



March 7, 2024

Ref: 273907

Jennifer Margison and Co-Signers
The Board of Directors
Friends of the Gulf Islands

Dear Jennifer Margison and Co-Signers:

Thank you for your letter of December 19, 2023, addressed to the Honourable Anne Kang, Minister of Municipal Affairs, and me, regarding the vision and approach of the Islands Trust Council to its statutory mandate. As Assistant Deputy Minister, Local Government Division, I am pleased to respond. I apologize for the delay in responding.

In your letter, you outline two key items of concern:

1. The minimal progress made by the Trust Council toward enacting the recommendations of the [2022 Governance Review Report](#) prepared by Great Northern Management Consultants; and
2. The release: [Islands Trust Council Statement on the Scope and Meaning of Section 3 of the Islands Trust Act \(Object Clause\)](#).

I understand that you have also written to various bodies of the Islands Trust in the last several months, apprising them of your views and concerns, and encouraging them to move their vision and actions into closer alignment with the 1986 Islands Trust Position Paper No. 1.

As you are aware, the 2022 Governance Review commissioned by the previous Trust Council recommended a variety of actions by the Trust, including local planning that the trust can undertake within its existing authorities. The Ministry of Municipal Affairs understands that the Trust Council intends to discuss and review the Governance Review Report in 2024, with the analytical support of the Governance Committee established by the Council in late 2022. The ministry will continue to engage with the Islands Trust on this matter.

The provincial government recognizes that the Trust's mandate to "preserve and protect" must be balanced with the various stakeholder interests within the Trust area, including Indigenous Nations, regional districts, and private landowners. The Islands Trust Council Statement on the Object Clause states: "Trust Council's view... that unique amenities are broad-ranging and may include issues such as, but not limited to, housing, livelihoods, infrastructure and tourism. However, land use planning in the

Trust Area must always include a focus on preserving and protecting the environment and communities of both local trust areas and the Trust Area generally and in a manner consistent with Reconciliation.”

Within a Local Trust Area, the Local Trust Committee is intended to regulate development and land use, including through powers that would otherwise belong to the regional district. This includes the adoption and administration of Official Community Plans and of zoning and subdivision regulations. Concerns regarding the Islands Trust Council Statement on the Object Clause can be directed to the Islands Trust staff.

I appreciate that an aspect of your concern is transparency and public accountability. The Islands Trust is governed in this regard by Division 3 of the *Community Charter*, which sets out limited circumstances under which the Trust Council, or a Local Trust Committee, can hold a meeting that is closed to the public. The Trust Council closed the September 26, 2023, meeting subject to Section 90(1)(i) of the *Community Charter* to consider the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. Following the meeting, the Islands Trust made its decision available through a [Council Highlights](#) document on its website and notified subscribers to the website of the decision and held a [meeting](#) on January 15, 2024, to discuss community concerns regarding the decision, including your submissions. Islands Trust staff and the Governance Committee can address your concerns directly.

If you believe the Trust Council’s procedures were unfair, unreasonable, or inconsistent with relevant policy, procedures, or legislation, you may wish to raise your concerns with the Office of the Ombudsperson. The Ombudsperson is an independent Officer of the BC Legislature who impartially investigates complaints from the public to ensure people are treated fairly in the delivery of government services. For more information, visit their website: www.bcombudsperson.ca, or you can reach them by telephone at: 1 (800) 567-3247.

Thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Faganello', written in a cursive style.

Tara Faganello
Assistant Deputy Minister