



File No.: GL-RZ-2014.1 (Crystal Mountain)

DATE OF MEETING: October 5, 2020
TO: Galiano Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
Kate Emmings, Acting Manager, Islands Trust Conservancy
SUBJECT: Rezoning Application – Updated Proposal for LTC Consideration of Next Steps
Applicant: Crystal Mountain Society (CMS)
Location: District Lot (DL) Lot 90 Lot 9 and DL 88 & 89 Lot A, North Galiano Island

RECOMMENDATION

- 1. That the Galiano Island Local Trust Committee direct staff to provide recommended amendments to draft bylaws 256 and 257 that reflect the updated 2020 Crystal Mountain Society rezoning proposal.**
- 2. That the Galiano Island Local Trust Committee direct the applicant to develop a water management plan that considers the recommendations of the 2015 Kohut water report and includes a water catchment system designed to supplement groundwater supply for potable water in peak use/low flow periods.**

REPORT SUMMARY

The purpose of this report is to provide additional details and analysis of the updated Crystal Mountain Society (CMS) rezoning proposal that was received by the Galiano Island Local Trust Committee (LTC) at the July 6, 2020 LTC meeting, to provide a summary of issues and concerns that have been identified through neighbourhood consultation, and to provide recommended next steps.

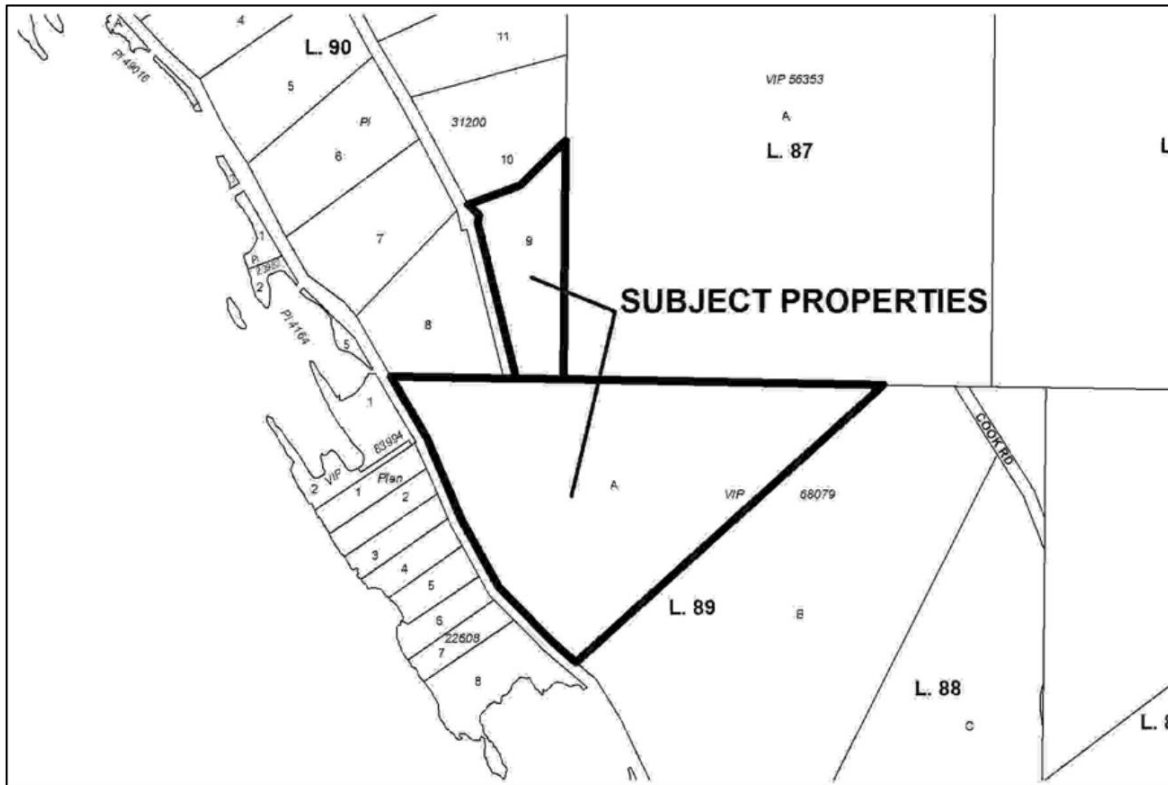
The above recommendations are supported as:

- Draft bylaws have been developed by staff but have not been given first reading by LTC and require updating to reflect the current proposal;
- The applicant has been diligent in addressing various outstanding aspects of their proposal and there is now sufficient detail and clarity in order to proceed with bylaw amendments;
- The current proposal does not yet adequately address groundwater storage, use monitoring and conservation measures; and,
- Proceeding with draft bylaw amendments will allow for additional community consultation and referral to potentially affected agencies and First Nations.

BACKGROUND

This application is to rezone two subject properties (DL Lot 90 Lot 9 and DL 88 & 89 Lot A) on the north end of Galiano Island in order to permit a *spiritual education* land use (Figure 1). Lot 9 is currently zoned Rural 2 (R2) and Lot A is zoned Forest 1 (F1). The rezoning application has been open since 2014.

Figure 1. Subject property map



If rezoning is approved, a subdivision to create two new lots would also be required (Figure 2). Proposed Lot 1 (18.4 hectares) would go to the Islands Trust Conservancy (ITC) through a transfer of title. The proposed Remainder Lot A (6.14 hectares) would become the spiritual education centre. This remainder portion is a hooked-lot configuration with two separate parcel sections to accommodate proposed CMS activities.

Note: Some minor alterations of the proposed boundary may still be required to address CMS operational needs and feedback from the community.

File History

Efforts by CMS to rezone the subject parcels for an intended spiritual education land use have been ongoing since 2004. Two separate applications have been considered by LTC's. The first application was open from 2004 to 2014. The current application was introduced to the LTC in 2015.

- July 2004 – Preliminary staff report at LTC meeting. The LTC asked staff to report back on the various issues and options identified as part of that review.
- July 2005 – After considerable work to further refine proposal, draft OCP and LUB amendments presented at Galiano Island LTC meeting. The draft bylaws were forwarded to the APC for comment.
- January 2006 – LTC Special Meeting – General consensus that the applicants would wait until an OCP Forest Lands Review was complete. If policy developed that addressed Forest Retreats, then the applicant would consider coming forward with a consistent rezoning proposal
- 2007 to 2012 – Numerous letters sent from Islands Trust staff to close application due to inactivity.
- 2013 – Applicant provided an updated proposal and site plan. Three new huts were constructed on the property. These structures are currently not permitted by zoning and therefore are illegal.
- April 2014 – A staff report was reviewed at the April 2014 Galiano Island LTC meeting to discuss the progress of the 2004 application. The LTC resolved to proceed no further with application and directed staff to assist Crystal Mountain with any information regarding new application procedures.
- January 2015 – A new application was presented by staff to LTC in a preliminary staff report.
- 2015 – applicant worked with LTC and staff to address and various aspects of proposal
- March 2016 – LTC directed staff to proceed with the application and draft bylaws on the basis that 75% of land be protected in a conservation covenant
- 2016-2017 – Further input from community and LTC requesting applicant to explore transfer of title option instead of covenant on 100% of land base
- November 2017 – Islands Trust Board (Now Islands Trust Conservancy or ITC) resolved to accept transfer of approximately 18.3 hectares based on 75/25% transfer formula – resolution passed by ITC Board with a number of conditions attached
- 2018 -2020 – Applicant sought legal and professional advice for rezoning and subdivision plan based on 75% land transfer and continued to engage community on other issues
- July 2020 – Staff memo presented updated an CMS proposal and subdivision site plan to LTC for preliminary review

Community Engagement by CMS

CMS has undertaken considerable public and stakeholder consultation since 2015. The following is a list of public and stakeholder engagement conducted by CMS (as supplied by the applicant):

- Jan 2014: Application submitted
- Sept 2015: Open House on the land
- Oct/Nov 2015: Forest Retreat proposal submitted and presented at LTC meeting

- Nov 2015: Several days, Information made available at local shopping area
- Nov 2015: North Community Hall / South Community Hall Information Meetings
- Dec 10, 2015: Letter of response to island neighbours
- Aug, Sept 2016: Door-to-door introductions
- Sept 2016: Mail out to the North End neighbours addressing concerns
- Sept 2016: North Community Hall Meeting with facilitation part 1
- Oct 2016: North Community Hall Meeting with facilitation part 2
- Nov 2016: Walkabout on the land with neighbours, discussion and questions
- Jan 2017: North Community Hall meeting part 3
- Feb 2017: 1st Meeting with Reps: Moderated round table discussion
- Mar 2017: Walkabout on the land
- Mar 2017: 2nd Meeting with Reps: Moderated round table discussion
- Apr 2017: 3rd Meeting with Reps: Moderated round table discussion
- Summer 2018: meet with neighbours at Community Office for update
- 2018-2020: periodic email updates
- Aug 23, 2020: 4th Meeting with Reps: Moderated round table discussion
- Sept 8, 2020: 5th meeting with reps
- Sept 12 + 16: E mail and posted Current Information Sheet. Sent to 175 north end residents (Attachment 5).

Included in these meetings were four meetings facilitated by island volunteers who have particular skill in this area (Sep/Oct 2016, Jan 2017, Aug 2020). Amongst other changes to the original proposal, these meetings were one of the key drivers in CMS shifting their rezoning approach from a covenant to a transfer of title, which was seen by many in the community as critical to garnering neighbourhood support.

Additional Background

Planning staff conducted a site visit with the applicant on August 19, 2020. Trustee Wolverton visited the site on July 31, 2020. Trustee Rockafella visited the site with planning staff on September 1, 2020. Chair Rogers visited the site on September 29, 2020.

Attachments 1-5 include draft bylaws 256 and 257, the 2020 CMS revised proposal, a higher resolution version of the 2020 draft operational site plan, a summary of LTC resolutions related to the application since 2015, and a recent community update from CMS.

Further background to this application, including previous staff reports, are available on the Islands Trust website: <http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/current-application-documents/>

ANALYSIS

Comparison of 2020 and 2015/16 Rezoning Proposals

Table 1 provides a brief summary of the updated 2020 CMS proposal, and includes a comparison of what has changed since the proposal was first considered by LTC in 2015-16.

Table 1. Comparison of 2015/16 and 2020 Rezoning Proposals

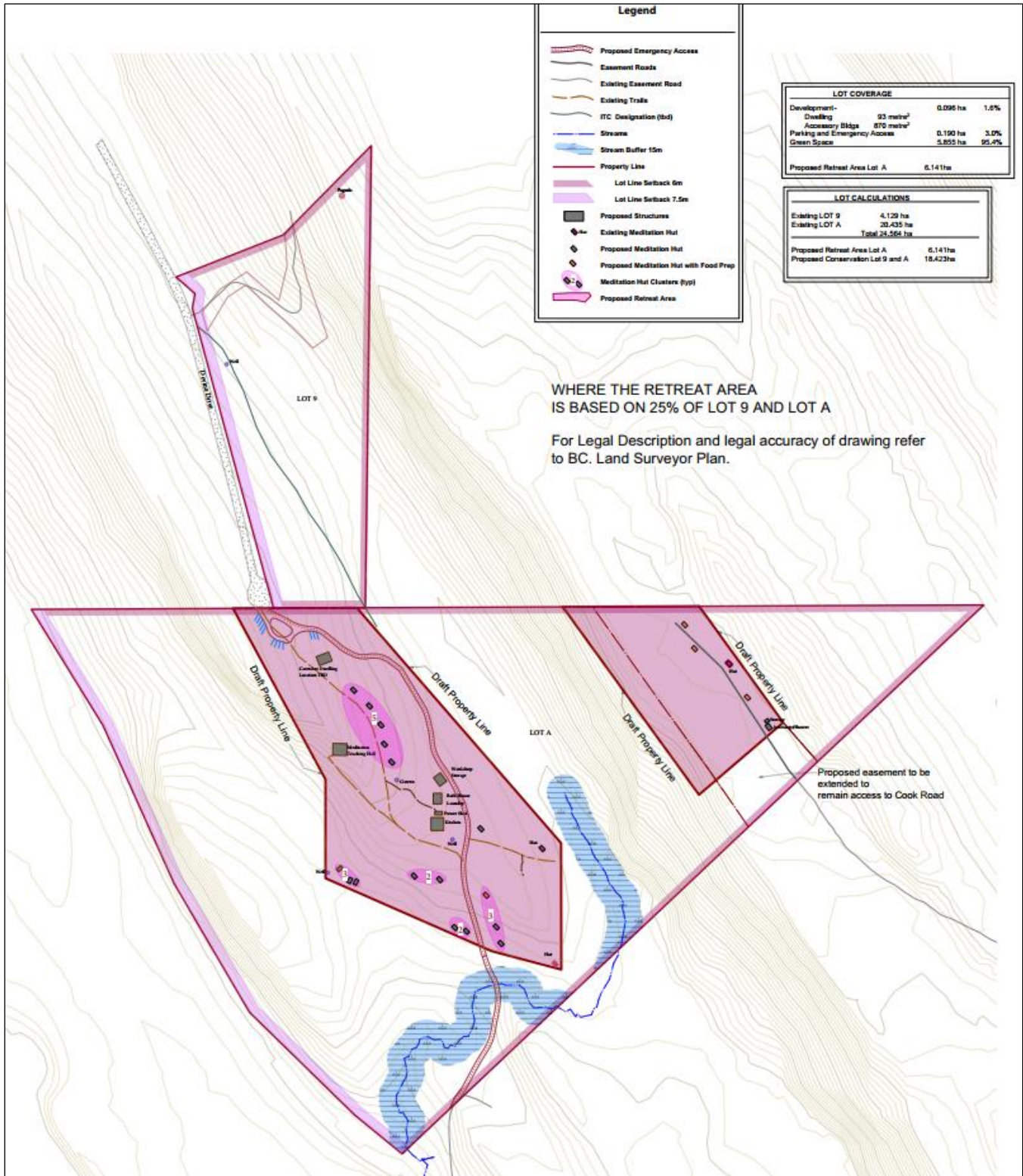
Item	2015/16 Proposal	2020 Proposal
Transfer Mechanism	<p>CMS to retain 100% ownership –</p> <p>Proposal relocates the residential density of Lot 9 to adjoining Lot A and combines it with the density of an F3 zoned lot. No subdivision of the land is proposed; amalgamation of Lots 9 and A provides increased protected forest contiguous with DL 87-Conservation Covenant</p> <p>Based on a conservation covenant with protection of 75% of the land - F3 rezoning model under OCP Forest Policy (b)</p>	<p>Amalgamation of Lot 9 and Lot A with subdivision to create two new lots</p> <p>*75% portion transferred to ITC</p> <p>*25% retained by CMS</p>
Maximum Density	30 meditation huts, 1 caretaker residence	22 meditation huts, 8 seasonal tent platforms, 1 caretaker residence
Infrastructure	<p>Total # Buildings - 37</p> <p>Total Footprint = 989 sq.m/10,645sq.ft</p> <p>Meditation Hall: 123 sq.m./1324 sq.ft</p> <p>Kitchen/DiningHall: 123 sq.m./1324 sq.ft.</p> <p>Bath & Laundry: 70 sq.m./ 753 sq.ft</p> <p>Storage/Workshop: 70 sq.m./ 753 sq.ft</p> <p>Power Shed/Office: 28 sq.m/ 300 sq.ft</p> <p>Med Huts x 30: 450sq.m./ 4,843 sq.ft</p> <p>Kitchen/Dining Hut: 32.sq.m./350 sq.ft (upper ridge)</p> <p>Caretaker Bldg: 93 sq.m/1000 sq. ft</p>	<p>Total # Buildings - 30</p> <p>Total Footprint = 948sq.m/10,204 sq .ft</p> <p>Meditation Hall: 125sq.m/1345sq.ft</p> <p>Kitchen/Dining Hall: 125sq.m/1345 sq.ft.</p> <p>Bath & Laundry: 70sq.m/ 753 sq.ft</p> <p>Storage/Workshop: 90sq.m/ 969 sq.ft</p> <p>Power Shed/Office: 70sq.m/ 753 sq.ft</p> <p>Med Huts x 5 21sq.m/225 sq.ft.</p> <p>(Upper Ridge with food prep - New Entry)</p> <p>Med Huts x 17 15 sq.m/160 sq.ft</p> <p>(Lower Ridge)</p> <p>Service Bldg 20sq.m/215sq/ft (ridge)</p> <p>Storage Bldg.(ridge) 10 sq.m/107 sq/ft</p> <p>Caretaker Bldg 93sq.m/1000sq.ft.</p> <p>+ 8 tent sites seasonal</p>
Highway Access	Two accesses – one from Devina Drive, One from Porlier Pass Road	<p>One access from Devina Drive, Porlier access portion will relinquished through subdivision</p> <p>Easement required from ITC to access upper hooked parcel via existing easements off of Cook Road</p>
Emergency Road Access	CMS to grant easement across entire emergency access route	CMS to grant easement across portion of lower hooked parcel retained by CMS, ITC will be required

