



Artists fight to save their affordable homes amid fire concerns and pandemic



By **Laurie Monsebraaten** Social Justice Reporter
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Visual artist Jennifer Murphy has done some of her best work in a live-work space she has been renting at 17 Paton Rd. for the past 12 years.

Fellow tenant Claude Wittmann — a scientist, performance artist and part-time bicycle mechanic — has found “peace and community” in the former ladies’ garment factory near Bloor St. W. and Lansdowne Ave.

Dorota Dziong has “a lifetime” of paintings and other artwork stacked in the spacious second-floor studio apartment she has called home since 2009 and “wouldn’t know where to start” if she is forced to move.

The trio are among about 20 artists living in the four-storey building in the city’s west end that Toronto Fire Services has declared a fire trap.

And although an order to evacuate the building May 10 was recently extended to July 31, Murphy and her fellow tenants wonder how they are supposed to look for a new, affordable live-work space during a housing crisis — compounded by a global pandemic.



Instead of throwing them out, the tenants want the city to work with their landlord to ensure the 15-unit building is brought up to fire- and building-code standards while remaining affordable for artists who are being priced out of Toronto by redevelopment.

If their landlord is unable to do the necessary work, the tenants say city hall should help them convert the building into co-op housing to preserve their tight-knit creative community and keep rents affordable for future artists.

“As paralyzing as this feels right now, this pandemic could be an opportunity,” said Murphy, 46, who pays \$1,200 a month for her spacious 1,300-sq.-ft. unit. “The whole world has an opportunity to rethink how we live together.”

Josh Barndt, executive director of the Parkdale Neighbourhood Land Trust is also hoping the global lockdown offers the city, the tenants and the landlord time to pause and reconsider.

“This is a chance for the city to collaborate with the tenants and the landlord to bring this property into community ownership and stop the erasure of our cultural landscape,” Barndt said. In the absence of government funds to buy land and buildings for affordable residential and commercial use, the trust was formed in 2014 to turn properties ripe for redevelopment into long-term community assets.

Italian immigrants Sam and Pina Costanza bought 17 Paton Rd., a red-brick Edwardian-

era garment factory, in the early 1970s and manufactured women's clothing there under the Eden Creations label until the early 1990s. After the factory closed, the couple rented it as work space for artists, who despite the building's industrial zoning soon began to live in their studios to cut costs.

"We built this from nothing. We are attached to this place," said Pina Costanza, 80, who continues to visit the building every morning with her husband Sam, 84, who has dementia. "We don't want to sell. My husband is not well. But we are not terminal."

Pina Costanza's younger brother Anthony Delcore says the family "is not the enemy." They want to fix the fire-safety issues and maintain the status quo. They have no interest in selling to the land trust, which Delcore says is offering "less than half" what a private developer would pay.

"My sister and brother-in-law are simple people. They came here and worked hard. They run a good, clean building for the tenants and have not raised the rents. It is not a fire trap," he said. "They want to continue running the building and providing affordable homes to these artists."

But he says the city's "ruthless" evacuation order, which includes a directive to hire two security guards to monitor the building around the clock and help tenants escape in case of fire, has put the family behind the eight-ball. They can't begin to address the safety issues until the provincial state of emergency is lifted, and they can't afford to continue paying more than \$40,000 a month for security guards while monthly rents barely amount to \$16,000.

"If we're put in a corner, we might have to do something that is unacceptable to all of us," Delcore said. "We might have to sell to a developer, which we don't want to do." Chief Toronto building official William Johnston said the city is doing everything it can to preserve affordable housing "but that can never be done at the expense of residents' safety."

And since the building lacks a second exit for the units — a fundamental safety requirement — the city issued the evacuation order, he said.



The trouble began during a January cold snap about two years ago when the building's sprinkler system froze, causing a flood and a visit by Toronto Fire Services. When fire officials saw beds in the units, they notified the city building department, which slapped the Costanzas with a list of code violations to address immediately.

The Costanzas' nephew Gino Delcore, an electrician, repaired the sprinkler system and installed a new monitored fire-alarm system, emergency lighting and other safety items.

