THE HOUSE THAT DIVIDED THE TORONTO ISLANDS

BY KATHERINE LAIDLAW

PHOTOGRAPHY BY AARON VINCENT ELKAIM
There are 262 homes on the picturesque Toronto Islands, and the battle to get one is epic.

Inside the fight over a prime property that’s ripping the tight-knit community in two

When Peter McLaughlin became too frail to manage his home, he wanted to pass it along to his young friend Steven Whitfield. But according to the rules of the Islands, that wasn’t allowed. When the community learned they’d arranged an adult adoption, all hell broke loose.
STEVEN WHITFIELD AND PETER McLAUGHLIN’S FRIENDSHIP BEGAN AT A PARTY.

It was the summer of 1984, on one of those indelible nights on the Toronto Islands, the sands of its beaches cool beneath bare feet, the wind curling around its tall, creaking trees. In the cedar-sided cottage two houses from the water’s edge, voices and laughter rang through the windows. Smoke hung low in the air. A collection of artists, intellectuals and wayward strays gathered. Whitfield was relatively new to the Islands. He was new to a lot of things: marriage, carpentry, adulthood. He was just 25. McLaughlin, a 56-year-old man with a thick English accent and ruddy cheeks, was an eccentric in a community of eccentrics, an English instructor at Ryerson who lived a quiet life alone on the Islands, cycling its paths, serenading his neighbours as he went. The pair struck up a conversation. Despite a 31-year age difference, they bonded quickly. McLaughlin, it turned out, was the party’s host. He invited Whitfield to come back sometime, and the young man did, often. They would listen to classical music together, and McLaughlin would loan Whitfield novels he thought he would like. They talked late into the night about politics and philosophy, neither of which Whitfield had cared much about before. Whitfield felt like his world was opening up, unfolding in ways it hadn’t before. In McLaughlin, he felt a flicker of a presence he’d long forgotten: a father. McLaughlin, who had no children of his own, began to see Whitfield as a son.

When the younger man’s marriage ended, he leaned on McLaughlin for emotional support. Their relationship grew deeper, stronger. McLaughlin watched as Whitfield found his bearings again and struck up a relationship with a woman named Julie Ganton, who had three sons from a previous relationship and owned a home on Ward’s Island, a 10-minute walk away. Whitfield had found a true home on the island, and two houses where he felt he belonged: the one he shared with Julie, and McLaughlin’s house, where he felt equally comfortable. It was the kind of community most people dream about, one you’d find on a kibbutz or in a small town, but rarely so close to a major city. McLaughlin’s house, where he felt he belonged: the one he shared with Julie, and Whitfield had found a true home on the island, and two houses where he felt he belonged: the one he shared with Julie, and McLaughlin’s house, where he felt equally comfortable. It was the kind of community most people dream about, one you’d find on a kibbutz or in a small town, but rarely so close to a major city. McLaughlin’s house, where he felt he belonged: the one he shared with Julie, and Whitfield had found a true home on the island, and two houses where he felt he belonged: the one he shared with Julie, and McLaughlin’s house, where he felt equally comfortable. It was the kind of community most people dream about, one you’d find on a kibbutz or in a small town, but rarely so close to a major city.

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Because there are no bidding wars, and because the appraisal assesses the value of the home but not the land itself, these homes usually sell for far less than other houses in the city. In the past five years, they’ve gone for as little as $80,000. The most anyone has paid was $854,000, for one of the grander homes. To many house hunters, it’s the greatest jackpot imaginable—a detached home on a picturesque island minutes from downtown in one of the hottest real estate markets in the world.

