

AFFORDABILITY AND CHOICE TODAY (A•C•T) REGULATORY REFORM PROJECT

Housing Choice And Adaptability For African Refugees

**The Canadian African Newcomer Aid Centre
Toronto (Ontario)**

Prepared For:

**Federation of Canadian Municipalities
Canadian Home Builders Association
Canadian Housing and Renewal Association
Canada Mortgage and Housing Corporation**

October 1999

Case study written by: **Word-Works Communications Services,**
Kanata, Ontario

This case study was funded by Canada Mortgage and Housing Corporation but the views expressed are the personal views of the authors and the Corporation accepts no responsibility for them.

Additional copies of this report and case studies produced to date can be obtained free of charge from the **Canadian Housing Information Centre, 700 Montreal Road, Ottawa, Ontario, K1A 0P7. Tel: (613) 748-2367; Fax (613) 748-2143; E-mail: chic@cmhc-schl.gc.ca.**

Case studies and other program information can be viewed on FCM's homepage at **www.fcm.ca**

FOREWORD

The project documented in this case study received funding assistance under the Affordability and Choice Today (A•C•T) Program managed by the Federation of Canadian Municipalities, the Canadian Home Builders' Association and the Canadian Housing and Renewal Association, together with the funding agency, Canada Mortgage and Housing Corporation. The A•C•T Program is administered by the Federation of Canadian Municipalities.

A•C•T, which was launched in January 1990, was designed to foster changes to planning and building regulations and residential development approval procedures in order to improve housing affordability, choice and quality. In 1998, the A•C•T Program was recognized by the United Nations Centre for Human Settlements as a "best practice" in improving the living environment.

Through A•C•T, grants are awarded to municipalities, private and non-profit builders and developers, planners and architects to undertake innovative regulatory reform initiatives in municipalities across Canada. Three types of projects are awarded grants under the A•C•T Program: Demonstration Projects, Streamlined Approval Projects, and Case Studies (of existing initiatives).

- *Demonstration Projects* involve the construction of innovative housing that demonstrates how modifications to planning and construction regulations can improve affordability, choice and quality.
- *Streamlined Approval Process Projects* involve the development of a method or an approach that reduces the time and effort needed to obtain approvals for housing projects.

- *Case Study* grants are awarded for the documentation of existing regulatory reform initiatives.

Change and innovation require the participation of all the players in the housing sector. A•C•T provides a unique opportunity for groups at the local level to work together to identify housing concerns, reach a consensus on potential solutions and implement action. Consequently, a key component of A•C•T-sponsored projects is the participation and cooperation of various players in the housing sector in all phases of each project, from development to realization.

All projects awarded a grant under the A•C•T Program are documented as case studies in order to share information on the initiatives and the benefits of regulatory reform with other Canadian communities. Each case study discusses the regulatory reform initiative, its goals and the lessons learned. Where appropriate, the cost savings resulting from modifications in various planning, development and construction regulations are calculated and reported.

TABLE OF CONTENTS

PROJECT OVERVIEW	i
1.0 PROJECT DESCRIPTION	1
1.1 Introduction	1
1.2 Incentive for Project	1
1.3 Project Objectives.....	2
1.4 Project Methodology	2
2.0 PROJECT RESULTS	4
2.1 Summary of Focus Group Analysis	4
2.2 Design Guidelines	4
Illustrations - Focus Group Dream Home Drawings	5
2.3 Regulatory Implications and Site Selection	6
2.4 Disappointment.....	7
3.0 COMMUNITY NEEDS AND INVOLVEMENT	9
3.1 The Need Defined	9
3.2 Focus Group Participants	9
3.3 Community Input.....	10
4.0 REGULATORY REFORM INITIATIVES AND IMPACT ON HOUSING COST, CHOICE AND QUALITY	11
4.1 Regulatory Issues.....	11
APPENDIX A: Excerpts from City of Toronto study of bylaw implications for refugee housing.....	15

PROJECT OVERVIEW

A 1992 Refugee Housing Study, commissioned by the City of Toronto, identified a lack of adequate and appropriate housing for refugees and new immigrants. It said housing options did not accommodate changes in household size, a sense of community living, tenant involvement or stable tenure and are not adaptable to home-based employment.

In September 1994, the Canadian African Newcomer Aid Society of Toronto (CANACT), proposed that an adaptable housing model for refugees be developed which would take into consideration the unique needs of refugees, including the changes likely to occur in family size and composition through family reunification.

CANACT was awarded an A•C•T grant to (1) define design and planning guidelines for an adaptable housing model, and (2) construct a demonstration project that would test the model.

Formally called “Housing Choice and Adaptability for Refugees”, the project was undertaken in cooperation with Toronto’s Department of Housing and the Department of Planning and Development. The project set out to:

- consult with African refugees to determine their present and future housing needs,
- translate these needs into design guidelines,
- identify regulatory issues relevant to the creation of such housing,
- acquire land and build a demonstration project of 16 units.

