and creative city plans, I argue that municipal bylaws are not the mechanism from which cities ‘manage’ gentrification. The rooming house bylaw is case in point. It has been used in multiple ways by the municipal government. It has been a tool to regulate slumlords, to
protect tenants from fires, to mobilize housing advocates and to de-concentrate single-person households in gentrifying neighbourhoods. The rooming house bylaw is not a comprehensive plan enacted (or managed) by a municipal government to ensure the progress of gentrification. It is a bylaw focused on regulating a marginalized form of housing in a gentrifying city.

In fact, the rooming house bylaw draws our attention to the practices of government and raises questions about the functioning of the local state. If governments do indeed manage gentrification, the emergent form of urban governance is quite different than that described by gentrification scholars attributing state-led and municipally managed gentrification to neoliberal urban governance. The administration of the rooming house bylaw revealed an array of governing practices within the municipal government, most of which occurred in an ad hoc pattern. The implementation of the rooming house licensing bylaw emerged amidst heated debates around urban renewal developments, gentrification, decaying houses, negligent landlords, fatal fires and inadequate municipal committees governing rooming houses. The array of administrative bodies governing rooming houses today is the result of a reactive form of governance that continually responded to risks by enacting more regulation. However, when the same risk no longer exists, what forms of governance emerge?

The fragmented legal landscape of regulation and exclusionary zoning regarding rooming houses in the inner suburbs of Toronto show the extent to which particular ideologies of domesticity, the ideal family and the single-family suburban home are embedded in local governing structures. The presence of rooming houses in the inner suburbs disrupts these ideologies, yet at the same time, reveals their pervasiveness. The
opposition to rooming houses in Toronto’s inner suburbs could be described as an example of NIMBYism and discrimination towards low-income people, and in many ways, this is accurate. However, it also highlights the extent to which homeowners, local city councillors, and city officials protect and defend the idea of the nuclear family home in the suburbs. Thus, the opposition to legal basement apartments in the 1990s and the present-day controversy over illegal rooming houses exposes the pervasiveness of the ideologies accompanying the suburbs (including the protection of property value), but also reveals the extent to which this ideology is enmeshed within local law, particularly land use planning and zoning.

From my interviews, it was clear that roomers were not disruptive to their neighbourhoods nor did they observe any visible signs that they were not welcome. In fact, many roomers I interviewed intentionally chose to live in the suburbs. Some tenants wanted to be close to family and their cultural community and others had lived in the suburbs their entire lives and did not want to leave. Roomers are the target of oppositional residents and councillors, mainly because suburban rooming house operators are hard to find. Suburban rooming house operators are the real focus for residents associations fighting against rooming houses. Operators openly violate zoning bylaws and operate illegal businesses. They challenge the ideal of the single-family nuclear home by converting the basement of their large suburban home into a rooming house. Yet, on the surface they appear to upholding the valued suburban ideals and good citizenship associated with homeownership. However, in reality they are supporting the growing number of single-person, not single-family, households in the suburbs. And, subsequently are confronting (whether intentionally or not) the ideology associated with the suburbs.
Even though zoning bylaws prohibit suburban rooming houses, city councillors do not have the power to shut them down. The fact that the municipal government does not have the ‘right-of-entry’ for illegal rooming houses limits the effectiveness of these exclusionary bylaws. Thus, the ways in which land use planning governs people, like other aspects of municipal government, is ad hoc, sometimes ineffective, and counter to its original intentions.

Overall, I based my analysis of the rooming house bylaw within the themes of affordable housing, municipal regulation, gentrification, practices of government and the everyday role of law. I organized this dissertation around particular narratives that emerged within these themes. Thus, in each chapter, I included the perspective and experience of roomers and tenants within my critique of municipal bylaws, administrative governance and imagined geographies of skid row and suburbia. Personal narratives, reflections and experiences were pivotal to my analysis. They enabled me to situate the social context of the rooming house bylaw as I emphasized the important contributions a socio-legal perspective of legal mechanisms and law in everyday life brings to a geographical study of marginalization, housing and governance.

