

Toronto

1788–1978:

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Real Property, Dispossession and the City

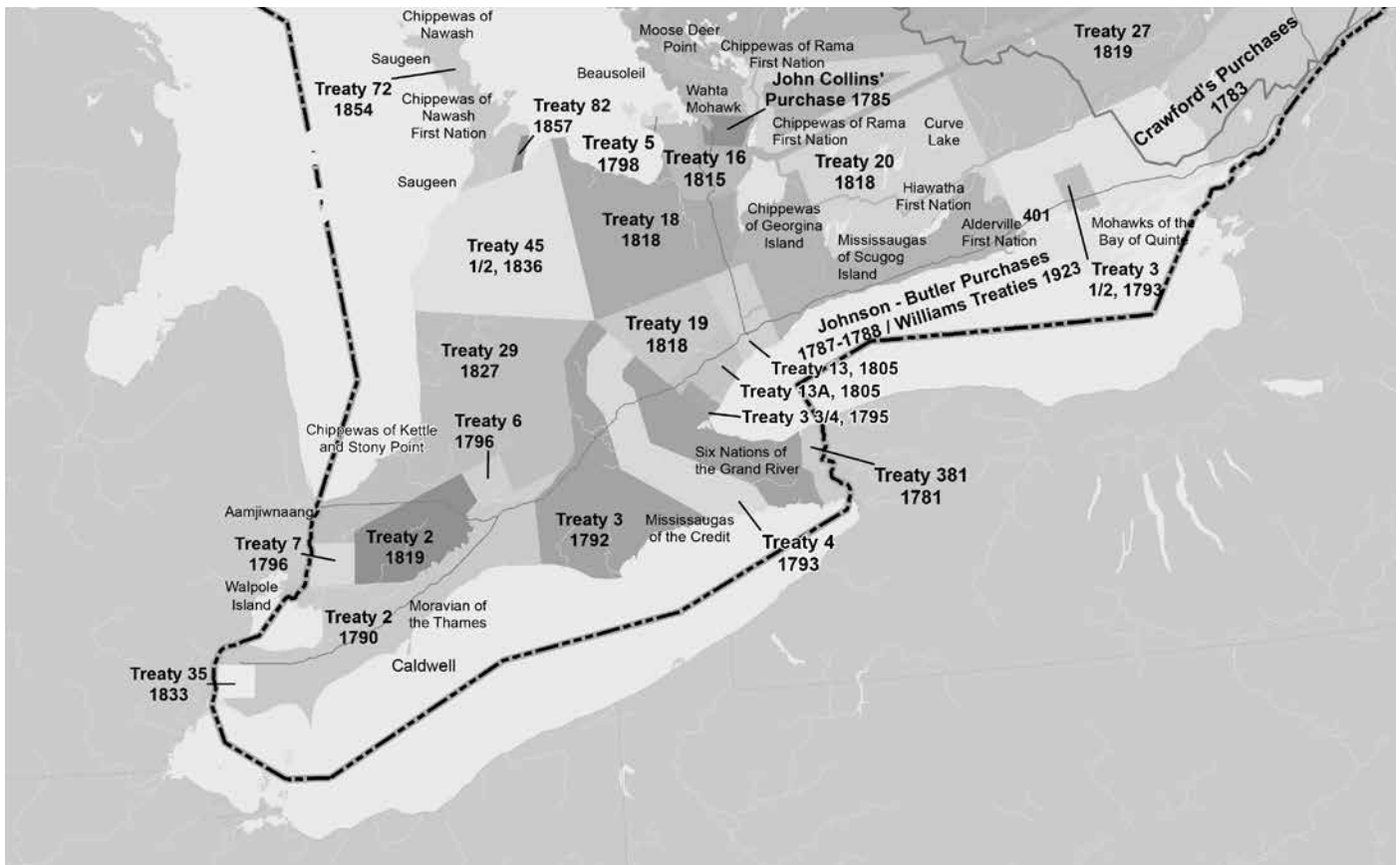


Figure 1.
Map of Southern Ontario Treaties.
Source: Ontario Ministry of Indigenous Affairs.

The territorial and urban organization of modern nation states such as Canada developed hand-in-hand with the changes in European imperial land ownership in the Americas. Once enclosed and dispossessed—first by individual colonists and later by a much more structured imperial plan—the system of Indigenous land organization characterized by communal access and mobile boundaries was replaced by a grid system informed by exclusive property rights and permanent boundaries, thus more efficiently serving as key spatial apparatus of political and economic governance.¹ As recognized by Ellen M. Wood, what most distinguished the British Empire's colonial practice in the Americas from French and Spanish ones was a new system of local power founded in landed property.²

By the end of the 1600s, after centuries of feudal land tenure with very few freehold owners, private property became recognized as a natural right in England, under the influence of the philosophy of John Locke. Despite the English Parliament's support of land enclosure, long-standing forms of landed lordships impeded the implementation of this new type of property. However, as Locke suggested, the Americas offered a much simpler condition for land organization and appropriation. After an initial phase of dispossession and enclosure led by colonists to satisfy the needs of the small settlements, in the late 1700s, the empire's defeat to American colonies pushed the Crown to rethink its modes of Indigenous land dispossession and colonial land organization as a much more structured endeavour. Concerned with establishing a new local rural aristocracy, the Crown took charge of Indigenous land dispossession in Canada, systematizing it through "legal" treaties.

Due to the rapid process of colonization through alienation, transfer under Crown land, and later to private entities, by the mid-1800s there was very little Indigenous land left in Southern Ontario.

Most studies of colonial land organization and dispossession of Indigenous land in North America³ focus on the first wave of

European colonialism, in a phase that Canadian historian Allan Greer defines as "property formation," when the introduction of land ownership produced a new rural landscape structured around small settlements. But the commodification of urban land was still in its infancy at that time and was not entirely subsumed within capitalist processes.⁴ Unlike Locke's arguments in favour of the right to exclusive property if there is an actual improvement of land for the owner's self-sustenance, which inspired the Jeffersonian survey of the U.S. and his vision of a rural democracy, in new colonial towns like Toronto, landed real property was not connected to land improvement. Urban land as a modern form of enclosure became the essential commodity in the establishment of a new financial strategy of British imperialism.

This paper looks at the relationship between landed property and the formation of imperial capital cities and metropolitan regions through an analysis of two key moments in the morphological evolution of the colonial grids of the province of Upper Canada and of the city of Toronto. The first timeframe spans the 1790s, when Toronto renamed as York became the new capital of Upper Canada, and the proclamation of the Dominion of Canada in 1867. The second investigates the two decades between the 1950s and the 1970s, when the original colonial urban grid resurfaced through the Metropolitan Toronto Planning Board, and George Baird's urban studies for the City of Toronto, as an apparatus to enhance the city as urban commons.

Dispossession and Urban Land Property Theory

The British Empire's practices of Indigenous land dispossession in the Americas went through three major phases. As discussed in Greer's recent book *Property and Dispossession*, in the first phase Indigenous commons were largely replaced by colonial ones. In the second, colonial commons and the

remaining Indigenous ones went through a localized process of land enclosure ideologically affected by the new concept of property ownership.⁵ During the 1600s "Indian deeds" were already happening in New England, but they were fewer, smaller, and legally unclear about ownership rights; the process of land enclosure thus developed randomly and unevenly at the scale of individual townships. As a further evolution of landed property, a third phase started after Treaty of Paris (1763) and the end of the American Revolution. With the formation of the new provinces⁶ of Upper Canada, the Royal Crown became directly involved in surveying and dispossessing Indigenous land. This time, however, the endeavour was carried out at the scale of the entire new province, a shift that marked the beginning of a new imperial phase.

At the end of 1600s, Locke's theory of property played an important role in reframing the dispossession of Indigenous land as an imperial project. He saw private property and its bundle of rights to exclude others, to use, and to dispose, as a basic human right legitimized by value added to otherwise useless land, through labour and the production of wealth. The act of enclosure of what was once communal land was recognized as legitimate as long as it was respectful of "the neighbour" and the rules in place for managing the commons in England.⁷ Locke theorized the American continent as a "vacant place" lacking both conditions: the land there was not improved so it had no value, nor were there any institutions in place to protect landed property rights.⁸ He completely dismissed Indigenous modes of land improvement characterized by seasonal farming and land tenures based on communal rather than exclusive access, thus supporting the dispossession and enclosure of Indigenous land without the need of special agreements. Locke even participated in the writing of constitutions for new states such as Carolina, which spread his theory throughout the new American colonies, providing a powerful ideological background for

the further dispossession and enclosure of Indigenous land.⁹

Through the Treaties of Paris in 1763 and 1783, the Royal Crown grounded the abstract concept of colonial property into concrete boundaries. Officially made to protect the Indigenous land, the 1763 Royal Proclamation declared the Crown as the only institution with the legal power to purchase Indigenous land, outlawing its private purchase or irregular occupation by independent settlers. This document acknowledged the land rights and sovereignty of the "Nations of Indians" over their territory, yet specified that this sovereignty was limited and that any future land purchases needed to be discussed only with Royal Crown representatives. The Royal Proclamation line marked and determined exactly what was Indian land, providing the next several treaties with more precise geographical boundaries. Importantly, the document also turned the Indigenous people into landowners, a legal status that was alien to them; this proved to be essential for the following phases of imperial dispossession. Because of tribal social structures, the spatial organization of their land was informed more by the concept of sovereignty than one of individual ownership. The lack of spatial dividers such as fences reflected the communal access to hunting, fishing, and farming areas, whose occupation was temporary.¹⁰

