



# Memorandum

Date: May 25, 2015 File Number: GL-RZ-2014.1 Crystal Mountain

To: Galiano Island Local Trust Committee  
For the meeting of June 1, 2015

From: Kim Farris, A/Planner 2

CC: Robert Kojima, Regional Planning Manager

Re: Application Update

This memo will provide an update on the status of this application, material received from the applicant, and options on proceeding with the application. Background information on the property, the proposal and the preliminary staff report are available on the LTC webpage under 'Current Applications':  
<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications.aspx>

At the February 2, 2015 regular meeting the Galiano Island Local Trust Committee (LTC) passed the following resolution:

**"GL-2015-002**

**It was MOVED and SECONDED,**

That the Galiano Island Local Trust Committee direct staff to proceed with the application GL-RZ-2014.1 (Crystal Mountain) but before preparing draft bylaws address the following:

- (1) Submit a survey regarding the proposed building sites, accesses and Development Permit Areas and the location and size of all existing structures;
- (2) Indicate whether or not existing structures will be removed or will remain;
- (3) Indicate whether any of the proposed huts will have cooking facilities;
- (4) Indicate whether the outhouses will consist of composting toilets or another system;
- (5) Submit plans to implement the recommendations of the environmental assessment;
- (6) Consider an amendment to the application to transfer title of the proposed covenanted lands to an organization which has as its primary objective the conservation of forest land;
- (7) Consider a plan that would cluster development in one building site not the 3 that have been proposed;
- (8) Provide the LTC with a copy of the 2 CRD covenants on the land regarding geotechnical issues and Riparian Area issues; and
- (9) Consider an agreement to stop construction until completion of the application and to stop advertising and conducting programs within structures that are not permitted under the zoning that presently exists on the land."

### *Requested Information:*

The applicant provided a written response addressing the nine points requested by the Galiano Island LTC (attached). The applicant states that a more detailed response will be available to the LTC at the June 1, 2015 meeting and will be available at the meeting to address the proposal.

### *Staff Comments:*

The comments provided by the applicant provide clarity on the intent of the proposal. The proposal includes providing 30 accommodations for onsite meditators (three currently existing, 27 proposed), a caretaker cottage, meditation hall, summer kitchen facilities, bath house, bath and outhouse facilities, storage shed, and a pagoda sculpture. Two maps are attached to the memo showing the existing structures (attachment 2) and a general layout of the full build out (attachment 3). Both maps also show three Development Permit Areas (DPA 1 – Riparian, DPA 5 – Sensitive Ecosystems, and DPA 7 – Steep Slopes) overlaid onto the site plans.

The applicants have shown a willingness to comply with a number of recommendations outlined in the Environmental Assessment prepared by Keith Erickson that was provided with the application package in 2014. These include removal of invasive species (currently in progress), forest restoration and reduction in fire hazard by tree thinning, and installation of compostable toilets. If the Galiano Island LTC proceeds with the application, staff will recommend a list of conditions that must be met prior to rezoning approval based on recommendations from the assessment.

The applicants have also considered the option of transferring the proposed conservation area to a conservation society and spoke with Islands Trust Fund staff to discuss this option. As stated in the attached applicant response, they believe the retreat proposal would be best achieved if they continued with the option to register a conservation covenant.

Staff believe this application is an improvement over the initial application proposal from 2004 as the applicant has provided the necessary information to satisfy the initial application requirements and has provided the request information by the LTC. If the Galiano Island LTC does wish to move forward with the application and request staff to prepare draft bylaws, the LTC should also consider if forestry should be retained as a primary permitted use. Although the proposal meets the 75/25 percent approach generally, the intent is to rezone to a retreat use rather than residential, and to provide covenants rather than donated land.

Based on the number of zoning amendment applications in the past decade, there will more than likely be more zoning amendment applications with the intent to rezone forestry land to another permitted use. The LTC may want to consider if the overall community goal is to retain larger parcels primary for forestry use, or to rezone land to fulfill a contemporary land use need. Staff can address this more fully in a subsequent report.