		<p>to provide easement across portion with 75% transferred</p> <p>To better meet long-term operational needs, CMS may propose a primary emergency route on 25% portion with a secondary route to replace primary route once constructed to appropriate standards</p>
Trail Access	Under 100% land ownership scenario, CMS was open to considering trail access in areas not impacting CMS operations	With 75% portion transferred, and remaining portion to be used as meditation centre requiring silence, CMS would prefer to limit public trail access – may be open to seasonal restrictions when retreats are on
Sustainable Forest Management Plan	Would have been registered by covenant on the land base. Implementation of SFMP would direct development to the most impacted parts of the landscape	CMS will pay of \$30,000 to ITC and they will be responsible for developing the Management Plan on 75% ITC portion- \$15,000 will be held in a pooled Nature Reserve Management Fund and 10,000 to be put towards a management plan
Water Supply	Existing groundwater well with augmentation from existing groundwater catchment	<p>Existing groundwater well on 25% portion with augmentation from groundwater catchment defined in water management plan</p> <p>LTC could require a covenant to ensure water catchment infrastructure is built to requirements of Water Management Plan as condition of rezoning</p>
Septic Disposal	Hydrological report, sewage treatment design, used to determine sustainable capacity	<p>Hydrological report, sewage treatment design, and structural equivalencies used to determine sustainable capacity.</p> <p>CMS to retain professional consultant/specialist to update system design with new proposal and provide recommendations to meet current regulations</p>

Site Plan

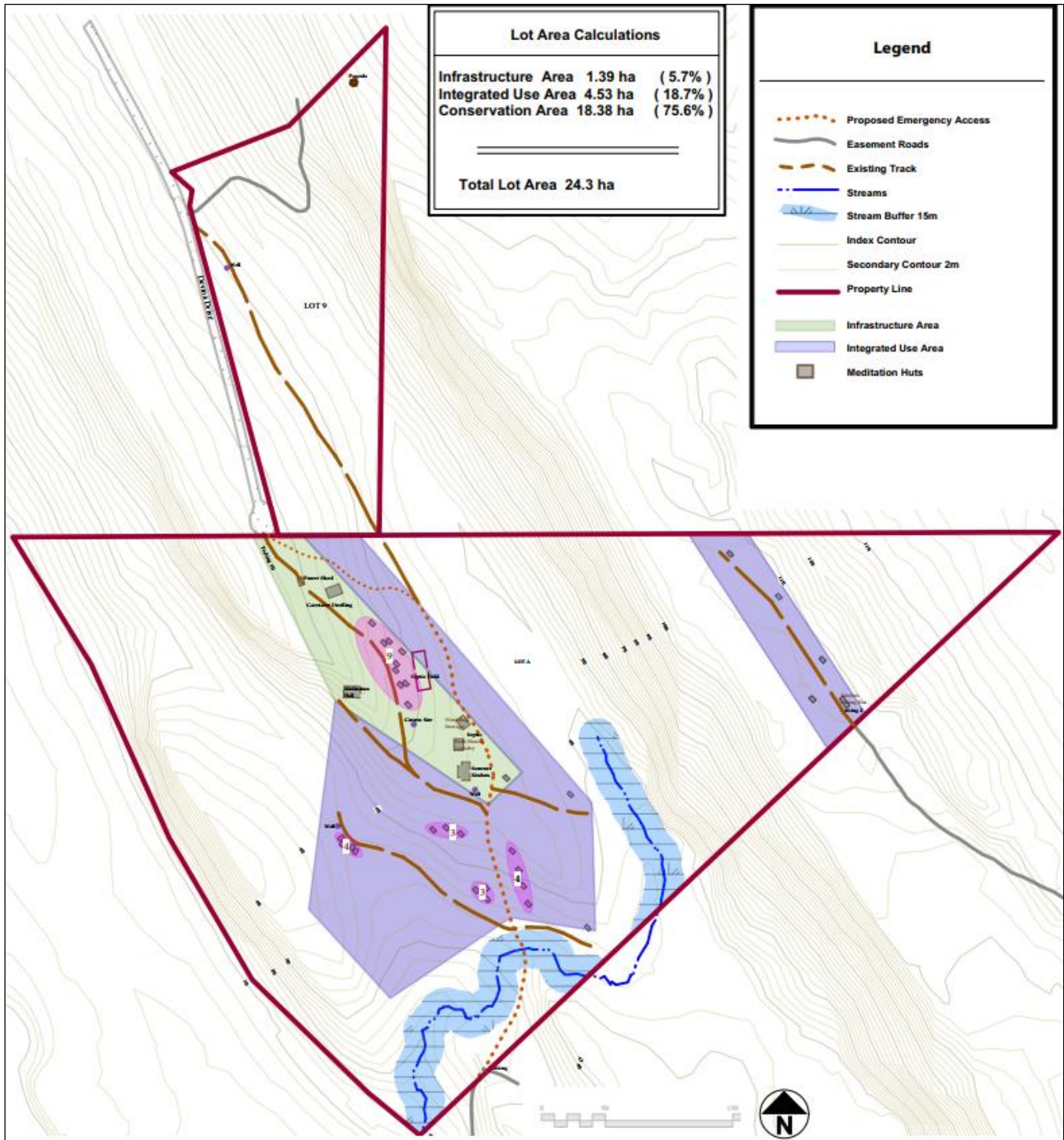
The recently submitted operational site plan (Figure 3) shows the location of the proposed infrastructure on the 25% portion of property to be retained by CMS. A higher resolution pdf version of the site plan is also included as Attachment 2.

Figure 3. Site Plan Proposal, 75/25% land transfer, August 2020



For reference, figure 4 depicts the site plan proposal in June 2016, where land ownership would have been retained by CMS, and land use requirements and conditions, including areas of allowable use, would have been established within a covenant agreement.

Figure 4. Site Plan Proposal, 100% Covenant, June 2016



CMS Programming History and 5 year Projections

Table 3 provides a summary of CMS retreat attendance from 2010-2020 as provided by the applicant.

Table 3. CMS Retreat Attendance 2010-2020

Year	Season	
	Summer	Winter
2010	13 people, half for full 4 weeks, half for 2 weeks	14 people for 2 months off site
2011	15 people, half for full 3 weeks, half for 1-2 weeks	
2012	17 people, half for 4 weeks, half for 1-2 weeks	
2013	17 people, half for 4 weeks, half for 1-2 weeks	17 people 3 weeks
2014	17 people, half for 4 weeks, half for 1-2 weeks	26 people, 3-5 months, off site
2015	18 people, half for 4 weeks, half for 1-2 weeks	
2016	18 people, half for 4 weeks, half for 1-2 weeks	
2017	15 people, half for 4 weeks, half for 1-2 weeks	
2018	15 people, half for 4 weeks, half for 1-2 weeks	
2019	16 people, half for 4 weeks, half for 1-2 weeks	29 people, 4 months all off site
2020	16 people, half for 4 weeks, half for 1-2 weeks	

Projections for retreats over the next 5 years is similar i.e. 4 week summer retreat and generally every 3 years a winter retreat ranging from 6 weeks to 3-4 months.

In addition to overnight guests, CMS also on occasion hosts special day-use events for up to an additional 20 participants. These events range from a single day seminars to a weekend workshop; or for example, a visiting teacher for a several day “course” where some attendees are staying at CMS and others are only visiting for day use. These events are not held frequently.

Islands Trust Conservancy Conditions of Land Transfer

The Islands Trust Conservancy (ITC) Board originally supported a covenant approach, but the discussion with LTC and the community subsequently shifted course to a land transfer approach, and following a request by CMS, at the November 21, 2017 Trust Fund Board (now ITC) meeting, the Board passed the following resolution with 8 conditions that are in the table below along with current status:

It was **MOVED** and **SECONDED**, that the Trust Fund Board accept the updated Conservation Proposal from the Crystal Mountain Society, agreeing to accept transfer of approximately 18.3 hectares of Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200, (PID 000-851-035) and part of Lot A, District Lots 88 and 89, Galiano Island, Cowichan District, Plan VIP68079, (PID 024-351-041), subject to:

ITC Condition	Current Status
1. The release of the rent charge and related easements on the title of Lot A and any other charges determined, through legal review, to be problematic for the Trust Fund Board	CMS has retained legal services to organize easement information rent charges - these all date from forestry company ownership years – efforts are ongoing by applicant.
2. Establishing legal access for the Trust Fund Board to the most eastern part of Lot A	Proposed subdivision plan provides connectivity across entire ITC parcel, road easement to be sought by CMS for access to upper hooked parcel.

	More discussion required with ITC staff about easement and subdivision layout.
3. Receipt of \$30,000 upon transfer of the land, with at least \$15,000 to be held in a pooled Nature Reserve Management Fund, and \$10,000 to \$15,000 to be put towards the development of a management plan and management activities for the nature reserve	CMS understand and are willing to pay. Requesting ITC discussion about making a payment schedule of incremental amounts if possible. More discussion required with ITC staff about payment options.
4. Staff reaching mutual agreement with the water license holders to limit the impact of accessing and maintaining the permitted water works	BC Water license from Spotlight Creek to Thorsteinsson property will need an agreed upon route with the new title holders, ITC, to access their pipe diversion. ITC staff to explore next steps.
5. Agreement with the Society that the portion of the proposed Emergency Access over the nature reserve would be used only in the case of emergency;	Under subdivision plan, CMS would have own legal access via Devina and no need for regular use of Porlier or road on Lot 9 – CMS is willing to provide easement over their portion for emergency access at time of subdivision. ITC would also need to provide an easement for emergency access over their portion of Lot A
6. Written agreement with the Society about the use and maintenance of the pagoda;	CMS and ITC have discussed possible methods to achieve access for CMS to continue maintenance of the Pagoda. More discussion required. More discussion required with ITC staff.
7. Installation of boundary and corner pin markers at the time of survey at the expense of the applicant (locations to be determined in consultation with ITF staff);	Final survey is not complete, final markers and pins not set. Current surveyors map is a Draft only; to be refined with ITC and completed once Rezoning is complete.
8. Final approval of the Trust Fund Board of the final survey plan, transfer agreement and all other associated agreements.	Still to be determined. More discussion is needed on what agreement conditions would be included and how they are structured.

Summary of Issues

Planning staff met with a group of neighbouring residents on July 20, 2020 to review the updated application proposal and discuss any issues or concerns that they may have. Many of these residents were also participants in facilitated consultation sessions with CMS and have provided considerable input into the rezoning process.

Table 4 summarizes the issues that were raised to staff at that meeting, provides feedback from CMS, and considers next steps if needed.

Table 4. Issues Summary, CMS, Staff and Neighbourhood Engagement

Item	Description	Input from Community	Feedback from CMS	Suggested Next Steps
Bylaw definition	How land use is described in bylaw	Ensure bylaw is narrow focussed to minimize risk of future owner developing beyond expected capacity	<ul style="list-style-type: none"> Understand concern and open to ensuring bylaw is specific enough 	<p>Upon direction from LTC, Planner to revisit draft bylaw and suggest any changes based on new proposal</p> <p>Proposed title for land use:</p> <p>Spiritual Education</p>
Appropriate density	What is appropriate density based on land base/surrounding uses/impacts etc.	Some concern that 22+8 seasonal tent platforms is still too much density	<ul style="list-style-type: none"> Open to further dialogue while also considering needs of organization and scale of desired operations 	Continued dialogue with LTC and community
Controlling density	How can density be controlled with tools that are enforceable	Concern that land use is greater at times than just proposed dwelling densities, seeking ways to ensure density can be managed for example maximum number of participants for day use + overnight etc.	<ul style="list-style-type: none"> Open to further dialogue. Looking to Planner to clarify what is current practice on other properties 	<p>Planner to confirm what can be done in a bylaw to control density – for example can max day use limits be applied to reduce potential for large events</p> <p>CMS and community to discuss</p>
Site plan	Site plan showing proposed locations of structures, roads etc within 25% portion retained by CMS	A site plan is critical to understanding the layout and identifying potential concerns	<ul style="list-style-type: none"> For smaller sleeping structures it is difficult to locate them all exactly spatially at this time – for these structures some clustering within specific areas is proposed to allow for some flexibility in placement at time of construction Larger structures such as dining/kitchen area will be fixed in place 	LTC and community to review site plan and provide feedback

Lot coverage	Total floor area (m2) of all structures proposed for CMS operations	Concern that although some concession was made on density (ie. Total number of dwelling units) there is very little change in overall sq. footage (ie floor area) of buildings from 2015 proposal	<ul style="list-style-type: none"> • Lot coverage ratio (ie. development footprint as ratio to Land Area) is still well below maximum 25-35% lot coverage allowed within zoning regulations for most parcels • Building design and placement will seek to cluster development and minimize impacts. • Hut structures are still relatively small in size. 2017 Proposal accepted square footage 	
Subdivision Plan	Plan submitted by CMS outlining subdivision with 75/25% split	Generally positive that subdivision versus 100% covenant presented, some general concerns raised around fragmentation due to split lot	<ul style="list-style-type: none"> • Plan seeks to protect most sensitive ecological features on parcels while also retaining key areas used in CMS operations • 75/25 split is significant concession by CMS with respect to community benefit. • 2015 Proposal included split lot with legal/non- conforming in the designation in the bylaw 	Planner asked community group for very specific feedback if there are areas in the subdivision layout plan that could/should be tweaked while maintaining 75/25 split CMS may have some operational adjustments
Road Access/traffic	Road access via Porlier and/or Devina	Some concern raised around use of Devina for primary access	<ul style="list-style-type: none"> • Devina as primary access makes the most sense based on subdivision plan and road safety; parking spaces will be included in site plan • Porlier access portion will relinquished through subdivision 	
Emergency Road Access	Provision of emergency access across subject properties	Some confusion around where the emergency access road will be routed	<ul style="list-style-type: none"> • Re-rerouted portion will be constructed when access to Devina is built • lower portion extending to Porlier will now be on Conservancy lands rather than easement 	Proposed route provided on site plan Further discussion between CMS and community to clarify route and any concerns

Water supply	Access to potable water	Concerns raised about availability of water – impacts to groundwater aquifers	<ul style="list-style-type: none"> • Water supply demonstrated in 2015 report • CMS open to further water assessment if required • Proof of water required at time of subdivision which would follow rezoning 	Recommendations made in this staff report
Ecological impacts	Ecological impact assessment	Some concern raised about changing habitat due to beaver activity and the need to revisit ecological assessment	<ul style="list-style-type: none"> • Comprehensive report completed in 2014 by RP Bio • CMS open to updating assessment with particular focus on 25% portion to be retained 	CMS retaining consultant to update report findings
Septic	Septic disposal on CMS property	Concern raised about how septic will be managed	<ul style="list-style-type: none"> • All future development once rezoned would require building permits including septic authorizations from Island Health 	CMS to retain professional to further explore waste management requirements and provide additional system details
Controlled access to lands granted	Future access to 75% portion	Concern raised about ability to access 75% portion once donated	<ul style="list-style-type: none"> • CMS will relinquish title to the 75% portion and will have no ability to dictate future land use or access on that portion 	
Trail access to CMS portion	Access to CMS 25% portion	Some concern that access to 25% portion limited	<ul style="list-style-type: none"> • With 75% portion transferred, and remaining portion to be used as meditation centre requiring silence, CMS would prefer to limit public trail access – may be open to seasonal restrictions when retreats are on 	More community discussion required
Cooking facilities in huts	CMS wishes to have 5 huts with an area or basic food preparation	<p>Concerns raised over how cooking facilities in huts impacts future land use</p> <p>Previous ‘agreements’ with CMS did not include cooking areas in huts</p>	<ul style="list-style-type: none"> • Cooking facilities in some huts allow for less human interaction and a more meditative experience • With other concessions made such as transfer of title, limited cooking facilities in 5 huts is being sought 	<p>More community discussion required</p> <p>LTC will need to ultimately decide if food preparation is allowed in huts or not</p>

Scope of Required Amendments to Bylaws 256 and 257

Draft bylaws 256 and 257 are based on a 100% covenant approach with no transfer of title. The draft bylaws were received by LTC but never given first reading.