Project organizers also wanted to pursue the possibility of incorporating some type of shared ownership with residents to foster security of tenure, community stability and affordability.

Beginning in January 1996, CANACT conducted a series of workshops with African refugees groups to identify the cultural issues and individual concerns it needed to consider before building suitable housing for them.

As a result of these consultations, CANACT was able to write some general principles to guide non-profit housing providers serious about creating housing that successfully integrates African newcomers into Canadian society.

The prime requisite for such housing is adaptability. It must be configured so households can expand, when family reunification occurs, without them having to uproot and move. The arrangement of interior space must mimic the relationship that exists between individuals in African society. The housing must also permit home occupations.

When it developed the guidelines, CANACT assumed it would actually build housing that met these requirements. Before that happened, CANACT had to know how its plans fit the City’s regulatory environment.

City planning officials subsequently determined that CANACT’s best hope of creating the flexible/adaptable housing it desired lay in the conversion of a small office, retail or industrial building into a mixed-use apartment building of 10 to 15 live/work units.

Although CANACT actually identified a suitable property bordering Toronto’s downtown, the project effectively terminated in 1995 when the newly-elected provincial government cancelled the Jobs Ontario Homes non-profit housing program through which CANACT had received an allocation of 16 units from Cityhome,

Toronto's municipal housing agency. Repeated attempts to secure alternative financing failed.

Even though CANACT's project never achieved its ultimate goal of actually building homes or developing a viable ownership model, it did produce a "blueprint" that other housing providers could use to develop their own housing

projects for new immigrants and refugees. The City's study of the zoning implications of CANACT's design guidelines could also be useful to other municipalities because it identifies the kind of permitted use categories needed to accommodate the housing needs of African refugees and newcomers.

1.0 PROJECT DESCRIPTION

1.1. Introduction

In 1994, the Canadian African Newcomer Aid Society of Toronto (CANACT) embarked on a project to plan, design and build affordable housing in Toronto for refugees and new immigrants. The group's action was a response to demographic and housing market conditions prevailing at that time. In summary:

- Toronto, along with Vancouver and Montreal, was a magnet for immigrants and refugees. Between 1986 and 1991, more than 814,000 immigrants entered Canada and 41 percent of them settled in Toronto. As a result, the immigrants portion of Toronto's population rose from 36 percent in 1986 to 39 percent in 1991.¹
- Housing in Toronto was expensive and recent immigrants and refugees, typically people with few economic resources, had major affordability problems.
- Many new immigrants and refugees had housing needs that the traditional Canadian housing market does not address.
- Racist attitudes limited to the ability of African newcomers to obtain housing on their own.

For lack of finances, CANACT's project never achieved its ultimate goal of actually building homes. What CANACT did deliver, however, through careful documentation of the project², was a blueprint that other groups could use to develop their own housing projects for new immigrants and refugees.

¹ Source: Immigrants and the Canadian Housing Market: Living Arrangements, Housing Characteristics, and Preferences, published in 1996 by Canada Mortgage and Housing Corporation.

² The final report on this project, "Housing Choice and Adaptability for African Refugees Project", prepared by Kleantes Isaias, Common Ground Architecture, and Daniel Medjo, CANACT, can be obtained on loan from the Canadian Housing Information Centre, 700 Montreal Road, Ottawa, ON K1A 0P7, Tel: (613) 748-2367, Fax: (613) 748-4069, TTY: (613) 748-2143.

1.2 Incentive for Project

The main impetus for CANACT's project was the City of Toronto Housing Department's 1992 *Refugee Housing Study*. The authors of the study proposed various steps the City could take to help refugees gain access to suitable, affordable housing. Included was this recommendation, which became the springboard for the CANACT project:

"We recommend that Cityhome, in partnership with members of the refugee community, initiate a community development strategy to develop a pilot housing project for refugees and their families. Agencies working with refugees and refugees themselves should be partners in the planning, design and management of the project."

At the time of this recommendation, Toronto had a Refugee Housing Task Group in place. It had been set up by the City's Housing Department to undertake projects that are both affordable and appropriate for refugees. Task group's members regarded CANACT as a natural partner for the type of relationship recommended by the study.

A CANACT representative served on the task force and the agency was already a housing partner with the City. Under the auspices of Cityhome's Singles Housing Opportunity Program, CANACT operated 15 units of shared accommodation in three houses leased from Cityhome. CANACT managed the housing and provided its residents, all refugees from central and eastern Africa, with support to help them adapt to life in Canada. In fact, the *Refugee Housing Study* cited the City-CANACT relationship as an example of the kind of positive intervention the City could make to improve housing for refugees and new immigrants.

With this foundation to build on, the task force and the City Department of Housing accepted a CANACT proposal in September 1994 to plan, design and build affordable housing suited to the needs of refugees and new immigrants. Funding for the project would come from Jobs Ontario Homes through Cityhome’s Singles Housing Opportunity Program. Guiding the project would be a sub-committee of the task force. (The composition of the sub-committee is described in Section 3, Community Needs and Involvement.)

