From: Geoffrey Donaldson [redacted]
Sent: Sunday, April 17, 2022 11:53 PM
To: Islands2050
Subject: ISLANDS TRUST POLICY STATEMENT UPDATE

RE: ISLANDS 2050 POLICY STATEMENT AMENDMENT PROJECT

To the Islands Trust and Denman Island Local Trust Committee:

INTRODUCTION

I am a 66 year-old, full-time resident of Denman Island now retired and living in my own home in the "Downtown West End". I am responding to your invitation to share my views about the Islands Trust (IT) policy statement update.

I lived on Salt Spring, Quadra and Vancouver Islands before moving to Denman Island over 32 years ago. Here I worked in the building trades, business and forest consulting all over the Island, making friends, family and many acquaintances. My life partner and I completed three commercial development permits in the Downtown, our official introduction to the IT, and built new or renovated old houses on other properties we owned over the years. Naturally, we got involved with land-use policy on the Island. In the 90s, I spoke publicly to the Official Community Plan (OCP) and to policy proposals for the Downtown commercial centre, and at length to the perennial issue of housing.

As a matter of official public record, I spoke directly to the Advisory Planning and Local Trust Committees (APC and LTC, respectively), about municipal-style ticketing bylaw proposals, particularly with regard non-conforming secondary dwellings (NSDs), and offered an estimate—a well-educated one, if I do say so—that upwards of 15% of Island residents live in NSDs, a situation that persists and may be justifiably said to have become critical in light of the severe rental housing shortage experienced here over the past few years.

Such are my credentials regarding housing policy on our Island. I disclose here that, at this point in my life, I have no intention of ever providing or living in a NSD myself. Rather, I lend my voice to this long-standing but mounting community concern.

I've also worked in forestry in British Columbia and Alberta for many years: with respect climate change, in timber protection—forest insect epidemics, fungal tree-root diseases, fire-fighting and hazard abatement—and in ecological mapping, wildlife protection and environmental remediation. These fields involved me with timber development, forest, wildlife and heritage protection with a number of indigenous nations, and in related conflict resolution—before the term "Reconciliation" was coined—for the McLeod Lake Indian Band. Of course I

witnessed the controversial logging of one-third of Denman Island, although from an appropriate professional distance.

Today I'll focus on the third-listed highlight of the IT Amendment Project, housing, arguably the issue of greatest concern on our Island, if not all Islands in Trust and right across Canada. I hold that housing is the priority policy need and that allowing secondary dwellings in all land use zones on our Island is the only workable solution to the rental housing crisis that our community will trust and respect as fair. Perhaps committees on other Islands in Trust might consider these points.

After reviewing how we got to this point, I believe the IT and Denman Island LTC policies have been largely at fault by inadequately attending to our community's need for secondary dwellings, and by effectively ignoring well-considered solutions repeatedly articulated in consultant studies and public meetings by Island residents themselves for decades.

I prefer not to blame, so, to be as charitable as possible, perhaps the IT and our LTC should consider the late, respected historian Barbara Tuchman's observation that "bureaucracy, safely reporting today what it did yesterday, rolls on as ineluctably as some vast computer, which, once penetrated by error, forever duplicates it."

It's time, my friends, to ensure Tuchman's quote doesn't, in the end, describe our trusteeship's performance with respect the basic human right of housing as it impacts the social health of our community.

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HISTORY

The BC Assembly legislated the Islands Trust Act in 1974. The IT has persisted, more-or-less the same. The fourteen islands incorporated into this trusteeship had been economically depressed, rural communities since the end of WWII, but became destinations for cottagers and new residents after the BC public ferry system was created in 1960. The IT exists in response to the worry that recreational and residential development would overwhelm these rural communities and ecosystems unique to the Gulf Islands.