The scope of changes required to update the draft bylaws to reflect the 2020 CMS proposal includes:

- Verifying zone name description e.g *spiritual education* or other
- Updating permitted uses and density
- Updating OCP policies
- Updating schedule maps including zoning, land use designation, and site plan

Cooking Facilities in Huts

The subject of having food preparation capacity in some of the meditation huts is an ongoing issue of disagreement between CMS and the neighbourhood group they have been working with.

The original proposal submitted to the LTC in 2014 seeks to have some cooking facilities in huts to allow for less human interaction and a more meditative experience, which is deemed as important to the organization.

CMS contends that as negotiations continued through 2016 towards a covenant, original proposal items, including food preparation in huts, were removed in order to address concerns that 30 dwellings were being created.

In 2017, as CMS agreed to pursue a transfer of title, CMS reduced the number of huts from 30 to 22 and re-introduced the idea that some of these would have some form of limited food prep, not a full kitchen with range.

CMS is currently seeking to have 5 huts with limited food prep. It will ultimately be up to LTC to decide if this is an appropriate land use. If LTC is open to the concept of limited food prep facilities, one option for consideration would be to create a definition of '*meditation hut*' that clearly defines what is included as *limited food prep*.

Groundwater Assessment Review and Planning

The proposed water supply for the CMS property is an existing groundwater well that is located in the lower hooked parcel (see subdivision plan on p. 6).

Planning staff have reviewed the 2015 CMS groundwater assessment report with the Islands Trust Senior Water Specialist. The following feedback was provided to planning staff:

- The groundwater assessment methodology meets provincial standards
- The pump test result of 4,069 litres/day exceeds the minimum LUB standard of 2,275 litres/day for residential use in order to satisfy the demand of the caretaker residence, however, the LTC will need to decide what is an appropriate daily minimum water supply for the remainder of the proposed activities on the land base as the LUB does not contemplate a minimum standard for this type of land use
- In general, the rationale for calculating daily maximum day demand in the groundwater report is reasonable
- Although the report concludes that maximum daily demand can be met by the existing groundwater well, a precautionary approach is recommended that considers increased groundwater storage and treatment capacity on the property to meet peak demand in low flow periods along with water use monitoring

- As a condition of rezoning, the applicant should be required to develop a Water Management Plan for the CMS property that:
 1. Implements the five recommendations in the 2015 CMS groundwater assessment report; and,
 2. Includes a catchment system designed to supplement groundwater supply for potable water in peak use/low flow periods.

The 2015 CMS water report can be found here:

[http://webfiles.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/GL-RZ-2014.1%20\(Crystal%20Mountain\)/3%20-%20Professional%20Reports/2015-11%20-%20Groundwater%20Assessment.pdf](http://webfiles.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/GL-RZ-2014.1%20(Crystal%20Mountain)/3%20-%20Professional%20Reports/2015-11%20-%20Groundwater%20Assessment.pdf)

For ease of reference, the following five recommendations are provided in the report:

1. All potential sources of contamination in the vicinity of the central well such as grey water discharge from the kitchen, the existing outdoor shower and the outhouse (pit latrine) should be removed and any remaining excavation filled in with clean fill, such as sand and gravel, glacial till or clay, with no boulders.
2. When put into operation for the new facilities, the central well (WID 23227) should be equipped with a totalizing flow meter and records should be kept of the total amount of water produced each month. These records should also be reviewed on an annual basis to ensure that no excessive water demands are being placed on the well.
3. The other two wells at the centre should be retained as observation wells and water levels in these wells taken and compiled on a minimum monthly basis. Wells that are no longer being used, for example, would need to be deactivated or closed in compliance with the Ground Water Protection Regulation (Ministry of Environment, 2015c). This would require filling the well with clean materials such as sand, clay and an effective sealant.
4. As a precautionary measure against any future potential sources of coliform bacteria, water from the existing well source should be treated with an appropriately designed and maintained ultraviolet irradiation (UV) or chlorination treatment system.
5. Water quality from the well should be monitored for bacteria and chemical quality on a regular basis (minimum of once a year) and as directed by the local health authority to detect any changes that might occur with time that may require additional treatment.

Ecological Assessment

A detailed ecosystem-based land use plan was developed for CMS by a consultant in 2014. Results of this planning process have been used to shape CMS's rezoning proposal to date, including the consideration of management guidelines and recommendations provided in the plan.

CMS is now in process of retaining this same consultant to:

- 1) Conduct a site visit to confirm if site conditions remain the same or have changed (e.g. increased beaver activity may have shifted hydrology in low lying areas)
- 2) Compare proposed location of CMS structures on site plan with ecological data to identify any areas of significant concern or potential impact
- 3) Provide a summary of habitat features/types on the 25% portion retained by CMS versus the 75% proposed for transfer to ITC (% wetland habitat).

The 2014 Crystal Mountain Ecosystem-based Land-use Plan document is located here:

[http://webfiles.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/GL-RZ-2014.1%20\(Crystal%20Mountain\)/3%20-%20Professional%20Reports/2014-04%20-%20Environmental%20Assessment.pdf](http://webfiles.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/GL-RZ-2014.1%20(Crystal%20Mountain)/3%20-%20Professional%20Reports/2014-04%20-%20Environmental%20Assessment.pdf)

Subdivision Application

The applicant has not yet submitted a subdivision application to the Ministry of Transportation and Infrastructure (MOTI). CMS has retained legal services to provide advice and compile documents in preparation for applying to MOTI.

Islands Trust would receive a referral request from MOTI once an application is submitted. Subdivision would only occur subsequent to rezoning, if approved by LTC.

CRD Covenants

The property is subject to two covenants that have been granted to the Capital Regional District: one covenant establishes areas of the lot that may have a geotechnical hazard and which require approval from a registered professional engineer before building may occur and the second covenant establishes a 15 metre setback from the natural boundary of Spotlight Creek and other measures for flood protection.

Consultation

Statutory Requirements

In accordance with regular statutory requirements, a public hearing would be required as part of the bylaw amendment process to rezone the property. Should the application proceed to public hearing, public hearing notice would be posted as per statutory and bylaw requirements in advance of any public hearing.

Community Information Meeting

Although the rezoning application has been open since 2014, and there has been substantive community engagement undertaken by the applicant, no formal consultation on the application, including a community information meeting (CIM), has been initiated by LTC to date.

If LTC decide to proceed with amended Bylaws 256 and 257, staff recommend that a CIM be scheduled. A formal recommendation for scheduling a CIM will be made in a future staff report when amended draft bylaws are reintroduced to LTC for consideration.

Advisory Planning Commission (APC) Referral

The application was referred to the APC in 2015 and feedback was provided to the LTC and the applicant. However, given there have been substantive changes to the proposal since that time, staff will likely recommend that LTC re-refer the application to the APC should LTC decide to proceed with amended Bylaws 256 and 257.

Agency Referrals

Draft bylaws 256 and 257 have not yet been referred to potentially affected agencies for comment. Should LTC decide to proceed with amended Bylaws 256 and 257, staff will provide a list of specific agencies identified for referral in a future staff report.

First Nations

Draft bylaws 256 and 257 have not yet been referred to First Nations. Should LTC decide to proceed with amended Bylaws 256 and 257, staff will provide a list of specific First Nations identified for referral in a future staff report.

Rationale for Recommendation

Based on the foregoing, the recommendations on page 1 are supported as:

- Draft bylaws have been developed by staff but have not been given first reading by LTC and require updating to reflect the current proposal;
- The applicant has been diligent in addressing various outstanding aspects of their proposal and there is now sufficient detail and clarity in order to proceed to re-draft the bylaw amendments;
- The current proposal does not yet adequately address groundwater storage, use monitoring and conservation measures; and,
- Proceeding with draft bylaw amendments will allow for additional community consultation and referral to potentially affected agencies and First Nations.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

Resolution:

That the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust

_____.

2. Deny the application

The LTC may deny the application.

Resolution:

That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2014.1 (Crystal Mountain).

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

Resolution:

That the Galiano Island Local Trust Committee hold application GL-RZ-2014.1 (Crystal Mountain) in abeyance.

NEXT STEPS

With direction from LTC, Staff will develop proposed amendments to draft bylaws 256 and 257.

Staff will also continue to work with the applicant in other components of the application including:

- Engagement with ITC on resolving details of 2017 ITC resolution and related conditions
- Finalizing proposed CMS subdivision layout and operational site plan
- Development of water management plan, based on direction from LTC
- Engagement with CRD and Island Health on building permitting and septic disposal requirements
- Update of 2011 ecological assessment with emphasis on portion retained by CMS
- Initiation of subdivision application and referral
- Planning for a potential future CIM and other community/stakeholder consultation

Submitted By:	Brad Smith, Island Planner	September 25, 2020
Concurrence:	Robert Kojima, RPM	September 28, 2020

ATTACHMENTS

Attachment 1. Draft Bylaws 256 and 257

Attachment 2. CMS June 2020 Revised Proposal

Attachment 3. Draft August 2020 Operational Site Plan

Attachment 4. GL-RZ-2014.1 LTC and ITC Resolutions – 2015 to present

Attachment 5. Community Consultation Update – CMS – August 2020

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 257

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW 127, 1999

The Green Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Green Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2016”.

2. Galiano Island Local Trust Committee Bylaw No. 257, cited as “Galiano Island Land Use Bylaw 127, 1999,” is amended as follows:

2.1 Inserting the following as a new Section 8.6 following Section 8.5:

“8.6 Crystal Mountain Comprehensive Development One (CD1) Zone

Permitted Uses

8.6.1 In the Crystal Mountain Comprehensive Development One Zone (CD1), the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited:

8.6.1.1 comprehensive spiritual retreat

8.6.1.2 sleeping huts

8.6.1.3 dwelling unit accessory to the comprehensive spiritual retreat use for the use of a caretaker:

Permitted Density

8.6.2 The following are only permitted to be located in the area designated as Area A on Schedule D – Plan 6:

8.6.2.1 26 sleeping huts with a maximum floor area of 15 square metres;

8.6.2.2 one meditation hall restricted to meditation use only with a maximum floor area of 125 square metres;

8.6.2.3 one dining/kitchen building with a maximum floor area of 125 square metres;

8.6.2.4 one bathing and laundry building not exceeding a floor area of 70 square metres;

8.6.2.5 accessory structures not exceeding a total maximum floor area of 20 square metres;

8.6.2.6 one workshop not exceeding a floor area of 130 square metres;

8.6.2.7 one accessory storage structure with a maximum floor area 70 square metres; and

8.6.2.8 one accessory dwelling unit with a maximum floor area of 100 square metres.

8.6.3 The following are only permitted to be located in the area designated as Area B on Schedule D – Plan 6:

8.6.3.1 4 sleeping huts with a maximum floor area of 15 square metres;

8.6.3.2 one dining/kitchen building with a maximum floor area of 35 square metres; and

8.6.3.3 accessory structures not exceeding a total maximum floor area of 10 square metres.

Permitted Height

8.6.4 No building or structure for a use permitted in this section may exceed 9 metres in height.

8.6.5 No sleeping hut, or accessory building or structures may exceed 5 metres in height or one-storey, except an accessory dwelling unit must not exceed 9 metres.

Minimum Setbacks

8.6.6 All buildings and structures must be sited

8.6.6.1 at least 7.5 metres from front and rear lot lines; and

8.6.6.2 at least 6.0 metres from an interior and exterior side lot lines.

Minimum Lot Size

8.6.7 No lot having an area less than 20 hectares may be created by subdivision.

Parking

8.6.8 Despite Section 14.1, the minimum number of off-street parking spaces is as follows:

8.6.8.1 1 parking space per 3 sleeping huts. “

2.2 Section 17 (Definitions) is amended by inserting the following as new definitions in alphabetical order and subsequent subsections are re-numbered accordingly:

“comprehensive spiritual retreat” means a facility that provides contemplative, spiritual or meditative opportunities for visitors and accommodation solely for participants in the retreat in the form of sleeping huts. For certainty a comprehensive spiritual retreat shall not be used as a comprehensive resort, resort, inn, visitor accommodation cottage, visitor accommodation room, visitor accommodation unit, short term vacation rentals, bed and breakfast, or any other form of accommodation for the travelling public and shall not provide for restaurant or other forms of food supply to the general public.

“sleeping hut” means a hut that provides for the sleeping, shelter and contemplative, spiritual or meditative opportunities for a participant in a comprehensive spiritual retreat.

2.3 Schedule “A” – Zoning Map, is amended by changing the zoning classification of Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200 from Rural 2 (R2) to Nature Protection (NP), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” to Bylaw No. 257 as are required to effect this change.

2.4 Schedule “A” – Zoning Map, is amended by changing the zoning classification of Lot A, Districts Lots 88 and 89, Galiano Island, Plan VIP68079 from Forest 1 (F1) to Crystal Mountain Comprehensive Development One (CD1) and to Nature Protection (NP), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” to Bylaw No. 257 as are required to effect this change.

2.5 Schedule D is amended by inserting the plan attached to and forming part of this bylaw as Plan No. 2 as a new “Plan 6”.

READ A FIRST TIME THIS _____ DAY OF _____ 20__

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20__

READ A SECOND TIME THIS _____ DAY OF _____ 20__

READ A THIRD TIME THIS _____ DAY OF _____ 20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20__

