

From: Christine Wilson <chrismwilson4@gmail.com>
Sent: Monday, April 17, 2023 12:49 PM
To: vicphsub
Subject: Rezoning - Public Hearing Galiano Island Local Trust Committee
Attachments: Letter to Islands Trust rev.docx

Dear Trustees
Find my letter of support attached.

Christine Wilson
310 Devina Dr
Galiano Island

Christine Wilson
310 Devina Dr
Galiano Island
VON 1P0
Apr-17-2023

LTC Trustees
Islands Trust
Galiano Island
VON 1P0

Dear LTC Trustees:

I am writing in support of the rezoning proposal for District Lot 90, Lot 9 and District Lot 88 and 89 Lot A, North Galiano Island, to allow for the development of a spiritual education retreat facility.

I am a neighbor, living just north of the property on Devina Dr. In my experience, the use of this land in this manner has been very compatible with the neighborhood, as the programs held there are quiet and the participants respectful of the environment. We have lived here since 2007 and have never had a problem with this organization or it's programs.

Also, Crystal Mountain, over the years has become more co-operative in relation to the land usage compliance with the OCP and restoration efforts.

I fully support this proposal.

Sincerely,

Christine Wilson
MD (retired)

Jas Chonk

From: Marek Czuma <czumamarek@gmail.com>
Sent: Monday, April 17, 2023 1:04 PM
To: vicphsub
Cc: Janice Oakley
Subject: Crystal Mountain

I will not be able to attend the Public Hearing on May 6, but I want to register my whole-hearted support for the Crystal Mountain rezoning application.

Marek Czuma
250-539-3323

From: Hennessy Hammock <info@hennessyhammock.com>
Sent: Thursday, April 20, 2023 8:56 AM
To: vicphsub
Subject: Support for Crystal Mountain

Hello,

The Crystal Mountain community purchased the majority of their property in 1980, more than 40 years ago. In all that time, they have been focussed on a simple objective - to create a meditation retreat with minimal disruption to the environment.

The Crystal Mountain community has respectfully listened to Galiano residents and has modified their plan many times over. They are now offering 75% of their land to the Islands Trust Conservancy. This portion includes the most environmentally sensitive areas.

Currently, this land is mostly zoned for business activities such as logging and sawmilling. Surely, the Crystal Mountain plan will create a much smaller degree of disruption and environmental degradation than activities allowed by the current zoning. Facilities on the 25% will be modest and minimally serviced, in my mind a model for islanders.

In my 53 years of residency on Galiano, I have seen many rezoning applications come and go. This application impresses me with its conformity to the goals of the Islands Trust - seeking to preserve and protect the land while quietly stewarding it. This proposal has been mischaracterized as a luxury spa, but it is not - it is a rustic retreat for people who want to experience the healing powers of silence and nature.

Thanks and best regards,

Ann Hennessy
637 Southwind Road
Galiano Island

Hennessy Hammock
637 Southwind Road
Galiano Island, BC V0N 1P0
1 888 539 2930 or 1 250 539 2930
info@hennessyhammock.com
www.hennessyhammock.com
www.facebook.com/HennessyHammock

From: harry lipetz <hlipetz@gmail.com>
Sent: Friday, April 21, 2023 1:37 PM
To: vicphsub
Subject: Crystal Mountain

Re Bylaw Nos 256 & 257

We are property owners & have had a home on Galiano for over 45 years.

We strongly oppose the proposed use of Forest Lands for visitor accommodation and the precedent this will create. You are aware of what is coming next.

Furthermore, long running non compliance with the community's land use bylaws and OCP should not be rewarded.

This economic activity should not be permitted. It is simply wrong and unfair to neighbours. We would sell before tolerating the noise, traffic and environmental effects. These are good community members being affected and they deserve better than this.

As to the "community benefit " this is another example of fragmentation of the forest.

Please do the right thing and turn down this long brewing matter for the sake of the neighbours to a commercial operation as well as to the island community as a whole. The applicant should find another location with suitable zoning off the island. They have no greater rights than others and are owed nothing and do not fit within our OCP.

Respectfully submitted.

Harry Lipetz
Elaine Lipetz
Twiss Road
Galiano

From: Eva Gohl <eva.gohl@bluewin.ch>
Sent: Sunday, April 23, 2023 10:04 AM
To: vicphsub
Cc: j oakley; Leslie Cain; Libby; Michael Gohl
Subject: Public Hearing for Crystal Mountain Rezoning application May 6, 2023

Eva and Michael Gohl
705 Dobson Lane
Galiano

On behalf of the Public Hearing for Crystal Mountain Rezoning application, May 6th 2023:

Dear Islands Trust

Following all the past discussions about the rezoning plan of Crystal Mountain, Michael and I support strongly the application of Crystal Mountain for rezoning.

Michael and I, Swiss citizens, bought the beloved house of late Harald Dobson at the north end of Galiano in 2016, just before our retirement. Since then, we were usually spending four to six months per year on the Island.

The reason for buying this house was the special spirit of quietude and highly protected nature at the north end in general and the neighbourhood to Crystal Mountain in particular. With some of their members we are friends since over 30 years, and we have even visited this property in February 1982 just after lot 9 was purchased by Crystal Mountain.

Our heartfelt wish was to find a place for retreats that deepen spiritual growth and share it with other interested people. In this sense we wish that the precious and most supportive qualities of the north end of Galiano can be shared further on the beautiful and secluded land of Crystal Mountain for meditative work and healing. We deeply trust Crystal Mountain Society (of which we are members) that they will preserve the naturalness of the property for wholesome study and inner work for the benefit of all life.

In these past years our house on Dobson Lane welcomed many friends and retreaters to support their silent retreats. The house rarely stayed empty even in times of Covid, when we were not able to travel to Canada.

When we arrived the first summer 2017 on the island, we were wonderfully welcomed by most friendly neighbours of Dobson Lane and further away - it felt like an open-minded north end community-paradise exceeding Crystal Mountain membership. We were also able to support neighbours by hosting elder parents or friends for visit.

It is our heartfelt wish that all dispute about Crystal Mountain Society Spiritual Education Retreat Center will find an end and there will be an enriching openminded neighbourhood within the north end community again, which deeply respects nature and the sense of community beyond beliefs and doctrines.

With kind regards
Eva and Michael Gohl

Eva and Michael Gohl

Switzerland: An der Specki 33, 8053 Zürich, Switzerland, phone +41 44 422 29 87 /
mobile +41 79 816 61 00

Canada: 705 Dobson Lane, Galiano Island, V0N 1P0, Canada B.C., mobile (250) 634-4504

From: Neil Friedenbergn <friedenbergn@gmail.com>
Sent: Sunday, April 23, 2023 5:45 PM
To: vicphsub
Subject: CMS letter of support

To Whom it May Concern

I have followed the Crystal Mountain Society application for several years and have met with the principal leaders of the application on several occasions. I am pleased to once again submit a letter of support for hopefully the last time.