A subsequent staff report would include an outline of the full proposal, list of conditions to be met prior to final adoption, and options for LTC consideration with regards to the Land Use Bylaw (LUB) and Official Community Plan (OCP) bylaw amendments: to retain the forestry zone and draft a site specific zone (with retreat use as a primary or accessory use), or draft a new retreat zone without a forestry use.

### *Options:*

The Local Trust Committee has generally four options at this time:

1. resolve to proceed no further with application;
2. direct staff to proceed with the application, outline options for draft bylaws, and to clarify any further outstanding issues if required; or
3. direct staff to proceed with the application and to prepare specific draft bylaws.

Staff recommends proceeding with the application and for staff to prepare options for OCP and LUB amendment bylaws. If the LTC wishes to move forward with the application and has a clear idea of bylaw amendment format (site specific zone with retreat use as an accessory or permitted use or a new retreat use zone), the LTC should provide this direction in the resolution. Staff have provided four draft resolutions outlining options to proceed but with direction on how to draft the bylaws.

#### **Resolution Options:**

1. THAT the Galiano Island Local Trust Committee direct staff to proceed with the application G-RZ-2014.1 (Crystal Mountain) and request staff to outline options for draft bylaws; OR
2. THAT the Galiano Island Local Trust Committee direct staff to proceed with the application G-RZ-2014.1 (Crystal Mountain) and request staff to draft bylaws for a site specific zone with the retreat use as a permitted use; OR
3. THAT the Galiano Island Local Trust Committee direct staff to proceed with the application G-RZ-2014.1 (Crystal Mountain) and request staff to draft bylaws for a site specific zone with the retreat use as an accessory use;
4. THAT the Galiano Island Local Trust Committee direct staff to proceed with the application G-RZ-2014.1 (Crystal Mountain) and request staff to draft bylaws for a new retreat zone.

#### **Attachments:**

1. Applicant Response – Received May 21, 2015
2. DPA Overlay with Site Plan (existing uses)
3. DPA Overlay with Site Plan (proposed uses)

## Addressing the Galiano LTC, re: Crystal Mountain Retreat Center Rezoning

1) The covenant holder agreement with Islands Trust Fund already requires a full site survey, which we have arranged to do.

### **2) Existing structures (those in red remain in the new proposal):**

Pagoda on Lot 9 - sculpture

Summer kitchen (20x20) – open air structure for cooking/eating (to be upgraded)

Meditation tent (20x30) and platform (20x40) – for classes and group meditation

3 meditator huts (160 sq. ft.) – accommodation for retreatants

4 outhouses

Storage shed – for tools and odd small items

Water cistern – gravity

### **Proposed New Structures:**

23 additional huts, lower polygon – shorter term meditators

4 additional huts, upper cliff polygon – longer term meditators

(Onsite accommodation for 30 meditators total)

Caretaker cottage – 650 sq. ft., with septic field

Meditation Hall – 1325 sq. ft.

Bath House – 20x30, with septic field

Storage shed

3) Meditators eat lightly and simply. All the proposed huts will have small, propane cooking facilities. Tom Darby, the north end fire marshal, has now toured the property and given us his approval of the kitchen layout and fire safety. He has recommended the addition of a backsplash, which will be installed before the stoves are used.

4) To date our outhouses have composted effectively. We are currently investigating composting toilet designs to replace several of the outhouses that would see increased usage.

5) Some of the recommendations have been/are already being implemented. Removal of invasive broom is in progress. Tree thinning for fire hazard minimization is in progress. The Trust planners have offered to give us a priority list pulled from the recommendations in the Environmental Assessment. We will then build a work plan to present to the LTC.

6) We have recently had multiple discussions on the transfer of ownership issue with the planners, with Island Trust Fund and with the members of Crystal Mountain's rezoning committee. Our biggest concern with transferring ownership is that we would lose the ability to make certain decisions concerning the use of the landscape bordering our areas of operation. To be clear, the key commitment undertaken by the operators of a retreat facility, is that those who use the facility know they are protected. The retreat

work that individuals do is very private and solitary and for the most part requires disengaging from the world and journeying deep within themselves. This can be emotionally and existentially challenging and, particularly for those doing long term retreat work, requires entering into a place of real vulnerability. Talk is held to a minimum, even eye contact with another person is discouraged. The whole point of centers like Crystal Mountain is that those attending need to feel safe throughout that journey. To date, and in spite of our primitive facilities, people have been coming from near and far, from New Zealand, Europe, Brazil, the US, across Canada, because they have learned that Crystal Mountain provides them with this safety, instruction and isolation.