In addition to contributing to the academic literature and theoretical debates stated above, this research (and my analysis of it) has relevance to the broader community of dedicated tenants, housing and settlement workers, activists, city bureaucrats and politicians struggling to find ways to create equality in housing (for all tenants including roomers). My research findings and concerns over the current debates about extending the rooming house bylaw will become part of policy-oriented and community-based initiatives. In consultation with local city councilors, researchers and community
activists, portions of this research will be made accessible through an information-sharing campaign (including pamphlets, posters and popular-education materials) and will become part of a five part mini-report series on rooming houses for a local research institute focused on public health initiatives. I will also present my findings to the Rooming House Working Group and Rupert Coalition and will raise questions about the relevancy of the isolated web of municipal governance and ‘reactive governance’ regarding rooming house regulation and advocacy efforts.

Rooming houses have been treated as the unwanted orphan child\(^2\) in the administrative network of the municipal governance and consequently have been isolated from other housing divisions and working groups. In time, I hope to question the necessity and relevancy of this ‘orphaning’ through engaging with city bureaucrats, councilors, activists and housing workers in community-based forums focused on dismantling the walls created between different forms of housing advocacy and governance in the city. Overall, these policy-oriented and community-based initiatives are one way to bridge the gap between academic and community work but fit nicely within current trends in urban geographic research that supports and contributes to grassroots campaigns struggling for the right to the city.

In conclusion, this dissertation used a legal geography and socio-legal studies approach to analyze of a housing form, a municipal bylaw and urban governance. I demonstrated how an analysis of the materiality of law in the city raises questions about the practices of governing and the social context of municipal law. In so doing, I

\(^2\) Councillor Gord Perks. Personal Communication. November 30, 2012. Note: Councillor Gord Perks hesitantly used the term ‘unwanted orphan child’ to describe how rooming houses have been treated within the city bureaucracy. He suggested that the isolated administrative focus on rooming houses was a result of this ‘orphaning’ but needed to be challenged.
questioned approaches to urban governance that do not critique or emphasize the ‘how of governance.’ The situation of rooming houses and their fragmented legal landscape may be unique to Toronto. However, it is my intention to demonstrate how an analysis of the administration of poverty at the scale of the city, based on a seemingly mundane legal mechanism and an under-researched housing form, draws our attention to the importance of legal mechanisms and the ad hoc functioning of municipal governments to our analysis of urban governance. Municipal bylaws and their administration have much to tell us about how our cities function but can also provide additional perspectives on urban processes such as urban renewal, gentrification, suburbanization and governance.
Works Cited


Robinson, C. “‘Felt homelessness’: the contribution of qualitative approaches to homelessness research.” Qualitative housing analysis: an international perspective 10 (2008): 101.


Policy Documents


—— Planning and Development Department. The Effect of Recent Actions Taken by the City on the Bachelorette Clean-Up Programme in South Parkdale. 12 September 1983.


Metropolitan Toronto Department of Social Services. Adult residential facilities: boarding homes and lodging houses: first report to the Metropolitan Toronto Social Services and Housing Sub Committee on Boarding Homes and Lodging Houses. Metropolitan Toronto (Ont.), 1979.


Preston, Varleire et al. “Precarious Housing and Hidden Homelessness Among Refugees, Asylum Seekers, and Immigrants in the Toronto Metropolitan Area” CERIS Working


United Way of Greater Toronto and The Canadian Council on Social Development. 

Legislation and Case Law


OCJ. (QL).

(QL).


OMB Decision PLO100396 July 21 2010.

OMB Decision PLO90035 May 6 2009.

OMB Decision PLO90156 August 4 2009.

OMB Decision PLO70685 July 9 2008.

OMB Decision PLO60965 April 3 2007.

(QL).

Planning Act, R.S.O. 1990, C. P.13. (Section 37 (1)).


Appendix 1: Consent Forms

1a: Consent form for Housing Advocates and City Staff

Consent Form: Non-Confidential, No Guaranteed Anonymity

Rooms of Regulation: The Uneven Geography of Rooming House Licensing in Toronto
Principal Researcher: Lisa Freeman, PhD Candidate, Department of Geography
Funded by: The Trudeau Foundation

Name of Participant: _____________________________ (please print)

- I have been given and read the Letter of Introduction provided to me by Lisa Freeman who is conducting the research.

- The purpose of this investigation is to study the regulation of rooming houses in Toronto’s inner suburbs and is part of Lisa Freeman’s research for her PhD research at the University of Toronto

- My participation in the study will bring only minimal risks or harms.