I have been neighbors with CMS for several years. I have found them and their guests to be respectful and almost invisible. There is no increased noise or traffic. I sometimes notice some retreatants as they are walking on the trails and roads. They are in silence and I respect their privacy. I have always been greeted in a friendly and mostly silent manner. I find them to be good neighbors and I welcome their presence on Galiano.

I have been impressed with their thoroughness and persistence in putting forth their application and complying with the requirements with respect to water usage, sewage issues, and environmental concerns.

Respectfully
Neil Friedenbergn

310 Devina Drive

From: Richard McMahon <richardwmcm@gmail.com>
Sent: Sunday, April 23, 2023 6:11 PM
To: vicphsub
Cc: Lisa Gauvreau; Ben Maberley; Timothy Peterson
Subject: Crystal Mountain Rezoning Application

Hi there,

I am writing to express concerns about developments at Crystal Mountain on North Galiano. I understand there will be an Islands Trust Public Hearing on this matter May 6, which I will be unable to attend in person. My Galiano property at 19875 Porlier is close to that of Crystal Mountain.

I worry that the development, as proposed, will:

- create drinking water demands which may not have been fully tested to ensure supply will not impinge upon nearby residential uses that are already in place;
- create a so called "community benefit" of forest land which may be ecologically suboptimal due to fragmentation; and
- become a de-facto economic activity yet without being zoned as such.

I am confident that the Galiano trustees will wisely take these and other neighbourhood concerns into account on May 6 and beyond, and that any future development at Crystal Mountain will be in harmony with our Official Community Plan and respectful of rezoning precedents of recent years.

Best wishes,
Richard McMahon

From: saskia soeterik <saskias@telus.net>
Sent: Sunday, April 23, 2023 1:40 PM
To: vicphsub
Subject: Rezoning of the Crystal Mountain property. Northern Galiano Island.

To Whom it may concern,

I would like to add my request to the Island Trust, that they seriously consider, allowing Crystal Mountain to develop the land for retreat purposes.

I have been coming to Galiano for over 40 years, first as a visitor & in the last 22 years as a student of meditation seeking the quiet peaceful & healing environment of the land.

I am also a regular visitor to the Therah Community, so feel very connected to Northern Galiano.

In the 22 yrs I have been on retreat on the Crystal Mountain property, I have observed nothing but deep respect of the land by retreatants & the management team.

Some of whom live on the Island & have been land stewards on Galiano for some time. Valuable members of this Islands community. These folks, both monitor the land all year round & give us retreatants extensive instructions how to walk gently on the land & follow all the correct procedures during our stay.

The possibility of coming each year to rejuvenate & cultivate a peaceful mind is very important to many of us, who seek to live in a saner, more peaceful world.

With sincere wishes for a good outcome for the retreatants & the Islanders,

Saskia Soeterik (residence of North Vancouver B.C)

Jas Chonk

From: deidre sylvester jewell <threetreesfree@gmail.com>
Sent: Monday, April 24, 2023 9:14 PM
To: vicphsub
Subject: Crystal Mountain Rezoning

To whom it may concern:

I wanted to let you know that I support the rezoning of the Crystal Mountain land.

This organization has had many positive community contributions over the years I have lived here including meditation classes, amazing movement and dance classes, and local flora and fauna identification and documentation.

Crystal Mountain Society has attracted excellent people to Galiano as long term residents some starting wonderful local businesses, some working as volunteers, contributing and sharing essential skills within our community.

Most importantly the rezoning will allow the majority of the land to be protected, and as it always has been, accessible for all locals to enjoy.

Best wishes,

Deidre Jewell

Jas Chonk

From: rowan oakley <rowanoakley27@gmail.com>
Sent: Monday, April 24, 2023 12:51 PM
To: vicphsub
Subject: Letter of support for crystal mountain

To the Galiano Trust Committee,

I grew up on Galiano and am now attending college on the mainland.

I have followed this rezoning of crystal mountain over the many years it has been happening and was present during an LTC meeting at the north hall many years ago.

I also spent lots of time on the land owned by Crystal Mountain Society as my mother and other friends study up there. We would go up early before the retreats and all the kids would join in getting things ready.

It is amazing to see how the trees have grown since it was logged and now that these will be protected the groundwater will also be protected.

I encourage the trustees to continue to 2nd and 3rd reading of the bylaws once the public hearing process is completed.

Thank you for your work on this rezoning proposal,

Rowan Oakley-Uyenaka

From: Pamela Gawn <pamgawn@gmail.com>
Sent: Tuesday, April 25, 2023 5:46 PM
To: vicphsub
Subject: Crystal Mountain rezoning

Kindly ignore the previous email. There was a typo. Thanks!

Dear Trustees,

I have been a landowner on Galiano Island since 2002 and have followed the land use issues. For forest lot zoning I feel strongly that we are better off protecting our forests by rezoning and adding increased guidelines to protect the natural environment rather than to continue to cut trees down. We now see the correlation between groundwater and healthy forests so we, as a community, should be jumping at every opportunity to preserve and protect these fragile and vulnerable ecosystems. The Crystal Mountain Rezoning proposal will do just that; protect the most sensitive habitats while providing low-impact infrastructure, all approved by the right authorities, to sit quietly in the forest.

The CMS is a community of people who are strident about protection and stewardship of the natural forests. To this end, I understand that CMS has added an extra layer of forest protection by protecting 60% of the trees on the remaining 25% of the land. Very happy to hear that the folks on Devina Drive will be able to access Porlier Pass through this property for emergencies, as well.

Sounds like a win/win all round and as this proposal will have a positive impact, I am in full support that Crystal Mountain be rezoned.

Thank you for your consideration,

Pamela Gawn
2330 Georgeson Bay Road
Galiano Island, BC

From: Bonny Norton <bonny.norton@gmail.com>
Sent: Wednesday, April 26, 2023 12:56 PM
To: vicphsub
Cc: Lisa Gauvreau; Ben Maberley; Timothy Peterson;
art_moses@yahoo.com; Anthony Peirce
Subject: Crystal Mountain Development and Water Security
Attachments: Water Testing Galiano.pdf

Importance: High

Dear Galiano Islands Trust,

We are writing to you as extremely concerned neighbours about the Crystal Mountain Society (CMS) development plans on the property (Roll: 01-764-02279.110), which are now under your consideration for approval. Of particular concern to us is the effect that this (essentially commercial) development will have on the water supply and water quality of their neighbours. Our property is (Roll: 01-764-02280.020) only one neighbour over and therefore very close to this development (please look at the following BC Assessment link:
Map: <https://www.bcassessment.ca/Property/Info/QTAWMDBIUKU4Mg==>)

We know you have received much correspondence from the Galiano North End community, which is greatly concerned about the CMS development. We are reiterating these concerns from a different perspective, with empirical data that provides evidence of the direct impact this development is having on the quality of the water supply of the neighbouring properties.