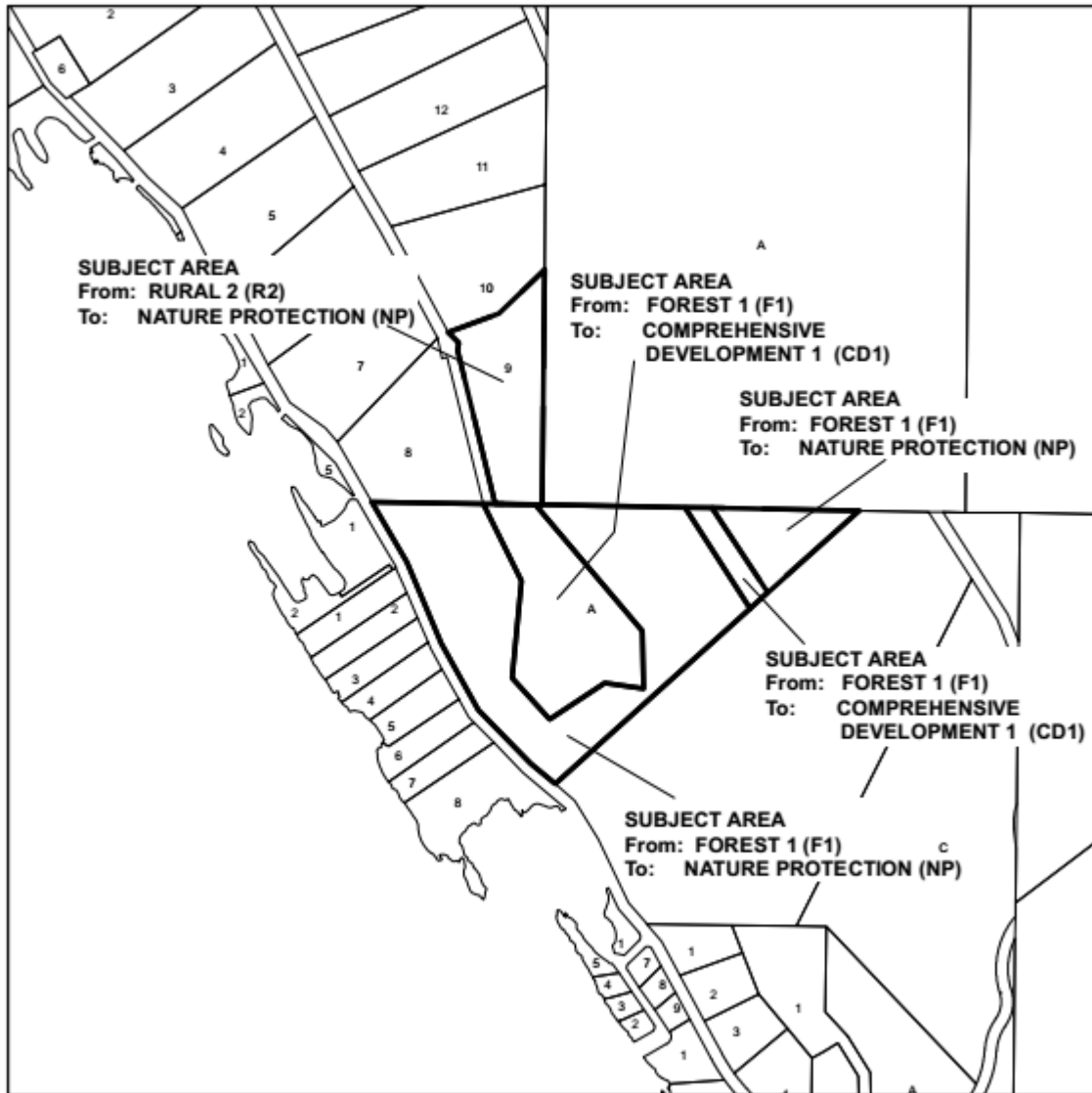
ADOPTED THIS _____ DAY OF _____ 20__

Chair

Secretary

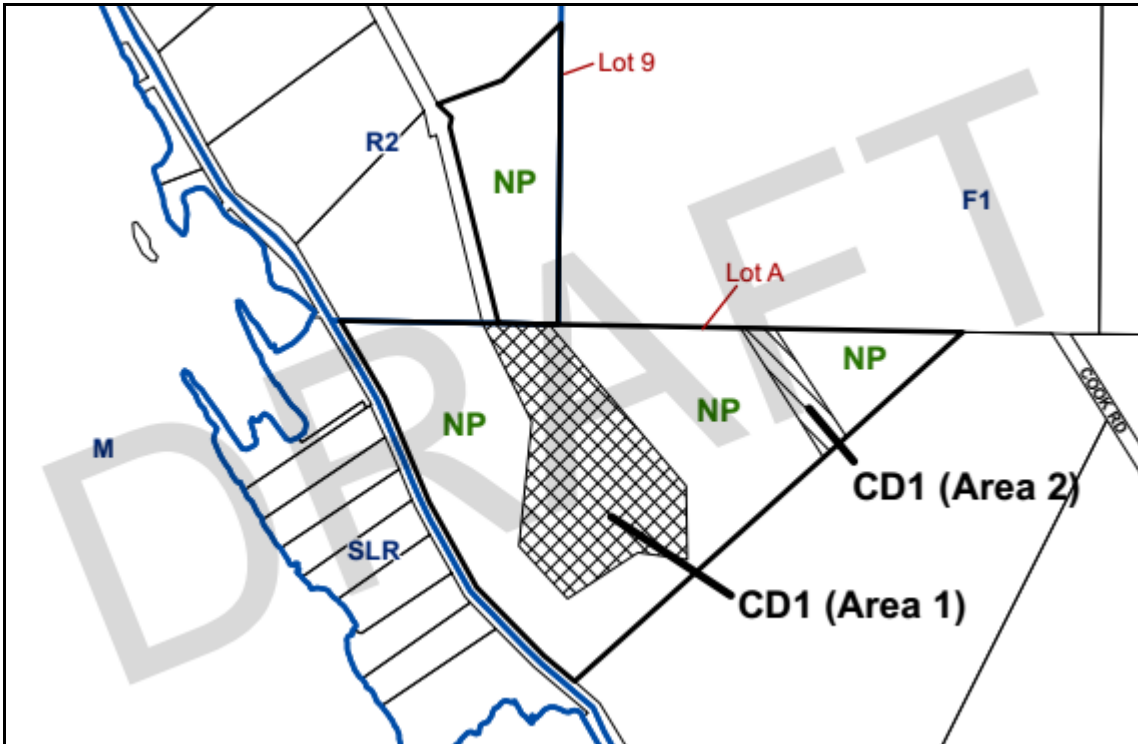
GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 257

Plan No. 1



GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 257

Plan No. 2



DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

**A BYLAW TO AMEND THE GALIANO ISLAND
OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995**

WHEREAS the Galiano Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Galiano Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Galiano Island Local Trust Committee the same power and authority of a Regional District under Part 14, except sections 558 to 570 and 507 to 508, of the *Local Government Act*;

AND WHEREAS the Galiano Island Local Trust Committee wishes to amend the Galiano Island Official Community Plan Bylaw No. 108, 1995;

AND WHEREAS the Galiano Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Galiano Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016”.

2. SCHEDULES

Galiano Island Official Community Plan No. 108, 1995 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this day of , 20.

PUBLIC HEARING HELD this day of , 20.

READ A SECOND TIME this day of , 20.

READ A THIRD TIME this day of , 20.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this day of , 20.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT this day of , 20.

ADOPTED this day of , 20.

SECRETARY

CHAIRPERSON

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 256
SCHEDULE 1

A. Bylaw No. 108, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995” is amended as follows:

1. Section II, Subsection 4.3 (Health and Wellness Facilities) is deleted and replaced with:

“4.3 Health and Wellness

Health and Wellness Objective

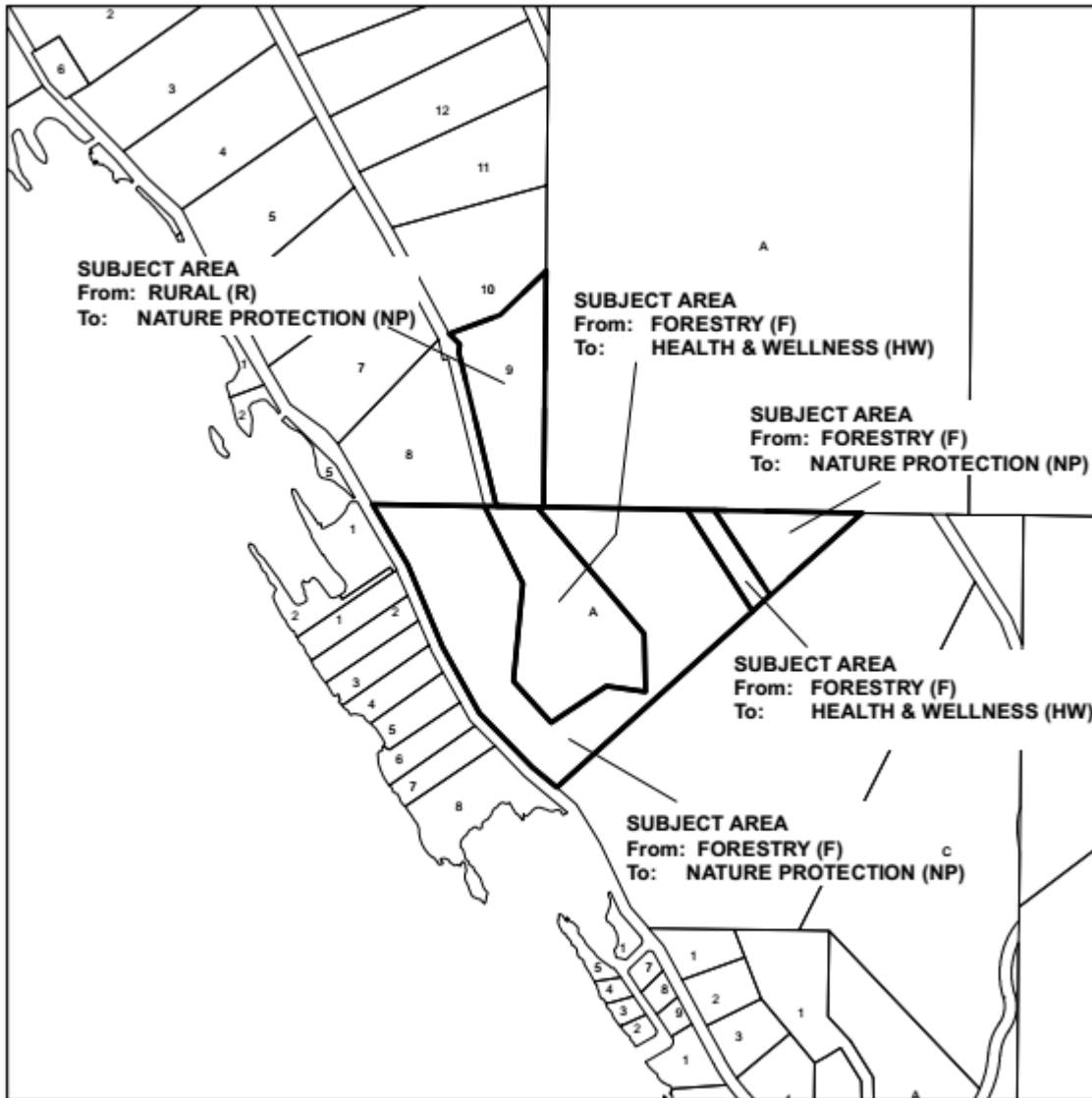
The objective of this subsection is:

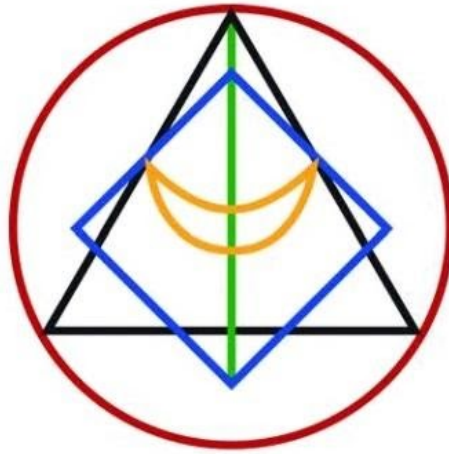
1) to encourage health and wellness facilities that enhance the health of residents and visitors and that do not adversely affect the natural environment.

Health and Wellness Policies

- a) The principal use shall be health and wellness including comprehensive spiritual retreat use.
- b) Zoning for any health and wellness use, including comprehensive spiritual retreat, shall be considered on a site specific basis.
- c) Zoning for comprehensive spiritual retreat use:
 - i) shall only be permitted for non-profit organizations.
 - ii) shall not support, provide, or permit, at any time, commercial use including nature related tourism or visitor accommodation.
 - iii) shall restrict the number of buildings and structures and maximum floor area.
 - iv) Shall regulate the location of buildings and structures to minimize their impact on sensitive ecosystems.

2) Schedule B (Land Use Designation) is amended for the lands legally described as Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200 and Lot A, District Lots 88 and 89, Galiano Island, Cowichan District, Plan VIP68079 as depicted in the map below.





CRYSTAL MOUNTAIN
A Society for Eastern and Western Studies

FOREST RETREAT MEDITATION CENTRE PROPOSAL
Purposes, Goals and Objectives
For the Centre on Galiano Island

JUNE 2020 REVISION

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Abbreviations:

FRMCP	FOREST RETREAT MEDITATION CENTRE PROPOSAL
EBLUP	ECOSYSTEM-BASED LAND-USE PLAN
ITC	ISLANDS TRUST CONSERVANCY
CMS	CRYSTAL MOUNTAIN SOCIETY

FORWARD - PURPOSE OF THIS REPORT

This report provides updated, consolidated information about the Crystal Mountain Society Forest Retreat Meditation Centre Proposal (FRMCP) to the Galiano community, the LTC, and for others potentially interested in the activities of the Society.

Crystal Mountain Society is applying for rezoning of its 2 lots within the Galiano Island Land Use Bylaws. One lot of 10 acres is zoned Rural Residential and the other is 50 acres, zoned Forest 1. The goal is to combine the 2 acreages and create a not-for-profit meditation retreat centre. Through subdivision two lots will be created. Proposed Lot 1 (18.4 hectares) will go to the Islands Trust Conservancy through a transfer of title. The proposed Remainder Lot A (6.14 hectares) becomes the Forest Retreat Meditation Centre. See BC Land Surveyors Plan of Proposed Subdivision.

We fully support the community values as expressed in the Galiano Island OCP and LUB, in particular concerning protection of the intrinsic values of the forest ecosystems that form the dominant physical environment of the island.

This document is respectfully submitted by the Rezoning Committee of CMS. To contact us please email crystalmountainsociety@yahoo.ca.

EXECUTIVE SUMMARY

Crystal Mountain – A Society for Eastern and Western Studies (CMS) is a registered charitable, non-profit, educational organization incorporated in 1976. A non-profit Society may be registered as a Canadian charity only if its purposes are exclusively for the public benefit.

The purpose of the Society is to promote the development of the wholesome, clear, interested mind through study, meditation, and compassionate work. Programs are designed to support retreat practice in a natural environment removed from the associated patterns of daily life.

CMS is proposing land use for the establishment of an all-season Forest Retreat Meditation Centre while preserving 75% of the land base through the transfer of title to the Islands Trust Conservancy.

The goal of the Centre is to provide public access to appropriately scaled retreat facilities that will allow retreatants to abide in a forest environment, meeting their most basic needs in simple, low-cost structures with minimal infrastructure.

The intention is to provide suitable facilities for up to 22 participants year-round plus up to camping in the summer. The site is located in the north of Galiano Island at the end of Devina Drive, on Lot 9 and Lot A, both of which are owned outright by the Society.

The proposal relocates the residential density of Lot 9 to adjoining Lot A, and combines it with the proposed density all sited on Proposed Remainder Lot A. The amalgamation of Lots 9 and A provides increased protected forest contiguous with DL 87 which is protected by the Ministry of the Environment.

The proposal also secures a Statutory Right of Way road for public emergency access through Lot A as identified in the Galiano Land Use Bylaw Schedule C.

There is currently no existing zone in the Land Use Bylaw (LUB) that fits this proposal. Therefore, a new zone would need to be created.

The Forest Retreat Meditation Centre facilities located on 6.14 hectares (15 acres) of land will consist of:

- Meditation hall
- Kitchen/ dining hall
- Bath house / laundry
- Workshop/Storage
- Kitchen/ dining hut
- Services hut
- Meditation huts for up to 22 participants

Total footprint of above buildings: 870 square metres

Total footprint of caretaker's building: 93 square metres

The proposed infrastructure and building design features clustered structures, low impact 'green' buildings, alternative water saving measures, effective environmentally safe waste recycling and disposal. The facilities will be appropriate to support all weather use and developed in stages.

Sustainability and respect for the Galiano OCP and Islands Trust Policy is key to the creation of the Crystal Mountain Society Forest Retreat Meditation Centre.

3. INTRODUCTION

Crystal Mountain - A Society for Eastern and Western Studies (CMS), is a registered charitable, non-profit, educational organization incorporated in 1976. The purpose of the Society

is to promote the development of the wholesome, clear, interested mind through study, meditation, and compassionate work.

The CMS members recognize the vital importance of meditation instruction and practice, situated within simple facilities located in a quiet and natural environment removed from urban distraction. The vibrant ecosystems and community values of Galiano Island offer an ideal setting.

CMS is proposing land use for the establishment of an all-season Forest Retreat Meditation Centre (FRMC) to support these activities while the ITC maintains and protects the forest and associated ecosystems. The site is located in the north of Galiano Island at the end of Devina Drive. The two properties are owned by the Society outright through the generous donations of numerous individual supporters.

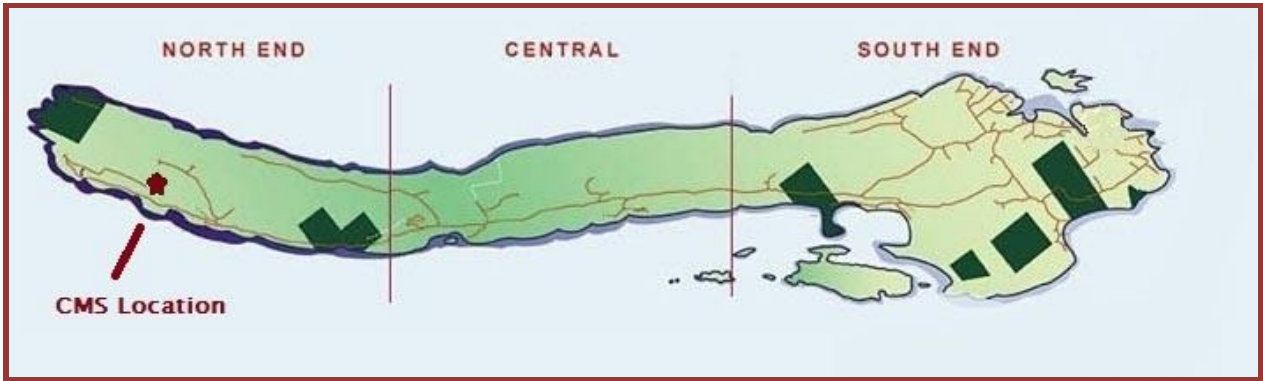


Figure 1 GENERAL LOCATION ON GALIANO ISLAND

3.1 REPORT OVERVIEW

Crystal Mountain Society purchased land on north Galiano Island for the purposes of establishing a forest-based meditation retreat centre. In 1980, two 10 acre lots, Lot 9 and 10, were purchased. In 1999, Lot 10 was sold to help finance the purchase of Lot A.