1.3 Project Objectives

Formally called “Housing Choice and Adaptability for Refugees”, the project set out to:

- consult with African refugees to determine their present and future housing needs,
- translate these needs into design guidelines,
- identify regulatory issues relevant to the creation of such housing,
- acquire land and build a demonstration project of 16 units.

Project organizers also wanted to pursue the possibility of incorporating some type of shared ownership with residents to foster security of tenure and a stable community. Realizing its clientele would lack the money to buy homes as individuals, CANACT contemplated an ownership model that would reflect the ideals of African society, where life is organized around communities and groups. Housing occupants would live in small, self-sufficient groups and all members would contribute financially to the welfare of the group. CANACT believed this consolidation of financial resources would give the group more clout and credibility with the financial and housing industries. The organization eventually hoped to marry private funds, sweat equity and donations in kind into a

continuously expanding system for the creation of affordable housing on an on-going basis. The ownership model that appealed most to CANACT was a form of equity co-op.

The Lure of Home Ownership

On the topic of ownership, the 1996 Canada Mortgage and Housing Corporation study called, *Immigrants and the Canadian Housing Market*, had this to say:

“Generally, most immigrant groups are strongly attached to the concept of home ownership, some groups more so than others. Suggestions for increasing access to home ownership from focus group participants are building co-operatives, equity co-operatives and rent-to-own financing.”

1.4 Project Methodology

CANACT divided its project into two parts:

1. Consultation with client groups and the formulation of design guidelines.
2. Site selection, building design, consultation with neighbours and, finally, construction.

Although CANACT did identify a potential building site and consulted informally with nearby residents, the project effectively terminated at the conclusion of the first phase. (The reasons for termination are described in Section 2, “Results”.)

1.4.1 Consultation

Beginning in January 1996, CANACT conducted a series of workshops with African refugees groups to identify the cultural issues and individual concerns it needed to consider before building suitable housing for them.

Each workshop consisted of two parts. First, participants completed a questionnaire and that was followed by a group discussion. CANACT enlisted the help of two experts in questionnaire design and social survey, Dr. Robert Murdie and Dr. Carlos Texeira of York University's Geography and Social Sciences Department. Their task was to ensure the questionnaire would ask the right questions to deliver the kind of useful and reliable information CANACT wanted. They also sat in as observers to each workshop session.

From the questionnaire and group discussion, CANACT wanted to learn:

- how respondents related to housing in their home countries;
- how they responded to housing types in their new country;
- what their expectations were for the future.

The questionnaire also asked respondents to make two sketches. One sketch would depict their dwelling in their home country and the other would be their dream house. CANACT hoped these sketches would provide insight into the needs and wants of its clientele by giving them the opportunity to express their thoughts graphically. From the 1992 refugee housing study, CANACT already knew that to succeed a housing project had to focus on the end users. It would have to incorporate physical attributes that would enhance the personal well-being of each occupant and the collective development of the community.

As a result of these consultations, CANACT wrote some general principles to guide non-profit housing providers serious about creating housing that successfully integrates African newcomers into Canadian society (as opposed to temporary or transitional-type housing). For its part, the City of Toronto Housing Department conducted a study in 1996 to examine the appropriateness of these guidelines to the City's existing zoning regulations. This study helped CANACT focus on a suitable site for its project.

2.0 PROJECT RESULTS

2.1 Summary of Focus Group Analysis

The people who participated in the focus groups came from 11 different countries in Africa. While CANACT does not present their views as a statistically valid representation of opinions held by Toronto's African population, it did note a significant degree of harmony in the views expressed by the focus groups participants.

2.1.1 Housing Implications of Family Size

The majority of respondents said their families in Canada were small because most members remained in Africa, awaiting reunification in Canada. The table below shows how the 25 focus group participants reported their family situations at the time.

Family Size	1 to 3	3 to 5	6 plus
In Africa	0%	28%	72%
In Canada	42%	41%	17%

The respondents said finding suitable housing for a family that would expand was a major concern because the housing in which they lived could not accommodate this growth. Inevitably, the arrival of additional family members would mean moving to a new home. With non-profit housing in tight supply, people contemplating family reunification feared they would be forced to look for a market unit large enough for their needs. This prospect was unappealing for most because they had all heard about market unit "unavailability" to Africans.

Family size, composition and customs all factor into the type of house African families would find suitable. The idea of one person per bedroom, for example, is almost non-existent because

bedrooms are traditionally shared according to hierarchy. The minimum practical house size would be a three-bedroom unit. The parents and the baby would get one room, the males another and the females the third. It is also common for African homes to have two washrooms, one for males and the other for females.

2.1.2 Economic Realities

All focus group participants said they want to live in their "dream home" some day. While their individual notions of a "dream house" varied, to all it meant ownership. Unfortunately for most, their individual financial circumstances made them a better match for renting than owning.

"The reality for most," according to CANACT, "is that housing costs and the prequalification required by financial institutions are major obstacles which none of the respondents in their view are able to overcome at the present or in the near future."