In late 2021, we received the attached water test, which you will see is entirely out of range for safe drinking water. We have owned this property since 2005 and have never had a problem with water quality. We believe that the recent escalation in activities by CMS, along with their composting and waste water treatment, has seriously compromised the quality of the water that we draw from the same aquifer.

A related concern is that water volume tests have been performed only on the CMS property, without simultaneous testing on the neighbouring properties. This procedure is not consistent with testing guidelines that would be expected of an essentially commercial development on the level of a hotel or resort, which is what CMS is proposing.

We strongly oppose the CMS development and hope that our grave concerns will be taken into consideration when you make your decision on the development plans.

Kindly acknowledge receipt.

Yours sincerely,

Anthony Peirce and Bonny Norton
495 Clemantine Lane

Client/Code

Brad Lockett
620 Montague Rd
Galiano Island
VON 1P0

Date 26Oct21 8:40a No. W164491
Source Well
Type of Sample water
No. of Samples 1

TEL: 250 539-2393
thepumpguy@hotmail.com

Comments Arrival temp.: 7.1C
Pd Cash B1039

Sample: Anthony Peirce, 495 Clemantine Lane

Site Code	Date	Time	CFU/100 ml		CFU/100 ml	
			TC	T-NC	FC	F-NC
Outdoor Tap	25Oct21	02:00p	6	600	0	0

TC = total coliform bacteria
FC = fecal coliform bacteria (aka thermotolerant coliforms)
NC = non-coliform bacteria
CFU/100 ml = colony forming units per 100 milli-litres

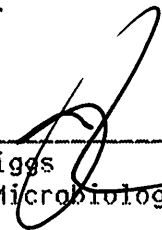
Results may be adversely affected if samples are submitted to the laboratory more than 24 to 30 hours after collection.

Comments:

For Interpretation of Results:

Total or Fecal Coliforms present greater than 0 CFU/100mL (0 CFU/mL):
IF Coliform numbers exceed safe limits for drinking water-
water is not suitable for drinking without treatment.

Total Non-coliform bacteria (=Lactose Fermentors) equal to or greater than
200 CFU/100mL (2.0 CFU/mL):
IF the number of organisms present exceed recommended guidelines for
drinking water; treatment is strongly recommended.



W. Riggs
Sr. Microbiologist



From: Kim Stockdill
Sent: Thursday, April 27, 2023 1:11 PM
To: vicphsub
Subject: FW: Chrystal mountain
Attachments: The rezoning is completely contrary to Galiano.docx

From: huguette benger <hbenger@telus.net>
Sent: Wednesday, April 26, 2023 5:32 PM
To: Galiano Island Local Trust Committee <GalianoIslandLocalTrustCommittee@islandstrust.bc.ca>
Subject: Chrystal mountain

Hi, this is my letter for the meeting of C Mountain on the 6 of may
Huguette benger

The rezoning is completely contrary to Galiano's Official Community Plan which was developed and approved by the community to guide development. The OCP does not support turning forest land into visitor accommodation. This proposed rezoning would set a definite precedent for development of visitor accommodation on forest lands. The current zoning for F-1 permits only forestry and forest related activities. Our OCP policies only support rezoning opportunities for clustered low density residential use or forest-related light industry.

The applicant, Crystal Mountain Society, has been out of compliance with the OCP and Land Use Bylaw since it acquired the F-1 zoned land in 1999. It has built illegal structures including sleeping cabins, kitchens, outhouses and waste disposal infrastructure

Water supply and water consumption are on-going concerns.

- a) The applicant has seriously underestimated how much water it will use, even denying its caretaker residence will be a residence at all.
- b) The 2015 hydrogeological study and its well testing results fell short of provincial requirements for wells needing a commercial water license.
- c) Further, the effects of climate change since then render this study seriously out-of-date.
- d) Although a provincial water license must be obtained by the applicant before they can develop, the rezoning is going to the next stage without a water license.

From: Aslan Mackay <aslanmackay@gmail.com>
Sent: Thursday, April 27, 2023 4:07 PM
To: vicphsub
Subject: Crystal Mountain

Hi there,

I'm emailing in support of the proposed Crystal Mountain project.

I'm a young professional living and working on Galiano full-time. I live mid-island but spend a lot of time at the north-end. I think the development would be very beneficial to the community and provide many benefits to both islanders and visitors, including personal development and spiritual healing.

I hope you can see that most islanders are either in support or are indifferent to the project, and that a loud vocal minority is opposed due to their own NIMBY attitudes.

Thank you for your time and consideration!
Aslan Mackay

Jas Chonk

From: Bill Boyd <billboyd@bell.net>
Sent: Thursday, April 27, 2023 8:39 AM
To: vicphsub
Subject: Crystal Mountain Society

Greetings,
concerning the Crystal Mountain Society (CMS) application for rezoning to create a spiritual education retreat centre in Northern Galiano Island,
I see no reason why this project should not be granted permission to proceed.

The main objections from some people concern ground water usage and availability. However, since 3 independent water professionals have confirmed that CMS water use will be securely within the well's capacity, including a 40% safety factor, with no significant impact to the neighbourhood, and since there will be a dedicated and maintained observation well, I feel comfortable that the applicants have taken the necessary steps to be allowed to proceed with their plan.

I personally welcome such a project on Galiano Island.

Bill Boyd, 34 year permanent resident of Galiano Island.
86 Ganner Drive

From: Gisele Sabourin <gis.sabourin@gmail.com>
Sent: Thursday, April 27, 2023 3:47 PM
To: vicphsub
Subject: Crystal Mountain -Public Hearing May 6, 2023

I am writing as a homeowner living at the north end, close to the Crystal Mountain property. I support this application and applaud all the effort of the people who have worked on this file - 14 + years of working on the plans, refining the application to meet the changing times, conserving water, conserving tree canopy, preserving big old trees, minimizing the footprint of the structures, dedicating 75% to conservation (nature reserve), dedicating an emergency right of way, what more can be asked!

I heartily support this application and feel it is an asset to the community.