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Then, in February of 2020, the chair of the trust, Lorraine Fillyer, received a copy of a construction notice for McLaughlin’s home. Under “applicant” was McLaughlin’s name, but also Whitfield’s, which meant he would have been listed on the house’s title. It appeared to be a blatant violation of the terms of the act, since Whitfield wasn’t a spouse or child or a co-owner of the home. She called Whitfield and asked him how he’d become an owner. Whitfield explained that McLaughlin had legally adopted him, which made him the rightful inheritor of the cottage. At the time, McLaughlin was 91 years old and Whitfield 60. “Peter wanted me to have the house,” he told her. Fillyer’s response, as Whitfield remembers it, captured what would soon become a widespread sentiment on the Islands: “You’ve got to be fucking kidding me.”

A decades-old Toronto Islands guidebook describes the kinds of people attracted to life across the lake: “The melancholy soul who pines for solitude, or the poet whose fervour radiates from him with such intensity as to scorched the vegetation, the student who wants a quiet nook free from distraction will go to Ward’s and lounge on the breakwater, and commune with the wild waves.” When I moved to the Islands, in September 2015, I was a little bit of all three. I rented an apartment on the second floor of a cottage on Algonquin Island, just a few streets over from McLaughlin’s house. My days were filled with a kind of wild I’d given up seeking in the city. I clambered over the rocky spit that stuck out from Ward’s like a tongue. I lay...
For 30 years, McLaughlin and Whitfield shared family birthdays, game nights and trips. They worked together on McLaughlin’s Algonquin Island home, repairing and upgrading it over the years. Whitfield claims that by the time they were done, McLaughlin said he wanted him to have the house, calling it Whitfield’s “life’s work.”
on Hanlan’s sandy beaches with friends. I wandered behind the Algonquin Island Association clubhouse to find a polished wooden bench tucked amid the whispering grasses. I spent hours reading there on autumn afternoons, unless I heard the coyotes were out. I swapped books at the bridge boutique, a stand where neighbours left gently used clothing and well-loved novels for the taking. As winter set in, the sun hung low in the sky, burning orange, like nature taking a long drag off a cigarette. On crisp mornings, a band of Islanders built of heartier stock ventured out onto the ice for an infinite game of shinny no one ever seemed to win or lose. I measured time by the veins of ice forming in the lagoons like spokes on the wheel of a bicycle, counting them as I crossed the bridge to Algonquin, to my little home, a nature lover’s Narnian dream.

Still, there were nights I would have given almost anything to burn my tongue on a slice of steaming delivery pizza, or spill out of a sweaty bar at some ungodly hour, or hail a cab to trundle my weary bones to my doorstep. A friend once told me that living an unorthodox life was well worth the inconvenience that accompanied it, he was certain, and I repeated this to myself on nights when I’d only just made it to the last ferry home and sat breathless, exertion blooming in red splotches on my face, the waves of Lake Ontario rising like daggers in the dark.

After a few months on Algonquin, I grew accustomed to its rhythms. My forearms no longer ached when I draped them with twice the number of grocery bags they could manage. I knew the exact minute I had to leave my apartment, warmed by its wood stove, to make it to the ferry for my morning commute to the office. I knew that if I started to run, a maintenance worker might slow his truck, make room for one more person in the cab, and drive me the three minutes so I’d make it there on time. Every year, just before Christmas, Islanders filed in to St. Andrew by-the-Lake Church for the annual wassail. It was my landlady’s favourite Islands holiday tradition and, though she occasionally chided me for sleeping in or working too late, I was grateful for our warm rapport. We walked into the chapel, rosy-cheeked, and watched the Islands children, dressed as rag-tag mummers, beam each other with foam swords and run away shrieking, feigning death. We held cups of mulled wine, packed shoulder to shoulder in the church. It was still standing, after more than 130 years. Generation after generation of Islanders were, too. The boisterous pastor announced it was time to carol, and my landlady opened her songbook, holding it between us so we could share. As our voices swelled, filling the chapel’s cavernous insides, I looked around and realized that I felt like I belonged. I immediately understood why people would fight so hard to stay.

Lorraine Filyer, an Islander for 50 years and the trust chair for 12, knew the Islands’ charms well. She had raised a son on Ward’s Island and hoped he would someday own a home there as well. Her wife and son were both on the Purchasers’ List, one of them high up.