2.2 Design Guidelines

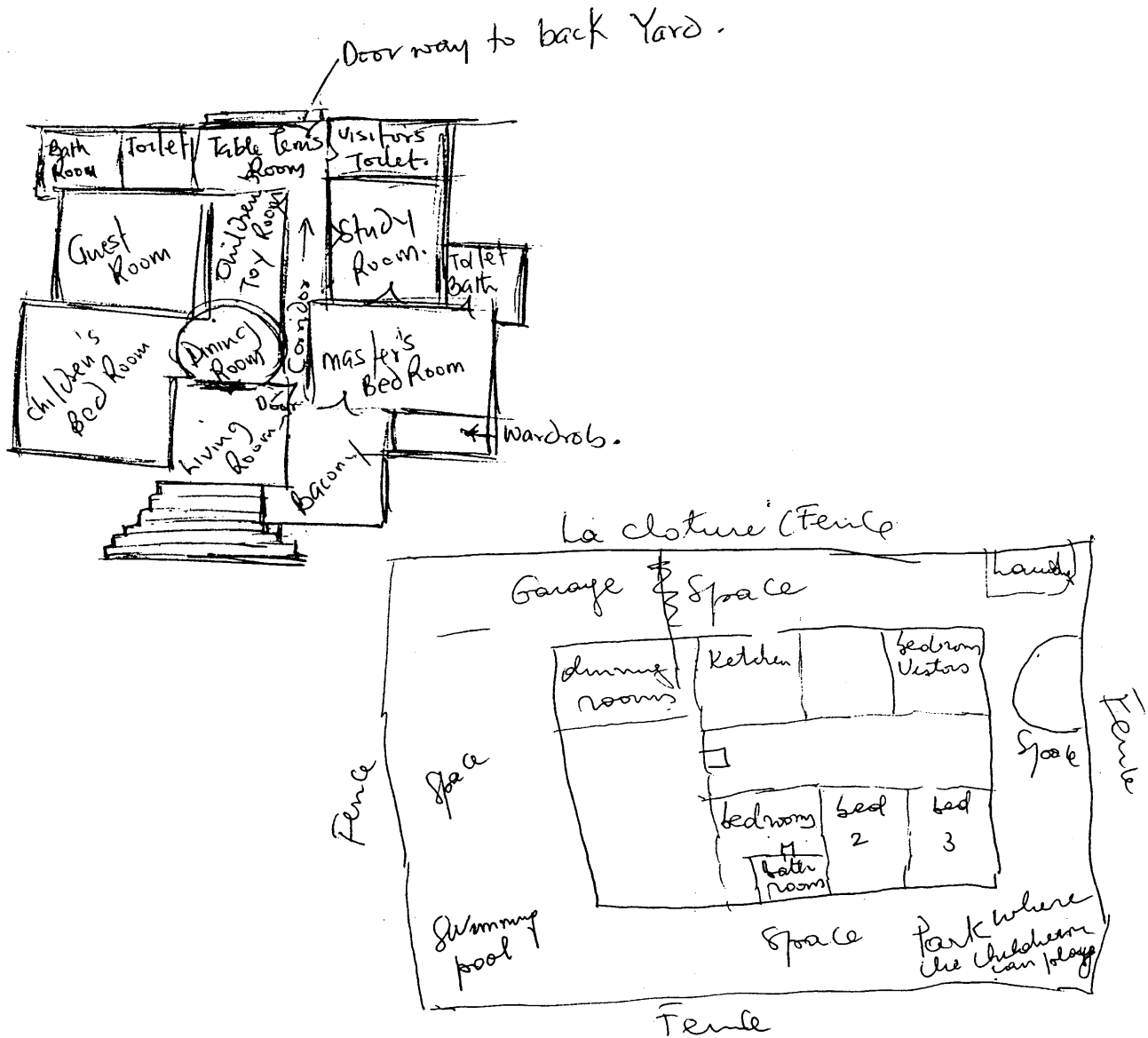
When focus group participants made drawings of their "dream homes", they saw a house as a place of family and an embodiment of their family's place in a community.

Kleanthes Isaias, a Toronto architect, became the project leader for CANACT when the project received funding under the A•C•T program. As a member of a profession where abstract concepts end up as "visual" renderings, he was struck by the "honesty" of the drawings. He believed that they, much more than the questionnaire answers, revealed the true feelings of the focus group participants.

"I still have in mind the picture done by a guy who drew up a whole street. He drew in all the various lots and on each lot there was a house. And then on one of the houses, he put an 'X' and he said, "that's my house". He didn't say anything about having three bedrooms or a swimming pool or whatever. He drew 10 houses and marked the fourth from the

end as his. He just wants to belong in this society, to not be an outsider," said Mr. Isaias.

"This is what housing does. Housing is the first step for someone coming into a new country to start to feel that they belong and they have a future there. To me these drawings were the project. They are the guidelines, if you want to design houses for African newcomers," he said.



Two of the dream house sketches drawn freehand by focus group participants.