The definition of the jurisdictional boundaries made possible the Crown's first land "purchase" in what was to become Upper Canada. The treaty took place in 1764 with the Senecas to secure the land around Fort Niagara and was followed by several more.¹¹ Each purchase was arranged through an individual treaty, which in some cases worked as a precedent for subsequent ones. Indigenous people surrendered some of their land rights in exchange of small amounts of money or goods. The early treaties made with the Crown were very controversial due to a different spatial and legal understanding of land ownership between Indigenous people and colonial officials. In 1787,

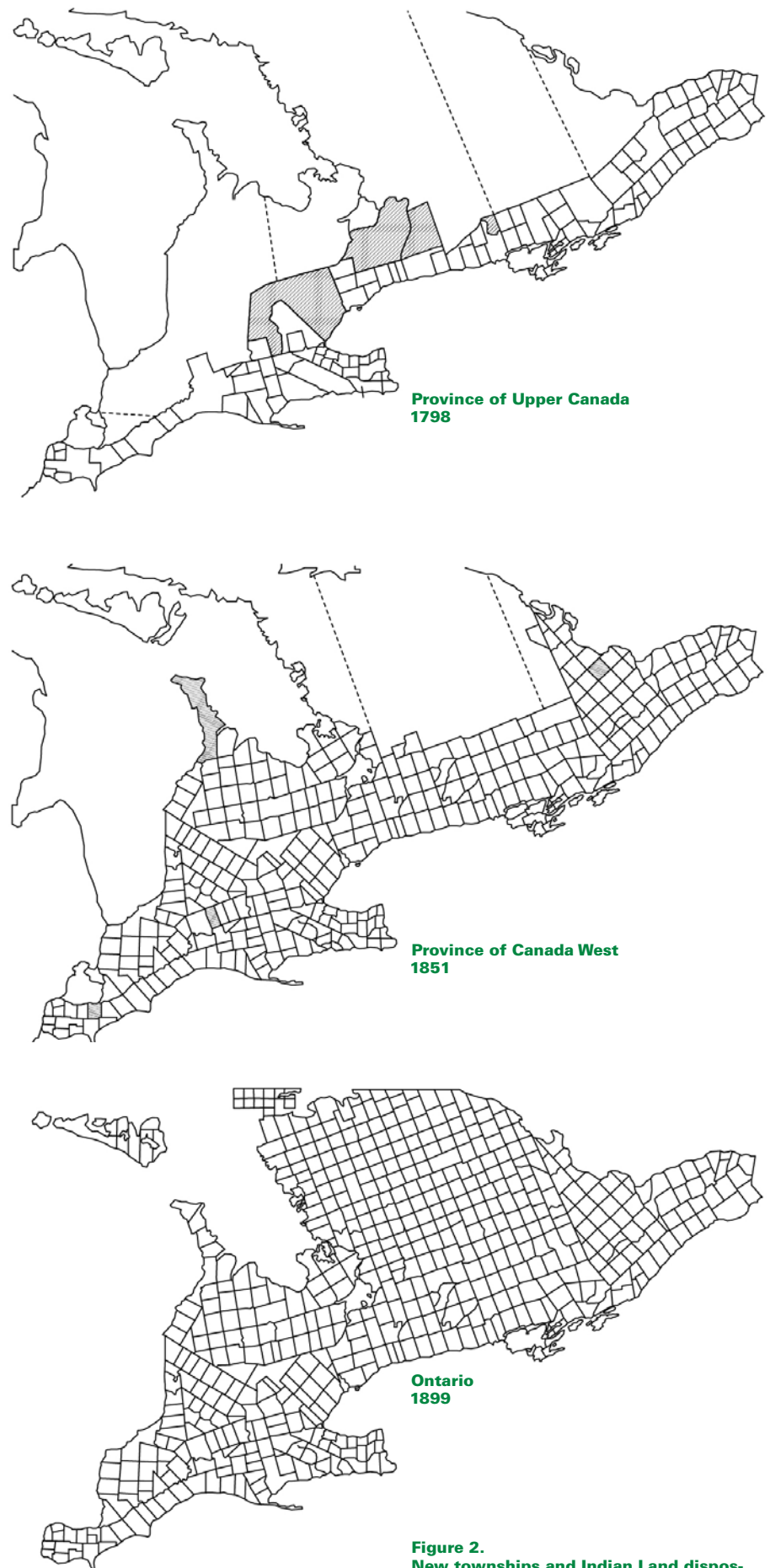


Figure 2.
New townships and Indian Land disposition in southern Ontario, 1798–1899.
Courtesy of the authors, with Enika Deng.
Source: Ontario Ministry of Government and Consumer Services.

the first Toronto surrender of ten square miles around the fur trade route known as the “Carrying Place” in the territory of the Mississaugas of the New Credit proved to be invalid, which raised serious concerns in London. After several efforts to decrease the land’s market value, the Crown negotiated a “lawful” surrender in 1805.¹² The Mississaugas kept the rights to fish in the Etobicoke river, while understanding the entire agreement as a case of usufruct, rather than a “final” land transfer. The land surrender worked as a modern enclosure whose boundaries were legal and abstract.

According to many observers loyal to the Crown, the lack of a well-connected network of local aristocracy was the main reason behind the rebellion of the American colonies. Therefore, the first phase in the organization of the new province of Upper Canada saw a short-lived attempt to establish a

rural aristocracy through the implementation of a free land-granting system. However, the new colonies produced a new type of landed aristocracy, also labelled as “gentlemanly capitalism,” more inclined to pursue imperial interests through real property.¹³

Ellen Wood’s writing reiterates the argument of the role that private property played in the organization of the British Empire by noting how it supported a decentralized model of colonial power with a light central state. As she points out, what defined British imperial strategy was a new idea of private property as the production of exchange-value, which became the main justification and scope of the new imperial capitalistic economy.¹⁴ Because the landed aristocracy was still ruling England in the first half of 1800, finding new land to subdivide was difficult, and so the new colonies offered safer investment opportunities to the Crown that began to cooperate with local private investors.

After events such as the 1812 war with the U.S., the evolution of land ownership in this part of the Empire should be seen in

conjunction with a gradual change in the British attitude towards new colonies. By the 1830s, under the pressure of rising anti-imperial feelings in the British Parliament, the Crown’s policy towards the new colonies became more sympathetic towards Adam Smith’s *laissez-faire* economic principles, and in favour of local autonomy and administrative empowerment.¹⁵ Upper Canada (and its capital, York) was one of the first British imperial capitals to experience the quick shift from an aristocratic to a capitalist vision of land ownership.¹⁶

Grid 1: Territorial Settlement and the Grids of Land Survey

To encourage the settlement of Upper Canada, the Crown used what has been described as a “free grant” system. The ambition was to rationally subdivide the territory into equal plots of 200 acres, a size that was thought could be cultivated by a family of settlers. The Crown distributed these plots at very low cost to such farming families, who, by improving the lands of the territory through its cultivation, would formalize the Crown’s claim to it. In practice, however, the process of land surveying and subdivision invariably led to speculation, as so many historians of the province have noted, which distorted the ideal of an evenly occupied region.¹⁷

Unlike other more familiar systems—such as the Public Land Survey System as initiated by Thomas Jefferson to delineate the Central and Western territories of the United States, or the Dominion Land Survey which was later used to measure central Canada—the survey of Upper Canada was made up of many different grids that were drawn up incrementally, one settlement area at a time. Both the Public Land Survey and the Dominion Land Survey were purely abstract systems, which, other than being adjusted for the earth’s curvature, can be seen as a singularly oriented grid arrayed continuously across the majority their respective territories. On the contrary, Upper Canada’s settlement areas,

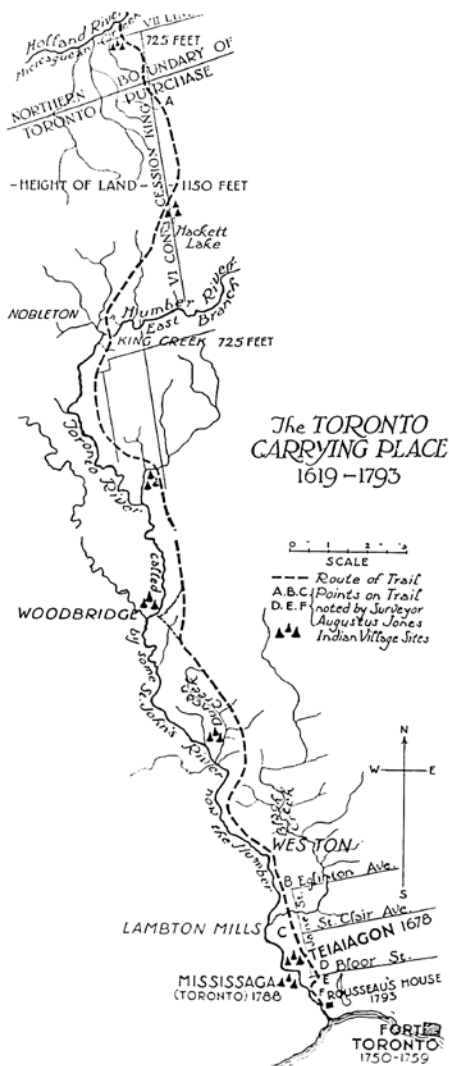


Figure 3. Drawing depicting the Toronto Carrying Place before the 1787 Toronto “purchase” and the map of the final 1805 Toronto “purchase.” Courtesy of Toronto Public Library (map) and Charles W. Jeffreys (drawing).

known as townships, had an internal geometry that was shaped by boundaries set by the treaties, and often oriented to local geographic features. As result, after the completion of Upper Canada's survey, the region reads as a patchwork of juxtaposed grids.

