



February 27, 2026

Reference: 187944

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Dear Nadine Mourao and Jason Youmans,

Thank you for referring Draft Bylaw 183 Policy Statement to the Ministry of Housing and Municipal Affairs for review. The Trust Policy Statement guides the Islands Trusts' decision making in carrying out the Object of the Trust, and the development of Official Community Plan and regulatory bylaws by the Local Trust Committees and Islands municipality. This letter will provide preliminary comments from Ministry staff related to the content, principles, policies and implementation strategies outlined in the draft of the Trust Policy Statement provided on August 8, 2025.

These comments highlight opportunities to improve clarity, strengthen alignment with provincial expectations, and enhance practical implementation. We recognize that the Islands Trust Act tasks the Trust Council with developing the Policy Statement, and comments are shared aim to help the Trust strengthen the document and achieve its intended policy outcomes. All comments are offered with the intention of being helpful and supportive, but ultimately the Trust leads its own work and is best positioned to determine the most appropriate path forward.

This letter concludes with considerations related to requirements for submitting the Trust Policy Statement bylaw to the Ministry after Trust Council completes third reading. Any comments provided by staff today are intended to support the ongoing development of the bylaw and should not be interpreted as fettering the Minister of Housing and Municipal Affairs' discretion when the bylaw is referred to the Minister after third reading by Trust Council.

Framework and Context

This section is organized into technical comments on the Map of the Islands Trust Area, followed by broader reflections on the overall direction the draft Policy Statement takes towards reconciliation.

Section 1.2 – Map of the Islands Trust Area provides a graphic representation of the Trust Area. Ballenas Winchelsea is identified as a “Local Trust Area”; however, Under [s.23\(5\)](#) of the *Islands Trust Act* and per [Schedule B](#) of the *Islands Trust Act*, Ballenas Winchelsea is not within a Local Trust Area. While the Trust may wish to move away from the term “Executive Islands,” referring to Ballenas Winchelsea as a Local Trust Area may be misleading.

The map could also be better aligned with the map on the “Overview of the Islands Trust” webpage (Link: <https://islandstrust.bc.ca/about-us/overview-of-islands-trust/>). This map features Island labels which generally point to the Island land masses, rather than the waters surrounding each island. This is more accurate, and preferable to the map that is currently shown in the Policy Statement (pg. 5). It is suggested that labels on Trust Area maps be applied to the land, rather than the water, whenever possible.

Section 1.3 – Indigenous Inherent Rights Acknowledgement

With the Islands Trust exercising local government lawmaking powers over land use, the government-to-government relationships with First Nations are an important part of the reconciliation process in our province. The draft Policy Statement acknowledges this and sets out principles for improved cooperation with Indigenous Governing Bodies in the Trust Area.

Section 1.3 acknowledges Indigenous inherent rights, self-governance, and the commitment to reconciliation. The emphasis on collaboration, ongoing dialogue, and alignment with both the Declaration on the Rights of Indigenous Peoples Act and the UN Declaration provides essential context for the Islands Trust’s evolving relationship with Indigenous Governing Bodies.

It may be helpful to note that these commitments are intended to guide the ongoing evolution of policies, bylaws, and organizational practices. Highlighting this connection can help readers understand how the principles in this section will inform future work and support continuous improvement over time.

Guiding Principles

The Policy Statement identifies three distinct thematic groups of principles: Guiding Principles, Reconciliation Principles, and Cooperation Principles. By intentionally separating these categories, the Policy Statement effectively communicates foundational values that ground decision-making and the commitments that guide the Trust's relationships with Indigenous Governing Bodies and partner agencies. This approach highlights how different kinds of principles work together to support the Islands Trust Object.

Reconciliation Principles

Section 2.2 – Reconciliation Principles guides the Trust Council to be informed by several documents which are critically important to understanding and acknowledging the historical and current day context of Indigenous peoples, as well as their rights.

Advancing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) requires all levels of government to foster meaningful, collaborative relationships with First Nations and to integrate Indigenous histories, rights, and title into decision-making. Incorporating the UN Declaration into the Policy Statement represents a significant step toward achieving these objectives. The Policy Statement places significant emphasis on the presence of, and collaboration with, Indigenous Governing Bodies within the Trust Area, reinforcing the Trust's commitment to reconciliation.