From chronicles and public documents I've read, and local texts and oral histories given to me personally by Island 'old timers', I learned that the IT Act was considered an unwelcome imposition by many longtime Islanders, some of whose families were native as far back as colonial times. On the 14 (inhabited) Islands in Trust, the average number of land-subdivision applications hitherto had been about 50 per year, but within the 6-month grace period allowed before the Act was implemented, the number of applications getting under the wire was a hundred-fold greater. Many small suburban areas(like the one I live in) were created during this grace period. A number of attempts to 'grandfather' alleged subdivision intent after the Act was implemented were among the IT's first controversial jurisdictional tests. However, most newcomers to Denman Island rather approved of the effective brake the IT put on development

for reasons of, in descending importance, personal privacy and aesthetics, community, and ecology.

Denman barely maintained a population of 400 people for a generation after the War, as found by back-to-the-landers, American expats fleeing the Vietnam War, and others who started arriving shortly before the IT was implemented. Population had risen to about 850 by the time I moved here. By the mid 90s when Islanders were developing their first province-wide-mandated OCP, the population had risen to about 1,000 souls. Controversially, the LTC commandeered the OCP process, and presented drafts many residents officially objected to, finding them overly zealous in protectionist terms, overtly prohibitionist in demographic terms, and so idealistic as to include a number of ill-considered, unworkable objectives (for example, I myself had to ask our BC MLA and federal MP to convince the LTC to remove terms articulating a "population cap"—which, of course, offends the Charter Right of Mobility guaranteed in the Canadian Constitution). Whatever other incongruities with Canadian law our Island's bylaws might contain probably haven't had occasion to be tested in law, or subjects have been disinclined to take them to court.

During the OCP exercise, critics complained that prohibitive LTC policy proposals would encourage a "drawbridge mentality" —the selfish attitude of newcomers who would prevent subsequent others from attaining the same 'piece of paradise' themselves—, or foster, variously, an elitist and/or geriatric enclave from which younger families and the less-fortunate would be excluded. Despite OCP language apparently deployed to counter such criticisms (extolling family values and maintaining "the social fabric"), many residents were not convinced exclusionary policies would, for example, prevent our grade school from closing for lack of children—which it very nearly did. And, despite language praising a healthy, demographically balanced community, the LTC-authored OCP objectives effectively divided public opinion, business people, their employees, builders, and families with children from retirees (often derisively branded "wealthy retirees") allegedly aloof to, or secretly supportive of prohibitive IT policies and ferry and housing costs they were supposed to easily afford, but which would, some charged, discourage 'undesirables' from coming here. Whatever the merit of these accusations, it's the general, simmering antipathy to IT authority, the LTC's appropriation of that OCP process and, currently, its increasing imperial mien that's germane to the housing crisis solution I propose.

Many important issues were soon smothered by the very divisive logging of one-third of the Island by a private property owner in the 90s. Styling itself a "government" with authority to regulate this activity on the basis of its environmental mandate, the LTC sought an injunction which was summarily dismissed in court, this time earning the opprobrium of erstwhile supporters.

Thus, controversies stirred up in the OCP process, and the LTC's proven jurisdictional impotence in stopping logging on the Island caused the IT to fall in esteem in many Islanders' eyes. This attitude has figured importantly in arriving at today's precarious housing situation, which has further strained relations between the IT and Islanders.

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Housing Bylaw Enforcement and Traditional "Detente"

The IT exists primarily to limit development on the Gulf Islands in trust, its method *par excellence* is the one-dwelling per property rule—a dwelling being defined by having a kitchen (a detached building used only as a bedroom, studio, or study is not a NSD). Properties may be subdivided down to a minimum size depending on their land-use zonings, but the one-dwelling rule generally applies, nonetheless. Farm properties are in the ALR whose mandate supersedes the IT's, but since the ALR —which covers almost half of Denman Island—also has a one-dwelling per property rule and even larger minimum lot sizes which may be subdivided, the LTC may invigilate ALR properties like it does non-ALR properties. However, as most residents who've lived here for more than a year or two know, many property owners take it upon themselves to break that rule by providing a NSD. In fact, Islanders have been doing this for 48 years, ever since the IT was implemented, despite the one-dwelling rule.