The properties are currently zoned Rural 2 (Lot 9) and Forest 1 (Lot A) in the Galiano Land Use Bylaw (No. 127). CMS has submitted an application to rezone the lands to Forest Retreat Meditation Centre and to amend the Official Community Plan.

CMS would like to state its commitment to sustaining the forest by transferring title of 75% of the land to ITC for preserving the forest .

This updated proposal has been prepared by CMS Rezoning Committee in response to Local Trust Committee and community questions and incorporates suggested changes regarding the original proposal.

3.2 FOREST RETREAT MEDITATION CENTRE VISION

Members of CMS recognize and support the natural, aesthetic, and social values of the island’s rural landscape. The proposal is designed to maintain and enhance these values and to support passive contemplation, spiritual connection, and educational access to the forest.

“A human being is part of the whole, which we call the “Universe”: a part limited in time and space. He experiences himself, his thoughts and feelings as something separated from the rest, a kind of optical delusion of his consciousness. This delusion is a kind of prison for us, restricting us to our personal desires and affection for a few persons closest to us. Our task must be to free ourselves from this prison by widening our circle of compassion to embrace all living creatures and the whole of nature in it’s astonishing beauty” - Albert Einstein, 1954

The aforementioned quote from Albert Einstein is a statement of values not commonly recognized in Land Use Bylaws. CMS would like to propose a use of forest land that is not based on the extraction of resources. It is the belief of CMS that this proposal is in harmony with the values of the community, the preservation of forest land, and the growth and development of human beings in their search for harmony with the natural world.

3.3 PRINCIPLE GUIDELINES AND OBJECTIVES

Sustainability in all aspects will be guided by the Ecosystem-based Land-use Plan (Appendix A) and other studies. In terms of the proposed infrastructure and building design this means clustered, modest structures, low impact, ‘green’ buildings will be located in the areas most impacted by previous logging practices. Approval of waste management is required by the Vancouver Island Health Authority . Water management will follow the hydrological report prepared by Al Kohut Hy-Geo Consulting. It means appropriate facilities to support all weather use and a plan developed in stages, that is responsive to changing technology and to meet fluctuations in financial and human resources

4. WHAT IS A FOREST RETREAT MEDITATION CENTRE?

The principle goal of the Forest Retreat Meditation Centre (FRMC) is to support the study and practice of meditation and to nurture contemplative life. This is often easiest to do when one is in a natural environment removed from the patterns of busy-ness in daily life.

The FRMC plan is inspired by the long tradition of forest-based retreat centers built throughout Southeast Asia, offering small huts set in a quiet forest environment. For thousands

of years meditators have been called to settle at the base of a tree, establish calm and then meditate with a clear mind. Good instruction helps to accomplish this goal.

There is cultural support for meditation in Asia. Meditators stay in these centres for no cost, with meals provided, and are only asked to help maintain the facility. Crystal Mountain raises funds to provide meditator support and to keep retreat costs as low as possible. Simple structures and basic services are typically suitable for the requirements of the meditator. As well, Crystal Mountain depends on the goodwill and generosity of volunteers, to cook, shop and support those in retreat. CMS has relied on this tradition of volunteerism throughout its 40-year history.

CMS retreats combine study sessions with meditation practice and require minimal interaction between participants. A typical day includes a morning and evening talk, presented by the teacher, focusing on the study topic. Classes offer a chance to ask questions and further develop the practice. Retreatants meditate, contemplate, walk individually throughout the day and night, with short breaks for meals or personal interviews. Meditators practice while sitting cross legged or in a chair, walking, standing and lying down.

Crystal Mountain Retreatants are in silent retreat at all times. Individual retreatants conduct themselves in relative isolation at all times. The design of this retreat centre facilitates these principles.

Crystal Mountain's resident teacher, Lama Mark Webber, has spent much of his life in study and practice with some of the greatest meditation teachers in the world. His lineage is rooted in Tibetan and Southeast Asian Buddhist tradition, and he also teaches from classic Western traditions and science.

Teaching will vary from teacher to teacher. Over the years Crystal Mountain has invited a variety of teachers to Galiano, several from established centres in North America and some from as far away as Burma and Nepal.

The FRMC site plan shows that all structures will be built in 2 polygon areas. The polygon on the lower portion of the property houses the main facilities of the centre and includes huts for short term retreats, that is, for people attending for up to a few weeks. However, CMS also receives requests from people wanting to commit to long-term retreat practice, from 3-6 months, and who are looking for more private accommodation. On the FRMC site plan, a second polygon area is designated on the uppermost bench of the property and is meant specifically for retreatants with those requirements. In all cases, CMS has the responsibility to provide security and protection to all meditators, as they undertake the courageous and vulnerable work, to journey deep within and examine the very nature of being.



FIGURE 2 WORLD PEACE PAGODA

5. FOREST RETREAT MEDITATION CENTRE, ISLAND TRUST MANDATES, AND GALIANO ISLAND OCP POLICY

With respect to directives in the Islands Trust Policy Statement and Galiano Island Official Community Plan principles and objectives, we wish to present the development proposal for the Crystal Mountain Forest Retreat Meditation Centre and identify the inherent opportunities and diverse community benefits in the proposal that are in harmony with these values.

The following are value statements from applicable bylaws that have guided the design of the Forest Retreat Meditation Centre Proposal:

The Galiano Island OCP advances the Object of the Islands Trust to ‘preserve and protect the Trust area and its unique amenities and environment and supports the limitations’ ‘for the type and scale of development in the Galiano Island Local Trust Area.’ Reference – OCP 2.a

The Islands Trust Policy Statement upholds the vital importance of ‘identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms’ through ‘planning, establishment and maintenance of a network of protected areas that preserve the representative ecosystems and maintain their ecological integrity including plants, animals and humans and their environment’. The policies ensure ‘protection of

unfragmented forest ecosystems’ and ‘prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones to protect aquatic wildlife’ from ‘potentially adverse impacts of growth, development and land use’. Reference – ITPS 3.1.3, 3.1.4, 3.2.2, 3.3.2

There is an expressed need to establish ‘forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity’. Reference – ITPS 4.2.8

Policies state ‘neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, that ‘water quality is maintained’, ‘that ‘existing, anticipated and seasonal demands for water are considered and allowed for’ and that ‘water use is not to the detriment of in stream uses’. Reference – ITPS 4.4.2, 4.4.3

The bylaws speak to protecting ‘views, scenic areas and distinctive features contributing to the overall visual quality and scenic value’. They address ‘aesthetic, environmental and social impacts of development’ and ‘potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character’. They are the ‘means for achieving efficient use of the land base without exceeding any density limits defined in’ the OCP. Reference – ITPS 5.1.3, 5.2.3, 5.2.4, 5.2.5

Bylaws must ‘address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards. ‘Impacts of road location, design, construction and systems’ must be addressed. ‘Innovative technologies and safe alternatives for disposal of sewage effluent’ are encouraged. Reference – ITPS 5.1.4, 5.2.6, 5.3.5, 5.4.5

‘Economic opportunities’ should be ‘compatible with the conservation of resources and protection of community character’. Bylaws shall address the ‘community’s current and projected’ ‘long term needs for educational, institutional, community and health related facilities and services as well as the cultural and recreational facilities and services’. Reference – ITPS 5.7.2, 5.8.6

The Galiano Island OCP was created to deal with ‘the pressures from a growing West Coast population and a demonstrated desire of many to find relief from urban congestion and associated tension through a rural atmosphere’ and ‘the physical limitations of Galiano Island to accept uncontrolled population increase without degradation of the rural way of life and damage to the ecological systems’. The preamble mandates preservation of ‘rural character’, ‘groundwater supplies’, ‘ground cover and trees to the extent necessary to maintain the natural beauty of the island’, the ability of the soil to retain moisture and to prevent erosion of soil and soft rocks’, and ‘sufficient land and water in their natural state to enable wildlife, plant life and marine life of the island to continue to exist and flourish’. Reference – OCP Preamble

The OCP ‘supports the preservation and protection of Galiano’s’ ‘vulnerable Coastal Douglas fir bio geoclimatic zone’, the smallest and rarest bio geoclimatic zone in BC with the highest density of species that are of both provincial and global conservation concern of any BC bio geoclimatic zone’. ‘These ecosystems provide key services that sustain human health and well-being, including timber and non-timber resources, clean air and water, nutrient cycling, carbon dioxide absorption and carbon storage.’ ‘The forested landscape is integral to Galiano’s character’ and ‘maintaining and restoring Galiano’s forest ecosystem is critical for ecosystem based sustainable forest management.’ Reference – OCP 2.b., c.

Islanders value ‘space, privacy and aesthetic qualities over urban conveniences’ and want ‘a resident centred rural island community’. ‘The social and economic diversity and creativity of the island community and the important role of volunteer-based groups in community life are fundamental to our identity.’ Reference – OCP 2.e

‘A sustainable community requires a viable local economy.’ There is a recognized ‘need for local economic development and viable small enterprises supporting a diversity of livelihoods.’ Reference – OCP 2.f

‘Diversity is integral to a sustainable and healthy community. Good health care facilities are essential for residents and visitors of all ages. An island community depends on the activities and services of its volunteers.’ Reference – OCP 2.g

‘Galiano’s natural beauty and tranquility are valued by residents and visitors alike. The Island provides opportunities for renewal of body, mind and spirit. This includes experiencing the community’s vibrant artistic and cultural life, participating in low impact outdoor pursuits and enjoying the many trails, beaches, parks and nature preserves. However, groundwater, fire hazards, and the fragility of island ecosystems pose limits for visitors and residents. Visitor services should be appropriately scaled for a small rural community to ensure protection of the natural environment.’ Reference – OCP 2.i

The OCP ‘supports the passive contemplation, spiritual connection and low impact recreational and educational access to the forest.’ Reference – OCP 2.m

OCP forest objectives are ‘to preserve a forest land base’; to ‘protect the forest, its biodiversity, integrity and ecological services’; to encourage ecosystem based sustainable forest management for all forested lots’ and ‘economic opportunities through this forest management practice’; ‘to encourage ecological restoration of degraded forest stands’ and ‘to maintain or enhance carbon storage and sequestration.’ Reference – OCP 3.1, 2, 3, 4, 5

Forest policies ‘encourage the protection of biodiversity’ ‘and the protection of riparian zones and other sensitive ecosystems’ ‘through appropriate forestry practices.’ Owners are encouraged to ‘use silviculture methods that promote healthy forests and minimize fire hazards.’ Reference – OCP 3.d, f

‘Landowners are encouraged to protect sensitive ecosystems, endangered habitat, soils, watersheds, biodiversity, old or large individual trees and old growth stands.’
Reference – OCP 3.o

6. PROPOSED LAND USE MODEL EQUIVALENCY COMPARISON

- Lot 9 is zoned Rural in the OCP. In this zone, one dwelling, one cottage and unlimited area of accessory buildings are permitted. There is no restriction on the size of a dwelling and a cottage size is limited by the LUB.
- The proposal relocates residential density of Lot 9 to adjoining Lot A and combines it with the density model of the former RR/HF. For discussion, the land use model of the former Heritage Forest zoning is often held up as a desirable mechanism to support an intensification of use on an F1 zoned lot. To achieve this model requires subdivision and the transfer of title in a 25% to 75% ratio with the 25% remainder becoming the Retreat Centre. Title to the 75% is transferred to the Islands Trust Conservancy which is the government agency mandated to preserve and protect in accordance with The Islands Trust Policies. Although the retreat centre zoning will be unique, for clarity one can make a comparison to a typical use of an HF model rezoning on an F1 lot for a private residential subdivision. In that model comparison, development allowance would include on each of two, 2 ha lots a dwelling of unlimited sq footage, a cottage of 79 m2 and unlimited accessory buildings square footage. Consideration of the Retreat Centre request for rezoning for up to 22 retreatants all year round and up to 30 in the summer is congruent with the numbers of people that could utilize the two designated 2 ha RR/FH zoned Lots plus the consolidated density of Lot 9.
- Accessory structures are limited in the Galiano Land Use Bylaw by restrictions on lot coverage. The allowed total lot area development in the LUB is 25%. To compare, our total lot coverage is 4.6%.
- Development in the designated retreat area is regulated by the CRD requirements for proof of potable water quantity and quality and sewage treatment facilities must comply with Island Health requirements.
- Provincial residential density averages and home occupation use as permitted in the Galiano OCP indicate a capacity of 27 or more people may be accommodated in these two zones:
 - CRD definitions of dwellings and conditions of occupancy permits identify the self-contained caretaker’s residence as the only dwelling in the FRMCP.

- In comparing the Galiano LUB general land use: “lot coverage restriction of 25%”, the FRMCP will cover 4.6% of the remainder of Lot A

LOT COVERAGE			
Development- Dwelling	93 metre ²	0.096 ha	1.6%
Accessory Bldgs	870 metre ²		
Parking and Emergency Access		0.190 ha	3.0%
Green Space		5.855 ha	95.4%
Proposed Retreat Area Lot A		6.141ha	

7. BENEFITS TO THE COMMUNITY

Crystal Mountain was registered as a society in the province of British Columbia on December 17th, 1976, and as a Charity April 1st, 1981, (S12799). A non-profit Society may be registered as a Canadian charity only if its purposes are exclusively for the public benefit.

CMS, through the Canada Revenue Agency (CRA) application process and annual reporting procedure, has maintained status as a registered charity for 35 years.

In the CRA guidelines, an intangible benefit is described as ‘purposes directed to the mental and moral improvement of mankind or promoting the moral or spiritual welfare of the community.’

CMS offers programs to everyone. Membership is not required nor does membership confer any special privileges or program discounts. The public side of CMS can be compared to a Public Library. It exists for a specific purpose and is used in a specific way.

We seek to keep fees as low as possible and flexible. Bursaries are distributed. CMS programs are not run to generate profit for the Society. Separate fundraising has been done to purchase and maintain the retreat site. The operation and maintenance of the Society, the Centre, and the programs are supported entirely by volunteers.

(For more information see Appendix E-Definition of a Charity as a Public Benefit)

7.1 OTHER PUBLIC BENEFITS

- The subdivision and the subsequent transfer of title of 75 % (18.42 ha) of our (24.56ha) property is considered to be the ultimate community benefit in the rezoning of a Forest Land F1 zoned lot
- CMS is committed to protecting our forest, wetlands and steep slopes especially on Lot 9 currently zoned residential as well as those found on Lot A. We are confident that the ITC who will receive 75% of our land will be responsible in their conservation role.
- The amalgamation of Lots 9 and A provides increased protected forest contiguous with DL 87.
- The FRMCP secures a Statutory Right of Way (SRW) road for Public Emergency Access through Lot A as identified in the Galiano Land Use Bylaw Schedule C.
- The functioning of the centre supports local businesses during the summer, also winter months when there are fewer visitors to the island. The 2019 Winter Retreat (4.5 months) brought approximately \$25,000 a month into the island economy, through local house rental accommodation costs, propane, food and supplies.
- For a few days before every retreat, those attending are asked to work on the land to help improve and better understand the landscape. The society can regularly mobilize retreatants and volunteers from on and off the island to contribute work to manage and improve the ecosystems within our development area.
- The road through Lot 9 will be closed
- Possible standpipe installation for fire mitigation

8. PROJECT DEFINITION

The intention is to provide suitable all-season forest retreat meditation facilities for up to 22 participants plus providing 8 tent platforms in the summer.

Guidance of the SFMP will direct activities to the most impacted parts of the landscape and by using a variety of treatments:

- preserve rural character
- remove invasive species

- restore and thin the forest for species health and diversity
- The hydrological report, sanitary wastewater treatment, and the infrastructure area below outlined, have been used to determine a sustainable capacity.