If we were to surrender the ability to make decisions concerning activity on our adjoining lands, even if those decisions are being made by sympathetic conservation organizations, we would compromise the very fundamental responsibility (and liability) we hold in creating this retreat space. So no, we would not choose to transfer title of the proposed covenanted lands.

**7)** Our building plan is very much determined by the landscape, particularly on Lot A, the forest lot. The lot has 2 distinct zones, one higher and one lower. The lower area connects to Porlier Pass Dr. and was the staging area for the logging operations of the past. The smaller, upper area sits atop a steep cliff and requires separate access from Cook Rd. This separation of space works nicely with the 2 uses we require for the retreat center. Most of our retreat work and courses are shorter term (under a month), where larger numbers attend and there is more activity, particularly in the summer months. A smaller number of folks come to us wanting greater isolation for longer (up to 6 month) retreats. The 5 cabins in the polygon at the top of the cliff serve that need; the lower polygon supports the shorter term retreatants.

This layout has been thoroughly vetted by previous trustees over the past 10 years. What is new in the current proposal is that we have added a small building site overlooking the driveway entrance off of Porlier Pass Dr. This cabin site would house the caretaking/maintenance person, who would also provide ongoing security. The location was suggested to us by our environmental consultant and provides the perfect location to both monitor traffic onto and from the property, as well as house a busy work manager at a distance from those in silent retreat.

**8)** The planners assure us that they have these documents. Please note that it is our intention to do an improved geotechnical survey of the lower polygon area, which the previous owners warned was a halfhearted and inexpensive effort on their part. We further expect to relocate one of the huts in the lower polygon to conform.