Some years ago, I spoke at a LTC meeting concerning secondary dwellings and enforcement of bylaws which prohibit them. I asked if the Committee had an estimate of the number of NSDs on the Island and, 'midst some perfunctory pearl-clutching, I was assured, not surprisingly, it did not—except NSDs for which it had received official complaints (as I recall, there were six complaints being investigated at the time). I offered my own estimate which I compiled on the back of my Denman phone book which had a map showing each lot on the Island, referring to my considerable familiarity of the Island gleaned from many years going about my business. In just a few minutes I counted sixty NSDs that I knew about personally, and reasoned that, since I hadn't been everywhere and didn't know everyone on the Island, that there were very probably more, perhaps totalling a hundred or so. (That estimate's out of date, the actual number is probably higher now.)

The crowded community hall fell silent as I skated perilously close to the thin ice of a long-held taboo—that is, the discretion that must never be broken with respect an Island tradition I call "Detente". To be sure, I identified none of the NSDs I knew about but, equally sure, virtually everyone in the room, including both Trustees, knew exactly what I was talking about out loud. This exception to the unwritten rule was appropriate because the LTC's enforcement policy threatened the shelter of so many Islanders, from single mothers with kids in school, to employees and respected elders.

Detente works like this: so many residents either know other residents, often personally, who provide NSDs, provide one themselves, personally know one or more residents who live in one—or live in one themselves—that there is general sympathy for this old tradition— or at least, see no point in upsetting this community acquiescence to a ubiquitous fact. The tradition persists because of a persistent need for rental housing which is technically illegal; as a result, NSD providers and tenants are assiduously discrete. Anecdotally, I suspect NSD complaints are more often made by newcomers who aren't yet privy to how things are done around here (which is why I've advised many newcomers who typically renovate houses they've just purchased— at which I made my living— that it's best to get to know the Island for a year or two before joining

one of the many crusading causes that seem to flourish here. And I've been told more than once that this proved the best advice my new Island neighbours had gotten since coming here).

NSDs are illegal, so there's a huge range in type. It might be a camper van (perhaps a travelling visitor gets a job here, say, or falls in love and decides to stay) or, similarly mobile, a tent or teepee. Caravanning visitors are permitted to camp for a limited number of days per year on a given property. If such a mobile dwelling exceeds the visitor time limit, it becomes a NSD.

Goat sheds and old barns have served as NSDs. Of better quality are so-called "granny flats" (these days, the same sort of NSD often shelters adult children, some with their own families, who increasingly cannot afford or find housing of their own). These NSDs are often installed discreetly within an existing dwelling, replete with separate entrance, bathroom and kitchen. Detached "granny flats," perhaps a converted garage or a small, purpose-built building, are sometimes disguised by a breezeway attached to the main dwelling. A true "granny flat" would naturally have amenities to suit the elderly; when "granny" passes on, the home might convert to another use, say, an art studio or home office, or it might be rented out on the QT. NSDs sited at a distance, perhaps intentionally out-of-sight from the main dwelling, might have no amenities other than a wood stove, a rain barrel, and a pit-privy. Prospective home-buyers often discover the seller has provided a NSD, or even that the tenant still occupies one and would like to continue renting it.

So many properties are changing hands these days that more NSD renters—some being longtime residents— are finding themselves evicted and, of course, that alternative rentals are very hard to find because there aren't enough of them. It's been my experience that new homeowners who simply move in without needing any official interaction with the LTC, sometimes assume a secondary dwelling on their new property is legal—and neighbours more than likely wouldn't disabuse them of that.

These arrangements are most often the result of affection or goodwill (a respected community member, say, cannot find a rental after being evicted from another—a common situation when the principal dwelling is sold and the new owners have other plans for the facility—perhaps as an NSD for one of their own). NSDs created purely for rental profit are probably the rarest type; in any case, a "mortgage-helper" in this day and age of ultra expensive real estate might have to charge rent far beyond the means of a typical renter.