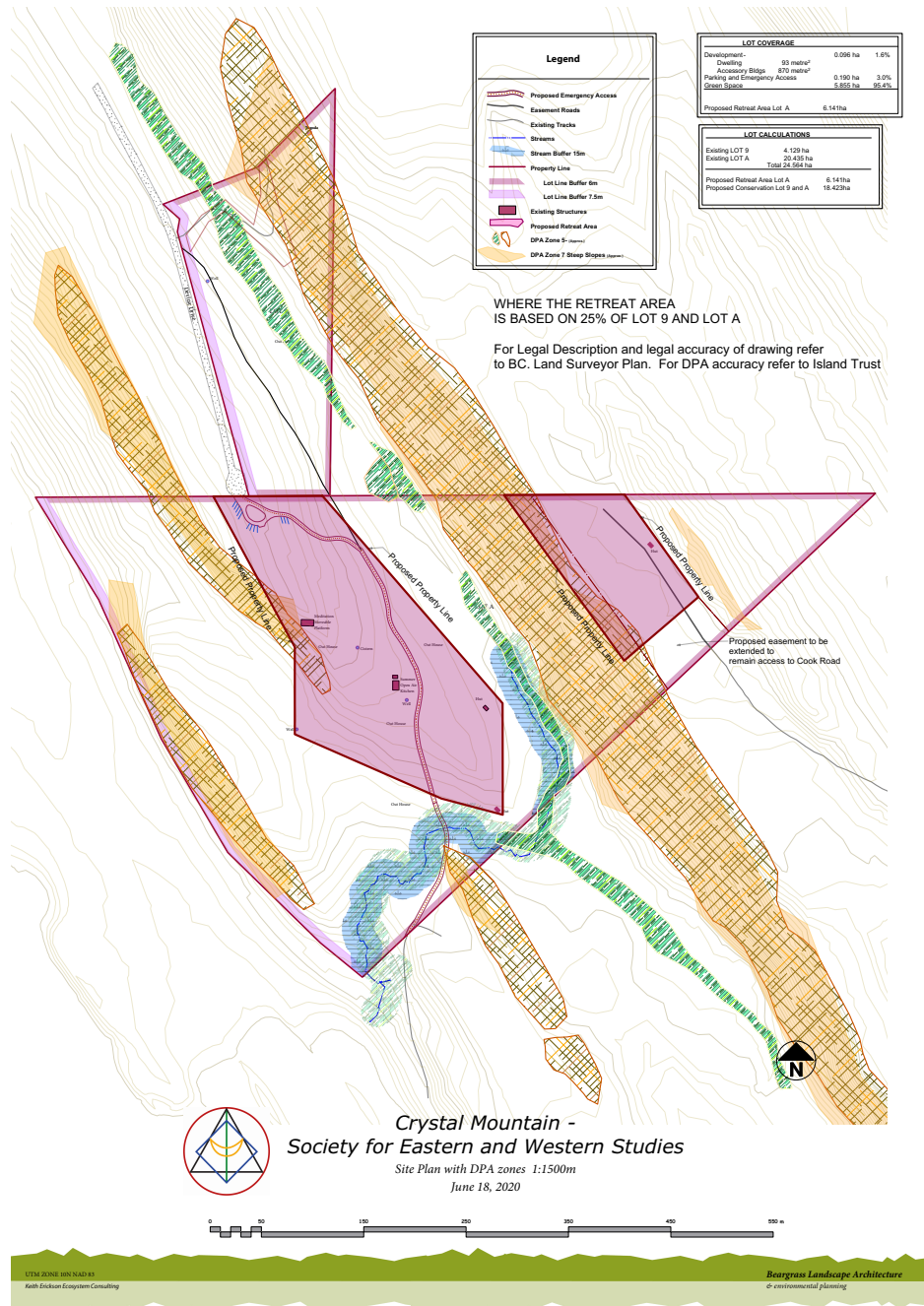


Figure 3-DPA

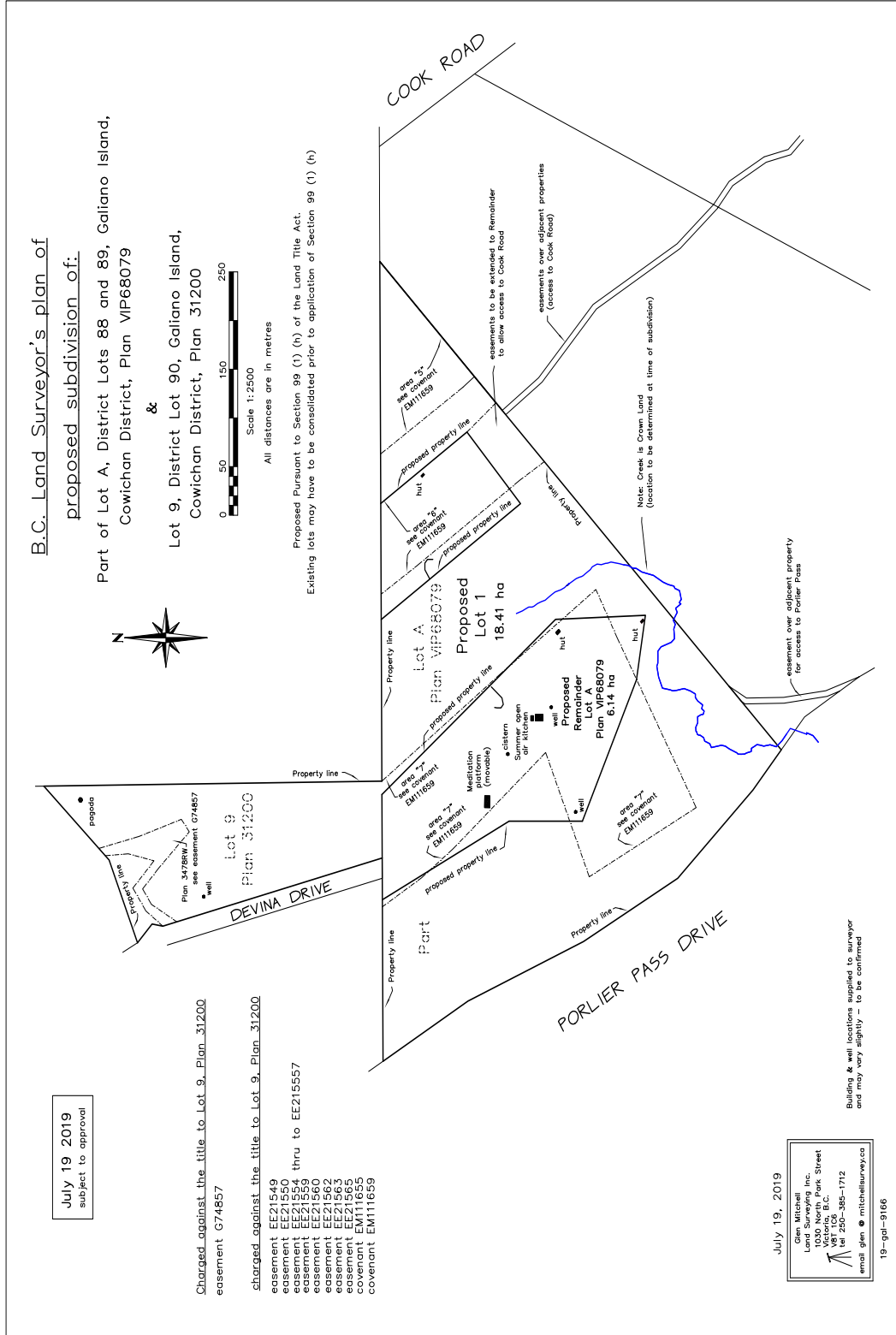


Figure 4-B.C LAND SURVEY

8.1. PROPOSED SITE OVERVIEW

The FRMCP identifies a Facility Area for common infrastructure, Integrated Use Areas for forest management and meditation huts, and the ITC Forest Zone. A site plan has been developed that shows the layout of all areas.

Key aspects of the site plan include:

- The use of land and structures will be divided as follows: strictly nature protection, and responsible forest stewardship by the ITC; and a forest retreat meditation centre by CMS.
- The whole of Lot 9, plus areas of steep slope, wetlands and sensitive ecosystems on Lot A, will be preserved under the protection of the ITC.
- All structures, other than the World Peace Pagoda on the upper ridge, will be removed from Lot 9. See Figure 2.
- FRMC facilities will be located on 6ha / 15ac of the total 24 ha / 60ac.
- Facilities will be located on the areas of Lot A most heavily compacted by previous logging operations.
- A variety of sizes and configurations of meditation huts will be sited to fit the landscape.
- Other than a caretaker dwelling, residential uses are not permitted.
- The map in FIGURE 4 includes the following updates;
- the entrance has been re-oriented to Devina Drive as required by the ITC
- relocation of an Emergency access route
- The road through lot 9 will be closed
- an overall reduction of the number of structures

8.2. LOCATION AND NEIGHBOURHOOD CONTEXT

- Crystal Mountain is located at 1915 Devina Drive or 20300 Porlier Pass Road at the north end of Galiano Island.
- To the north is DL 87, zoned Forest, owned by the BC Ministry of the Environment. To the west are 4ha properties zoned Rural. To the south west is a subdivision of 10 1ha properties zoned Small Lot Residential. To the south is Spotlight Cove and Lot B, a 22 ha Forest zoned lot.

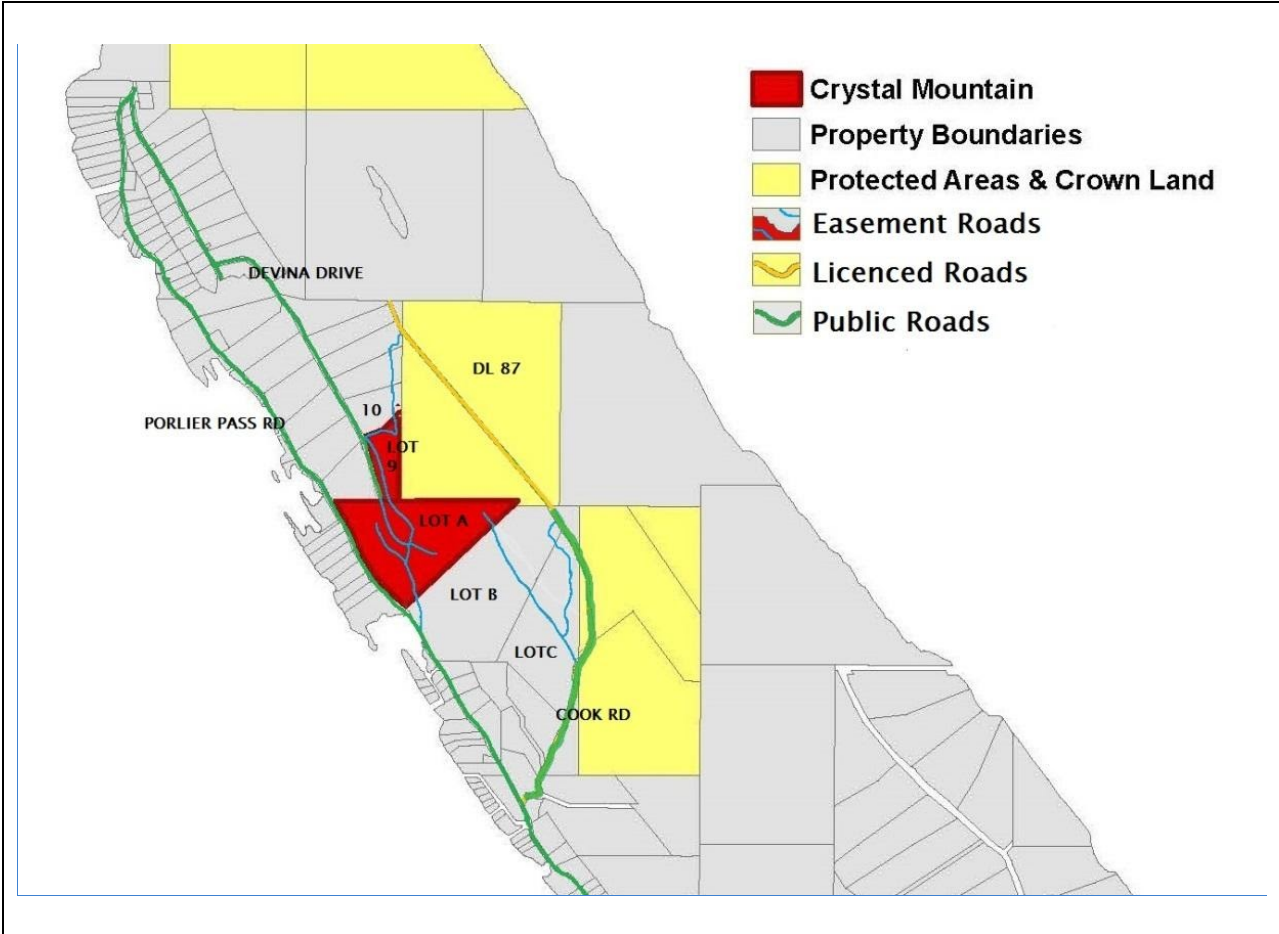


Figure 5 SITE LOCATION

8.3. PROPOSED ACCESS AND SITE LAYOUT

A site plan has been developed that shows the layout of the existing and proposed structures and infrastructure. Key elements include:

- Main access to the centre will be from the end of Devina Drive.
- A 15-metre setback from the riparian area has been established within which no development will occur.
- A Geotechnical study on Lot A (Appendix C) shows areas safe for development.
- The common facilities will be clustered in the central area of Lot A. Structures will be connected by trails following site topography.
- All parking will be located in peripheral locations with footpath access to meditation huts.

8.4. PROPOSED SITE INFRASTRUCTURE AND SERVICING

- A hydrological engineer’s report will establish water quantity and quality to support the intended land use in this proposal, making sure not to impair water supply in neighbouring wells.
- A wastewater treatment system will be designed by a professional sanitary engineer to fit site conditions and flow rates.
- A relocated entrance road for direct access to service the common facilities without impacting the meditation hall and meditation huts.
- BC Hydro power from Devina Drive will serve the caretaker dwelling and the infrastructure area.

8.4.1. ROADS

- road width of 12 feet with 12 feet of vertical clearing
- no paving is proposed
- a Statutory Right of Way road over Lot A, identified by the Schedule C Road Network Plan as emergency access, will be registered on titl

8.4.2. FIRE PROTECTION

- reduced fuel loads in the forest to safe levels
- create clearings and promote species diversity to enhance naturally existing fire suppression characteristics
- operations will establish and practice forest fire response procedures

8.4.3. UTILITIES

- structures will be designed for passive solar gain, and vented and insulated, to reduce heating and cooling requirements
- there will be power supply to a caretaker dwelling near Devina Drive and service to structures containing facilities

8.4.4. WATER

- A hydrological engineer's report has determined the availability and quality of water supply without impacting neighbouring wells See Appendix D.
- an existing well in use will continue to be the main water source for the facilities
- meditation huts will have limited water supply for drinking and washing provided by rainwater catchment or carry container
- water saving measures will include low-flow fixtures, rainwater storage tanks, and some waterless composting toilets
- water will be stored in cisterns for firefighting purposes
- SEE FIGURE 4-BC LAND SURVEY PG 15

8.4.5. SANITARY WASTEWATER TREATMENT

- consultation with a qualified engineer for recommendations of a variety of septic systems designed for various flow rates and combined wherever possible. All systems are required to have approval from VIHA.

8.4.6. PARKING

- parking for a total of 12 vehicles on lot A at the entrance of Devina Drive
- 2 spaces in the upper polygon

9. BUILDING LOCATION DESIGN AND CONSTRUCTION

Structures will be:

- designed for least impact to the natural environment
- shared wall and individual huts will be sited where the landscape permits
- structures will be designed for passive solar gain and solar panels where clearings permit
- landscaped to provide visual and acoustical privacy
- simply designed and constructed for low cost efficiency and low maintenance using local materials wherever possible

9.1 BUILDING LOCATIONS

- To be determined within the proposed development area impacted by the former owner, a logging company

9.2. BUILDINGS

Forest Retreat Meditation Centre facilities on 6ha / 15 ac, of land will consist of:

- Meditation hall
- Kitchen/ dining hall
- Bath house / laundry
- Workshop/Storage
- Kitchen/ dining hut
- Service hut
- Meditation huts for up to 22 participants

Total footprint of above buildings: 870 square metres

Total footprint of caretaker's building: 93 square metres

10. DEVELOPMENT PLAN

10.1 Development Approvals Required

- Acceptance of a Title Transfer by Land Title and Survey Authority
- Approval of final subdivision plan
- Acceptance of a site plan identifying infrastructure, integrated management and the ITC conservation areas
- Approval of Statutory Right of Way emergency access agreement
- Approval to rezone the land by the Local Trust Committee from Rural Residential/Forest to Forest Retreat Meditation Centre
- Following the rezoning and OCP amendment
- Approval of building permits for existing and proposed structures

10.1.1 OCP AMENDMENT

In order for the project to proceed an amendment to the OCP is required. The bylaw will amend the OCP designation of the subject property from Forest to Forest Retreat (FR). This is required so that the zoning bylaw is consistent with the OCP.