One of her primary duties as chair was to ensure that the public had access to buying an Islands home, however long the odds. And she knew that adult adoption was a possible end run around the act. Islanders discussed it sometimes, in a far-off, could-you-imagine kind of way.

But now here it was, happening on her watch. And it wasn’t the first time Whitfield had been perceived to bend the rules in his favour. Years earlier, he had annexed a vacant lot beside his family’s home, turning the overgrown expanse into a space for summertime dinners. He denied that claim, telling neighbours it was intended for community use and that anyone was welcome, but plantings shield it from public view. “He’s very cheeky,” says one resident who’s lived on the Islands since 1970. “He and his family shamelessly took over an entire lot.”

When Filyer accused Whitfield of attempting to circumvent the rules, he denied it. He said that the adoption was merely the legal certification of a father-son relationship that had existed for more than 30 years. McLaughlin’s health was failing, and while Whitfield had power of attorney, being his legal son made discussions with doctors more straightforward. He wouldn’t have to produce papers every time he visited. He and Julie, he said, were planning to renovate McLaughlin’s home and move in with him so they could take better care of him in the final chapter of his life.

To Filyer, something about his explanation didn’t track. She believed adoption wasn’t necessary for the Whitfields to move in to the house to care for Peter—they could do that regardless. And nor was an adoption required to deliver care. The Whitfields’ home was only a 10-minute walk away. Plus, it struck her as suspicious that she hadn’t heard about the adoption given how quickly news travels in the community.
the trust’s lawyer, to put in writing that he would not attempt to lay claim to the cottage down the road? Whitfield refused.

In April 2020, the trust filed suit against Whitfield and McLaughlin. “Your clients have made it clear that they intend to try and take that which is not theirs,” the trust’s lawyer wrote. “The trust cannot permit it. The courts will not permit it.”

Officially, the Islanders were now at war with one of their own. As word spread, the community went into a frenzy. Two camps quickly formed, one ardently supporting the men, the other just as ardently opposed. One meeting, held on Zoom, devolved into a shouting match. The same people who had gathered for ukulele lessons and lay in shavasana beneath the willows could barely stand to look at each other. Propaganda promoting one viewpoint or the other began to appear in mailboxes. The trust proposed earmarking $75,000 for legal fees from the contingency fund, which sparked even more fury. The matter was ideological and financial: should the trust spend tens of thousands of dollars to sue their own neighbours? Before long, trust members were receiving mail and emails threatening their jobs and their families. One woman and her child were followed down the street by another Islander yelling at them.

“THE ISLANDS ARE A BEAUTIFUL PLACE TO LIVE, BUT THE SQUABBLES, RIVALRIES AND HATRED CAN MAKE FOR A DIFFICULT ENVIRONMENT”

Alec Farquhar has lived on the Islands since 1982. He’s taken to calling it “Del Boca Vista North” for its endless infighting.

Alec Farquhar, a resident who has lived on the Islands since 1982, told me he has taken to calling it Del Boca Vista North, a play on the toxic Florida retirement complex where Jerry Seinfeld’s onscreen parents live. “All these ridiculous community squabbles happen, and rivalries, and hatred, and animosities that last over the years,” Farquhar says. “It’s a beautiful place to live with some really great people. But it does make for a difficult environment. It’s a community closing in on itself.”

The Islands were never meant to be a battleground. In their earliest days, they weren’t even islands at all. Centuries ago, it was a sandy spit, with waving wildflowers and knotty pines, where the Mississaugas of the Credit First Nation brought community members who were sick or suffering. It was known as a sacred place of healing, of restoration. By the 1800s, European colonizers began to develop the land. After a storm severed the peninsula from the mainland, it became a summer getaway. Luxurious hotels went up, and so did a string of mansions along the southern lakeshore. An amusement park opened, with a wooden merry-go-round, burlesque performances and a bizarre exhibit where horses were made to dive into the water from a platform suspended 40 feet in the air. (They survived.) Developers added a baseball stadium, where Babe Ruth hit the first home run of his professional career. On Ward’s, a tent community went up, too, housing homesteader types seeking a simpler life. The tent community grew quickly, and soon the city swooped in to divide up the land and issue regulations. (No paint colours other than green; no radio after 10 p.m.) Between Hanlan’s Point, mansion’s row and the tenters on Ward’s, by the 1920s, 8,000 people lived on the Islands each summer. About 100 tenters stayed through the winter, too.