"My uncle and aunt spent a quarter of a million dollars on fire-safety improvements," the nephew said in an interview outside the building last week. "I did everything that the city asked. And then I get an email saying all the tenants have to leave within 60 days, and I have less than 24 hours to put a fire watch on the building. It was unbelievable." The March 10 order — issued a day before the World Health Organization declared the novel coronavirus a global pandemic — said the landlord had failed to address "numerous" safety issues raised in an order issued Dec. 19, 2019. Most serious is the lack of a second exit for the units.

The order was also a shock to the tenants who were aware of the fire-safety concerns and believed their landlord was genuinely trying to fix the problems.

"The city has known about us for two years," said visual artist and clothing designer Eli

Langer, 52, a tenant since 2016. He pays \$1,200 a month for his 1,000-sq.-ft. unit which he says is “one of the most beautiful, well-maintained places” he has ever lived.

“We just don’t understand the reasoning behind this,” he said. “We’ve been living here for years. We are all adults. There are no children in the building. We are all here by choice. We are aware of the situation. And it’s actually safer than it was.”

Wittmann, 56, who pays \$800 for his 600-sq.-ft. apartment, said the uncertainty has taken a toll on everyone in the building.

“We feel we are yet another group of artists and cultural workers who have become collateral damage in the catastrophic lack of creative and innovative thinking on the part of city council, city planning and city regulators,” added Wittmann, whose rent eats up most of his \$1,169 monthly Ontario Disability Support Program cheque.

In response, the tenants in March launched an online petition, now signed by almost 5,000 people, urging the city to help the tenants remain in the building. They produced a video showing the fire safety measures in the building, including the new fire-alarm system and updated sprinkler. And they gathered more than 30 letters of support from prominent arts community leaders and others.

Area Councillor Ana Bailao, chair of the city’s planning and housing committee, said she supports the tenants’ quest to save their homes as well as the landlord’s attempts to fix the building, but she won’t question city fire officials.

“This is a four-storey building with no second exit. I have had people die in fires in my ward because of situations like this,” she said. “I am not going to challenge the chief building official and the fire chief when they say there is a safety issue.”

She said the city is willing to consider proposals to reduce the cost of security guards until the Costanzas are able to build the additional exit.

But ultimately, Bailao notes the couple has been collecting residential rents for years without having paid rezoning or development charges to convert the building for residential use.

“We can’t be rewarding bad landlords,” she said.



If the Costanzas decide to throw in the towel and sell, Bailao said the city is “looking at what kind of assistance we can provide” to help the land trust buy the building so the tenants can turn it into an artists’ co-op.

City real-estate officials have appraised the property and say the landlord’s value estimates are high, she said. It means the land trust’s offer might not be unreasonable, Bailao added.

The land trust doesn’t want to publicly disclose what it has offered the landlord to avoid sparking a bidding war, Barndt said: “We can only afford to pay what the property is worth as affordable housing.

“This is a building where there is at least \$2 million of work to be done to make it safe for its current use,” he said. “There is no rational reason to pay full value, pretending those conditions don’t exist. That’s not the way the market works. Any developer will see, in their due diligence, all these conditions as risks and that will drive down the price.”

Marit Stiles, MPP for the surrounding riding of Davenport, says she, too, hopes the pandemic provides time to save 17 Paton Rd. as safe, affordable live-work space for artists.

“This building is increasingly unique and rare in our community. We’ve seen a massive

exodus of artists ... and we want to work really hard to keep them here,” said the New Democrat. “We have put off the eviction (until July 31) but at the end of the day, how do we make sure folks on Paton Rd. don’t lose the roofs over their head in six or 12 months?”

“What this moment has shown us is that governments can do all kinds of things when faced with a challenge,” she said. “So for me, it opens the doors for lots of possibilities. Government can be flexible. We can be nimble and find solutions. And that gives me some hope.”

Murphy, who has shown her nature-infused collage/sculptures in galleries in Toronto and Montreal, says she and the other artists at 17 Paton Rd. are counting on the creative alchemy of the city, their landlord and the land trust to come up with a solution.

“We can’t keep pushing artists out of the city,” she said. “We need art — and artists — now, more than ever during these uncertain times.”



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