Gisele SABOURIN

Sent from my iPad

From: Holly Schofield <schofieldfinancial@gmail.com>
Sent: Friday, April 28, 2023 8:48 AM
To: vicphsub
Cc: Lisa Gauvreau; Ben Mabberley; Timothy Peterson
Subject: Crystal Mountain Rezoning Application (GL-RZ-2014.1)

To Trustees Gavereau and Mabberly, and Chair Peterson,

I urge you to deny the CMS rezoning application in entirety. There are overwhelming reasons to do so.

The applicant's repeated applications over the past 18 years should not have any bearing on your decision -- they are irrelevant to this current specific application. Please do not feel pressured to give in to their demands because of CMS's sustained persistence. Please evaluate the proposed development on its own terms. Ask yourselves, if this were a brand new application today, would it fit in with your vision for Galiano?

The applicant's current use of the property as a "retreat" is irrelevant since they cannot be prevented by law from selling the property at any time in the future to profit-making corporations (as stated by IT lawyers). The proposed definition of allowed "retreat" activities is vague and cannot be tightened sufficiently to prevent wiggle-room, nor is there IT/CRD ability to monitor the situation closely, either under current ownership or inevitable future ownership.

The OCP does not support turning forest land into visitor accommodation. The current zoning for F-1 permits only forestry and forest related activities. Our OCP policies only support rezoning opportunities for clustered low density residential use or forest-related light industry. This proposed rezoning would set a definite precedent for development of visitor accommodation on forest lands which could devastate Galiano.

Water supply and water consumption are on-going concerns. The applicant has seriously underestimated how much water it may use. The 2015 hydrogeological study and its well testing results fell short of provincial requirements for wells needing a commercial water license. Further, the effects of climate change render this 2015 study seriously out-of-date and inadequate.

I could urge you to limit the proposed development by disallowing the "hook" land component, by lowering the number of accommodation sites, and several other aspects of which I am sure you are aware. I'm not going to do that. The applicant should find another location with suitable zoning (i.e. likely not in the gulf islands). They have no greater rights than other people on Galiano and are owed nothing except a factual evaluation of this current application. And the facts do not support development.

This application is a non-starter and should simply be denied. Please have the courage to do so.

Sincerely,

Holly Schofield
Galiano Resident

From: J. Jill Robinson <j.jill.robinson@gmail.com>
Sent: Friday, April 28, 2023 8:51 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Crystal Mountain

To Whom It May Concern,

I'm writing to express my unequivocal support for the Crystal Mountain initiative here on Galiano.

Sincerely,

Jill Robinson
521 Morgan Road
Galiano

https://en.wikipedia.org/wiki/J._Jill_Robinson

From: mike.sheila Lencoe <slencoe@hotmail.com>
Sent: Friday, April 28, 2023 11:24 AM
To: vicphsub
Subject: Fw: Crystal Mt rezoning application

I have sent this to the individual Galiano trustees but have been told that it should go to this particular email address.

From: mike.sheila Lencoe
Sent: April 28, 2023 9:45 AM
To: bmabberley@islandstrust.bc.ca <bmabberley@islandstrust.bc.ca>; lgauvreau@islandstrust <lgauvreau@islandstrust>; tpeterson@islandstrust.bc.ca <tpeterson@islandstrust.bc.ca>
Subject: Crystal Mt rezoning application

I understand that the decision to rezone the Crystal Mt owned property is imminent. I am a property owner at the N end of Galiano and am very concerned as to what approval of the application might mean for the future of Galiano. Recently someone posted on GalianoX that they are looking for land to start up a private campground that would focus on bonding with nature. The response was that private campgrounds are not allowed on the island. In following the Crystal Mt debate for years, it seems to me that it is already a private campground as tents are set up throughout the property when events are happening and outhouses are used. I have heard and spoken to other people who are hoping to start a similar situation for their interest group and are waiting for the Crystal Mt decision. This includes one group who have already purchased land at the N end and are hoping to apply for a permit to allow similar 'camping' situation for their retreats. All these retreats may be based on good intentions but the impact on the community may be negative.

Whether it be yoga retreats, religious focussed retreats, mental health retreats or other interest group retreats...the end result is the same. I am hoping that the trustees are taking this into consideration when finalizing their decision. Approval of Crystal Mt rezoning might just open a huge can of worms for future land use and rezoning.

Sheila Lencoe (property owner)

From: Mayrena Valla <vivayoganow@gmail.com>
Sent: Saturday, April 29, 2023 1:01 PM
To: vicphsub
Subject: Crystal Moutain Society rezoning

Dear Trustees,

My husband and I have resided in North Galiano since 2014 and since then we have been aware of the efforts Crystal Mountain Society (CMS) has undergone to have their rezoning approved. Personally, I enjoy their teachings of compassion, self-awareness, patience, and conducting oneself in harmony with other beings. I am not a Buddhist but I support their pursuit of self-improvement while abiding by principles of generosity and kindness to all.

As all major religious/spiritual organizations provide to the communities in which they have a presence, we look forward to CMS's contributions to and support for the residents of Galiano Island.

We believe CMS has fulfilled the Trust's requirements and hope their proposal is accepted.

Mayrena Valladares-Mills
Guy Mills

From: Jan Fenby <j_fenby@telus.net>
Sent: Saturday, April 29, 2023 3:48 PM
To: vicphsub
Cc: Lisa Gauvreau; bmabberley@islandstrust.bc; Timothy Peterson
Subject: Crystal Mountain Public Hearing GL-RZ-2014.1

Dear Trustee Gauvreau, Trustee Maberley, and Chair Peterson

1: The proposed rezoning is completely contrary to the OCP. The OCP does not support turning forest land into accommodation. Current F1 zoning permits only forestry and forestry related activities. The OCP definitely does not allow visitor accommodation on forest lands.

2: The applicant, Crystal Mountain Society, has been out of compliance with the OCP and LUB since the F1 land was acquired in 1999. It has built illegal structures including sleeping cabins, kitchens, outhouses, and waste disposal infrastructure.

3: The proposed rezoning would create fractured infrastructure with duplicates in septic fields, wells, kitchens, bathhouses. The OCP discourages such fracturing and recommends clustered development to minimize footprint and ecosystem disturbance.

4: For access into the development, the proposed rezoning allows the applicant to use a residential neighbourhood road (Devina Dr.) and 2 private easements. This is contrary to the OCP transportation policies designed to keep large scale economic activity away from residential neighbourhoods.

5: A major question for community discussion is whether we need more guest accommodation at the North End? This should be a conversation for the community to participate in and not driven by applicants who are building and operating accommodation capacity without consulting the OCP or the neighbourhoods.

6: WATER! Both water supply and consumption are serious ongoing concerns!

a) the applicant has seriously underestimated its water consumption, even denying that its caretaker residence will be a residence at all.

b) the 2015 hydrogeological study and its results fell short of provincial requirements for a well needing a commercial water license.