Those tenters wanted to make the arrangement permanent. For years, they’d asked the city for permission to build houses, and the government had always refused. Various plans and efforts circulated over the following decades, and each time, the inhabitants remained, proposing again and again that they be allowed to stay.

In 1955, city council successfully passed a motion to restore the Islands to parkland, and over the next decade destroyed 385 homes. Residents grew accustomed to the sounds of splintering wood, smashing glass and the crackle of fire as the rubble was set alight. Yet residents of some 250 homes refused to leave. By the time the sheriff arrived, in July 1980, to issue eviction notices, hundreds of Islanders and mainland supporters had gathered in opposition at what became known as the standoff at the bridge. The sheriff backed down and an imperfect compromise was eventually reached. The Islanders would own their homes—the wood, the bricks, the shingles—and the province would lease them the land. As to who could inherit the homes, the government chose three options that would allow for some homes to pass on to the public: legal co-owner, spouse or child. Each, the thinking went, would likely have a deep and abiding attachment to the land and the property. Importantly, in the language, the act defines “child” to include “adopted.” It says nothing of adult adoptions.

It’s no mystery why Whitfield might have chosen to keep the fact of his adoption quiet for so long. The Islands’ vaunted social harmony, its precarious kind of peace, is stitched together by a quirky set of rules. Threaten the rules and you threaten everything the Islanders hold dear.

That much was evident as recently as 2018, when five days before Christmas, Don Sampson, a 61-year-old marine mechanic who’d grown up in a gabled green house on Algonquin Island, received what was effectively an eviction notice from the trust. He’d lived much of his adult life away, but when his brother Bruce got cancer, Don moved back to the Islands to care for him. In 2017, Bruce died. Don’s name wasn’t on the title, and his claim that Bruce had wanted to leave the family home to his brother didn’t matter—the trust told him he had to go. Don went to court to ask a judge for an exception. After all, his parents had originally left it to both of them. The judge agreed, and Sampson got to stay. Many in the community applauded the victory; others were enraged by it.

The trust was wounded, its bedrock tenets damaged in a very public way. In the months and years that followed, the trust kicked seven renters off the Islands, because it came to their attention that they were living in homes without the owner present—another violation of the act. That angered residents, too. “For all of its gifts, the Island has its power elites, its stratas and a dark underbelly,” wrote one departing renter on the community’s online message board. “Adherence to unjust rules
inconsistently is corrosive, and it eats at people's insides." The trust was in an impossible situation: apply the rules and you're heartless; overlook some violations on compassionate grounds and you're seen as gutless and selective.

The Whitfield affair provided another opportunity for Islanders on both sides to grind their axes. When news of the lawsuit spread, someone papered the Islands with "missing" posters to prove to the point that even the members of the trust weren't playing by the rules. "Last seen in 1980," the posters read, with a photo of the father of one of the Islanders. The community knew the father was still on the lease of the house the trust member shared with her mother, decades after an acrimonious divorce. Technically, that was a breach, too.

Others tried to reach beyond the community for help. After I began working on the story, someone sent two anonymous tip letters to Toronto Life about the polarizing suit. One described a rumour that has circulated on the Islands for years—that tenants and landlords will go so far as to get married to deflect the trust's attention and keep their homes. I received bizarre emails from ghost accounts and Islanders I'd never met. "Beware of the many left-wing Island loons that would have the public believe this is paradise," read one email. "People's homes and their quality of life are at stake, here. Hopefully, over time, maturity will bring you what you require to operate effectively beyond the realm of your own self-interest, or that of others," said another. "I tell populists and dreamers all the time: Kool-Aid will rot your teeth," read a third.

