

Municipal governance of housing informality in Vancouver, Canada

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This paper examines how residential land use in the Canadian city of Vancouver is deeply entangled with the management of widespread enactments of state-facilitated irregularity. The empirical focus of this study consists of a series of local zoning ordinances and supplementary policy directives relating to the building and renting out of accessory apartments in subdivided houses in Vancouver. Known in Canada as "secondary suites", these apartments represent a significant proportion of the housing stock in the city. The vast majority of Vancouver's secondary suites fit the definition of irregular because homeowners build them without obtaining municipal building permits and rent them out without a business license.

The tight housing supply in Vancouver, a city with a rapidly expanding population, is an important contextual element in this analysis. The internationalization of the city's housing market over the past four decades has put enormous upward pressure on the price of detached houses, while the demand for rental housing has for decades been greater than the trickling supply of new purpose-built rental units. The high demand for owner-occupied single detached dwellings and rental units, paired with the insufficiency of the existing stock, has contributed to a long-standing affordability problem. In response, households with access to financial resources and the requisite entrepreneurial disposition have resorted to buying single detached dwellings where a rental secondary suite can be set up as a way of generating supplementary income to assist with mortgage costs and other ownership expenses. Renters in need of housing in the city have helped to make a viable rental market out of this ownership-facilitating practice.

The paper's theoretical starting point is the concept of housing informalization understood as the production, through state policy and local bureaucratic practice, of a grey terrain of regulation in which a given set of residential land uses is only partially or selectively subjected to legal norms and rules. The aim of this research is to explore the proposition that the production of this grey terrain constitutes a strategic state approach to the provisional adjudication of competing land uses. The active involvement of the state in processes of informalization negates any easy distinctions between regular and irregular forms of land use. In addition, this study also aims to contribute to the housing informality literature by providing an example of informality as a set of practices that exist not only in the global south but also in the global north, and which involve not only low-income households but also middle-income ones.

The paper will provide a brief historical overview of the proliferation of unauthorized secondary suites in Vancouver starting in the 1960s, and of City Hall's many attempts to assign some form of legal status to these units (rather than simply outlaw them). In particular, the paper will discuss City Hall's decision in the 1980s to retain a series of mechanisms to regulate secondary suites – from zoning bylaws to building codes and design rules – while adopting at the same time a policy of selective enforcement of these regulations. As part of this policy, which continues to be in effect today, enforcement of secondary-suite regulations was to be restricted to cases where complaints were registered by a negatively impacted neighbour or renter. This regulatory approach enables officials to be selective in pursuing regulatory compliance from owners of such unauthorized apartments, limiting enforcement to cases where neighbours disapprove of the practice or if the occupying renter household complains about the conditions of the secondary suite.

Were City Hall to start to strictly enforce its regulations and shut down thousands of unauthorized secondary suites, it would be contributing to the city's already tenuous housing environment. Many

homeowners would be unable to afford their mortgage without the rental revenue derived from an unauthorized suite, and most suite renters would find it impossible to secure alternative rental housing in the city. Local authorities must also take into account competing land uses among local residents: some homeowners wish to preserve the twentieth-century planning model of restricting detached housing occupation to members of a single family, while others want (and often need) to be able to rent out a portion of their property to strangers in order to derive 'mortgage helper' revenue. City Hall has therefore opted for selective enforcement of its own regulations as a compromise that enables the preservation of existing housing while also providing City authorities with the power to adjudicate neighbourly disputes over competing residential land uses. Residential land use governance in Vancouver is in this way deeply entangled with the management of widespread enactments of state-facilitated irregularity.

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