7: The duplicate development on the Upper Ridge, where proposed visitors will stay for up to 6 months, has no proven water supply and can only be accessed through private easements.

8: Community Benefit

As a community benefit, Crystal Mountain has agreed to exchange 75% of its land to the Islands Trust Conservancy in return for development rights on its remaining land. Instead of exchanging an unfragmented forest, the 'community benefit' consists of three distinct fragments of land: a ten acre residential- zoned property next to the forest lot and 2 acres of forest land bisected by the 2 areas of accommodations and infrastructure. This denies ecosystem benefits contiguous

(unfragmented) forest needed for climate adaptation, wildlife habitat, groundwater recharge, wind abatement, etc. It also leads to further encroachment by the built infrastructure. This fracturing would significantly increase the potential impact.

9: Legally there can be no succession or legacy planning. It cannot, by law, be restricted to not-for-profit organizations and therefore it could be sold AT ANY TIME to a profit making entity, with only a very weak restriction on activities broadly defined in the proposed by-laws as 'spiritual retreat'

IT IS THE LAND WHICH GETS REZONED; NOT THE CURRENT PROPOSED ACTIVITY.

PRESERVE AND PROTECT! Please deny this proposal

J. Fenby, Galiano Resident.

From: Linde Zingaro <lindez@lindezingaro.ca>
Sent: Saturday, April 29, 2023 2:21 PM
To: vicphsub
Subject: May 6 public meeting re: Crystal Mountain rezoning
Attachments: Letter to Galiano Trustees from Linde Zingaro.pdf

Attached please find my letter of support

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Linde Zingaro PhD
604 736 8446

April 29, 2023

163 Shopland Road
Galiano Island, B.C.
V0N 1P0

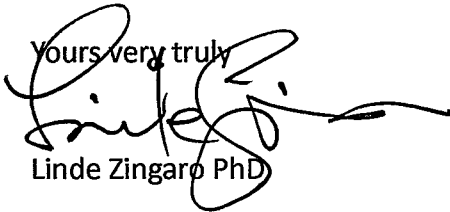
To: Galiano Island Trustees - Ben Mabberley and Lisa Gauvreau
Regarding: Proposed By-laws 256 and 257

I will be unable to attend the Public Meeting on May 5, 2023, but please accept this letter as a message of sincere support for the proposal as currently presented.

I am very happy to hear that the proposed by-law changes are finally coming to the last stages of approval. After so many years, and so much work done by the proponents of these changes, I very much hope that a positive decision can be made, and that the project can go forward.

Thank you very much for your careful consideration of this important contribution to our Galiano community.

Yours very truly

A handwritten signature in black ink, appearing to read 'Linde Zingaro', with a long horizontal flourish extending to the right.

Linde Zingaro PhD

From: Dr. Liz Whynot <lizwhynot@gmail.com>
Sent: Saturday, April 29, 2023 2:05 PM
To: vicphsub
Subject: letter in support of proposed by-law changes on Galiano Island, to be discussed at Pubic Meeting
Attachments: Letter to Galiano Trustees from Liz Whynot.pdf

April 28, 2023

163 Shopland Road
Galiano, BC
V0N 1P0

To: Galiano Island Trustees, Ben Maberley and Lisa Gauvreau

Re: Proposed By-laws 256 and 257

From: Liz Whynot

I understand that these proposed by-law changes will be presented and discussed at a Public Meeting on May 5, 2023. Because I am unable to attend on that date, I am submitting this letter in support of the proposed changes, I am familiar with the implications of the changes, and have attended a public information session previously at which these were presented in detail.

I think the applicants for the zoning update have demonstrated extreme diligence in the development of this project, and that the overall impact on the Galiano community will be positive. It has taken a surprisingly long time (years!) to get to this stage, and I believe very strongly that it is beyond time to resolve this matter positively by completing these by-law changes.

Thank you for bringing the process to this decision point.

Sincerely

A handwritten signature in black ink, appearing to read "Liz Whynot". The signature is written in a cursive style with a long horizontal stroke at the end.

Liz Whynot

From: Alastair Smith <worldalastair@yahoo.com>
Sent: Sunday, April 30, 2023 3:59 AM
To: vicphsub
Cc: Victor Romagnoli
Subject: Re: PUBLIC HEARING GALIANO LTC 06 May 2023 Regarding CRYSTAL MOUNTAIN SOCIETY REZONING APPLICATION: LETTER OF SUPPORT

LETTER OF SUPPORT FROM NEIGHBOURING GALIANO FOREST LOT OWNERS
ALASTAIR SMITH & VICTOR ROMAGNOLI

As long-term owners of Lot B DL88/89, we have also been long term neighbours of Crystal Mountain Society. Our property and theirs share an extensive boundary line of nearly three quarters of a kilometre. Property lines aside, the land itself is essentially the same land, with the same diversity of ecosystems, including crucial and highly sensitive wetlands, creeks, and riparian areas, important coastal Douglas fir ecology, with regions of mature and old-growth forest, as well as areas of regeneration, topographical elevations and descents extending from near sea level to forested ridges and cliffs.

We would like to state our sincere and enthusiastic support of Crystal Mountain Society's rezoning application. We share similar values with Crystal Mountain Society in their desire to preserve and conserve the land and its precious forest and wetland environments. We are highly encouraged by the recent increase in protected areas in the vicinity, such as DL87, along with the provision that 75% of the land area of Crystal Mountain's Lot 9 and Lot A will, when rezoned, become protected forest, transferred to the stewardship of the Islands Trust Conservancy.

We have been the owners/stewards of Lot B DL 88/89 for 22 years. Long before we purchased the property, we had explored this particular area of North Galiano on numerous occasions, coming to know well the vicinity that includes all three lots - A, B, and C - of DL88/89, from the time when we first started making a regular habit of visiting the island back in 1991. So we have been observing over a good long stretch of time this particular area of forest's gradual renewal and regrowth. During these decades, we have derived great satisfaction in witnessing the land and its diverse and precious flora and fauna being permitted to regenerate largely undisturbed. This is of profound importance to us. Our eventual aim for our land is to continue in this vein, and one day go through a rezoning process that will allow us to live in this magnificent forest ecosystem. It is our ethos and intention to continue to be vigilant stewards of the portion of these forested areas for which we are responsible. We are pleased to have like-minded neighbours.

We support the groundwater management plan which will be a part of this rezoning and have confidence in the protection of the land under this rezoning process which Crystal Mountain Society is undertaking.

We are also amenable to the easement through our land that connects with Porlier Pass Road being incorporated into an emergency access route. In this way it would be of practical use to the north-end population as a possible evacuation channel. This appears to us to be a practical and logical extension to the emergency access routing that will pass through Crystal Mountain's property from Devina Drive, which is to be a condition of their rezoning process.