Similar to the land allocation process in New England's Massachusetts Bay colony, to initiate a land survey, a critical mass of settlers in Upper Canada could petition the Lieutenant Governor to establish a township. But unlike the former example, where colonists took charge of surveying the new township, in Upper Canada a Crown surveyor would be dispatched to lay out its base grid lines. They set the first concession line roughly parallel to the waterfront and offset subsequent concession lines at regular 1.25 mile (~2km or 1000-chain) intervals.¹⁸ To form regular blocks of land, surveyors ran concession lines perpendicular to waterfront edges and used a grid defined by this geometry to create the concession blocks and to subdivide the rest of the township. These roughly square-shaped townships had internal geometries, which, when arrayed along a bending waterfront, produced a rotated relationship and residual triangular areas in between the autonomous rectangular shapes, slices known as "gores."¹⁹ If a township was established by a river or lake, towns were located by that body of water. With inland townships, the town was more centralized. Many of the first townships to be settled were located along the Northern coastlines of Lake Erie and Lake Ontario, the edge of which served as the geographic basis for the subdivision of each township.²⁰

Adding further to the geometric differences in Upper Canada's property grid pattern were variations to the method of surveying: the single-front, front-and-rear, double-front, and 2400-acre section system.²¹ While most concessions are roughly square, a product of the single-front system, there are also many which are longer rectangles, a result of the front-and-rear system. This variation in methods of land subdivision accounts for the

formal variety in concession block shapes across the region, still visible today. These variations, along with the skewed geometric order, illustrates the ways in which the original land survey system was far from an abstract system, and was rather responsive to both geographic and political features. This localized spatial variety, we suggest, obscured land ownership patterns that deviated from its intended occupation.

Paralleling the geometric irregularities to an otherwise regular grid, the ideal of a more democratic, or at least even, distribution of property was overridden by a series of institutional systems and speculative behaviours that resulted in an uneven accumulation of land during the province's early settlement. Economic motivations for amassing property thus quickly emerged, and land—as a commodity—was soon used as a medium of negotiation and exchange.

By 1825, Lillian Gates estimates in her book *Land Policies of Upper Canada*, that sixty-two percent of the province, or five million acres of land, was held by speculators.²²

In Upper Canada, there were different processes that led to the concentration of land ownership for the purposes of speculation. As Randy Widdis addresses in his essay "Motivation and Scale: A Method of Identifying Land Speculators in Upper Canada," at an institutional level the initial subdivision of land was allocated disproportionately.²³ Twenty-eight percent of parceled land was held by the Crown or reserved for the clergy. These holdings were to be distributed throughout the territory in a chequered pattern, which distributed centrally held property among privately granted lands. Military service members were granted more land than non-service members. What's more, the decision of the Crown not to tax profits from resource extraction led to depleted public coffers necessitating alternative means to pay for the free granting of land to settlers. For example, unable to pay for public agents to survey land, the process was contracted to private entities

and paid for with land in lieu of cash.²⁴ This led to distortions in the property markets, not the least of which being the surveyors' own accumulation of property. Private entities were able to gain control of large amounts of land because the Crown was receptive to "block settlements" that were sponsored by companies or families, often as large as an entire township. Entrepreneurs such as Thomas Talbot and William Dickenson are noted for gathering immigrants as prospective land grantees to initiate the survey of a township. By 1824, Lord Talbot, for example, has been noted to have initiated over 28 townships with a population of over 50,000 people.²⁵ After 1825, the Crown's decision to sell land to pay for the financial crisis accelerated the process that concentrated land in the hands of a few, undermining the Crown's intention to produce a more evenly distributed ownership and settlement pattern.

Grid 2: Toronto's Early Grids and Subdivisions

After the initial survey of the concession grid, the further development of smaller grids was left to each township under the supervision of the Royal surveyors. As aforementioned, by the 1850s, rather than through local comprehensive plans, the foundation and expansion of new settlements relied more on private developers than on the Crown's plans. In 1788, as the new capital of Upper Canada, "Toronto," was in need of a detailed plan. The first plan for the new settlement by Gotheer Mann of the Royal Engineers²⁶ was a one-square-mile township, divided into an eleven-by-eleven one-acre-lot grid, surrounded by town lots and farm lots.²⁷ A large area labelled as "commons"—owned by the Crown but unenclosed and accessible to the settlers—was placed between the eleven-by-eleven square grid and the town lots. Along the southside, the water border was subdivided in two parts: an area reserved for military purposes and an area dedicated to the harbour.

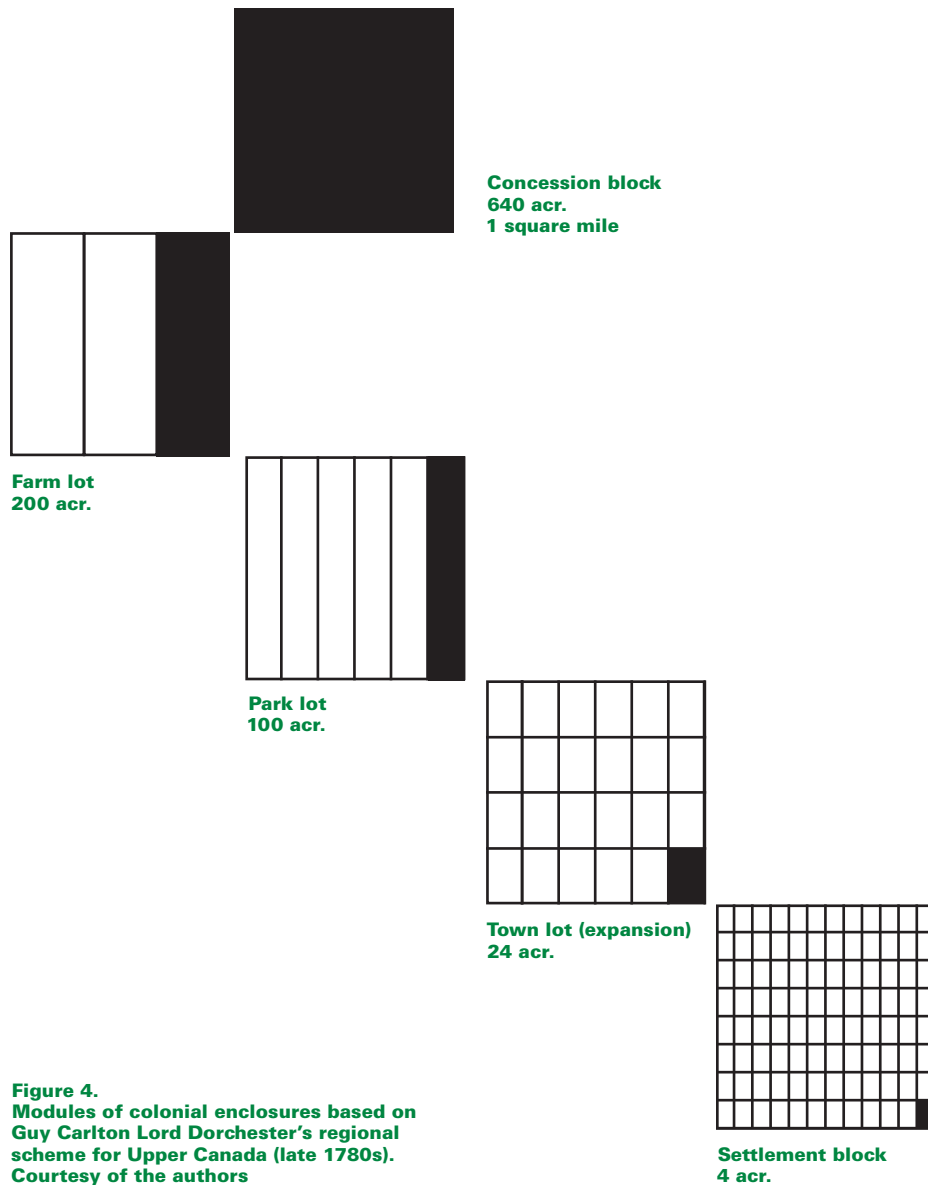


Figure 4.
Modules of colonial enclosures based on
Guy Carlton Lord Dorchester's regional
scheme for Upper Canada (late 1780s).
Courtesy of the authors

The town layout was based on the waterfront model for new towns in Upper Canada drafted by Lord Guy Carlton Dorchester one year before, which followed the design principles of colonial urbanism in the Americas. The grid plan for the new capital of Upper Canada with a central square surrounded by a church and governmental offices—further subdivided into four districts, each one structured around a central square—is reminiscent of the township scheme for the new colonial settlements in New Spain (1573) used by English colonists for cities on the Atlantic coast such as New Haven (1639), Philadelphia (1683), and Charlestown (1742), and later implemented at a much larger scale by Thomas Jefferson (1785).