IT policy makers should take into account Islanders' long-cultivated attitudes towards the authority because of housing needs, NSDs, and "Detente." Some Islanders have little or no respect for an authority they feel is an illegitimate imposition—like many of the old timers who'd lived here long before the IT was implemented (few old timers are left today). Then, of course, there are NSD tenants who practice antiestablishmentarianism, coming here with a romantic expectation that islands are made for their kind of philosophy. Then there are those who are otherwise law abiding citizens in every way —except for NSDs where family (a granny or an adult child, &c) overrides this one, particular rule, notwithstanding their usual rectitude. The basic need for housing is *that* potent. Negative feelings toward the IT/LTC could be about peer acceptance of "Detente." It could be about some other contentious issue which has eroded respect for the IT/LTC; the most prohibitive, unpopular one-dwelling rule is thus an easily

available axe for such residents to grind on. Last, but not least, are newcomers who, though not necessarily motivated the same way as others might be, are disappointed—or even outraged— to find the IT is not really the democratic government it regularly makes itself out to be, and feeling owed something for this perceived betrayal, arrive at the same conclusion of illegitimacy like the old timers did back in '74.

A 'vicious circle' forms around such attitudes: the more unreasonable the IT's prohibition of legal secondary dwellings, the less Islanders respect its authority and, thence, the more likely they are to ignore NSD prohibition. This is an important point because cultivating this erosion of trust and respect for LTC bylaws with respect NSDs, often leads residents disrespecting all IT rules.

Naturally, if a resident knows of others who rent out NSDs, the issue of fairness becomes a rationale for that resident to provide or rent one, too. It's simple, human nature—like other primates, we are very sensitive to fairness.

Generally, the magic ingredient of Detente is discretion, which is easy to achieve on even a half-hectare property if it's as forested as the neighbouring property probably is.

The "Detente" tradition is so strong that Islanders turned out in sufficient numbers to protest the LTC's municipal-style ticketing bylaw proposals and successfully have them quashed—twice. Ostensibly a measure to prosecute all or any bylaw infraction, the issue for virtually all attendees was squarely on housing and the threat of turning so many Islanders out of homes which happen to be NSDs. Indeed, "Detente" has been the norm for so long, a resident might be surprised to find they are in fact living in a NSD and didn't know it—and, of course, become angry that an authority they were previously ambivalent about would attempt to harm them: an ambivalent attitude towards quickly turns into resentment and disrespect. And NSDs have been far and away the most catalytic in this sad conversion.

Long periods of quiet "Detente" are punctuated with brief periods of intense protest—but NSDs persist— *that* hasn't changed.

The latest tactic to crack down on NSDs is the Bylaw Enforcement Notification system (BEN) by which resolution of the infraction is supposed to avoid involving courts of law. Our LTC has deployed some work-arounds in a somewhat wimpy attempt to sweeten the BEN pot—like Temporary Use Permits (TUPs) which are prohibitively expensive and, ultimately, do not address the shortage of secure rentals. A property owner served a BEN is quite likely to turn the NSD renter out, which ostensibly ticks a box of officialdom, but exacerbates an abiding conflict and further erodes respect and trust.

Note well that there are so many NSDs, some having existed for decades, that the biggest deterrent to blowing the whistle on any one of them is the broad understanding that it might ignite a tit-for-tat firestorm of suspicion, resentment and un-neighbourliness. The BEN sweep risks doing just that, which, if pitting neighbours against each other is the intent, is the lowest act any politician can do—and rationalizing that the effect as merely coincidental is almost as vile, in many Islanders' opinion.

It's astounding that the LTC would impose the BEN system when, at the same time, there is urgent need for housing and collapsing respect for its authority —and especially when our sovereign government by whose pleasure the IT exists has itself recognized the growing need for housing that Islanders have been providing for themselves for the last 48 years. The LTC and its electorate are steadily becoming estranged because of this issue, seriously diminishing the prospect of a legitimate solution to our housing crisis. Even I, in the increasingly limited interaction I have with our community in my dotage, I am still aware that this impasse has sunk to its lowest nadir. It's worrisome.