The Trust Council's Reconciliation Principles are presented differently than the Cooperation Principles that follow, as the Reconciliation Principles are expressed only by reference to external sources. The Trust might benefit from further discussion with relevant Indigenous Governing Bodies to highlight the principles which have the strongest relevance to the purpose and Object of the Trust.

Cooperation Principles

The Cooperation Principles section recognizes the various ways the Trust commits to working collaboratively with a range of partners, informed by an understanding of the roles, responsibilities, impacts, and interests of those partners.

Section 2.3 – Cooperation Principles currently omits reference to regional districts and improvement districts, despite both being named in the Object of the Trust. Their inclusion would strengthen the policy by recognizing their significance as partners and critical community service providers, and support more integrated and collaborative decision-making across jurisdictions.

Section – 2.3.2 Collaborate with Island Municipalities cites the Policy Statement itself as a document for collaboration with Island Municipalities. While such collaboration is essential for successful implementation, it will have occurred prior to publication. Referencing collaboration in this way within the Policy Statement may therefore be confusing.

Goals and Policies

The Goals and Policies section reflects a realignment of the thematic areas traditionally seen in the Policy Statement around five contemporary goals and clearly distinguishes between directive policies and those that are encouraged as advisory policies under the Policy Statement.

Directive Policy 3.1.1 – Engage with Indigenous Governing Bodies currently directs Local Trust Committees (LTCs) to “engage with Indigenous Governing Bodies and provide a record of engagement at time of bylaw submission.” The Trust may wish to clarify whether this is meant to reference bylaw submission to the Executive Committee/Trust Council, the minister responsible for the *Islands Trust Act*, or both, after the words “bylaw submission.”

There is also an opportunity to enhance this directive by clarifying the scope of engagement and reinforcing expectations for transparency, accountability and building the needed relationships. Specifically, the policy could be *revised* to direct LTCs to engage with Indigenous Governing Bodies whose rights and interests may be affected by proposed bylaw changes early and often, as required. Additionally, the term “record of engagement” could be more clearly defined as a summary of the engagement process, including details such as who was contacted, the methods of engagement used, key concerns raised, and how those concerns were addressed.

As engagement with Indigenous Governing Bodies is an emerging and evolving practice and imperative since the last Trust Policy Statement was adopted, it will be important for the Islands Trust to devote additional attention to implementation planning. Proactive planning will help ensure that the Trust’s processes, expectations, and relationships continue to develop in a manner that reflects the evolving nature of this policy area and supports meaningful, effective engagement over time. Specific comments on implementation of this policy are provided under the ‘Implementation’ section of this letter, below.

Directive Policy 3.4.2 - Growth Management speaks to managing growth. The Gulf Islands face unique housing challenges, including a lack of workforce and affordable housing. At the same time, the Trust must consider a range of factors such as drinking water availability and waste disposal. Its ecological mandate requires thoughtful consideration of diverse perspectives to manage expectations for growth, development, and local economies while protecting ecosystems from pressures they cannot sustain. This balance should be considered carefully as part of the growth management process.

Directive Policy 3.4.4 – Community Facilities and Services – Consider elaborating on how the Trust will collaborate with service providers to ensure communities have the services they need.

Directive Policy 3.4.6 – Hazardous Areas – The identification of hazardous areas to guide land use decisions is essential to protecting public safety and ensuring sustainable development. The Trust might consider expanding on this by adding language about working with regional districts and municipalities on disaster mitigation and risk reduction, which reflects their roles and responsibilities under the *Emergency Management and Disaster Act*.

Advisory Policy 3.4.9 – Existing Development Potential – The Object and the tools provided to the Islands Trust require thoughtfully balancing between the preservation and protection of the Trust Area and existing land use entitlements. During implementation of this advisory policy and identification of land where current zoning may permit development inconsistent with the preserve and protect mandate, any calculation of potential housing supply should not be reliant on the identified lands.

Directive Policy 3.4.11 – Suitable Locations for Additional Housing – It may be helpful to define what ‘attainable housing’ means in this context. Including specific details of where these locations may be (where applicable and depending on size/population of each island) with consideration toward complete communities that include homes closer to shops and services (as available), and/or where active transportation options (and even some transit) are available.