The 1788 grid plan was dismissed by the new Lieutenant John Graves Simcoe, who considered

the plan too ambitious for the new town of York, which he envisioned as a as a military port. The new settlement in Alexander Aitken's map, surveyed in 1793—six years after the “land purchase” of the “Carrying Place” from the Mississaugas—depicted a much smaller settlement made of ten blocks or two rows of five squares two hundred feet long on each side, running parallel to the lake. On the north side, the townscape extended up to Lot Street (Queen Street today), an existent road already used by French explorers, which also represented the beginning of the first concession block spanning from Lot Street to Bloor Street. Simcoe's new plan was much more pragmatic and without a fixed form it remained open and potentially endless. Compared to the older, fortified colonial cities of

Detroit, Montreal, and Halifax, the new colonial settlement of York was founded on “legally” purchased land and did not need city walls to protect its citizens. As a consequence of the lack of town walls, the distinction between urban lots and farm lots became irrelevant. Unlike the plan by L'Enfant for the new American capital Washington D.C. (1791), which prioritized a public network of diagonal visual axes and focal urban points over a rational subdivision of land, the new plan of York was fundamentally utilitarian in its spirit, more concerned with efficiency than urban embellishment and monumentality.²⁸

Compared to Kingston or Montreal, the new town of York did not look very appealing to the notable Loyalists. As an incentive, Simcoe subdivided the first concession, north of Lot Street and south of Bloor, into thirty-two one-hundred-acre park lots, and decided to donate them to important members of the Loyalist community. The idea was successful, and by 1805 all thirty-two lots were given to notable Loyalists who moved to the new town.²⁹ Simcoe managed the process of land granting through the institution of the Land Board, which he used to filter prominent newcomers to the town of York and avoid land speculators and non-residents.³⁰

Between 1797 and 1837, when York was the capital of Upper Canada, the city went through four enlargement plans for the portion south of Lot Street still surveyed by the Royal engineers. When Simcoe left, the new President of the Council, Peter Russell, pushed to extend the east-west continuity of the original ten-block grid. The 1797 and 1799 surveys were arranged around two new civic areas: one around a new market flanked by large lots for public facilities anchoring the original grid to the first enlargement, and a second one around Simcoe place and Russell Square. These two civic spaces were located on top of creeks where the land was difficult to subdivide.

The 1812 war with the U.S. had an impact on York's enlargement plans. In the following years,

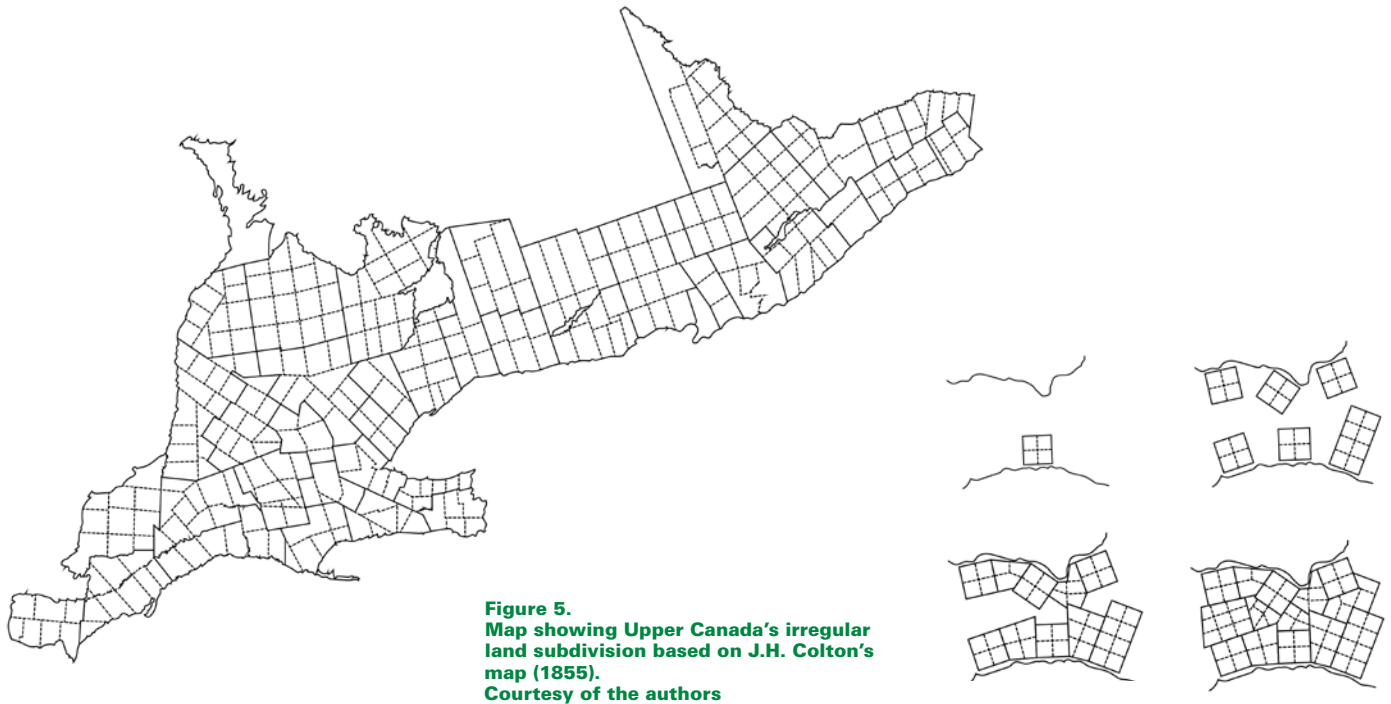


Figure 5.
Map showing Upper Canada's irregular
land subdivision based on J.H. Colton's
map (1855).
Courtesy of the authors

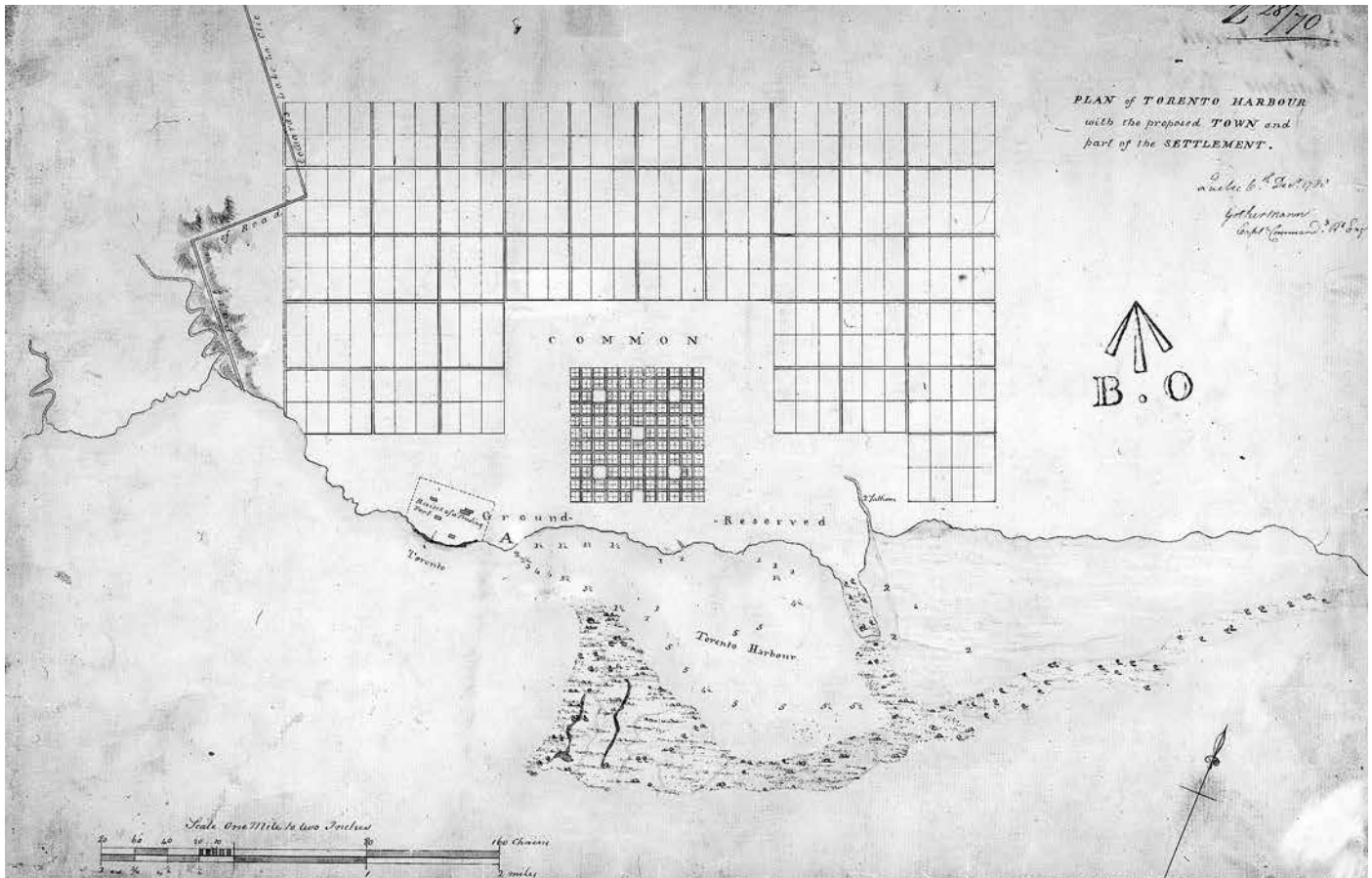
the civic areas did not get built, but some of the blocks were partially laid out. Despite modest population growth, the Crown completed the survey for two enlargements, east of the original ten blocks. Because of York's role as the capital and the relative pressure for housing for the new bureaucracy, between 1833 and 1837 the new Lieutenant-Governor Sir John Colborne prepared a proposal for a third western expansion, on the recently dismissed military land around Garrison Creek.³¹ The first plan offered by the deputy surveyor H.J. Castle proposed breaking the monotony of the grid through a radial layout with a civic core disconnected from the original east-west grid, but this plan was never implemented.³²