10.1.2 ZONING BYLAW AMENDMENT

CMS is requesting to have Lot A rezoned from F1 and Lot 9 rezoned from R2 to a Forest Retreat zone. There is no existing zone in the Land use Bylaw (LUB) that fits this proposal therefore a new zone would need to be created. The proposed Forest Retreat zone includes the following provisions:

- Permitted Uses: Structures and facilities to support Forest Retreat Meditation Centre
Use to accommodate up to 30 participants

10.1.3. DEVELOPMENT STANDARDS AND REQUESTED RELAXATIONS

The Galiano Island LUB specifies development standards for water use and wastewater treatment. CMS is working with certified professionals to address the proposal and achievable means of meeting these standards.

The FRMCP proposal accommodates 12 parking spaces. CMS volunteers pick up retreatants and take them to the site and or people coordinate ride sharing. Retreatants do not require a vehicle as supplies are delivered

11. APPENDIX

Appendix A- Ecosystem-based Land-use Plan (Erikson, R.P.Bio, 2014)

This plan has been previously submitted and is available on the Island Trust website.
[http://webfiles.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/GL-RZ-2014.1%20\(Crystal%20Mountain\)/3%20-%20Professional%20Reports/2014-04%20-%20Environmental%20Assessment.pdf](http://webfiles.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/GL-RZ-2014.1%20(Crystal%20Mountain)/3%20-%20Professional%20Reports/2014-04%20-%20Environmental%20Assessment.pdf)

Appendix B - Geotechnical Survey (C. N. Ryzuk, 1998)

See the Survey done by Geotechnical Engineers C. N. Ryzuk & Associates
ATTACHMENT 2

Appendix C - Hydrological Report (Al Kohut, P.Eng., 2015)

This report has been submitted in entirety to Islands Trust and is posted on their website. [http://webfiles.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/GL-RZ-2014.1%20\(Crystal%20Mountain\)/3%20-%20Professional%20Reports/2015-11%20-%20Groundwater%20Assessment.pdf](http://webfiles.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/GL-RZ-2014.1%20(Crystal%20Mountain)/3%20-%20Professional%20Reports/2015-11%20-%20Groundwater%20Assessment.pdf)

Appendix D - Perc Test Report (Fred Stevens, 201?)

This report is currently under production.

Appendix E - Definition of Charity as a Public Benefit

What is public benefit?

"This notion of public benefit has also been called the "public character" of charity, in that it "seeks the welfare of the public; it is not concerned with the conferment of private advantage."

A Benefit is *"a socially useful undertaking."*

In the CRA guidelines, an intangible benefit is described as "purposes directed to the mental and moral improvement of mankind or promoting the moral or spiritual welfare of the community." The stated purpose of CMS is to "Promote the development of the wholesome, clear, interested mind through study, meditation and compassionate work."

The Public designation is concerned with who has access to the benefit.

It may not be of interest or benefit to each individual, just as a Library would not directly benefit someone who is not interested in reading, but it is generally perceived as beneficial.

CMS offers public programs to everyone. These programs vary in length, types of training and meditation; to meet the diverse needs of people. No affiliation with the Society or particular religious belief is required. Membership is not required nor does membership confer any special privileges or program discounts.

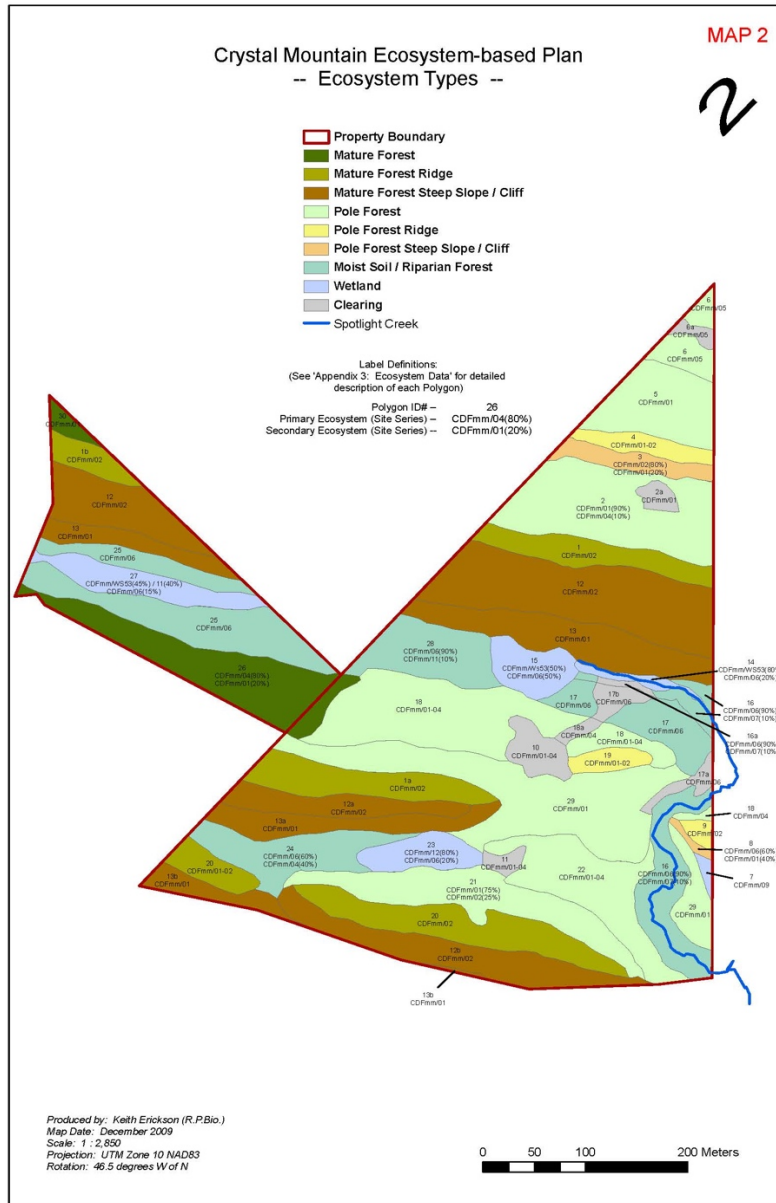
Health benefits of Meditation and Quiet Contemplation

"Evidence that meditation, described states and cognitive processes, are effective in health and human growth started to emerge in the 1950's. With the use of fMRI, PET scans, more sophisticated EEG, genetics, better methodology and the rigorous study of meditation, this field has now generated an estimated 1,000 research papers and is a well-respected scientific field" (Lutz et al. 2007)."

Studies conducted in 2015 on the benefits of meditation show evidence that Mindfulness Based Stress Reduction programs alleviated symptoms of a variety of mental and physical disorders, that multiple negative dimensions of psychological stress are reduced, and that there is a reduction in depression symptoms in youth. Mindfulness meditation is useful for managing anxiety and effective for treating substance use and eating disorders.

“Evidence from these studies supports the notion that being mindful, being aware of the present moment without grasping onto judgments, does indeed improve immune function, enhance a sense of equanimity and clarity and may even increase empathy and relational satisfaction.” (Davidson et al. 2003)”

**CMS-FOREST RETREAT MEDITATION CENTRE PROPOSAL-ATTACHMENT 1
(ECOSYSTEMS ZONES page 16 of EBP Report Appendix A)**



**CMS-FOREST RETREAT MEDITATION CENTRE PROPOSAL ATTACHMENT 2
(Geotechnical Survey Appendix B)**

GLEN MITCHELL, B.C. LAND SURVEY VI EM111659 REGISTERED NOV-10 11:08 E00957 PAGE:8 OF 12

SCHEDULE "A"

PAGE 8

C.N. RYZUK & ASSOCIATES LTD.
Geotechnical Engineering

28 Crease Avenue Victoria, B.C. V8Z 1S3 Tel: (604) 475-3131 Fax: (604) 475-3611

July 16, 1998
File No: 8-1405-4

5647 Land Corporation
c/o P.O. Box 219 Station 'E'
VICTORIA, B.C.
V8W 2M6

Attn: Mr. Wm.B. Eller, R.P.F.

Dear Sir:

Re: Proposed 3 Lot Subdivision
District Lots 88 and 89 - Galiano Island, B.C.

As requested, we have carried out a review of available information associated with the geotechnical conditions at the referenced site as related to possible future single family residential development. Such information included visual assessments/ engineering site reconnaissance of District Lot 88 in June 1995, and District Lot 89 in December 1993.

We understand that the proposed subdivision involves the amalgamation of District Lots 88 and 89 and subsequent division of the resulting lot into three new lots, namely Proposed Lots A, B and C as delineated on the attached Location Plan, Dwg. 8-1405-4-2. Identification of safe building areas and/or areas where single family residential development should be restricted as a result of possible geological hazard is required as part of subdivision approval, and the objective of our involvement.

As part of our past work, we carried out a review of the available existing data, including topographic, bedrock and soils mapping, and selected stereo sets of B.C. Government black and white aerial photographs. Our site work included selected traverses, examination of soil and rock exposures, visual examinations of slopes and bedrock outcrops for indications of instability, and measurement of the approximate slope angles using a hand-held inclinometer.

The site consists of a series of wide, generally gentle to moderately northeast sloping benches with intervening cliffs and talus slopes oriented roughly northwest/

Continued

PAGE 9

C.N. RYZUK & ASSOCIATES LTD.

July 16, 1998

5647 Land Corporation
Page 2

southeast. The cliff areas range from 2 to 10 m high near vertical rock faces, to cliff and talus slopes which reach about 120 m in total height, with the upper half a steep to near vertical rock face with some overhanging portions and the lower half of blocky talus apron. Several shallow swales/gullies are present on the site, usually below the cliffs or talus slopes.

At the time of our inspection of District Lot 88 in June 1995, a residence was under construction in the southern part of the lot. Surface vegetation comprised a relatively young forest of up to 200 to 300 mm diameter Douglas Fir, Cedar and deciduous trees with an undergrowth of various bushes and ferns. Drainage was noted to be generally good on bench, cliff and talus apron areas although a shallow swale low land at the northeast area of the lot consisted of a swampy, ponded area in this topographic hollow which could flood.

At the time of our inspection of District Lot 89 in December 1993, the talus slopes and some border areas had a mature forest of fir, Cedar and Arbutus with an understorey of salal, vines and various deciduous bushes. Most of the bench and ridge top areas had apparently been recently been logged, although some Cedar and deciduous trees remained. The cliff areas had some dispersed large fir and Arbutus. The talus slopes generally had thick layers of moss, lichens and accumulated organic debris over the rock blocks. Drainage was generally noted to be good with the exception of the swale areas below the cliff and talus areas. The Ministry of Environment, Water Rights Branch has on record that Spotlight Creek, which traverses the western part of the site and leads down to Spotlight Cove, has one water license.

The government geology maps indicate that the site is underlain by Upper Cretaceous-aged Gabriola Formation, consisting of sandstone, conglomerate and minor siltstone and shale. The bedrock on site was noted to range from thickly bedded sandstone with very widely spaced joints oriented generally perpendicular to bedding, to blocky fractured sandstone. Some intervals of more thinly bedded sandstone and occasional units of thinly bedded shale and sandstone were also noted. Overburden soils consist of compact to dense, clayey and silty sand and gravel. Soil thickness is usually thin in the vicinity of bedrock outcrops and talus aprons but is present in thicker layers in localized areas.

Indications of potential rockfall were noted along the front faces of the bedrock bluffs, with occasional rock pieces noted wedged against living Arbutus trees. Some very large boulders were noted to have fallen onto or rolled to the toe of the talus slopes, with individual rock pieces up to 7 m rough cubes.


Continued

PAGE 10

C.N. RYZUK & ASSOCIATES LTD.

July 16, 1998

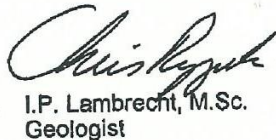
5647 Land Corporation
Page 3

Potential rockfall, rolling rock and toppling from the bedrock cliff appears to constitute the major types of instability or geological hazards, with some shallow seated instability associated with creep evident on the steeper overburden slopes and on some areas of the talus slopes, and possible flooding in the depressed area located in the northeast corner of District Lot 88. No indication of deeply seated slope instabilities was observed during the site assessment or from the perusal of aerial photographs. Instabilities were noted to be generally shallow seated and localized to the cliff edges, cliff bases and talus slopes.

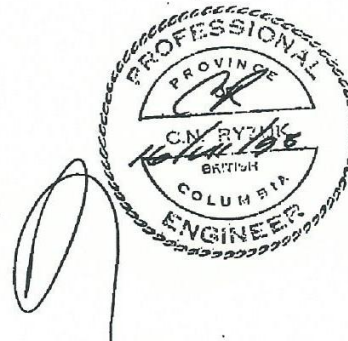
On the basis of our work at the site and considering the B.C. Ministry of Transportation and Highways safety criteria of 10% probability of geotechnical hazard in 50 years, and a possible flooding hazard based on a one in two hundred year flood, we believe that there are many safe building areas at the site. However, it is recommended that single family residential development in the area of the cliffs, the cliff edges, talus slopes, roll-out areas and the flood plains be restricted pending further site/development specific assessment by a geotechnical engineer. These recommended restricted areas which are delineated on the Location Plan as cross hatched areas, were marked in the field with flagging tape at the time of our site attendance and subsequently surveyed by Glen Mitchell, B.C.L.S. It should be noted that the recommended restricted building areas on the Location Plan are located conservatively. Single family residential construction in many of the recommended restricted areas may be possible, particularly if foundations are based on intact bedrock. However, further geotechnical assessment is recommended in such areas once a building site and design details are known.

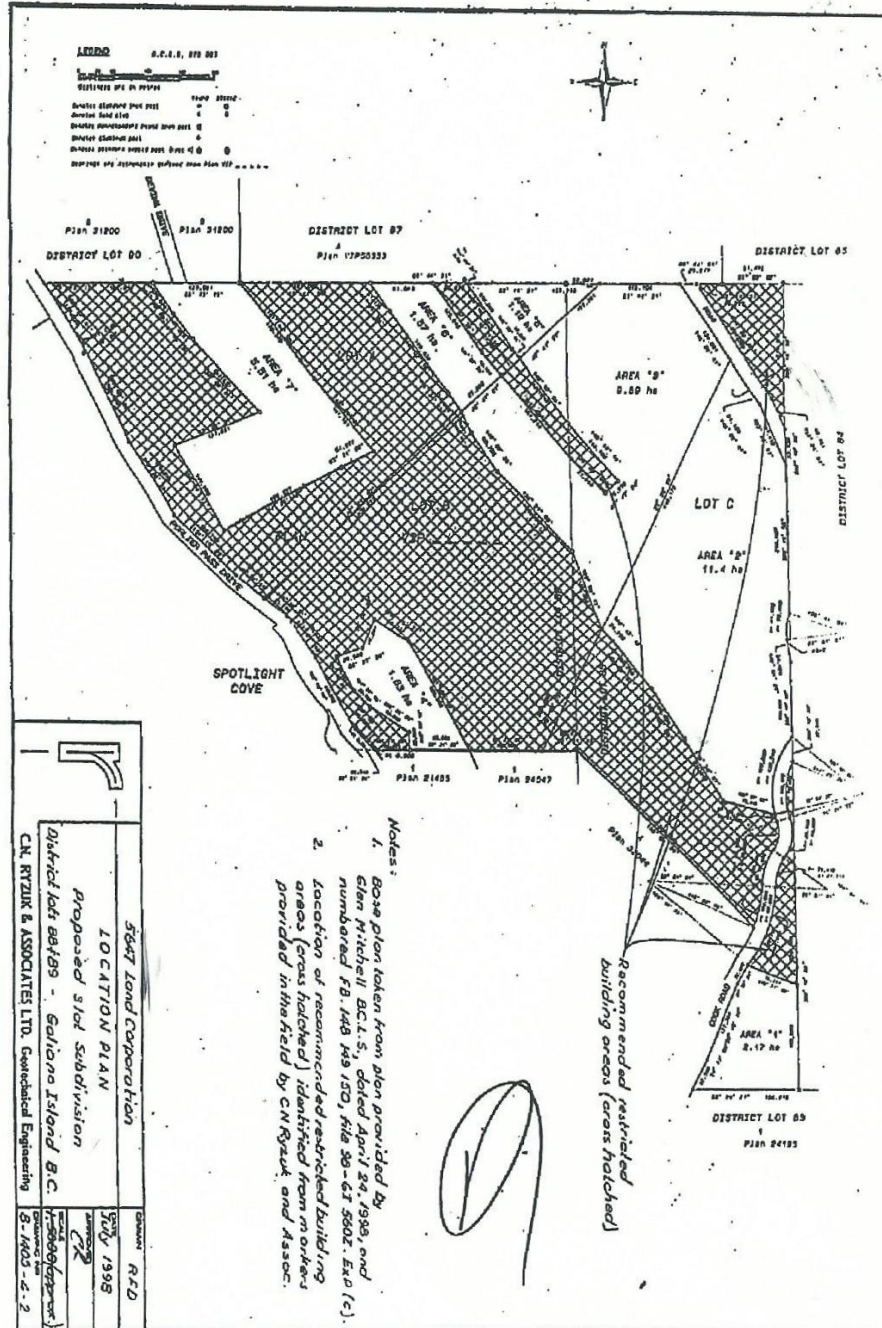
We hope the preceding information is suitable for your purposes at present. If you have any questions or require additional information, please call us. Thank you for this opportunity to be of service to you.