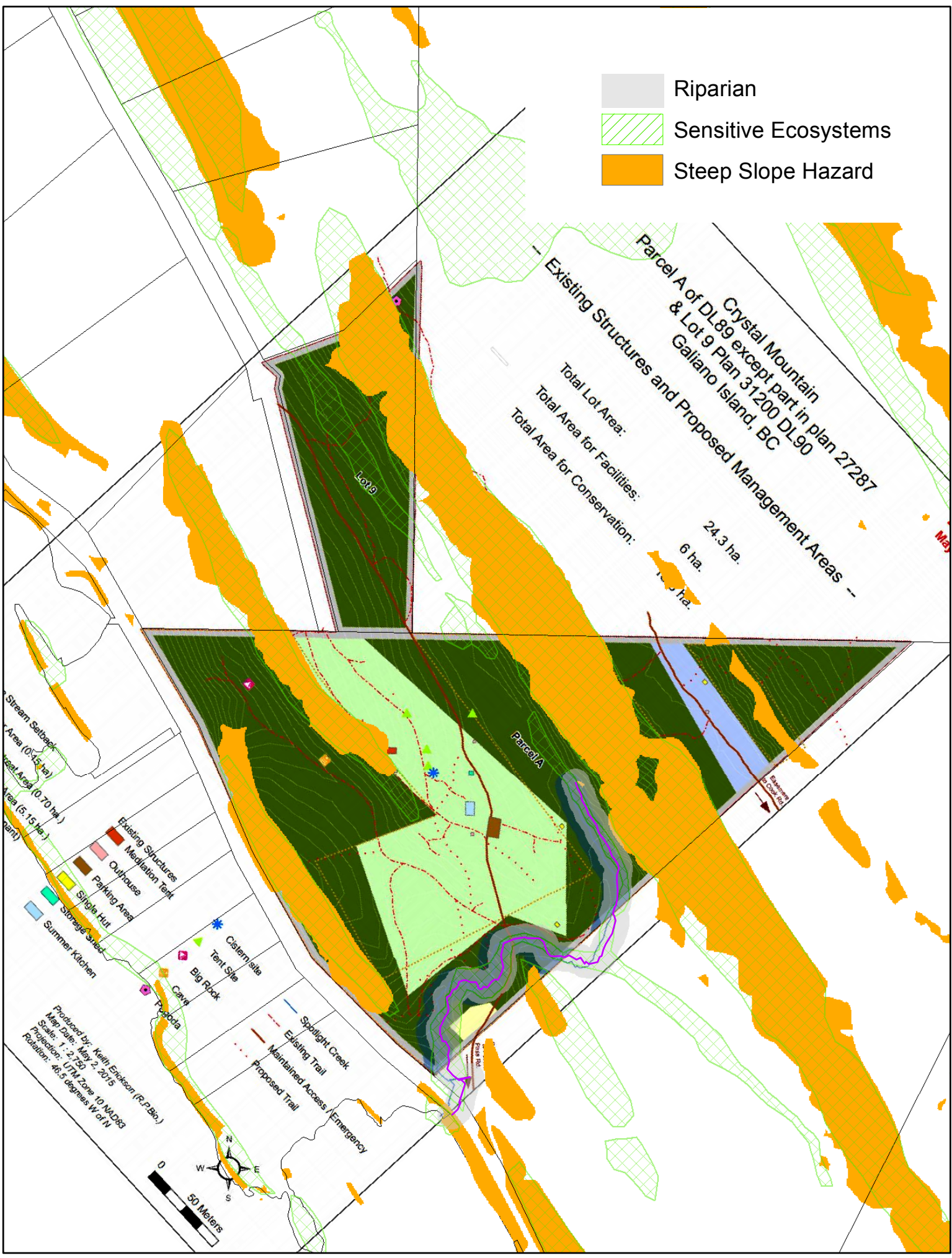
**9)** The only new construction on the land over the past years has been the addition of 3 meditator huts, built as prototypes for what we might build if the rezoning were to go through. We recognize that this choice has been contentious and will certainly promise to do no further construction until the rezoning application is complete. Since we initially filed our rezoning application in 2004, we have operated as a simple, warm season location, with crude facilities that support only the hardier of meditators. We have complemented this work by renting housing from many islanders and have more recently focused our effort on building a full size teaching house on a privately purchased, adjoining residential lot. Our upcoming summer program of teaching and retreats is already in place and is fully subscribed, so it would be difficult to consider shutting down our activity at this time. We recognize that there are issues with this and wonder if we could either negotiate a short term compliance agreement with the bylaws people or be granted a temporary use permit? Since the process of amending an OCP can take time to be approved by senior government, this would help ease us through the next few months.

- Riparian
- Sensitive Ecosystems
- Steep Slope Hazard

Crystal Mountain  
 Parcel A of DL89 except part in plan 27287  
 & Lot 9 Plan 31200 DL90  
 Galiano Island, BC

Existing Structures and Proposed Management Areas

Total Lot Area: 24.3 ha.  
 Total Area for Facilities: 6 ha.  
 Total Area for Conservation: 18.3 ha.