The second proposal for the area had a finer grain, arranged around four squares of different sizes with two public promenades—Wellington Place, and the boardwalk along the lakeshore—planned to attract sophisticated newcomers. The new pattern resembles the layout of the Renaissance residential squares in London from which they borrowed the idea of using open space to increase the real estate value of the surrounding lots. The scheme appears to be more clearly driven by profit³³ than the earlier enlargement plans. The final survey includes a detailed subdivision showing a large number of parcels

of smaller sizes than the original plan. Unlike the one-acre parcels of the first enlargement plan, the size of the base-parcel was reduced to a half-acre. To maximize the amount of valuable lots on major streets, two of the four squares were located along secondary streets—and one of them integrated with the existing burial ground—which was not unusual. Their location off arterial roads shows strong similarities with the plan for Savannah, surveyed by James Edward Oglethorpe in 1733, another important British colony on the East Coast. However, as mentioned, more than the regular and repetitive civic scheme of Savannah, the scattered location of the four squares recalls the irregular arrangement of squares that the subdivision of large estates was producing in London around the same time.

As a result of the donation of the park lots and the city enlargement plans, all Crown land in the township of York was donated or sold to individuals by the end of the 1830s.³⁴ After the enlargement plans, the process of urbanization started to affect the 100-acre park lots, whose geometry functioned as the base layout for the forthcoming subdivisions. Without public land, the new developments were affected by private land availability and individual private enterprise. In the wake of very fast population growth—from 720 residents in the late 1790s, to

more than 30,000 residents by the mid-1850s—private land-owners began to sell to other members of the local aristocracy and private developers, or to subdivide portions of their park lots on their own or through private companies. A process of land speculation quickly gained momentum, interrupted only by the 1857 economic crisis. The city experienced a boom of residential subdivisions both in the core as well as on its fringes. After the 1836 subdivision of the McGill Estate just east of Yonge Street and north of Lot Street, the development of the Denison's family estate was the first well-documented large private subdivision in the very central park lots 17 and 18, between Bathurst St. and Spadina Av. The estate's north-south oriented blocks were subdivided into small parcels to accommodate single-family houses with a service alley at the back of the lot. To facilitate access to home ownership, maximize the number of parcels, and accelerate their sale, the new lots were reduced from the standard width of fifty feet to only thirty. Compared to the previous survey on the McGill estate just north of Lot Street and the other ones in the old town, completed under the supervision of the city, the Denison estate surveyed and subdivided by a private developer did not include any public space or civic buildings besides streets and roads.



Another example from the mid-1850s is the subdivision of Rosedale Park, a portion of a 200-acre farm lot just north of Bloor, sold by the 1837 rebellion “hero” William Jarvis. To appeal to wealthy residents, lots were much larger than those south of Bloor. The road pattern was disconnected from the city grid and designed irregularly to increase the privacy of the neighbourhood and maximize ravine

frontage. However, similar to the private subdivision of the Denison estate, the picturesque enclave of Rosedale did not include civic space.

In 1867, the new Dominion of Canada brought more political and fiscal autonomy to local governments. The Toronto land market became even more open, allowing opportunities for small developers with smaller subdivisions, and in the 1870s the growing activity of

Figure 6. First scheme for “Toronto” by Gother Mann, Captain of the Royal Engineers (1788). Courtesy of the University of Toronto Library

the industrial harbour triggered the need for more housing. To meet the needs of the burgeoning working class the base lot was reduced to its narrowest width of twenty feet. The new streetcar routes opened in 1861, facilitating further sprawl; many of the new developments grew by the railway, where land was cheaper. Pushed by the increasing number of subdivisions in Toronto, suburban villages adjacent to Toronto’s municipal borders—such as Yorkville to the north (1877) and Parkdale to the west (1879)—began their process of subdivision too.

The process of subdivision, and later of re-subdivision, moved so fast that large-scale planning was impossible. Rather than showing any plan of the future city, the survey maps produced by Royal military engineers (and later by commercial firms) for the Crown Land Office were cadastral maps,

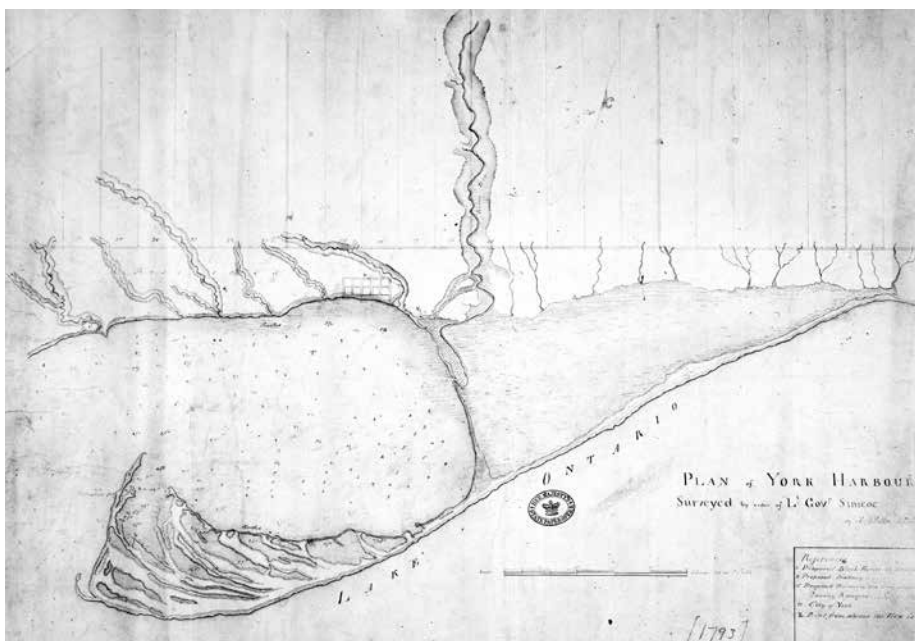
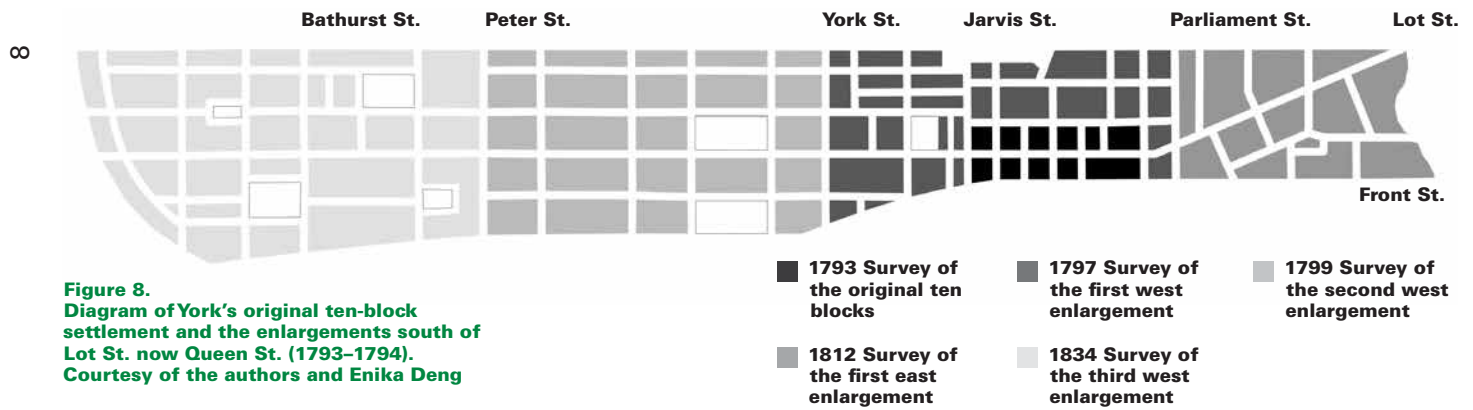


Figure 7 Alexander Aitken’s survey of the town York with the original ten blocks laid out (1793). Courtesy of The National Archives of the UK



recording the property boundaries in support of the rapidly growing real estate market.

