

## The End of Preserve and Protect: A Short History

By Ronald Wright  
Gulf Islands Driftwood  
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For 50 years the Islands Trust has worked to protect our spectacular yet vulnerable islands from mass development. This has been no easy task, as the Gulf Islands are not only one of Canada's greatest natural treasures, they may also be the very last, except parks, to survive unspoiled so near big cities and airports. Without the Trust's protection under B.C. law, these islands' fragile ecology would have been overwhelmed decades ago.

News reports late last year told of uproar and discipline problems on Trust Council, our governing body of 26 trustees (two from each main island). In November, the council pulled many hours of video-recorded meetings from its website. It seems a deep rift has opened — between trustees who support the mandate they are sworn to uphold, and those trying to undermine it — during a major rewrite of the Trust Policy Statement (TPS). The TPS is a crucial document that controls how the *Islands Trust Act* is applied on the ground, setting standards that each island's official community plan (OCP) and land use bylaw must meet.

It is no coincidence that, at the same time as this TPS upheaval, Salt Spring's trustees are also engaged in major zoning and land-use changes to our OCP, which they call merely “a targeted update” for affordable housing. But like their failed Bylaw 530, the zoning changes they have in mind would unleash private development, do nothing to ensure affordability, and may well be unlawful under the existing TPS. Hence the haste to change both policy and plan before their term runs out next year.

First some background. Fifty years ago, B.C.'s population was 2.4 million, less than half what it is now. Yet our endless real-estate scramble was already underway by the late 1960s. Provincial governments of both right and left became worried about the islands' fate. One of the most alarming examples was Magic Lake Estates: 1,200 half-acre lots on North Pender, which had fewer than 500 residents at the time. [i](#)

In 1973, the province set up an all-party standing committee to visit the islands, consult with residents, and seek a lasting solution. The committee identified subdivisions and over-development as “the priority concern.” The Gulf Islands, they reported, “are too important to the people of Canada to be left open to exploitation by real-estate developers and speculators.” [ii](#)

In 1974, the *Islands Trust Act* was passed unanimously with its famous mandate to “preserve and protect” the islands' “unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally.” [iii](#)

But it wasn't long before speculators, developers, logging firms and tourism investors fought back. The early 1980s saw a push to abolish the Trust altogether. [iv](#) Foes of the *Islands Trust Act* tried to sow confusion over the wording of its mandate. What exactly was protected? Did “environment” mean only the natural environment, and what were “unique amenities”?

So in 1986, Trust Council and the Ministry of Municipal Affairs published *Position Paper Number 1*, giving specific examples and definitions that left no room for doubt about what is preserved

and protected: “approximately 500 islands and the extensive coastline and sheltered waters; diverse and unusual natural features, vegetation and wildlife; almost continuous tree cover; a unique water supply situation [with] heavy reliance on groundwater sources.” [v](#)

Fresh water is scarce on small islands in salt seas. Their only water for drinking and farming is what falls on them. How much of it stays on these hilly islands instead of running to the sea depends above all on woodlands. Woods are the keepers of water, and unbroken older forest with a thick spongy floor keeps it best. Human disturbance must therefore be restricted.

The paper also defined what is meant by the “benefit” for Trust residents and the province: “A benefit must be sustained and long-term, and must not be at the expense of the amenities or environment of the islands.” [vi](#)

On “unique amenities” the *Trust Act*’s wording was sure-footed and precise: the *Oxford English Dictionary* defines unique as “one of a kind” or “unparalleled.” Unique amenities are, by definition, things not found elsewhere.

Only the province holds the power to change that mandate.

Yet in September 2023 — after an unknown number of trustees held a secret in-camera meeting — Trust Council made this announcement: “Trust Council’s view is that unique amenities are broad-ranging and may include issues such as, but not limited to, housing, livelihoods, infrastructure and tourism.” [vii](#). In short, an open-ended list of things that are not unique at all.

In a further announcement last year, Trust Council claimed they had consulted “all previous legal opinions” on the meaning of the *Trust Act*. [viii](#) But later admitted they didn’t even have the 1986 *Position Paper Number 1* in their “deliberations.” [ix](#) An odd legal precedent to ignore, especially since a 2021 expert report had drawn Trust Council’s attention to the *Paper*’s importance. [x](#)

These goings-on raised such alarm that 34 former trustees sent an open letter to the provincial government and the Trust last May. “This expansion and interpretation of ‘unique amenities’ has the potential of influencing or compromising environmental policies,” they wrote. “The Trust is limited to regulating land use in order to preserve and protect the natural environment and rural character of the Trust Area.” [xi](#)

On Oct. 16, 2024 — only three days before the provincial election — Trust Council wrote its own letter to the Minister of Municipal Affairs. This repeated the old falsehood that unique amenities are “undefined,” and formally asked for a full “review of the Islands Trust’s mandate, governance and structure . . . similar in scope to the work . . . that led to the creation of the Islands Trust 50 years ago.” [xii](#)

Given the enormity of this request, one would expect Trust Council to pause its own chaotic efforts until the province replies. But no. The TPS drafting continues in meetings “of the whole” held every month.

And despite its disciplinary woes — or maybe because of them — Trust Council is planning to scrap the Trust’s clear “Standards of Conduct,” the first item of which states: “the chief functions of a trustee are to serve the public, advocate the Trust mandate, and adhere to the Trust Policy.” [xiii](#)

The new wording they plan to adopt instead makes no mention of the Trust's mandate whatsoever. *The writer is a Salt Spring resident and author of several non-fiction and fiction works, including Time Among the Maya, Stolen Continents, A Scientific Romance and A Short History of Progress, his 2004 Massey Lecture.*

– i <https://islandstrust.bc.ca/document/north-pender-island-lta-2021-census-profile/> [Stats Can] N.

Pender has about 2,500 today. See also The Islands Trust Story by Peter Lamb, 2009:3

– ii Lamb, 2009:4

– iii Islands Trust Act “Object” (mandate) 1974.

– iv Lamb 2009:11

– v Position Paper No.1, Islands Trust, Ministry of Municipal Affairs, November 1986:4.

– vi Position Paper No.1, 1986:5

– vii Islands Trust Council Statement, Sept. 26, 2023

– viii Islands Trust Council Statement, Jan. 18, 202