2.2.1 Guidelines Summarized

CANACT concluded that the spatial relationships that exist in an African house mimic the relationships that exist between the various individuals and groups within the family and by extension within society at large. The design of successful housing for African newcomer refugees must therefore go beyond merely functional requirements and promote relationships.

Below are highlights from the guidelines written by CANACT as a result of the focus group sessions. They deal not only with housing design but also location, financing and tenure. There are additional guidelines in the final chapter of the report on this project.

General guidelines:

- Permit rent-to-own lease arrangements;
- Permit tenant-managed projects;
- Locate units downtown on major transit routes to ease access to jobs and to promote assimilation into city life;
- Avoid congregating units into concentration of social housing;
- Make use of existing buildings rather than new development;
- Locate housing in mixed use or residential areas.

Architectural guidelines:

- Choose or build low-rise structures no more than four stories tall;
- Arrange housing in clusters with these adaptability features to accommodate family expansion:
 - a maximum of four one-bedroom units per cluster,
 - preferably one cluster per floor,
 - each one-bedroom unit to be self-contained with kitchen and bathroom and common eating and living areas;

—each cluster designed to function in its final form as a four-bedroom unit with its own entrance.

The human factor:

- Involve the community at large;
- Involve tenants early in the process, particularly with planning;
- Educate the tenants about the workings of the Canadian housing industry;
- Involve tenants in construction;
- Involve tenants in project management upon completion.

2.3 Regulatory Implications and Site Selection

When it developed the guidelines, CANACT assumed it would actually build housing that met these requirements because Cityhome had allocated 16 units to CANACT with funding from the province through Jobs Ontario Homes (since cancelled). Before that happened, CANACT had to know how its plans fit city zoning definitions. CANACT wanted to avoid the need for zoning changes, if possible, because of the time and cost involved and because it worried that NIMBYism and prejudice could emotionally charge the issue when the discussion around zoning changes opened for public input.

David Spence and Susan Brideweser of Toronto's Housing Department wrote a discussion paper in 1996 that examined the regulatory implications of the design guidelines.³ (Regulatory issues are discussed further in Section 4 of this case study).

³ The entire zoning discussion document is appended to CANACT's report on this project, called "Housing Choice and Adaptability for African Refugees Project".

CANACT intuitively knew that the type of building with the required flexibility and adaptability would be one with high-ceilings and a structural system that did not depend on load-bearing interior partitions (e.g. a post and beam construction building). CANACT also understood that some refugees would want to engage in home occupations.

With these parameters in mind, Mr. Spence and Ms. Brideweser determined that CANACT's best hope of creating the flexible/adaptable housing it desired lay in the conversion of a small office, retail or industrial building into a mixed-use apartment building of 10 to 15 live/work units.

Concurrent with this examination of zoning issues, Toronto City Council lifted zoning restrictions on industrial and commercial sites at two specific areas of the city that bordered downtown. Council's purpose was to encourage their conversion to residential use. One of these areas, at King and Parliament Streets, fit CANACT's criteria as a project site. The locale was on a major transit route that linked to the subway system, was close to downtown and had a number of vacant industrial buildings in need of rehabilitation.

Mr. Isaias recalled how everyone connected to CANACT felt confident that this was the right place. There were buildings suitable for conversion, there would be no need to tamper with zoning bylaws to gain permission for a non-conforming use and the project would garner city backing because it would help the city meet its goal of revitalizing the King and Parliament area. CANACT had even identified a suitable site in this area – one owned by a church.

In the summer of 1996, Mr. Isaias met with the executive of the local ratepayers association. He presented them with the scenario of a 16-unit assisted housing project for African newcomer refugees to be located in the neighbourhood. He described the design guidelines that would govern the look and style of this housing. The ratepayer association executive rejected the plan. At the meeting, Mr. Isaias listened to hearsay reports of blacks transacting illegal activities out of restaurants and taxicabs in the neighbourhood. These anecdotes were the basis of a general fear that more Blacks in the neighbourhood would bring more crime.

2.4 Disappointment

This rebuff may have hurt but in the end it really didn't matter. It wasn't neighbourhood opposition that scuttled CANACT's dream, it was lack of money. What turned out to be the fatal blow came in 1995, when the newly-elected provincial government cancelled the Jobs Ontario Homes non-profit housing program. According to Mr. Isaias, CANACT had been counting on that program as its source of capital. Cityhome, the City of Toronto's housing agency, had already promised a share of its provincial non-profit funding under this program to CANACT but that funding never materialized.

Mr. Isaias and others carried on for a time, hoping to secure an alternative source of capital but were never able to do so. An A•C•T program grant paid for costs associated with creation of the design guidelines and CANACT paid other incidental expenses associated with the project.

“Basically the project died when the provincial non-profit program did,” concluded Mr. Isaias, in the spring of 1999.

Further complicating matters was a bout of internal management difficulties at CANACT. At one point, the organization even questioned whether it should continue to exist. As a result of this turmoil, and the adverse effect it had on CANACT's delivery of project management services to the City, municipal enthusiasm for CANACT cooled.