A comparison between the map of Toronto with one of Havana—one of the largest cities of New Spain—from the mid-1850s, or even with Manhattan after the 1811 Commissioners Plan, shows how the capital of Upper Canada was quite unusual in growing without an overarching urban grid, or a long-term plan. As a result, urban growth became scattered and inconsistent over time. It did not entertain a vision beyond the urbanization of the rural concession grid, subdividing land solely for economic reasons; indeed, until the first fire insurance plan in 1880, the city developed free from the constraints of regulatory frameworks.

With little public space and commercial areas pushed onto major arterial roads, the new residential neighbourhoods embodied both the lack of a civic plan and the split between residential and work areas imposed by the capitalistic modes of production and reproduction. The process of private subdivisions, comprised of households on small residential lots, produced a relatively homogenous low-rise urban landscape—deliberately so until 1909, when Toronto's first apartment building was built.

Grid 3: Land Assembly and Planning

Despite earlier ambitions to reform the city during the first two decades of the 1900s, Toronto had to wait until the end of the Second World War, a period of rapid urbanization, for a comprehensive plan.

This phenomenon was relatively common in North America. Many cities in the United States, for example, initiated large infrastructure building programs that facilitated expansive suburban growth. Toronto's urban expansion is unique for the regional planning system that coordinated development, and for the fact that this process was structured by the underlying concession grid still evident in the region's form today.³⁵

In 1946, the province passed the Ontario Planning Act, which established an institutional framework enabling comprehensive planning and development at the scale of the urban region. In 1954, they established the Municipality of Metropolitan Toronto (Metro), an "upper tier" regional entity that coordinated development between multiple "lower tier" municipalities, including the City of Toronto and adjacent municipalities. This institution planned and financed major infrastructure projects—such as sewer, transit, and water systems—and established a regulatory framework that controlled that nature and location of new development.

The Ontario Planning Act required that all of its municipalities develop official, coordinated, and consistent plans to establish land use, infrastructure, and subdivision areas. These plan areas were typically defined within the original concession block grid system and provided a framework within which regional planning and development took place. These plan areas provided boundaries for municipally developed community block plans, or secondary plans, which established road networks, open spaces,

density, and land-use guidelines. This process brought together all landowners within a designated study area, negotiating their varied interests and contributions to schools and other public facilities.³⁶

The role of the concession grid in Toronto's block planning process is distinct from the performance of the Public Land Survey grid in many cities across the U.S. There, different landowners built autonomous developments within the land subdivision grid. In Toronto, the concession grid can be seen to provide a framework that enables the co-existence of distinct, adjacent developments, facilitating difference and producing heterogeneity. By coordinating roads and public space infrastructures among many different landowners—who, in some cases owned property in adjacent concession blocks—Toronto's block planning process produces a degree of contiguity and consistency across the grid lines of the concession survey.³⁷ The grid is not so much a system of free-market enterprise that enables individuals to build what and where they want, but more of a mechanism through which central authority structured and coordinated different landowners and building projects.

Paralleling the planning of the region, the city of Toronto promoted a new form of land assembly in the downtown area. Within the fine-grained properties that had characterized the late 1800s' subdivisions, city planners assembled properties in so-called "blighted" neighbourhoods and planned large-scale public housing projects, such as Regent Park (1949), Moss Park (1962), Alexandra Park (1964), and Trefann Court (1966),

through a process known as “urban renewal.” They consolidated properties through expropriation, displaced residents, and cleared away buildings to develop park-like open spaces on which towers with unusually high density were built. Re-zoned as a super-block in the early 1950s, St. Jamestown, located at the northeastern corner of the downtown area, was the largest example of the late phase of urban renewal when the city handed the planning and development process over to private developers. Bent to suit an economic agenda, urban renewal revealed its intensely speculative side.

In the early 1970s, under the mayorship of David Crombie and generally unhappy with the outcomes of the urban renewal, the municipal government started to adopt policies to densify the downtown without disrupting the morphology of original colonial grid. In the new political context, the Canadian architect George Baird published a trilogy of studies on Toronto—*On Building Downtown* (1974), *Built-Form Analysis* (1975), and *Vacant Lottery* (1978)³⁸—in which he presented the

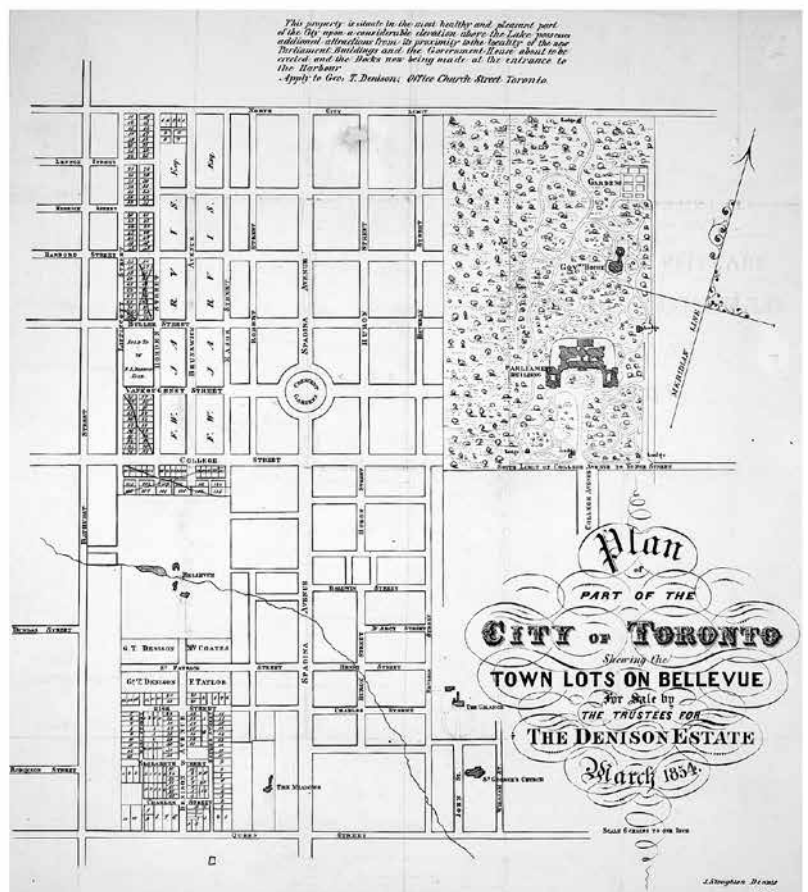
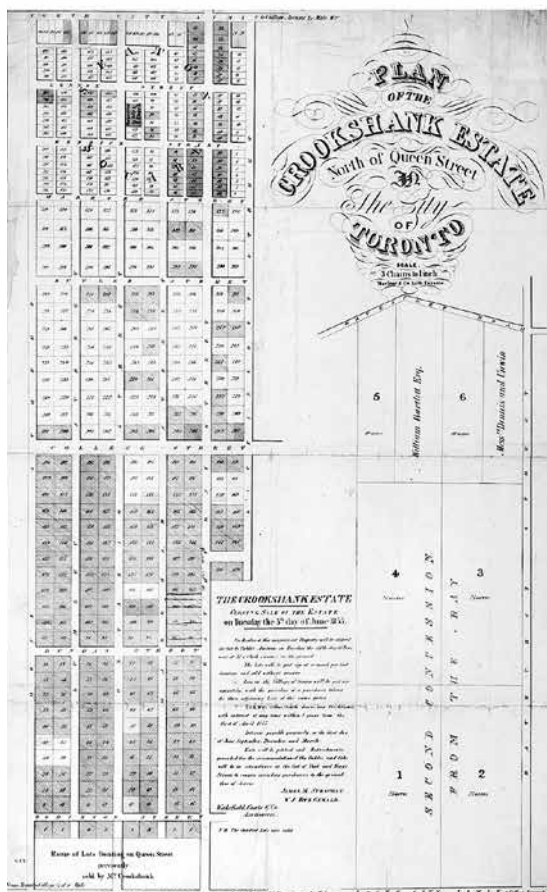
formal logic informing the evolution of Toronto’s colonial grids and the architecture they produced, and criticized the lack of contextual sensibility of the 1960s developments informed by the tower-in-the-park model (see Baird’s interview in this volume for images from these texts). In Baird’s analysis, the urban grids as developed over the original park lots were characterized by a “smart” code, both soft and rigid at the same time.³⁹ The short width of the blocks generated a dense road network which made the residential neighbourhoods quite walkable and connected to the main arterial roads. The residential streets as public spaces were enhanced by the sequence of visually connected front yards and typical building elements such as porches. The repetition of the same small parcels created a homogenous pattern that was easy to substitute incrementally, as occurred with the early 1900s’ apartment buildings. And last but not least, the small parcels facilitated home ownership, granting newcomers rights to the city.⁴⁰ By looking at the evolution of Toronto’s colonial urban grid, Baird theorized how the lot

with its dimensionality worked as an efficient mediator between the morphology of the grid and the evolution of a local architectural typology. A certain openness in its code, shaped more by physical conditions of adjacency than rigid by-laws, left a certain degree of architectural freedom to both the community and landowners.⁴¹