Sincerely,

Alastair Smith and Victor Romagnoli

From: Jorge and Maria Carmita Menyhart <jorgem74@telus.net>
Sent: Monday, May 1, 2023 6:39 PM
To: Lisa Gauvreau; Bmabberely@islandstrust.bc.ca; Timothy Peterson; vicphsub; SouthInfo; Brad Smith
Subject: GL-RZ-2014.1 (Crystal Mountain)

Dear Trustees,

I am writing about Crystal Mountain with the hope that now a newly elected LTC would look at this rezoning with new eyes.

Under current applications I found in the third line : "To Rezone to permit **a year-round forest retreat centre**". In the Staff Reports: " 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**"

I would like you, Galiano Trustees to seriously consider the precedent that this possible rezoning could create in Forest 1 zones. There are hundreds of spiritual organizations, from religious, philosophical, ethical, artistics etc. that could think what a good idea it would be to have retreats on Galiano. Most of these organizations have a lot of money, in fact they are rich institutions and they could afford to buy a Forest 1 zone lot and ask later to rezone to Community Facility, a spiritual education land use..

But really in the end this is about accommodation of guests.

Do you think that Galiano OCP intended for Forest 1 lots to provide accommodations for people coming from all over the world?

Let's look to the positive aspects of the rezoning:

1) It provides 75% of the land for conservancy **but** this land is fragmented in pieces, contrary to our OCP and non conforming with Policy Directives:

Forest Ecosystems

 | 3.2.2

Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.

2.6 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.

2.7

Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests

The Islands Trust Planner and Staff considered evidently that there is no fragmentation since they check in the Policy Directive checklist

that this project is consistent with these policies directives. I would like, to ask yourself if this is correct, to arrive at your own conclusion plus about it.

2) It will help business in the island, **but** it will add stress to our medical clinic practitioners, to our main transportation, the ferries and will add pollutants since everybody will have to ride private cars.

3) The possible rezoning will make feel happy the permanent or part time residents on the island who belongs to the CMA, **but** the residents who signed the petition opposing the rezoning, plus many others and specially the neighbours who would have to leave with the negative impacts of this rezoning will feel very unhappy indeed. The neighbours of this project have presented many letters, speaking in many Town Halls opposing this rezoning. It is my impression that the last Galiano LTC and Planning Department have acted in the same way that the Federal Government with First Nation that opposed resources project, permitting them to speak (due to legal obligations and very recently) but ignored totally when they take a decision (as in the Trans Mountain extension).

There are more issues about this rezoning: freshwater resources in an area "highly vulnerable", the Trust has received legal advice that there is nothing that can be done that to require that the land is sold in would be to a non-profit group, development on the Upper ridge with no proven water supply, indigenous consultation inadequate, **has Galiano Coast Salish People been consulted?**

I finish this letter with the hope that you would not approve this misguided rezoning, but I also acknowledge how difficult this decision could be for you, even if it is the correct one for Galiano.

Regards,

Carmita de Menyhart
219 Sticks Allison Rd. East, Galiano

From: Carol Guin <guincarol34@gmail.com>
Sent: Monday, May 1, 2023 5:40 PM
To: vicphsub
Subject: Re: Bylaw No. 256 and No. 257

To the Galiano Island Local Trust Committee,

I am in favour of this application and look forward to 2nd and 3rd reading of Bylaws No. 256 and No. 257 right after the public hearing.

This is a good template on how to have low impact and preserve the land. For example if this land was rezoned residential it could result in 3 houses of unlimited size, 3 cottages of 850 sq. feet **plus** accessory buildings. Bed and Breakfasts could also be operated with up to 9 guests per house.. **That would be a lot of people!** A situation with few restrictions and none of the oversight the spiritual education facility would have.

I have been very impressed with how the applicant has worked with the Islands Trust and larger community to resolve issues.

Sincerely,
Carol Guin
8-256 Georgeson Bay Rd.
Galiano

From: Jennifer Margison <jkmargison@gmail.com>
Sent: Monday, May 1, 2023 7:24 AM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: CMS Application Letter Revised

I have added one line to the letter submitted last night. Please replace the April 30 letter with this one for publication.

Thank you,

Jennifer Margison

Dear LTC and Planner Smith:

I was unsure of my opinion on the CMS rezoning application when it again came before the LTC in its current iteration. However, having read what I can on it, talked to people on all sides, attended a CIM and almost all LTC meetings where it was on the agenda, I feel I can now articulate a reasonably informed opinion. I live nowhere near the land in question but my concerns that lead me to an opinion on this application are as follows:

I understand that there are Galiano residents who are members of CMS and for whom this represents a spiritually fulfilling opportunity to regularize and expand on what has already been occurring on these lands. However, I believe that this should not be an influential factor in the matters of land use regulation in the Trust Area, which is not just like any municipality, just as the special responsibilities of the trustees for land use decision-making are not just like that of any form of local government.

I think it is very unfortunate for all concerned, those opposed to the application and those supporters of CMS, that this application has been allowed to again come before the Trust in the form it currently has and to proceed as long as it has, representing a significant investment of everyone's time and money - the proponents, Galiano residents, the Islands Trust staff and the trustees, when it so obviously is contrary to the OCP and to Trust policy. This is not good planning. Rather, it serves to make a mockery of OCP bylaws and Trust policy directives such as transportation policies, forest fragmentation, freshwater resources and appropriate zoning.

I have not as yet, heard any understandable rationale as to why this tourism/visitor/commercial development should be zoned Community Facility rather than a Commercial/Economic activity zone. Clearly this choice of zoning presents an advantage to the applicant, not to the surrounding neighbourhood whose residents should be accorded a clear duty of care by the LTC and the Planner. In spite of there being no specific definition of Community Facility, there are enough examples of what typically fits this zoning so that no reasonable person would see this proposed use as such. This is clearly tourism accommodation on a commercial scale, NOT a community facility. This is altering the foot to fit the shoe.

The LTC and the Planner should be giving serious consideration to whether this is appropriate use of an F1 land and what kind of precedent will it set for other F1 lands that come before the LTC for rezoning? That is good planning.

Residents of adjacent properties are understandably concerned about water and sewage and how they may be impacted. It appears that a minimum use of water volume is being considered here rather than a maximum use with climate change impact factored in. And as with any application, relying on the professional reliance model for environmental assessment, namely that the applicant-hired professional's report is regarded as presenting sufficient evidence on which to base a decision, rather than accepting that it will be limited or skewed in some way in order to get the results desired by the applicant (documented in several independent reports outlining the shortcomings of the professional reliance model in environmental assessments) is a faulty premise indeed. I heard little in any of the discussions that would give me reassurance as a neighbour of this development. Where is the precautionary principle being considered, a principle that is specifically cited in the OCP and in the TPS as important. This would seem to be a case where it is required.