The primary punching bag, however, was the trust. One resident began to ride his bicycle back and forth in front of the home of a trust member, glowering in the dark. Someone called another member's boss, faking complaints to try to get him fired.

I put it all to Alison Rogers, who took over for Filyer as head of the trust last fall. She told me the trust only investigates a breach if it receives a complaint. "Are we a fascist regime? No," she said. "Those breaches are approached as compassionately as possible, but the rules are the rules." I asked her if she thinks the rules she protects are good ones. "I can't answer," she said. "I have an obligation to the province, a sworn duty to the Queen to uphold the legislation."

When I asked Rogers why anyone would want any part in the trust if the cost is social ostracism or worse, she responded with a smile. "It's a hell of a lot of work," she said. "And, you know, the compensation is that your neighbours will beat up on you."

In the province's Superior Court last fall, behind the trust's lawyer sat Lorraine Filyer and her wife, and across the aisle, Steven and Julie, neighbour pitted against neighbour, avoiding eye contact. The trust argued that McLaughlin and Whitfield had arranged for the adoption to circumvent the rules, and that by doing so they eroded the legislation that ensured that members of the public stood a chance at owning a home on the Islands.

At issue was whether the act's definition of "adopted child" included adults. Was Whitfield a dependant of McLaughlin's? As a 61-year-old man with a son and three stepsons, not really. But in terms of relationship, did McLaughlin consider Whitfield a son?

That question was best answered by McLaughlin. How deep were his feelings for Whitfield? Whose idea was the adoption? Had he been coerced into it? When it came time for McLaughlin to give evidence last September, he failed to appear. The trust's lawyer offered to accommodate McLaughlin in whatever way suited him: they could conduct the deposition over Zoom. He could be lying down throughout. They could take breaks. Eventually, Whitfield presented a letter from McLaughlin's geriatrician, a St. Mike's physician with an impressive resumé, who explained that McLaughlin's dementia was advancing and that the stress of testifying could make it worse. The doctor wrote that McLaughlin often struggled to remember what day it was. She said he could list only nine words that started with F in one minute, a common cognitive aptitude test. Two years earlier, it had been 25.

McLaughlin's inability to testify was either additional justification for the adoption—specifically, the heightened need for a family member to act as a legal caregiver—or reason to wonder how much McLaughlin knew about what he was signing.

For the court, in the absence of McLaughlin's testimony, Whitfield produced a scrapbook the older man had created over the years, full of loving handwritten notes of their many years together on the Islands, chronicling trips and adventures and meals outside, of paddling canoes through the channels, netting turtles and rescuing fallen birds from the Islands' shores, of pond hockey by day and family Jenga games by night.

In Whitfield's deposition, he spoke fondly of travelling in Europe with McLaughlin, drinking tea and marvelling at the French countryside, of meeting Peter's relatives, and picnicking in rolling green fields, drinking wine.
clearly a long, loving and close relationship, he said, admonishing the trust's lawyer for suggesting it was some kind of long con. Because adult adoption was legal at the time the act was created, and because a family court judge had certified the adoption between McLaughlin and Whitfield, the Superior Court judge determined they really were a family in the eyes of the law. "It is highly unlikely that two other adults would engage in a 37-year relationship involving their immediate and extended family to engineer a transfer of an Island home to circumvent the restrictions contained in the act," the judge said. He ordered the trust to pay costs to Whitfield of $63,000.

Nearly a year after the trouble began, Whitfield was victorious. It meant that he would inherit the home once McLaughlin died. It also meant that one family would now have ownership of two properties— their original home and McLaughlin's home—which seemed to clash with the spirit of the act.