Towards a New Urban Commons

To summarize the main arguments of this brief account on land ownership and imperial and colonial urbanism, after many centuries of feudal land tenure and organization, the cultural revolution of private property with its rights to exclude, to use, and to dispose, slowly turned land into an abstract commodity. In the new Canadian colonies more than in the American

Figure 9. Survey and subdivision maps of the Crookshank and Denison estates (1855, 1854) east and west of Bathurst St. respectively. The different parcel sizes show how landowners acting as developers affected the urban fabric's social pattern. Courtesy of Toronto Public Library



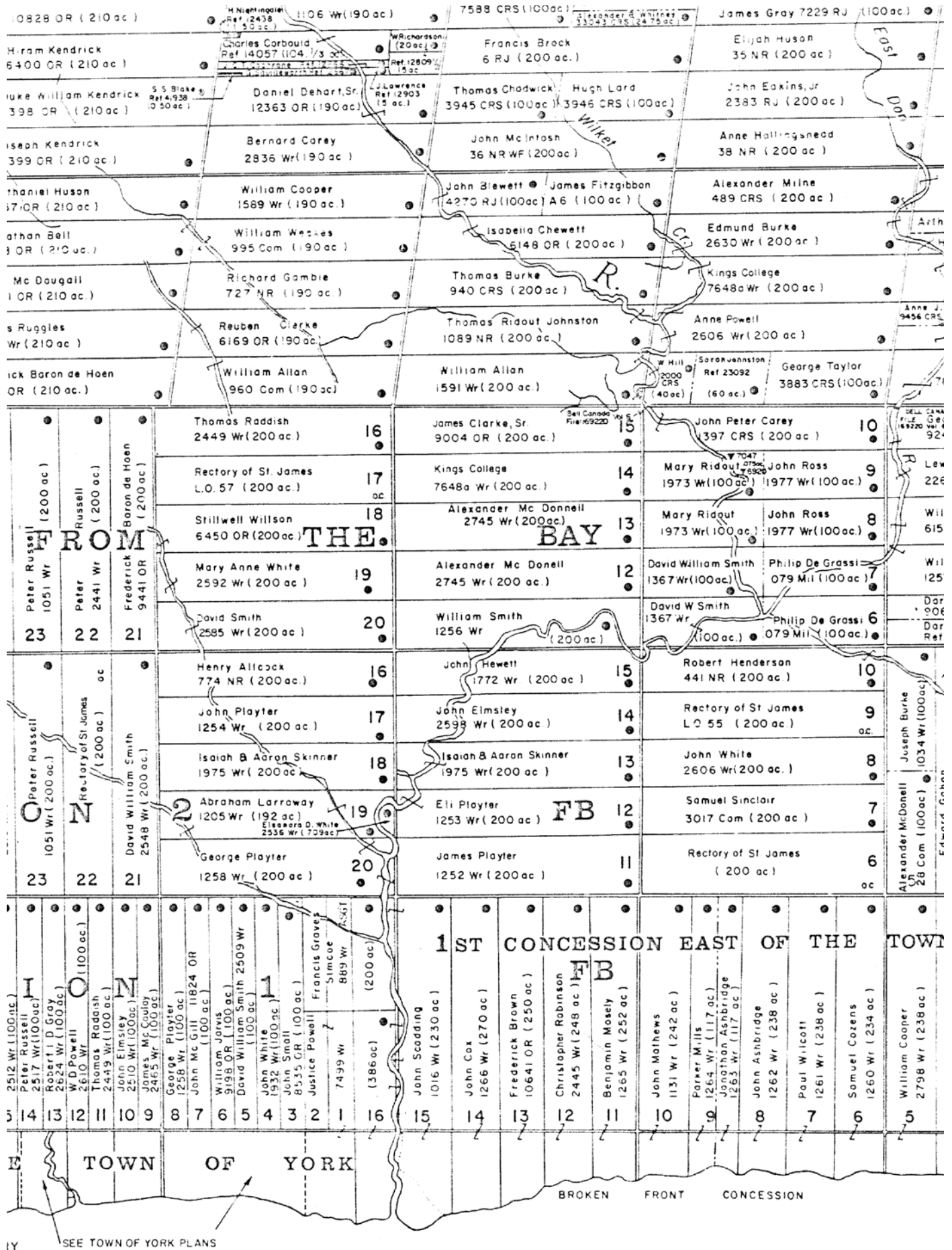


Figure 10
Detail of the map of the disposition of
Crown Land in the Township of York
1793–1976. Source: Ontario Ministry of
Natural Resources

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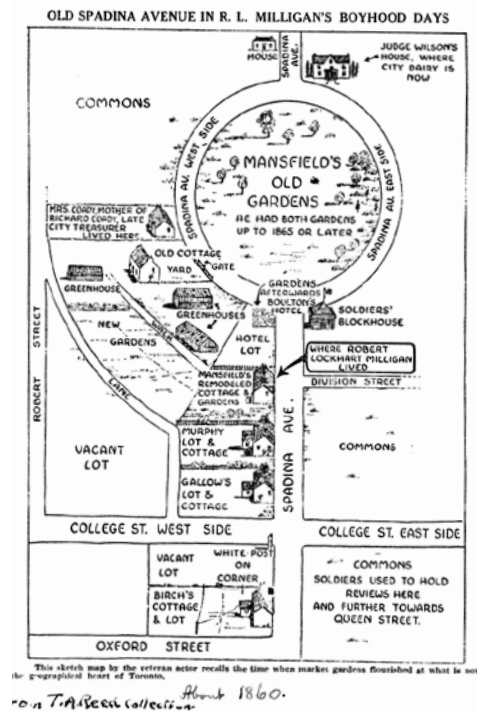


Figure 11. Private property and communal access around Spadina Crescent. In some cases, before selling the surveyed parcels, the landlord and the city designated them as commons, keeping their access open (1860). Maps courtesy of Toronto Public Library.

of how the colonial grid, both at the scale of the region and the city, resurfaced in the 1950s as a framework for regional governance, helping to frame large speculative developments into a more integrated system.

In the early 1980s, Baird outlined five points for a new architecture for Toronto, warning about the risks of a “cultural amnesia” and highlighting the importance of a critical continuity rooted in an historical awareness of Toronto’s built-form stratification.⁴³ The goal of this paper is to help fill that knowledge gap, to expose this still overlooked history. After the 2010 land settlement with the Mississaugas of the New Credit, and in light of the increasing awareness of Toronto’s Indigenous history, our hope is that Toronto’s postcolonial urban grid will be more open to include urban forms inspired by the First Nations’ communal and ecological land organization that the colonial grid dispossessed and enclosed over two centuries ago.

ones, the British Empire mobilized the right to private property as a vehicle to perform a “legal” dispossession and enclosure of Indigenous land, legitimize claims on new territory, and later implement land ownership to pursue a new financial imperialism through land taxes and mortgages rather than through physical occupation.⁴² Once alienated from Indigenous communities, the Royal surveyors gridded land according to dimensions dictated by the ideology of a rural aristocratic vision; a project that fell apart very quickly. After the American Revolution, concerned with reducing the high costs of governing the new colonies, and in the wake of an increasing anti-imperialist attitude in England, the British Empire dismissed the colonial project of a landed aristocracy and left the development of the smaller grids to local urban enterprise, quickly taken over by a rising class of land speculators. Ontario’s regional and urban patchwork is the direct outcome of this incremental process of land dispossession and urbanization, that appears in the transition from large farm lots based on an aristocratic type of land organization to the relatively small urban lots of the speculative real estate market.