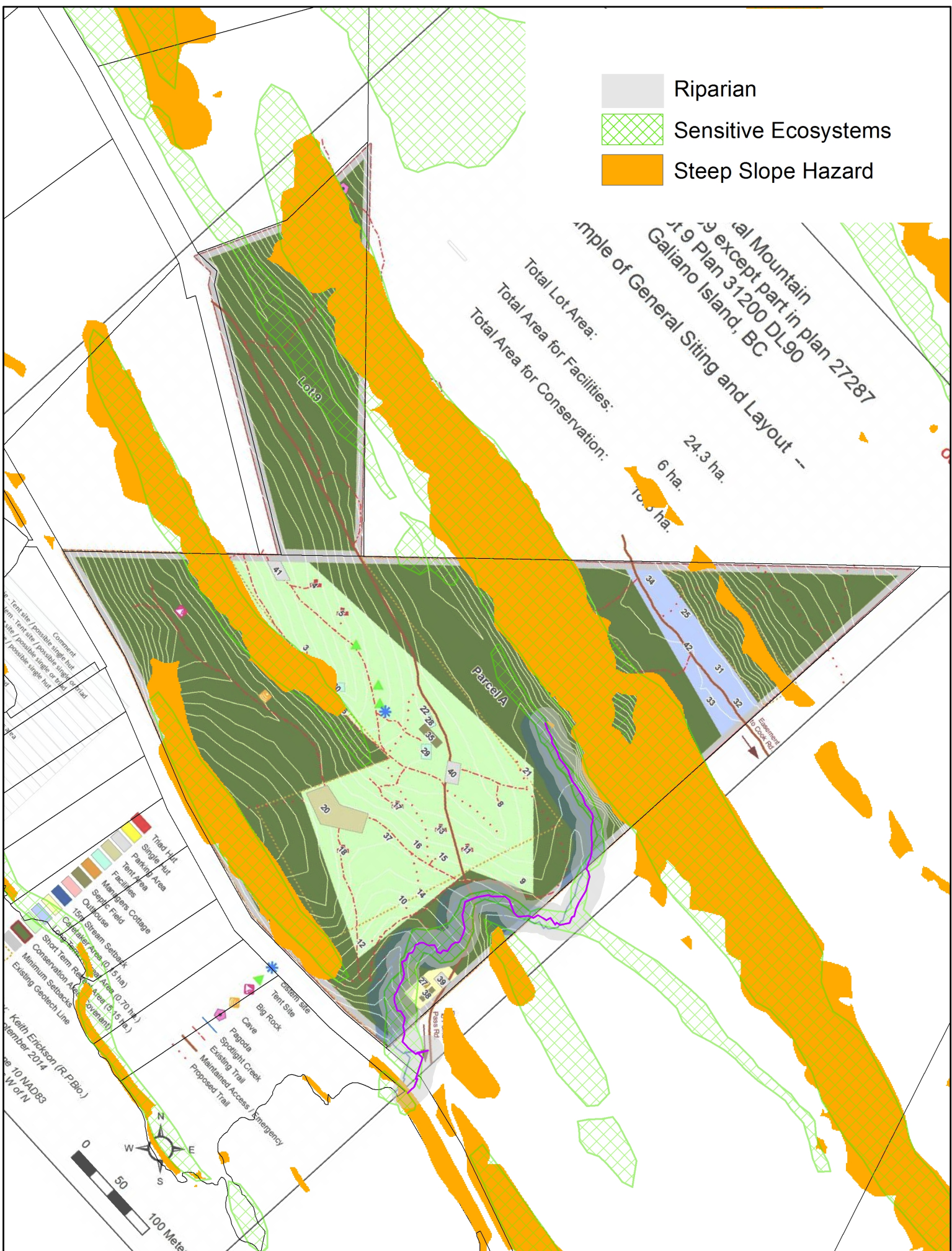


Produced by: Keith Erickson (R.P.Bio.)  
 Map Date: May 2, 2015  
 Scale: 1 : 2,750  
 Projection: UTM Zone 10 NAD83  
 Rotation: 48.5 degrees W of N



- Riparian
- Sensitive Ecosystems
- Steep Slope Hazard

Example of General Siting and Layout --  
 Mt. 9 except part in plan 27287  
 Galiano Island, BC  
 Total Lot Area: 24.3 ha.  
 Total Area for Facilities: 6 ha.  
 Total Area for Conservation: 10.5 ha.



Comment
Tent site / possible single hut
Temp. tent site / possible single hut
Site / possible single hut
Site / possible single hut

- Tried hut
- Single hut
- Parking Area
- Tent Area
- Facilities
- Managers Cottage
- Septic Field
- Outhouse
- 15m Stream Setback
- Conservation Area (0.70 ha)
- Conservation Area (2.15 ha)
- Existing Geotech Line

- Eastern site
- Tent Site
- Big Rock
- Cave
- Pagoda
- Spotlight Creek
- Existing Trail
- Maintained Access/Emergency
- Proposed Trail

Keith Erickson (R.P.Bio.)  
 November 2014  
 10 NAD83  
 W of N