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NON-CONFORMING SECONDARY DWELLINGS

A steadily increasing number of municipal governments in BC have already permit secondary dwellings (where previously they were prohibited). Vancouver was reluctant at first, granting secondary suits and alleyway 'coach houses' only in tightly proscribed areas, but has since done a one-eighty. Victoria is doing the same. Comox, a small municipality geographically boxed in by then military base, the City of Courtenay, and the sea, used to be ultra-strict about single-dwelling rules but has been liberalizing them in recent years. Secondary-Dwellings Rule! It's not just trendy, it's a trend born of urgent necessity. Even the ALR is rethinking the stricture of its own prohibitive housing policy. It's time the IT and Denman Island LTC did the same.

I offer this proposal which, after a lot of thinking, consulting, and respecting the IT's special mandate in a more liberal way, I believe it's the only effective way our Island can address the housing crisis. Official efforts so far have been either too hands-off or too parsimonious, and way, way too slow. This proposal could be provisionally implemented tomorrow. Many residents would surely breathe a sigh of relief.

The best estimate for the number of NSDs on Denman Island, as a working model, is about one hundred, possibly more. Depending on how many occupants are assigned per NSD, the number of Islanders who live in one ranges from 100 (one person per NSD) and 250 (the standard average of 2.5 persons per household)—which translates to between 8% and 23% of Islanders who live in NSDs. About 16% is a good working model.

The need is indisputable: every business on Denman Island is experiencing labour shortages. Certainly Covid has exacerbated it but, unlike Covid, it continues to worsen, two years on. Pay raises haven't helped because there aren't enough rentals for working-aged people to live in anyway. Virtually everyone knows or has heard of someone, worker or not, who can't find a place to rent on the Island.

The average age here is over sixty years old and many residents are now in their 90s. Such a geriatric population needs young workers to help maintain homes in which many of us wish to age-in-place. Again, it's getting very hard to find workers because, of course, it's impossible for

young workers, especially with families, to buy property here and there aren't enough places to rent. Commuting from the Big Island is too expensive—even to cut a senior's lawn with cher own ride-a-mower and fuel for double the minimum wage.

Everybody knows the LTC's most effective housing policy has been to turn a blind eye to traditional "Detente." However, many NSDs are substandard, unsafe or unhealthy because, being under constant threat of discovery and closure, property owners have little incentive to keep them in better condition.

BEN is going in the wrong direction. Seldom have I ever seen popular opinion of the IT/LTC this low, probably because of throwing, as 't were, BEN gasoline onto the fire.

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SECONDARY DWELLINGS FOR ALL LAND-USE ZONES

Here is a proposal: secondary dwellings should be allowed on every property, regardless its land-use zoning, with important restrictions and conditions and disqualifying only properties which have siting peculiarities unique to them, not because of their zoning.

LTC planners might vary in letter, but should not vary in spirit the details of the general proposal. The reason for allowing secondary dwellings on every property, regardless zoning, is not only to be fair for fairness sake, but also to preclude the LTC from nibbling away at the objective, as it has done before. That's why secondary dwelling policy should start with universal eligibility—that is, to lead the LTC away from its rote temptation to make such a policy fail. The attitude should rather be to make it work.

Planners will need to develop the rules in detail. I suggest something like this to guide them along:

-a property may have only one secondary dwelling (includes suites)

-secondary-dwellings must be permissible on every property, disqualification being only because of features of a particular property— steepness, shape, hydrology, &c—and not the property's land-use zoning. (Yes, even the school property may have a dwelling—perhaps to house the janitor, or to generate funds to maintain the soccer field, &c)

-three general categories of property dictate the type of secondary dwelling: small lots may only have secondary suites within the footprint of the principal dwelling; mid-size lots may have a detached secondary dwelling of limited size, say, 400 square feet; the largest lots may have a larger detached secondary dwelling, say, 600 square feet

