

**From:** elissa poole <[REDACTED]>  
**Sent:** Friday, May 13, 2022 6:17 PM  
**To:** SSIIInfo  
**Subject:** BYLAW 530

Bylaw 530

To the trustees and all concerned at the Islands Trust:

I commend the Trust for the work they are doing on the very tricky issue of housing shortages on the island, and I realize that the proposed Bylaw 530 is a work in progress. However, Bylaw 530 is moving too quickly, and I'm extremely uncomfortable with its longterm implications and the way in which it circumvents our 5-acre minimums. To say that "cottages and suites have been with us all along" is disingenuous, inasmuch as 968 sq ft "cottages" (this is a house size) have NOT been with us all along, and making it possible to add these all over the island on smaller lots is going to over-expand the island's population by essentially doubling densities in many areas. Bylaws don't just go away when they've either served their purpose or failed to do so. This is a radical change to our zoning bylaws and has the potential to dramatically and irrevocably change the rural character of the island and to compromise our aim to protect it environmentally. **The OCP should not be changed without firm evidence that indeed the change will successfully address the problems with housing and staff shortages, and that the public is wholeheartedly behind the change. This is by no means a sure thing.**

**If possible, I would strongly recommend that this or any similar bylaw, if and only if it were substantially tweaked to address the problems listed in more detail below, should be treated as a TEMPORARY, short-term experiment only, not as a permanent change to the OCP. We have to weigh the implications of this potential program for what it will mean twenty years from now, or forty years from now: It's pretty clear that we will end up a very crowded island, and its ecological values, its natural habitats and beauty, will be irrevocably compromised if this bylaw is in effect for more than a year or two. For that reason, I suggest that we have no choice but to view each application for an ADU individually, providing temporary use permits for up to two or three years only. So let's not make it bylaw, but a temporary measure only:**

- a) Provide a short, limited time frame in which to institute this idea, with a halt on new ADUs when that time period is up in order to reassess its efficacy
- b) Place strict limits on the maximum number of ADUs island-wide, and have only a VERY limited number at 968 sq feet.
- c) Pay close attention to the rents that are being charged and determine what rental controls, if any, are necessary.

d) Monitor each rental unit. If most of the renters are coming from OFF ISLAND, then this experiment is a failure and should be withdrawn.

d) Reassess the program with public consultations when the limited period is up, and do not renew the options to build ADUs on smaller properties unless it has been shown to have addressed the housing shortages successfully; nor should this process be renewed if we have reached the population limits currently recommended in the OCP.

My concerns and suggestions about this bylaw include the following points, in some detail:

a) There is every chance that Bylaw 530 will not adequately address the shortage of housing for essential workers, tradespeople and various staff people. How will you regulate rents? If they are on a par with current rates, many of these workers will not be able to afford to rent the new cottages. It may, however, increase the number of people living on the island who are NOT workers and staff - in other words, it will draw new people to the island, exacerbating the problem we already have, serving as entry-level housing for new residents rather than providing housing for those who are already here. (We are also likely to see an increase in illegal vacation rentals.) We are nearing capacity for this small island, given the huge amount of building that is currently in progress. **Currently there is no way to ensure that this increased housing will be provided only to those it is intended to serve. BYLAW 530 must have added provisions to ensure that it does.**

b) LIMITS: There must be a limit to the total number of approved ADUs on the island, and that limit must include a count of current cottages - including tiny homes and trailers - that are already in use, before adding new ones: we need to know what's out there now in order to have a precise picture of what the implications are. Furthermore, each ADU should require individual approval, and once a determined quota is reached, NO MORE should be approved. We cannot simply double the number of residences of all properties of 1.2 acres or more. That would exceed carrying capacity for the island far in excess of OCP limits very quickly, and is completely contrary to the rural residential 5-acre limits. The limits on new dwellings MUST create a situation where the population does NOT exceed current OCP limits, and that must include those residing in tiny homes, cottages, suites, and trailers. In particular there must be limits on the number of ADUs of 968 sq feet. **Not ALL eligible properties for ADUs should be eligible for the larger size, and not more than a finite, pre-determined number should be permitted, perhaps with permits issued on a first-come first-serve basis, keeping in mind that some of the 968 sq ft structures may be created by adding to current 600 sq ft cottages (probably the only way that an owner would realize a profit in a reasonable time).**