- My participation in this study is voluntary and I may withdraw from the interview at any time and ask questions of the researcher at any point. By withdrawing from this interview any information I have provided (such as audio recordings) will be destroyed.

- My participation in this interview will last approximately one hour.

- There will be no payment for my participation in this research.

- I am aware that my anonymity cannot be fully guaranteed due to the public nature of my work.

- All personal information, such as proper name and job title will be kept confidential if requested below.

- I understand that if I agree to be audio recorded, only Lisa Freeman and her Research Assistant (who will transcribe the interview and sign a confidentiality form) will hear or read the transcript of the tape. The audio recording will be stored in a locked cabinet.

- If I have any questions about my rights as a research participant I can contact the Research Ethics Board at the University of Toronto at (416) 946 3273 and can
reference file #23595.

- I have understood the details outlined in this consent form and by providing my signature in the space below I am providing my informed consent.

I agree to the audio recording of this interview/focus group:  Yes □ No □
I am comfortable with Lisa Freeman using my proper name and job title in any future publications or presentations: Yes □ No □

I prefer if Lisa Freeman use us a generic title (such ‘city official’ or ‘housing advocate’) and omit my proper name from any future publications or presentations:  Yes □ No □

Signature of Participant: ________________________ Date: __________________

Please take one copy of this form with you for further reference.

I have fully explained the procedures of this study to the participant.

Researcher’s Signature: _____________________________ Date: __________________

Signature of Participant: ________________________ Date: __________________

Please take one copy of this form with you for further reference.
1b: Consent form for Tenants

Consent Form: Confidential

Title of Study: Rooms of Regulation: The Uneven Geography of Rooming House Licensing in Toronto

Principal Researcher: Lisa Freeman, PhD Candidate, Department of Geography. Funded by: The Trudeau Foundation

Name of Participant: ______________________________ (please print)

• I have received and read the Letter of Introduction provided to me by Lisa Freeman who is conducting the research.
• The purpose of this investigation is to study the regulation of rooming houses in Toronto’s inner suburbs and is part of Lisa Freeman’s research for her PhD research at the University of Toronto.
• My participation in the study will bring only minimal risks or harms.
• My participation in this study is voluntary and I may withdraw from the interview at any time and ask questions of the researcher at any point. By withdrawing from this interview any information I have provided (such as audio recordings) will be destroyed.
• My participation in this study will last approximately one hour if I am in an interview.
• My anonymity will be guaranteed to the extent it is possible and all personal information will be kept strictly confidential. My name or address of rooming house will not appear in any publications stemming nor will it be associated with any information I provide.
• I understand that if I agree to be audio recorded, only Lisa Freeman and her Research Assistant (who will transcribe the interview and sign a confidentiality form) will hear or read the transcript of the tape. The audio recording will be stored in a locked cabinet.
• If I have any questions about my rights as a research participant I can contact the Research Ethics Board at the University of Toronto at (416) 946 3273 and can reference #23595.
• I have understood the details outlined in this consent form and by providing my signature in the space below I am providing my informed consent.

I agree to the audio recording of this interview/focus group: Yes ______  No ______

Signature of Participant: ______________________________ Date: __________________

Please take one copy of this form with you for further reference.

I have fully explained the procedures of this study to the participant.
Appendix 2: Data Sources

Research Participants (N=73)

Rooming House Advocates & Support Workers (27)

Downtown (8)
Housing Workers: 5
Immigrant Settlement Workers: 1
City Officials: 2

Etobicoke (9)
Housing Workers: 2
Housing Advocates: 7

Scarborough (7)
Immigrant Settlement Workers: 2
Housing Workers: 5

North York (3)
Immigrant Settlement Workers: 2

Rooming House Residents and Tenants (45)

Downtown: 18

Scarborough: 16

North York: 11

Participant Observation

2008

City of Toronto Buildings Committee. October 24, 2008. 931 Yonge Street, Toronto.


2009


2010


City of Toronto Planning and Growth Committee Meeting. April 21, 2010. City Hall, Toronto.

News Media & Magazines

**Newspapers**

- The Globe and Mail
- The Toronto Star

**Magazines**

- The Grid
- Now Magazine
- Toronto Life
- Phoenix Rising: the voice of the psychiatrized