Directive Policies 3.4.12, 3.4.15, and 3.4.17 – Consider expanding these policies to ensure references to all seven types of housing need required in housing needs reports are included (where applicable and depending on size/population of each island):

- 1) Affordable housing
- 2) Rental housing
- 3) Special needs housing
- 4) Seniors’ housing
- 5) Family housing
- 6) Shelters for individuals experiencing homelessness and housing for individuals at risk of homelessness
- 7) Housing near transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation

Directive Policy 3.4.19 – Natural Building Materials and Techniques – It may be useful to include the coordination required with regional districts regarding building permitting and inspection in the Islands Trust Area. Even if explicitly addressed in the policies, this

could also require implementation planning with other agencies to achieve the intended policy outcomes.

Directive Policy 3.4.21 – Rural Roadways could be strengthened by clarifying its underlying intent or providing definitions of what constitutes rural, scenic, or heritage roadways, and by including the role of the Ministry of Transportation and Transit in this regard. This additional detail would help ensure consistent interpretation and implementation.

Directive Policy 3.4.26 – Waste Disposal Systems – While the intent of this policy appears to be protective, the current phrasing may unintentionally suggest that new wastewater disposal systems should be located near Indigenous Peoples' cultural heritage sites and marine harvesting areas. To avoid this implication, it may be helpful to reword the policy to clarify that these areas are particularly sensitive and must be safeguarded from potential impacts.

Directive Policy 3.4.27 – Preservation of Natural Heritage – The inclusion of this policy in the Recreation section implies some connection to recreation, but that connection is not clear, as the policy only discusses protection and restoration of natural heritage sites.

Directive Policy 3.4.29 – Access to Community Marinas, Boat Launches, and Docks and Directive Policy 3.4.30 – Access to Anchorages – It may be helpful to include information on where or how jurisdiction is shared or assumed by Transport Canada, Fisheries and Oceans Canada, or the Ministry of Water Lands and Resource Stewardship. This would clarify public expectations of the role of the Trust and the shared accountability for outcomes.

Directive Policy 3.5.2 – Freshwater Demand and Supply Projections, Directive Policy 3.5.3 – Freshwater Self-Sufficiency, and Advisory Policy 3.5.5 – Freshwater Quality and Advisory Policy 3.5.7 – Freshwater Storage – Freshwater presents a policy area in which the Trust must cooperate with service providers and other relevant agencies to achieve sustainability objectives, particularly those related to maintaining water quality and ensuring long-term availability. These policies could be further strengthened by more clearly articulating the expected forms of cooperation with service providers and the Province, including the roles, responsibilities, and coordination mechanisms that will support effective implementation of freshwater policy objectives focused on preserving water quality and availability.

Implementation

As noted throughout this letter, implementation of the Policy Statement can be strengthened by emphasizing the established and emerging collaborative partnerships in which the Trust is engaged, and by clearly defining roles and responsibilities in policy areas where decision-making is shared with and/or informed by external agencies, or jurisdiction overlaps. Similarly, providing clearer definition around the respective roles of

regional districts, improvement districts, and provincial and federal governments, as applicable, may assist future readers in understanding how to apply the Policy Statement in practice.

As noted in the 'Goals and Policy' section of this letter, Directive Policy 3.1.1 directs Local Trust Committees and island municipalities to engage with Indigenous Governing Bodies and to keep records of engagement for the purpose of supporting bylaw adoption. To strengthen implementation of this policy, when preparing bylaws for Ministerial review, the Trust should develop processes which demonstrate how it has:

- prepared for Indigenous input with thoughtful assessment of the potential impacts on the environment, the community, and Indigenous Governing Bodies,
- been clear about intentions and open and genuine in seeking input,
- considered the perspectives shared and worked towards consensus and collaboration in the policies where possible, and
- responded to the community and to Indigenous Governing Bodies about what is reasonable, practical or necessary to include in the resultant proposed bylaws.

The Ministry will continue to engage with the Islands Trust through ongoing staff-level discussions to support effective implementation of the Policy Statement.

Bylaw Submission

Please ensure that when the final bylaw is referred to the Minister of Housing and Municipal Affairs for review, the submission package includes a record of comments from all interest holders, First Nations and other agencies. A detailed engagement log, dating back to the project's initiation in 2019, should also be included, clearly illustrating how the Islands Trust responded to each comment.

Should you have any questions or wish to discuss these comments further, please feel free to contact me at Kelsey-Rae.Russell@gov.bc.ca or by telephone at 778-405-4919.

Yours truly,



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