CMS has been paying miniscule taxes all these years as owners of F1 land, compared to market land, while not respecting the bylaws of the OCP. Those tax savings represent money being withheld from the public purse, tax money that is used to pay for public services that benefit us all. But rather than respecting the restrictions that come with the benefits of a different tax structure, CMS appears to have thumbed its nose at OCP bylaws by operating for several decades in violation of these bylaws. I have to ask, "How Buddhist is that?" Given such disregard for these bylaws, created to protect the neighbourhood and the community, how confident could anyone be that any conditions imposed on the use of this land as a condition of rezoning, will be respected? The system appears to be rewarding landowners who flout OCP bylaws and enforcement in so many instances including this one has been shown to be sadly ineffective and likely will continue to be so.

There appears to be a serious conflict of interest issue with the biologist hired to complete the ecological assessment for the application, as he was also hired to manage the project and guide the proponents through the rezoning process. Further, his wife is the manager of the Islands Trust Conservancy which is in line to receive 75% of these lands. I would wonder what defines conflict of interest if this does not.

And finally it was a previous LTC that gave this application First Reading. The entirely new LTC has not had sufficient time to consider this application and it is completely inappropriate that the community and the LTC are at the point of a public hearing, after which further public comment will not be considered for an LTC decision. This application seems out-of-step with so many aspects of thoughtful, fair, future-focused land management in compliance with Galiano's OCP and with the Object of the Islands Trust Act and I urge the LTC to exercise due diligence and refuse this application for rezoning.

Sincerely,

Jennifer Margison
1417 Sticks Allison Road, Galiano

From: Marion Herlet <marionherlet@googlemail.com>
Sent: Monday, May 1, 2023 8:29 AM
To: vicphsub
Subject: Public Hearing on May 6th, 2023: Crystal Mountain Society Rezoning Application

Dear Islands Trust,

I am a North end resident of Galiano for over a year now and have stayed on the Island for extended visits since 2017. I am delighted by my chosen home for its stunning natural beauty, it's quietude (especially in the North) and its warm and hospitable community. Being an immediate neighbour to the land under discussion, I have also familiarized myself thoroughly with the Crystal Mountain rezoning application.

I wish to express my complete support for this application for the following reasons:

- Its mission is in harmony and complementary to preserving the island's ecological health. It will be legally protecting at least 90% of its natural landbase and the actual building footprint constitutes only a very small percentage.
- I personally cherish and support any opportunity that supports healing and spiritual growth and I would feel honoured to live in a community which offers such a place. The land is an ideal environment to undertake quiet contemplative and meditative retreats and studies.
- Living in a remote location I appreciate that its infrastructure will allow me to have access to an additional emergency road.
- The applicant has demonstrated remarkable diligence, cooperation and patience in meeting with the requirements set by the Trust to ensure a successful application. In the process it has respectfully considered and involved their neighbours and the broader Island community to ensure the proposed land use will be of benefit to everyone. Any concerns - such as ground water usage - have been thoroughly investigated and resolved by reassuring reports of relevant professionals. This has given me total trust in the Society and their proposed plans.

With kind regards,

Marion Herlet

From: Timothy Peterson
Sent: Tuesday, May 2, 2023 1:04 PM
To: vicphsub
Subject: Fw: Public Hearing on Crystal Mountain Society Rezoning

From: Risa Smith <risabsmith@gmail.com>
Sent: May 1, 2023 10:06 PM
To: Timothy Peterson
Cc: Tom Mommsen
Subject: Public Hearing on Crystal Mountain Society Rezoning

Hi Tim,

Welcome to the Galiano Local Trust Committee. Neither of us have been able to attend LTC meetings as we are working and they are in the middle of the work day.

However, we have great interest in what is happening on Galiano.

We are living at the North End and have expressed dismay over the proposal for rezoning the Crystal Mountain Society Lands.

We have spoken to both of our trustees and would appreciate a few minutes of your time to explain our concerns and some proposed solutions.

We are both available on Tuesday or Wednesday afternoon if you have a few minutes to fit us in.

I can set up a zoom call if you like.

My phone is 778 966 7025, Tom's is 604 367 7127

We live at the North End of Galiano.

All the best,

Risa Smith and Tom Mommsen

From: Allan Forget <allangforget@gmail.com>
Sent: Tuesday, May 2, 2023 8:23 AM
To: vicphsub
Cc: Lisa Gauvreau; benmabberley@gmail.com; Timothy Peterson; Brad Smith
Subject: Galiano Is.

hello,

I add my support, completely & totally, to the rezoning proposal being put forward by the Crystal Mountain Society here on Galiano. I see nothing but benefit to all involved -- the CMS, the island community, the environment.

Please help make these proposals facts. And, soon.

Thank you,
Allan Forget
2448 Georgeson Bay Rd
Galiano Is, BC
V0N 1P0

From: Annette Shaw <annetteshaw6@gmail.com>
Sent: Tuesday, May 2, 2023 9:00 PM
To: Ben Mabblerley; Lisa Gauvreau; Brad Smith; Timothy Peterson;
vicphsub
Subject: In Support of Crystal Mountain Society

Dear Trustees,

I am writing you to give my full support to Crystal Mountain Society's application.

I understand there have been concerns about water, but Crystal Mountain has had extensive studies done by several water experts, showing that it will pose no water problems to the surrounding neighbourhood.

It also appears there has been a misunderstanding that raised concerns about it being a visitor accommodation, which it is not. It is a retreat centre offering a peaceful refuge in a natural forest setting.

And speaking of forests, Crystal Mountain has also designated *90% protection* of the forest.

I have supported Crystal Mountain from the start, because I feel it would be a great benefit to the island. It will be a place of study and quiet contemplation, a place of peace. I would love to do a retreat there, as I'm sure other islanders would.

Crystal Mountain has spent YEARS fulfilling all the requirements of the Islands Trust. There could be no better stewards of this land than the Islands Trust Conservancy and Crystal Mountain Society.

Please approve this application.

Thank you.