“In my mind, this project is still alive,” said Mr. Isaias. “I am still looking for ways to make it go. But as always it boils down to the issue of getting money for land. With land, you acquire leverage to borrow private capital or enter into partnerships with groups like Habitat for Humanity. The property we wanted is still sitting there boarded up and occupied by squatters, cats and pigeons. We had a program to build but no place to do it.”

3.0 COMMUNITY NEEDS AND INVOLVEMENT

3.1 The Need Defined

Toronto's requirement for housing that met the needs of refugees, Africans included, was documented in the city's 1992 Refugee Housing Study. It noted that in 1991 alone, about 24,500 refugees came to Ontario and about 14,700 (60 per cent) landed in Toronto.

Refugees generally have trouble gaining access to safe, affordable housing, the study found. In 1992, many refugee households in Toronto actually met the UN definition of homelessness because they lived in marginal, overcrowded and unsafe housing.

"The supply of suitable, affordable housing is insufficient. Those seeking accommodation ... must try several sources to find appropriate accommodation. Waiting lists for rent-geared-to-income units at Cityhome and at Metro Toronto Housing Authority are long," it stated.

"The availability housing is not always congruent with refugees' cultural norms and standards (refugees, for example, often have extended families and need larger units)", the study continued. "There are long waits for large units with the Metropolitan Toronto Housing Authority. The design and configuration of apartments in Toronto and other municipalities in Canada may also present some problems to refugees. Some units, for example, may be culturally inappropriate."

To amplify this point about cultural appropriateness, the study used the example of prayer space for observant Muslims. Smaller, more affordable Canadian houses simply do not have such space. The study also said some refugees, who are accustomed to living above ground or who associate below ground living

with their ordeals in torture cellars, reject basement apartments, which are often the least expensive housing on the market.

The study said, unstable housing situations not only inhibit the settlement process but multiply the stresses that many refugees must cope with as a result of being forced from war-torn countries. In addition, they have the added burden of trying to solve their housing difficulties in a society where the language is foreign and they do not know the ground rules.

3.2 Focus Group Participants

CANACT's community is composed of African newcomers and the organization took great care, through its focus groups, to ensure its proposed housing project reflected the needs and desires of this constituency.

It set the following criteria for its workshop participants:

- must be African newcomer refugees;
- must presently live in non-profit subsidized housing.

Gender was also an important criteria for participant selection. CANACT's goal was to obtain a balance of male and female respondents with a slight tilt towards more female than male representation, if that was possible. In a traditional African family, running the household is the responsibility of the mother and routine maintenance is the father's job. Conflict resolution and major household decisions are undertaken jointly by the mother and the father.

CANACT also decided to keep the workshops at four to six persons each. Firstly, the group figured meeting space for smaller groups would be easier to find. Secondly, it feared that large

group proceedings could bog down if more than a few participants needed help with reading and writing in English or with translation.

In the end, CANACT held five workshops at five different locations. Of the 25 persons who attended, 17 were males and eight were females, some with children. Some respondents were married but spouses were never present. In every case, spouses were in the old country, awaiting reunification.

3.3 Community Input

In general, the City of Toronto Housing Department works closely with community groups to solve specific housing problems. CANACT's project was closely tied to the department's desire to address problems identified in the 1992 refugee housing study. Specifically, the city wanted to find ways to accommodate changes in refugee family size, as families reunited, without people having to uproot and move into new housing.

While the City did not financially support the development of CANACT's project, municipal input did help give it direction. General liaison between CANACT and the civic administration was through the City's Refugee Housing Task Force. It joins civic officials and representatives of community betterment groups with a mandate to make recommendations to the city related to refugee housing and settlement issues.

A sub-committee of the task force worked closely with CANACT as the project developed, providing tactical advice, reviewing proposals and, in general, acting as a sounding board for ideas.

4.0 REGULATORY REFORM INITIATIVES AND IMPACT ON HOUSING COST, CHOICE AND QUALITY

Since the housing envisioned by CANACT was never built, it is impossible to know what its real impact might have been on housing choice and costs for refugees.

By examining the design guidelines, though, one can speculate that housing created in accordance with those guidelines would definitely expand the choice of housing available to African refugees. Right now, their choices are exceedingly slim because of their own income limitations and because of the non-availability of housing that takes their family and cultural needs into account.

CANACT favoured a collective ownership model that had the potential to address the affordability problem. Equity co-ops, which have grown increasingly common in Canada in the 1990s, enable families of modest means to achieve ownership in high-cost housing markets. Equity co-ops are continuing cooperatives that are financed entirely or partly from the equity of the members. Since cash for down payments would have been a problem, it is obvious that CANACT project would have required some sort of financial assistance from government or through partnership arrangements that kept monthly housing charges at levels refugees could afford.

The notion of having some portion of monthly housing payments go into a revolving account that could be used to finance new affordable housing projects for refugees has also worked for other housing sponsors.