Yours very truly,
C.N. Ryzuk & Associates Ltd.

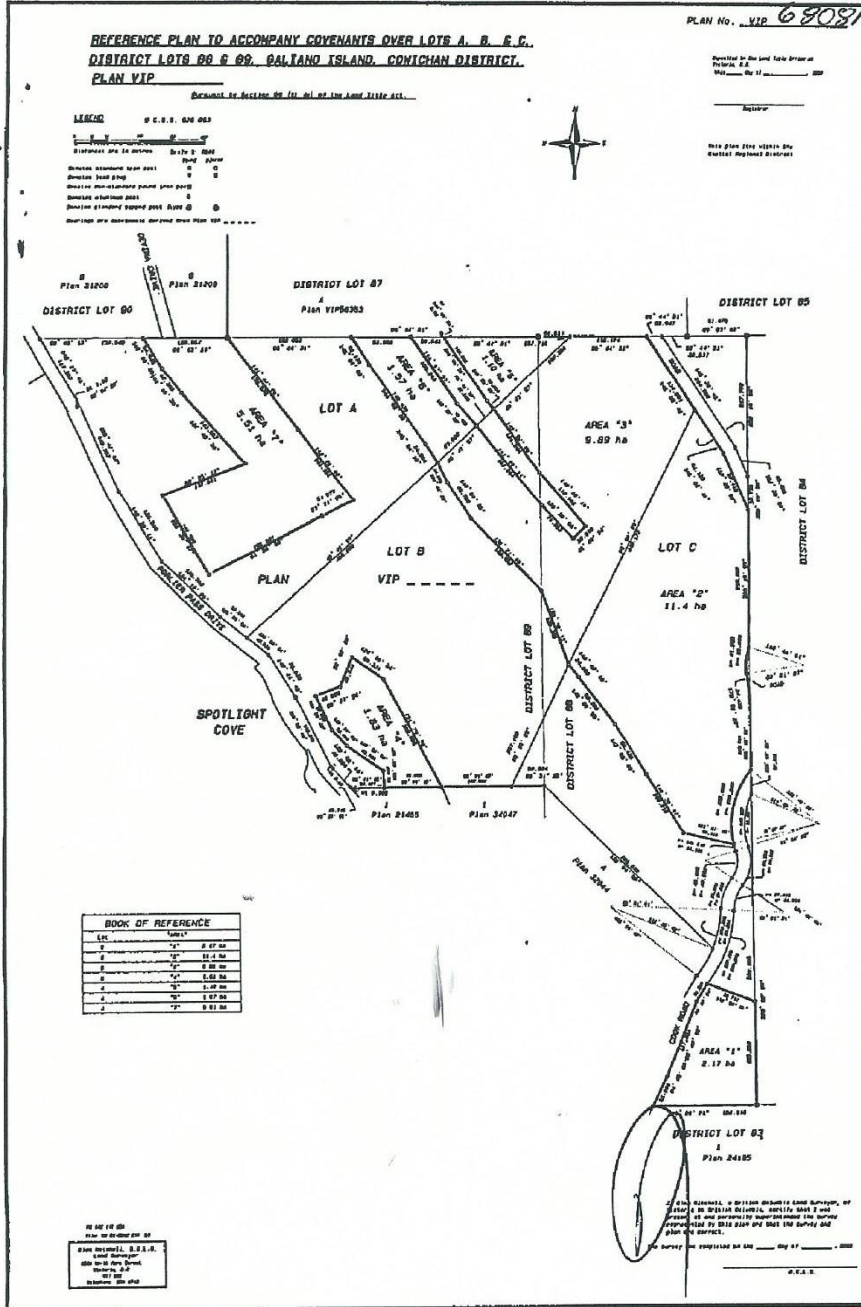

I.P. Lambrecht, M.Sc.
Geologist

IPL/ses
C:Letters/8-1405-4.ipl
Attachment





SCHEDULE "B"



END OF DOCUMENT

Legend

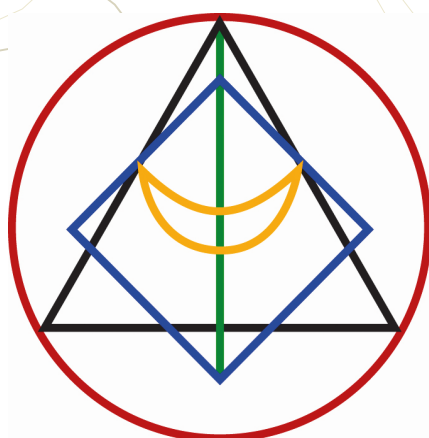
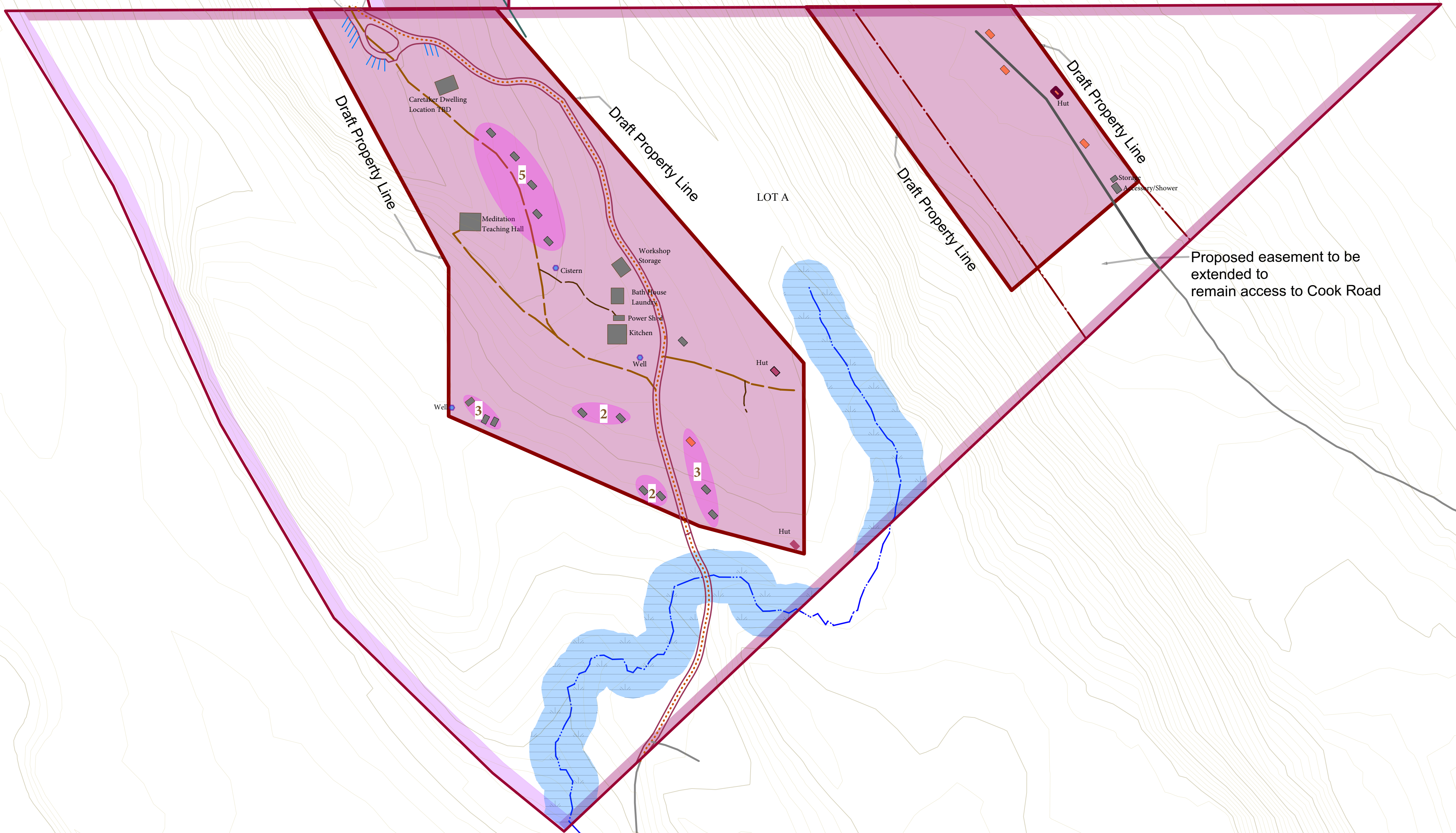
- Proposed Emergency Access
- Easement Roads
- Existing Easement Road
- Existing Trails
- ITC Designation (tbd)
- Streams
- Stream Buffer 15m
- Property Line
- Lot Line Setback 6m
- Lot Line Setback 7.5m
- Proposed Structures
- Existing Meditation Hut
- Proposed Meditation Hut
- Proposed Meditation Hut with Food Prep
- Meditation Hut Clusters (typ)
- Proposed Retreat Area

LOT COVERAGE			
Development- Dwelling	93 metre ²	0.096 ha	1.6%
Accessory Bldgs	870 metre ²		
Parking and Emergency Access		0.190 ha	3.0%
Green Space		5.855 ha	95.4%
Proposed Retreat Area Lot A		6.141ha	

LOT CALCULATIONS	
Existing LOT 9	4.129 ha
Existing LOT A	20.435 ha
Total 24.564 ha	
Proposed Retreat Area Lot A	6.141ha
Proposed Conservation Lot 9 and A	18.423ha

WHERE THE RETREAT AREA IS BASED ON 25% OF LOT 9 AND LOT A

For Legal Description and legal accuracy of drawing refer to BC. Land Surveyor Plan.



**Crystal Mountain -
Society for Eastern and Western Studies**

Site Plan 1:1500m
August 30, 2020



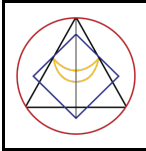
DRAFT



**GL-RZ-2014.1
Crystal Mountain**

LTC Date	Resolutions	Staff Comments
February 2, 2015	<p>GL-2015-002 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:</p> <ol style="list-style-type: none"> (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. 	
June 1, 2015	<p>GL-2015-047 THAT, the Galiano Island Local Trust Committee refers Memorandum (requesting the nine questions listed in Resolution GL-2015-002 to be answered) dated May 25, 2015 Re: Application Update (File Number: GL-RZ-2014.1 Crystal Mountain) to the Galiano Island Advisory Planning Commission and that in the meantime the Galiano Island Local Trust Committee will continue to listen to further ideas pertaining to GL-RZ-2014.1 Crystal Mountain.</p>	
December 7, 2015	<p>GL-2015-116 THAT, the Galiano Island Local Trust Committee support the recommendation of the Galiano Island Advisory Planning Commission dated June 29, 2015;</p> <p>“The Galiano Island Advisory Planning Commission recommends that the Local Trust Committee work with the Trust Fund Board to produce, in writing, options that can be considered to make the transfer of title to the Trust Fund Board to provide the necessary privacy for the applicant that is integral for their project while providing the community benefit, as required by the Official Community Plan.”</p>	

	And that staff be requested to arrange a meeting between the Galiano Island Local Trust Committee and the Trust Fund Board to discuss this matter.	
February 1, 2016	GL-2016-004 It was MOVED AND SECONDED , that the LTC resolves to proceed no further with the application in the absence of a land donation. <u>DEFEATED</u>	-Motion defeated
March 7, 2016	GL-2016-015 It was MOVED and SECONDED , that the Galiano Island Local Trust Committee proceed with the application and request staff to draft bylaws on the basis that 75 percent of the land be protected with a conservation covenant. GL-2016-016 It was MOVED and SECONDED , that the Galiano Island Local Trust Committee requests staff to research Private Managed Forest Land Act implications for potential Official Community Plan and Land Use Bylaw amendments relevant to application GL-RZ-2014.1 (Crystal Mountain) and to seek legal opinion.	-Trustee Pottle opposed GL-2016-015
May 2, 2016	GL-2016-031 THAT, the Galiano Island Local Trust Committee requests the applicant explore additional community benefit options. GL-2016-032 THAT, the Galiano Island Local Trust Committee amends the Official Community Plan by re-designating the portion of the land to protected by conservation covenant to Nature Protection and by amending the existing Health and Wellness Facilities designation for 25 percent of the land where the retreat activities would occur.	-Trustee Pottle opposed GL-2016-032
July 4, 2016	GL-2016-063 that the Galiano Island Local Trust Committee requests staff to explore and report on: legalities of using a s.219 covenant restricting the use of land to non-profit societies only; identification of community benefits; and the legality of including the clause on package page 35 (Schedule 1, A.1., 1) c, i)	



Crystal Mountain Society - A Society for Eastern and Western Studies
Galiano Island, British Columbia, Canada
email: crystalmountainsociety@yahoo.ca

Update from Crystal Mountain Society - September 2020

Hello north end neighbours. We are reaching out to you in hopes of clarifying the Crystal Mountain Society land use rezoning application. We have been part of the north end neighbourhood of Galiano for 40 years, offering a summer retreat and study. The Local Trust Committee is actively engaged with our application at this time. We hope this synopsis of frequently asked questions about our rezoning application will be helpful in clarifying any concerns you might have.

- **Bylaw definition:** Land Use classification made very site-specific narrows the zone classification tightly, restricting current and future landowner use. Islands Trust (IT) planners will work closely with the Galiano community and the LTC to find the most restrictive zone description. The title description of our project is Forest Retreat Mediation Centre, this is not a zoning title.
- **Crystal Mountain lands:** Lot 9, is 10 acres zoned Rural Residential; Lot A, is 50 acres zoned Forest 1. Subdivision and Transfer of Title will result in a 75% Land Title to Islands Trust Conservancy (ITC) 25% remainder parcel title to Crystal Mountain Society (CMS) as rezoned retreat use. We are a CRA registered non-profit charitable society.
- **Development area dictated by 2 decisive factors:** past Fibermax logging impact, and buildable area designations by Ryzuk Geotechnical survey. Our plan is for basic facilities developed incrementally in compliance with land use bylaws. Our focus is on providing simple but comfortable, clean and safe buildings in a natural environment.
- **Ecosystem protection:** Hearing the concerns of north-end residents helped in deciding to transfer title of the 45 acres to ITC. This results in conservation of areas both environmentally sensitive and of highest ecological value.
- **Public trails** will be designated by the ITC on their 45 acres, including Lot 9. On the remaining 15 acres public access will be restricted due to the nature of CMS studies and retreats. Public access to the upper ridge of neighbour DL87 and is provincially owned is best from Cook Road up a clear trail.
- **Meditation huts:** 22 for year-round use, 8 tent platforms June-Sept. The facility use at any one time will be limited to 30 in the summer and 22 in the winter with a potential for an additional 20 people for special day use up to 4 times per year.
- **Limited food prep** in 5 of the 22 huts used for longer term students, (upper ridge). Food prep definition will be very narrow. Planner consultation for site specific use only; eliminating a loophole for other land use applicants.
- **Emergency access road** linking the end of Devina Drive to Porlier Pass Road will be established through rezoning.
- **Main entrance:** ITC requires relocation to the end of Devina Drive. Access to the small upper ridge area is by easement from Cook Road across privately owned Lots B and C.
- **Parking:** all retreat parking will be on CMS land. **Traffic** along Devina Dr will be minimal as people do not drive while in retreat.
- **Septic and water systems and building permits** will all be handled by the corresponding official agencies. CRD, Vancouver Island Health Authority, Islands Trust. These processes will result in full compliance of all structures and processes.

- **Communication and updates:** Please send your email address if you wish to receive updates.

Your questions and comments are welcome. Please contact Libby at 250-539-4000, libbot51@hotmail.com or Janice at 778-903-1048, naturalwaysgetsherway@gmail.com or Leslie at 778-239-9511, cain@leslianne@gmail.com