-secondary-dwelling building height must be some limit lower than the principal-dwelling maximum

-setbacks from property lines, water bodies and steep terrain should be substantially greater than for principal dwellings, say, double or triple—keeping in mind that the guiding principle is to make it work for almost every property

-setbacks might vary by lot-size category: in-house secondary suites naturally conform to existing setbacks; setbacks for secondary dwellings on the largest lot-size category might be greater than those for the mid-size category

-setbacks might be increased for mobile secondary dwellings

-road access should be restricted to one driveway per property; "panhandling" should be prohibited

-all building codes, siting-and-use, sewage disposal (where applicable), and electrical permits apply; pit privies remain permissible with the usual setbacks from water wells

-the secondary dwelling must be for permanent residents of the Island—that is, temporary or short-term recreation rentals should be prohibited, except for registered B&Bs (many of which are not detached from the main dwelling, anyway)

-neighbouring properties may not veto a secondary-dwelling application but, where privacy or aesthetics is an issue, the authority may stipulate screening (hedges, fencing, &c) of the secondary dwelling.

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CONCERNS

The IT is a trusteeship responsible to its special mandate, not its electors. Therefore, as there is no need, there should be no democratic or plebiscitary approval in order to implement universal secondary-dwelling eligibility: adopting a universal secondary-dwelling policy is well within the LTC's jurisdiction, authority, and capacity. It is simply the right and fair thing to do. Concluding that "more study is needed" would be a needless delay. The housing shortage is acute and needs action now—which always frightens conservatives. They need to be reassured that this proposal is not a threat—nor much of a change.

Public concerns will be raised, as they always are for any policy development. To respond to the inevitable "Chicken Little" reaction, keep these points in mind:

Relatively few property owners would create a secondary dwelling.

Some years ago, Islander Gerald Hodge lent his professional expertise to the question of secondary dwellings (his survey and report are in the Denman Island Library). The survey found that, although Islanders surveyed generally approved of permitting secondary dwellings—naturally, with important conditions—only ten percent indicated they would even consider creating one, let alone actually do it. It's important to note they were not averse to other Islanders

providing secondary dwellings on their own properties if they wanted to. The reaction that such a policy would effectively "double the population overnight" is thus unwarranted alarmism.

Keep in mind that units suitable for year-round rental are expensive to build, even at the restricted sizes suggested. This was a major factor the survey's respondents cited for deciding if they would entertain providing a secondary dwelling or, further, actually do it.

Taking building costs and other factors into account, I estimate the number of secondary-dwelling applications would not exceed much more than fifty units, in-house suites and detached units combined. That might take years (in the meantime, NSDs can be brought into conformity). The assumption is that the full 10% of property owners would actually provide a secondary dwelling instead of merely consider providing one, as Hodge's survey found (that is, the estimate is probably high). In any case, fifty rental units would significantly —or potentially eliminate—rental housing shortages on our Island here.

Fears and prejudices are easily addressed and turned aside.
Policy makers should reject 'slippery-slope' or 'thin-edge-of-the-wedge' arguments against implementing a fair and workable secondary-dwelling policy. The traditional need has been only for *secondary*-dwellings, not more. The vast majority of existing NSDs are the only additional dwelling on the property, and the proposal is accordingly limited to one secondary dwelling per property. The argument that allowing a single secondary dwelling would lead to exceeding the proposed limit of one secondary unit per property is unlikely, based on the traditional need. The likely objection that, if so many property owners have risked providing NSDs hitherto, they'll probably have no qualm about breaking the law again by providing more units than allowed is easily countered by obvious *a fortiori* arguments: if cost is a limiting factor for one secondary dwelling, it's more limiting for additional units; risk of detection is, on a given property, exponentially greater for units in excess of the proposed limit; &c.