The ruling was another blow for the trust, and they're now trying to chart a path forward. The governance committee is developing policies on the lease-transfer process and on how to deal with rule-breakers. They are overhauling the complaint-based system that is seen by many as a snitch line, and developing a handbook, written in layman's terms, to better explain the complex rules and regulations surrounding the Islands' homes.

Two months after the decision, Alison Rogers was level-headed about the matter, almost philosophical: "There's this really interesting thing that Steven and Peter have done, and that happens all over the world. They've made their own family," she says. "How does the Island keep up with that? Because we're stuck in 1994." The rules that govern the Islands were formed in a time and in a way that presupposes the notion of family. And over the last 30 years, the law has made space—finally—for broader definitions of parent and child, of partner and spouse. Those terms no longer turn on someone's gender, biology or bloodline, but rather on the strength of the bonds between people. The courts have made allowances for chosen family. Maybe it's time for the trust to make them, too.

Islanders have long been fearful of revisiting the rules, of opening up legislation that could see them lose their hard-won homes—for good. The risk is always latent that the government could scrap the entire experiment and return the lands to public use. But anywhere else in Canada, an adopted father—regardless of age—would be entitled to bequeath his home to his adopted son. The trust, in trying to guard against interlopers and worst-case scenarios and precedents, is also turning against some of its own. There's an irony in that, given that the community itself is chosen family, too.

One May afternoon, I walked through the creaking gate at the ferry docks and onto the boat bound for Ward's. There was a smattering of people on board, masked and nodding hello. I slid along the blue benches, chipped and worn and so familiar to me now. In many ways, the Toronto Islands are a time capsule. Hanlan's beach is still clothing optional, like it was back in 1894, and the last ferry still leaves before midnight, like it did then. I watched the trees, their low-hanging branches skimming the water. I'd forgotten how the wind whipped across the lake and through the willows lining Cibola Avenue. Earlier that day, I'd received a brief statement from the Whitfields. They'd had their day in court, and won, and wanted to put the whole affair behind them. They weren't interested in talking to me. Their note sounded defiant, the words of a family with nothing left to prove. McLaughlin is now 93, and the Whitfields say they're renovating so he can come home. Still, among Islanders at the centre of this squall, there are swirling concerns that something may not be quite right. And they wonder: did McLaughlin know about the litigation and the house transfer?

I walked toward the home at the centre of the divisive dispute. Its cedar siding glistened in the sun, and two construction workers had their tools sprawled across the front lawn, busy building an addition for the Whitfields. Later, I ran into Julie dragging a recycling bin to the end of McLaughlin's driveway. She's tall, with long greying blonde hair and thick glasses. She shuffled slowly, like her head was somewhere else. "I just got dive-bombed by a bird!" I told her, with a smile. "If that's not an omen to leave, I don't know what is." She laughed, and didn't dispel the notion. "Ah, a red-winged blackbird," she said sagely. I thanked her for the statement she sent over. "That's the best we can do, I'm afraid," she said politely before walking back inside and firmly closing the door.

The conversation reminded me of a story Alison Rogers told me a short time after the decision was announced. She had been harassed on the street and at the ferries and in her inbox nearly every day. One evening, she found herself with a clogged toilet. She still lived in the house she'd grown up in. She was lucky; she looked aging, too. In desperate need of an implement to unclog the toilet, she posted a call-out on MyNeighbours, the web forum where Islanders had recently been trading potshots about the case. She wasn't anyone's favourite Islander at that moment, and was nervous about asking for a favour. She knew many of her neighbours saw the lawsuit as a betrayal—opening up Islander business and family business for public consumption. She clicked send on the note and waited half an hour or so before opening her front door. There, at her feet on the porch, stood a dozen plungers. And that's the thing about family. They can disagree, rage, threaten and cry. They can be thorny, dysfunctional and complicated. But in moments of crisis—from a standoff at a bridge to a 93-year-old in faltering health who needs care, to a finicky toilet that just won't flush—the bonds are stronger than ever.