However, when compared to the historical development of the original survey grid in American cities, Toronto represents an example

Endnotes

- 1 On the relationship between grids and landed property, see Pier Vittorio Aureli, “Appropriation, Subdivision, Abstraction: A Political History of the Urban Grid,” *Log 44* (2018): 139–167.
- 2 See Ellen M. Wood, “The Empire of Property,” in *Empire of Capital* (London, New York: Verso, 2003), 26–43.
- 3 Canadian historian Allan Greer’s recent book *Property and Dispossession: Natives, Empires and Land in Early Modern North America* (Cambridge: Cambridge University Press, 2018), provides a rich bibliography on the different practices of Indigenous land dispossession in New England, New France, and New Spain, a complex process that he defined as “property formation.”
- 4 Greer, “Introduction: Property and Colonization,” in *Ibid.*, 1–23.
- 5 On the evolution of the commons and the role of property in the formation of the empire in North America, see Greer, “The Colonial Commons,” in *Ibid.*, 241–254; and Wood, “Empire as Property,” in *Empire of Capital*, 91–101.
- 6 The territory of Upper Canada includes lands from the western tip of Lake Erie, running east along the Northern edge of Lake Erie, Lake Ontario, and the St. Lawrence River. It was first surveyed and subdivided at a coarse scale running lines north-south into four districts. Maps from the early 1790s show a further subdivision of these districts into nineteen counties that run along the Northern edge of these waterfronts.
- 7 John Locke, “Of Property,” in *Treatise of Civil Government* (New York, London: D. Appleton-Century Company, 1937), 24. See also Greer, “The Colonial Commons,” in *Property and Dispossession*, 243–247.
- 8 Locke, “Of Property,” 24. On the concept of unused land as an ideological principle for the British colonization of North America, see also Wood, “Empire as Property,” in *Empire of Land*, 94–101.
- 9 Greer, “The Colonial Commons,” in *Property and Dispossession*, 246.
- 10 On Indigenous life and land organization before and after the first colonial settlements in North America, see William Cronon, “Bounding the Land,” in *Changes in the Land* (New York: Hill and Wang, 1983), 54–81.
- 11 The French presence in what later became Upper Canada goes back to the early seventeenth century, when the shores of Lake Ontario were occupied on the northern side by the Hurons, Neutrals, and Tobaccos, and the League of the Iroquois on the southern side. After almost a century of conflict for the control over the fur trade routes to the North, the Mississauga tribe took control over the northside of the Lake Ontario. R. Louis Gentilcore and C. Grant Head, “Native Surrenders,” in *Ontario’s History in Maps* (Toronto: University of Toronto, 1984), 76. See also “The Evolution of the District and County System 1788–1899,” <http://www.archives.gov.on.ca/en/maps/textdocs/ontario-districts-maps.aspx>.
- 12 Indian Claims Commission, “Surrender of the ‘Carrying Place’ and ‘Toronto Purchase,’ 1787,” in *Mississaugas of the New Credit First Nation Inquiry Toronto Purchase Claim* (Ottawa, 2003), 242–251.
- 13 See Peter J. Cain, and Anthony G. Hopkins, “Gentlemanly Capitalism and British Expansion Overseas I. The Old Colonial System, 1688–1850” in *Economic History Review* 39 no. 4 (1986): 501–525.
- 14 Wood, “Empire of Property,” in *Empire of Capital*, 96–101.
- 15 David M. L. Farr, “The British Empire and the Confederation of Canada,” in *The Colonial Office and Canada 1867–1887* (Toronto: University of Toronto Press, 1957), 3–6.
- 16 The capital’s name was changed from York to Toronto in 1834.

17 George C. Patterson, *Land Settlement in Upper Canada, Sixteenth Report of the Department of Archives for the Province of Ontario* (Toronto: Clarkson W. James, King's Printer, 1921); Randy William Widdis, "Speculation and the Surveyor: An Analysis of the Role Played by Surveyors in the Settlement of Upper Canada," *Social History* 15, no. 30 (November 1982): 443–58; Leo Johnson, "Land Policy, Population Growth and Social Structure in the Home District, 1793–1851," *Ontario History* 63, no. 1 (1971): 41–60; John Clarke, *Land, Power, and Economics on the Frontier of Upper Canada* (Montreal: McGill-Queen's University Press, 2001).

18 One chain is sixty-six feet; this was the standard tool and measure of early surveys in Upper Canada.

19 The term "gore" was originally used by tailors or dressmakers to describe the triangular piece of fabric that is inserted into a seam between two separate pieces of fabric. Today, there is a triangular pattern of concessions that resolves the geometries of Toronto grid and that of its western neighbour city, Mississauga.

20 Eighteen townships included a town which made up only three percent of the overall area, or ~640 of 20,000 acres. The rest of the township was to be farmland, subdivided blocks of land with 1,000 acres each. Concessions were subdivided into five parcels at 200 acres each and intended for individual settler families.

21 See Thomas Griffith Taylor, "Towns and Townships in Southern Ontario," *Economic Geography* 21, no. 2 (April 1945): 88–96.

22 Lillian Gates, *Land Policies of Upper Canada* (Toronto: University of Toronto Press, 1968), 214.

23 Randy Widdis, "Motivation and Scale: A Method of Identifying Land Speculators in Upper Canada," *The Canadian Geographer* 23, no. 4 (1979): 337–51.

24 Widdis, "Speculation and the Surveyor," 43.

25 Taylor, "Towns and Townships in Southern Ontario," 92.

26 Louis Gentilcore and Grant Head, "Internal Plans" in *Ontario's History in Maps* (Toronto: University of Toronto, 1984), 213–248.

27 See John van Nostrand, "Rural Ontario. The Settlement of Ontario Pickering's Township, 1789–1975," *City Magazine* (1975): 11–29.

28 The one-acre square block became the reference for other urban grids surveyed by the British Empire in the new colonies, such as the one for Melbourne in the 1830s.

29 For an updated map of the original thirty-two park lots, their history, and their owners, see the interactive map in <http://parklotproject.com/#>. More on the history of each park lot can be found <https://torontofamilyhistory.org/simcoesgentry>.

30 "The York Report," Ontario Genealogical Society, <https://torontofamilyhistory.org/simcoesgentry/introduction/york-report>.

31 The dismissal of the garrison was the first evidence of the forthcoming strategy put in place by the English Parliament to cut down military expenses in the colonies.

32 For more details on the radial city layout in Upper Canada and the 1833 Castle's sketch plan, see Gentilcore and Head, "Urban Places," 253.

33 For our purposes, land speculation here refers to the process of purchasing land, not investing in its improvement, while waiting for neighbours to improve surrounding properties, which should result in increased value of the speculator's land.

34 "Land Records," Ontario Genealogical Society, <https://torontofamilyhistory.org/researching-toronto-ancestors/land-records>.

35 See John van Nostrand, "Rural Ontario."

36 In their study of Scarborough, then a separate municipality to the East of Toronto, Andre Sorensen and Paul Hess show an official plan of the city that is broken down into separate block plans, the extent of which correspond to the underlying concession grid. See Andre Sorensen and Paul Hess, "Building Suburbs, Toronto-style: Land Development Regimes, Institutions, Critical Junctures and Path Dependence," *The Town Planning Review* 86, no. 4 (May 2015): 411–437.

37 *Ibid.*, 431.

38 George Baird, Roger du Toit, Robert Hill, Bruce Kuwabara, Alan Littlewood, Donald McKay, Stephen McLaughlin, Belinda Sugarman and John van Nostrand, *On Building Downtown: Design Guidelines for the Core Area* (Toronto: City of Toronto Planning Board, 1974); Baird, Donald Clinton, Bruce Kuwabara and Barry Sampson, *Built-Form Analysis: A Working Paper on the Implications for Built-form of Land-Use Policies Relating to Housing, Mixed Uses, and Recreation Space in the Inner Core Area* (Toronto: City of Toronto Planning Board, 1975); Baird and Barton Myers, eds., "Vacant Lottery," *Design Quarterly* 108 (1978). In the same issue, "Theory: Vacant Lots in Toronto," reprinted in George Baird, *Writings on Architecture and the City* (London: Artifice Books on Architecture, 2015), 106–123.

39 *Ibid.*, 116.

40 Until 1910, rental units in Toronto were rare. The first apartment building was built only in 1909. By 1939, building permit applications numbered 485. Richard Harris, "Apartment Housing in Canadian Cities, 1900–1940," *Urban History Review* 26, no. 2 (March 1998): 17–31.

41 As Baird himself acknowledges, the *Vacant Lottery* study happened right at the moment when urban morphology and architectural typology were reaching momentum in North America. Although it was just a coincidence, it is interesting to notice that *Vacant Lottery* was published in the same year as *Collage City* by Fred Koetter and Colin Rowe, and *Delirious New York* by Rem Koolhaas. In different ways, each one of the three publications can be seen as a response to the North American urban grid as a formal and political system of land organization and subdivision. If Koetter and Rowe celebrated the connectivity of the colonial grid but dismissed its subdivision and its architecture, Koolhaas celebrated the potential singularity of the architecture of each block, dismissing the grid as an element of continuity. Baird's theory of the urban lot, both as an individual and a collective apparatus of land organization, revealed the missing piece that facilitated the democratic occupation of the North American grid—something that both Koetter and Rowe's urban morphology and Koolhaas' architectural typology overlooked. Baird more explicitly addressed the role of the urban lot in the formation of the urban grid in North America in two essays published a few years later, "Urban Americana: A Commentary on the Work of Gandelsonas," *Assemblage* 3 (July 1987): 60–62, and "Studies on Urban Morphology in North America," in *Excerpt in Morphologie urbaine et parcellaire*, ed. Pierre Merlin (Saint-Denis: Presses universitaires de Vincennes, 1988), 139–43, reprinted in *Writings on Architecture and the City*, 124–31.

42 Further evidence that points to the relevance of landed property in the evolution of the British Empire in North America is the word *dominium* in Dominion of Canada, the first title of the new Canadian confederation. The Latin word *dominium* was used to describe absolute land ownership in Roman law. See Greer, "Introduction," in *Property and Dispossession*, 13, and "Dominion of Canada," *Canadian Encyclopedia*, <https://www.thecanadianencyclopedia.ca/en/article/dominion>.

43 George Baird, "Five Points of a New Toronto Architecture," in *Building with Words: Canadian Architects on Architecture*, ed. William Bernstein and Ruth Cawker (Toronto: Coach House Press, 1981): 22–25.