Nota bene, the far stronger rebuttal is that, since traditional "Detente" would effectively become moot by allowing a single secondary dwelling per property, the LTC and its bylaw enforcers would no longer have to tippy-toe around it in order to avoid sparking retaliatory complaints and community tumult—that is, enforcement would thence be free to 'throw the book' at subsequent NSD infractions and not appear unfair to residents.

Mooting "Detente" might well be the most salutary aspect of allowing secondary dwellings on all properties, in all land-use zones.

Some property owners apparently feel entitled to what might be called 'enhanced privacy expectations'—the notion that one 'owns' or has a 'right' to control the sights, sounds, and smells outside cher property boundaries. Nobody can doubt their sincerity, and their concerns sometimes have a degree of legitimacy, as with noise complaints which are legally actionable and often covered by local bylaws. But generally, a property owner has little or no entitlement to the view outside cher property. During my experiences assessing and remediating boundary disputes involving trees, the issue is often about amenities other than timber value or an actual trespass, and most often to do with visual impact: somebody removes a tree on cher own property upon which cher neighbour relied for privacy or shade, for example; or somebody cuts

down a tree on cher neighbour's property without permission in order to improve cher vista or receive the sunshine the neighbour's tree blocked.

These situations are germane to secondary dwellings' potential to impinge, visually, upon a neighbour's privacy. However, it's the bylaw authority's responsibility to mandate building setbacks on both sides of the adjoining property line to, among other things, allow enough room to plant screening hedges or build fencing, not to favour complainants with whatever enhanced privacy expectations they may want but aren't entitled to. The proposal above recommends increasing the minimum setback for a secondary dwelling from that for principal dwellings in order to mitigate, within reasonable legitimacy, privacy concerns between neighbours, but it's still a property owner's own responsibility to install plantings or fencing to get privacy from a neighbour's rightful activity chi prefers not to see. It is not a right to prevent one neighbour from legally developing cher property in order the other neighbour keep the vista chi's become accustomed to enjoying.

But there's an additional aspect that tree-scapes and false entitlements illustrate, I hope for the benefit of IT planners in responding to arguments against a universal secondary-dwelling proposal: the perennial environmentalist objection ulteriorly and disingenuously motivated by falsely entitled, 'enhanced' privacy or aesthetic expectations. Typical of the many examples I could cite from my own professional experience is one neighbour claiming environmental endangerment by tree removal on the other neighbour's property, but ulteriorly motivated to keep the vista hitherto enjoyed instead. I've witnessed the same basic tactic deployed at LTC public hearings against certain development applications, opponents citing almost preposterous environmental premises —'or whatever it took'—to stymie the proposals, all because of, as the late "Old Man Kelly" used to say, "a little piece of moss that only grows everywhere."

There's ample record that the LTC favours opposition to proposals which are based on rote environmentalism and bulwarked by ritual incantation of the "precautionary principle" which is supposed to eschew risking innovations that have no track record or scientifically predictable consequences. But there is little that *isn't* known about the successional ecology of second- and third-growth Douglas fir forests that cover this and most Islands in Trust. Citing the precautionary principle regarding the potential environmental impact of a 400 square-foot secondary dwelling but allowing the logging of 4,000 acres of private Denman Island forest is hackneyed. After all, secondary dwellings have existed here for long enough to know their environmental impact is vanishingly small, just like we know, three or four times over, the ecological impact of logging on this Island. Accepting a precautionary-principle argument against allowing secondary dwellings on every lot would be too trite by half.

Of course water is always an issue and is almost always raised to oppose various kinds of development. On this Island, like many others, good water is hard to come by, so it's not surprising that the LTC has used "proof of water" to limit development, but where aesthetic and recreational values are high, like on Hornby Island's sandy waterfront, residential development is permissible even where 'proof-of-water' is unobtainable: rainwater collection systems are sufficient. On Denman (which is considerably more blessed with groundwater), rainwater reservoirs are becoming acculturated. (The 18-household community Water District to which my

neighbours and I subscribe features a growing number of private rainwater cisterns to augment our well water during the annual summer drought. Our well is 10 metres deep.)