There is also the risk, which is already taking place in various places around the island, and certainly in my area: Two or more parties are joining together to buy a single property, dividing it up between/among them. This will be a little less attractive if the 600 sq ft limit remains in place for the majority of properties. With the right to build a 968 sq foot dwelling, densities are essentially being doubled. That is unacceptable.

c) There are already many current suites and cottages that are not on the Trust's radar, including tiny homes, mobile homes and trailers. I'm sure we all know of cottages that have been or are

being used illegally and rented full time, and these are not official. I certainly know of quite a few. **So there are already MORE ADUs, and more people, living on this island than the numbers currently documented.**

d) Size: the increase to 968 sq ft for ADUs from 600 sq ft is essentially creating a situation where two families would be residing on a property zoned for one, and thus has the potential to far exceed acceptable population limits if not closely monitored. **The number of 968 sq ft cottages must be severely limited and Bylaw 530 has no provisions for this. ADUs at 968 sq ft. should be the exception, not the norm.** Higher rents could reasonably be asked for a larger structure, making it all the more likely the rent charged will be higher than many workers are willing or able to pay. Thus some form of rent control is necessary for all rental units, and a waiting list comprising the workers this bill is intended to target should be instituted.

e) Water use: Many of us have seen our wells decrease each year in summer from what they used to be, as more housing goes into our neighbourhoods. Water shortages throughout the island, and related fire hazards - certainly increased when there are more people in an area - are an ever greater threat with climate change. Yes, we have some good news re what we can currently do waterwise in the NSSWD. However, there's absolutely no certainty that this 'rosy' picture will still be with us in another few years. **Long-term thinking about water shortages necessitates ever more conservative choices when it comes to additional housing and development.**

f) Sewage: Many small dwellings and mobile homes/trailors are not hooked up to legal septic systems, and are likely to fall beneath the radar. It's important to note that sewage systems are not environmentally neutral, since they generally involve taking down trees and putting in huge amounts of fill, another reason these ADUs should be limited. 968 sq ft cottages are certainly not environmentally neutral, either - that's a substantial footprint.

g) Monitoring: Who will ensure that these extra buildings are not used for B & Bs or vacation rentals? Who will be in charge of the regular monitoring of these small buildings for safety, sewage, water, wood stoves, noise, and environmental impacts? Who will determine that the renters are islanders, not newcomers?

h) Privacy: People in rural residential areas have generally purchased their properties expecting densities to conform to the OCP, sustaining quiet, privacy and natural beauty. This bylaw, in encouraging many more people into a given area, increases noise between properties, road traffic, ferry traffic, water usage, sewage systems, and **compromises many of the qualities associated with rural life, turning rural areas into suburban ones, with obvious environmental impacts.**

i) Current services: we do not even have enough doctors on the island to serve the present population, and ferries at peak times are regularly overloaded, even in non-tourist times of year, but dangerously so in summer. Every attempt should be made at this time not to increase island population. The Trust is not calling this bylaw a means of increasing densities, but that's a feint, because in practical terms, additional dwellings, of increased size on smaller lots does increase population density.

**Suggestions:** As we know, many island properties are inhabited only part-time, and motions towards increasing taxes significantly on those properties are overdue. Pooling that money for subsidized housing would be a good start. Furthermore, we essentially put ourselves in the position we're in now by not creating a minimum housing size in the OCP, thus making the island too attractive for extremely large vacation homes. It's time to remedy that error in whatever way we can.

Attracting new doctors would be easier if we had a pool of houses that were designated for medical professionals. Many of us are leaving our covenanted and forested areas to conservancies when we die. Why not have a campaign urging those in the appropriate areas to donate their houses to the Trust or to Lady Minto as designated housing for doctors. By the same token, medical staff should be at the top of the list for any new ADUs.

Respectfully submitted,

Elissa Poole

