

## Draft Bylaw 530 Zoning Details

**Summary:** Draft Bylaw 530 would allow most residential properties on Salt Spring to have either an in-house suite or detached residence, also called an accessory dwelling unit (ADU), which could be occupied full time. An ADU could be a cottage or a living space over a garage, or other accessory building, and could be up to 600 or 1000 sq/ft, depending on the size of the property. The intent of proposed bylaw 530 is to increase affordable housing. However, there is nothing in the bylaw that requires ADUs to be rented to island residents, island workers, or to ensure that rents are affordable.

### **Zones where Bylaw 530 would allow either a secondary suite or a detached ADU:**

Residential (R) - Large residential areas across the island  
Residential 7 (R7) - Along Long Harbour Rd.  
Residential 8 (R8) - Vesuvius and Fulford Villages  
Residential 9 (R9) - South of Ganges along Fulford Ganges Rd.  
Rural Uplands 1 (RU1) & Rural Uplands 3 (RU3) - Higher elevation groundwater recharge areas  
Comprehensive Development (CD3) - A subdivision off of Steward Rd.  
Forestry 1 (F1) - Forestry zone

### **Zones where Bylaw 530 would allow only a secondary suite:**

Residential 3, 5, 10 (R3, R5, R10) - These are small isolated parcels or parcels that could not be located.  
Residential 6 (R6) - Along Park Ave. near town and similar areas  
Rural Uplands 2, (RU2) - Higher elevation areas that are groundwater recharge areas  
Rural Watershed 1 & 2 (RW1, RW2) - Areas in drinking lake watersheds  
Rural Islets (Ri) - Only on lots of 1.2 ha or greater

**Areas that cannot have a suite or a cottage or ADU** - Community Well Capture Zones - These are areas served by a community water system reliant on wells.

**Agricultural zones** are not covered by this bylaw. Under bylaw 526 passed in 2022, these properties are allowed to have a suite and an ADU.

### **Effectiveness of Bylaw Restrictions**

- When building a new ADU, if a building permit is obtained, the owner must comply with the building code. There is no program to bring the many non-permitted and illegal residences into compliance. But there is currently a Local Trust Council policy barring enforcement against illegal residences.
- When obtaining a building permit, the owner must prove adequate water and sewage disposal. But current requirements for proof of water are weak and do not protect the water supply of neighbouring wells or yet undeveloped properties.
- The bylaw bars short-term vacation rental, but enforcement has been very weak for years and the Trust generally has limited resources for monitoring land-use practices on the island.
- If the property is served by a public or private water service system, that system will have to give permission, creating headaches for small water systems, who likely would prefer not to be in conflict with neighbours. Furthermore, there is nothing to prevent property owners from drilling a new well, thereby putting additional pressure on water resources and further densifying rural neighbourhoods.

The key implications of Bylaw 530 are the threat of over development and the ensuing negative consequences for our fragile island ecosystems, and the absence of any data to support the position that affordable rental housing will be created. Click here for more details on Draft [Bylaw 530](#).