Indeed, the LTC has lent support to the Denman Green multi-unit housing project which, at its original location, proposed to supplement the dearth of sufficient groundwater with a rainwater collection system adequate for 20-odd domiciles. The needs of a 400 square-foot secondary dwelling housing one or two tenants is easily met by rainwater collection. Planners might find permitting such a dwelling an opportunity to encourage rainwater collection—or even solar power. Secondary dwellings are by nature thinly dispersed so that their physically limited consumption, even if supplied by the main dwelling's groundwater well, has little impact on their local aquifers. There is little legitimate concern about the proposal's impact on water supply and ample opportunity to advance rainwater-collection culture.

When LTC was compelled to remove the "population cap" objective In the OCP, it replaced it with the "density" model. The suspect "trading of densities" —aside from looking like the carny shell-games mothers used to warn their children about—looks a lot like the thing it replaced: a population cap by another name and, thus, vulnerable to court challenge for a resident with deep pockets. Perhaps too arcane for the ordinary, run-of-the-mill Cassandra who's likely to oppose the proposal, Density risks itself if cited as a rationale for rejecting universal secondary dwellings. Remember that 70% of the secondary dwellings expected to build out already exist as NSDs.

Planners can and should turn rote chauvinism and perfunctory prohibitionism off to make the proposal work instead of mustering ways "to make it not work." if the LTC can make and trade densities, then it should be able to make them whatever they need to be to make the proposal work. It has all the shells and peas it needs.

Finally, it's impossible, short of a house-by-house search (and even then...), to eliminate NSDs—the "Detente" system is simply too culturally entrenched. Targeting the most obvious NSDs would be foolish misconception of reality and certainly be perceived as unfairness and provoke resentment, deserved or not, against those who've been passed over. The LTC is already so deep in its own mire on this file, it needs to consider how long it can disappoint ordinary people with ordinary needs that can be easily met without abrogating the IT mandate. If anti-IT sentiment continues to fester to the point that residents petition the sovereign government to step in, then it becomes a matter partisan competition to win responsible government and the votes of a frustrated electorate. The current governments, federal and the one by whose pleasure the IT exists, are *both* looking for votes with a policy platform of housing. With electoral contests relentlessly tightening the margins of victory or defeat, will they look to Denman Island?

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SECONDARY DWELLINGS ARE GOOD

This proposal, universal secondary dwellings, aims to do three things:

-remedy chronic rental housing shortage by allowing much needed secondary dwellings on every property where geophysical peculiarities don't disqualify

-bring existing non-conforming secondary dwellings into conformity to encourage healthy and safe maintenance investment

-restore residents' respect and trust in their land-use trusteeship.

Benefits of universal secondary dwellings

-universality is easier to implement and perceived as fairer than allowing some land-use zones but not others

-making the "Detente" tradition moot by allowing secondary dwellings will allow closer, fairer, more effective bylaw enforcement

-secondary dwellings are not tax-funded but provided by private property owners

-young workers and their families Denman Island needs for businesses, private home maintenance, and aging-in-place home-care workers can find rental housing

-secondary dwellings occupied by young families ensures our school stays open

-secondary dwellings rentals provide income for property owners to help pay down mortgages or spend in the local economy

- building secondary dwellings employs local builders and supports local hardware and material-suppliers

-a secondary dwelling allows summer visitors to stay longer

-secondary dwellings are small buildings easily convertible to other uses: music and art studios, offices

-secondary dwellings can be granted B&B status

-secondary dwellings are swell! Tell your friends!!

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CONCLUSION AND RECOMMENDATIONS

Denman Island has a serious rental housing shortage that's negatively affecting our community and businesses. A substantial proportion of our community is precariously housed in non-conforming, or illegal secondary dwellings.

The LTC should adopt a universal secondary dwelling policy provisionally, forthwith, and proceed with the details as illegal dwellings are brought into conformity.

Remember: secondary dwellings for all if they want one!

Geoffrey Scott Donaldson, Denman Island April 17, 2022