4.1 Regulatory Issues

When David Spence and Susan Brideweser, of the City of Toronto Housing Department, examined the zoning bylaw implications of the CANACT design guidelines, they identified issues that other Canadian municipalities might have to address if they undertook the creation of refugee housing. Since zoning and building regulations tend to be similar all over Canada, the Toronto review is relevant to other jurisdictions.

This examination did not lead to any immediate regulatory changes in Toronto. Any eventual need to make such changes was superseded by the task of harmonizing all the different planning regulations of the municipalities that amalgamated to form the Toronto supercity. At any rate, Mr. Isaias never saw the necessity to rewrite bylaws. In fact, CANACT wanted to avoid that outcome, if it possibly could.

Zoning Restrictions Removed

The building site in the downtown King and Parliament neighbourhood that CANACT favoured for its project became eligible for housing when the City of Toronto lifted zoning restrictions on commercial and industrial sites in two separate areas of the city. The city's purpose was to encourage their conversion to residential use.

The CANACT project report noted that a city initiative such as this helps make housing projects more feasible for people who need public transit and other inner city amenities. Not only does it create additional land for residential use, it also relieves projects sponsors of the time-consuming and sometimes risky (NIMBYism) obligation to seek site re-zoning.

Presumably, refugee housing projects elsewhere would have similar characteristics to the one proposed for Toronto. They would:

- have to be affordable rental with some consideration to future ownership;
- be tenant-managed;
- be adaptable to accommodate family changes;
- permit residents to work at home or within the same building;
- be assimilated into the city fabric (no ghettos);
- make use of existing buildings, rather than new construction;
- be on major public transportation routes;
- promote community development.

4.1.1 Permitted Uses

In order to accommodate housing with these characteristics, other municipalities would need permitted residential use categories similar to those identified by Mr. Spence and Ms. Brideweser. These are:

- Live/work units. Units of this type may be the most appropriate because a dwelling unit can also be used as a place of work by the people who live there. People who live elsewhere cannot work there.
- Artist live/work studios may also be suitable. In Toronto, they were defined as a suite combining a studio area and a living area that did not contain more than one habitable room.
- Apartment buildings, converted houses, converted dwellings and rooming houses might also be suitable if they are in an area that permits non-residential uses in the building.

4.1.2 Suitable Buildings

Small office or retail buildings in zoning districts that permit mixed residential and commercial use may be the most suitable for adaptable refugee housing projects. Owing to their solid steel frame construction, many office buildings would lend themselves to flexible floor layouts as interior partitions do not serve as load-bearing walls. Conversion of office or retail buildings to residential use may require minor zoning variances. In Toronto, and elsewhere, for example, the zoning bylaw requires that the main windows of homes be set back a certain distance from the lot line. This is not the case for offices or stores.

Industrial buildings offer potential if they are located in areas where zoning encourages a transition from industrial to residential use. There are drawbacks to converting industrial buildings to homes, though. Many of these buildings stretch from lot line to lot line leaving little or no open space around them. It can also be very costly and technically difficult to bring them up to residential standards, particularly if environmental contamination exists.

Single residences that have been converted to multiple dwellings may also offer some potential for adaptable refugee housing. Since they are built with load-bearing walls, though, the ability to rearrange interior space can be limited. As well, alterations in the number of units or rooms in such buildings may require minor zoning variances or possibly rezoning. There may also be restriction on home occupations in areas zoned for single residences.

Appendix

APPENDIX A

Excerpt of the City of Toronto report based on an examination of zoning bylaw 438-86 and its implications for various types of refugee housing. The report was prepared by David Spence and Susan Brideweser of the City of Toronto Housing Department in 1995 and updated in 1996. The entire bylaw report is contained in the report on this project, *Housing Choice and Adaptability for African Refugees Project*.

Context

This discussion of zoning by-law implications assumes that the various forms of refugee housing being considered under the A•C•T program share a number of common, distinguishing characteristics. It is understood that the proposed housing project should:

- be affordable rental (with consideration given to a future equity or ownership model);
- be tenant-managed with a mixture of a fixed number of rental and owned units;
- be adaptable (to accommodate short-span changes in lives and status of refugees and newcomers);
- permit residents to work at home, or within the same building;
- be assimilated into the City fabric (avoid areas of social housing concentrations);
- make use of existing buildings, rather than new development;
- be located in an urban context rather than suburban (intensification of main streets and infill development);
- be on major public transportation routes (subway and streetcar);
- be neighbourly - promote community involvement.

This assessment is based on the City's new consolidated Zoning By-Law 438-86 which was adopted by City Council in 1993. In the few situations where a portion of the By-Law were appealed to the Ontario Municipal Board and have not yet been approved, consideration is given to the relevant sections of both the new and old by-laws. In the event of a conflict between the two, the most restrictive provisions apply.

Zoning Districts and Permitted Uses

The various types of residential accommodation which may be potentially suited to the proposed refugee housing project are defined in Schedule "A". Some of these residential "use categories" allow for various types of work to be undertaken within a dwelling unit, whereas others require that the residential and non-residential uses be physically separated either in the same building or in different buildings.

Live/work units may, in this instance, provide the most appropriate form of housing. These are dwelling units that are also used for work purposes, provided that only the resident or residents of such accommodation work in the dwelling unit. People who live elsewhere cannot work in these units.

A live/work unit is a permitted residential use in both CR and MCR zones of Mixed-Use Districts, provided the work component is restricted to an office, workshop, studio, personal grooming establishment or tailoring shop.

As well, the CR and MCR zones permit *Dwelling Rooms in a Building or Dwelling Units in a Building* which also has other non-residential uses. Under the above two definitions the uses within each unit would have to be exclusively

residential or non-residential, but both types could be located within the same structure.

Artist Live/Work Studios may also serve as a suitable type of housing under the A•C•T Program. An artist live/work unit refers to a suite consisting of a combination of a studio area used for the production of art and a living area containing not more than one habitable room. The owner, in this case, must enter into a social housing agreement to ensure that the live/work units are provided under a social housing program.

These types of studios are also permitted in the CR and MCR zones in Mixed-Use Districts, as well as the I1 and IC zones of the Industrial Districts.

It would be possible to satisfy the social housing condition as the refugee project is to be developed with Jobs Ontario funding. However, the major drawback is that the living area in each artist live/work studio is limited to one room. This requirement virtually eliminates the chance of adapting the residential space over time to suit the needs of changing households.

Other residential uses such as *Apartment Buildings, Converted Houses, Converted Dwelling and Rooming Houses* and *Rooming Houses* could be considered in selecting a site to be acquired and renovated under the A•C•T Program. While predominantly located in Residential Districts, most of these uses are also permitted in Mixed-Use Districts.

One of the main drawbacks to the above four uses is that they cannot, at present, be provided in the same building with non-residential uses if the building is situated in a Residential District. However, if any of these uses were in an area zoned CR, then they could be located in the same structure with a non-residential use.

It should be mentioned, however, that Planning and Development staff have prepared a report (and the City Solicitor drafted a by-law), which was approved in November 1995, which would permit certain types of home occupations to be operated directly out of all dwelling units in Residential Districts (and possibly Mixed-Use Districts). The City is currently awaiting an Ontario Municipal Board hearing to determine whether an appeal lodged against this by-law will be upheld.

Types of home occupation may be restricted to offices, consulting offices, doctors or other health professionals, artist's studios, music or dance instructors, barbers, hairdressers or beauticians, dressmakers or tailors, or home crafts. Restrictions would also likely be placed on the maximum floor area that could be devoted to the work use, the sale of goods, and number of persons served at one time. It is also suspected that, in most cases, only those people living in the residence could be involved in the home occupation.

Schedule "B" shows in chart form the various residential and non-residential uses that are permitted in different districts of the City.

Comments on Structure Type

Small office or retail buildings in the CR or MCR districts may offer the most promise for an adaptable refugee housing project. As mentioned above, the zoning by-law already provides considerable latitude to combine residential and non-residential uses either under the live/work unit or the dwelling units/rooms in a building category.

Owing to their solid steel frame construction, many office buildings would lend themselves to a flexible floor layout. As interior partitions would not serve as load bearing walls, they

could conceivably be relocated without great effort (i.e. by use of tracks in floors).

Also, as seen by recent interest in converting vacant offices to residential condominiums across the City, it may not be difficult for offices to meet residential standards (i.e. parking, light, privacy). However, the zoning by-law does require that the main windows of dwelling units be set back a certain distance from the lot line. Where the proposal does not satisfy the City zoning by-law, compliance could often be achieved through minor variances, rather than through the more complicated and time-consuming rezoning process.

Location may be a possible drawback as office buildings could be situated away from established neighbourhoods and community services.

Industrial buildings offer some potential for a refugee housing project. The City has become supportive of some accessory dwellings in industrial areas as evidenced by the recent introduction of the artist live/work studio provision in the zoning by-law. As well, the City is looking into the possibility of opening up some additional industrial areas for limited types of residential uses (i.e. King/Parliament, King/Spadina and Niagara/Parkdale). However, at present the permitted uses are restricted to artist live/work studios only.

Another major drawback is that industrial buildings pose more constraints for residential use. Many of these buildings have been constructed from lot line to lot line offering little or no open space. It can be very costly and technically difficult to bring some of these buildings up to residential standards. Environmental constraints may prove to be a major obstacle to converting industrial buildings.

Single residences which have been converted to multiple dwelling units or rooms, multiplexes and apartment buildings also offer some potential for adaptable refugee housing. These structures, however, do not offer the same ability to move around partitions, as many interior walls may be load bearing. As well any future alteration in the number of units or rooms, resulting from a change in households, may require minor variances from the Committee of Adjustment or possibly, a rezoning.

Again work uses are not permitted in residential zones, although the home occupation proposal, if adopted, would make residential structures more desirable for the proposed type of refugee housing.