Yours Sincerely,

Annette Shaw
110 Eagle Lane
Galiano
250-539-3050

From: Brad Smith
Sent: Wednesday, May 3, 2023 9:48 AM
To: vicphsub
Subject: FW: Errors in Public Hearing notice
Attachments: letter re PH notice.docx

From: Art Moses <art_moses@yahoo.com>
Sent: Tuesday, May 2, 2023 7:33 PM
To: Timothy Peterson <tpeterson@islandstrust.bc.ca>; Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>; Ben Maberley <bmaberley@islandstrust.bc.ca>; Brad Smith <bsmith@islandstrust.bc.ca>
Cc: Russ Hotsenpiller <rhotsenpiller@islandstrust.bc.ca>; MAH.Minister@gov.bc.ca; Anne.Kang.MLA@leg.bc.ca
Subject: Errors in Public Hearing notice

May 2, 2023

To: Galiano Island Local Trust Committee
Chair Tim Peterson tpeterson@islandstrust.bc.ca
Trustee Lisa Gauvreau: lgauvreau@islandstrust.bc.ca
Trustee Ben Maberley bmaberley@islandstrust.bc.ca
Planner Brad Smith bsmith@islandstrust.bc.ca

cc. Ross Hotsenpiller, chief administrative officer, Islands Trust
rhotsenpiller@islandstrust.bc.ca
Anne Kang, Minister of Municipal Affairs
MAH.Minister@gov.bc.ca Anne.Kang.MLA@leg.bc.ca

I am writing to request postponement of the May 6 scheduled Public Hearing into the proposed rezoning of the Crystal Mountain property on North Galiano Island, because of misleading information and blatant errors in all of the public hearing notices recently carried in local publications, posted on bulletin boards, mailed to adjacent property owners and posted on the Islands Trust website.

These errors inaccurately describe the lands to be rezoned and grossly understate the significance and impact of this proposed rezoning on F-1 zoned forest land, which covers a substantial part of Galiano island.

The notices say "Proposed Bylaw No. 256 and No. 257 will amend the Galiano Island Land Use Bylaw No. 127 and the Galiano Island Official Community Plan No. 108 by rezoning and redesignating District Lot 90, Lot 9 and District Lot 88 and 89 Lot A North Galiano Island, to allow for the development of a spiritual education retreat facility. **Lot 9 (20.5 hectares) is currently zoned Rural (R2) and Lot A (4.0 hectares) is zoned Forest 1 (F1)**" (emphasis mine).

In fact, the largest portion of this proposed rezoning and the only portion proposed for the establishment of this "spiritual education retreat facility" is designated for F1-zoned Lot A

which is, in fact, 20.5 hectares. This is an area more than five times larger than what the notice of Public Hearing claims it is.

Residential zoned Lot 9, is only 4 hectares, less than five times that described in the hearing notice.

These errors are egregious enough to invalidate the notices that are a legal requirement under the Local Government Act for a Public Hearing. The errors misstate and misrepresent the significance of this proposed rezoning to Galiano's F1 forest land and to the island's forest land base.

This rezoning proposal represents the first time an F1 lot would be rezoned for anything other than what is provided in Galiano's Official Community Plan or under Local Trust Committee practices. As such, the proposal rezoning would set a definite precedent for other proposals to rezone Forest 1 (F1) land for "retreat" and other purposes. To understate the size of forest land affected by this precedent grossly misleads the public about what's at stake for Galiano's forest land by this rezoning.

Islands Trust staff and trustees had considerable time and opportunities to review these notices and identify and correct the errors. They did not. Therefore, I submit that the notices are invalid. The LTC has no choice but to correct and re-issue the notices within time periods specified under the Local Government Act and postpone the Public Hearing until then.

I look forward to hearing that this action has been taken.

Submitted respectfully,

Art Moses, 375 Juniper Lane, Galiano

May 2, 2023

To: Galiano Island Local Trust Committee
Chair Tim Peterson tpeterson@islandstrust.bc.ca
Trustee Lisa Gauvreau: lgauvreau@islandstrust.bc.ca
Trustee Ben Mabblerley bmabblerley@islandstrust.bc.ca
Planner Brad Smith bsmith@islandstrust.bc.ca

cc. Ross Hotsenpiller, chief administrative officer, Islands Trust rhotsenpiller@islandstrust.bc.ca
Anne Kang, Minister of Municipal Affairs MAH.Minister@gov.bc.ca Anne.Kang.MLA@leg.bc.ca

I am writing to request postponement of the May 6 scheduled Public Hearing into the proposed rezoning of the Crystal Mountain property on North Galiano Island, because of misleading information and blatant errors in all of the public hearing notices recently carried in local publications, posted on bulletin boards, mailed to adjacent property owners and posted on the Islands Trust website.

These errors inaccurately describe the lands to be rezoned and grossly understate the significance and impact of this proposed rezoning on F-1 zoned forest land, which covers a substantial part of Galiano island.

The notices say “Proposed Bylaw No. 256 and No. 257 will amend the Galiano Island Land Use Bylaw No. 127 and the Galiano Island Official Community Plan No. 108 by rezoning and redesignating District Lot 90, Lot 9 and District Lot 88 and 89 Lot A North Galiano Island, to allow for the development of a spiritual education retreat facility. **Lot 9 (20.5 hectares) is currently zoned Rural (R2) and Lot A (4.0 hectares) is zoned Forest 1 (F1)**” (emphasis mine).

In fact, the largest portion of this proposed rezoning and the only portion proposed for the establishment of this “spiritual education retreat facility” is designated for F1-zoned Lot A which is, in fact, 20.5 hectares. This is an area more than five times larger than what the notice of Public Hearing claims it is.

Residential zoned Lot 9, is only 4 hectares, less than five times that described in the hearing notice.

This is an error egregious enough to invalidate the notices that are a legal requirement under the Local Government Act for a Public Hearing. The error mis-states and misrepresents the significance of this proposed rezoning to Galiano’s F1 forest land and to the island’s forest land base.

This rezoning proposal represents the first time an F1 lot would be rezoned for anything other than what is provided in Galiano’s Official Community Plan or under Local Trust Committee practices. As such, the proposal rezoning would set a definite precedent for other proposals to rezone Forest 1 (F1) land for “retreat” and other purposes. To understate the size of forest land affected by this precedent grossly misleads the public about what’s at stake for Galiano’s forest land by this rezoning.

No doubt Islands Trust staff and trustees had considerable time and opportunities to review these notices and identify and correct the errors. They did not. Therefore, I submit that the notices are invalid. The LTC has no choice but to correct and re-issue the notices within time periods specified under the Local Government Act, and postpone the Public Hearing until then.

I look forward to hearing that this action has been taken.

Submitted respectfully,

Art Moses, 375 Juniper Lane, Galiano

From: Christine Keefer <christine@gulfislandliving.ca>
Sent: Tuesday, May 2, 2023 1:18 PM
To: vicphsub
Subject: Crystal Mountain Rezoning Process

Hello,

I would like to formally express my support for Crystal Mountain Rezoning Process.

They are a great addition to our north end community and the rezoning has been long overdue.

Thank you,

Chris

Christine Keefer
P: 250 539.3599

From: Deblekha Guin <deblekha.guin@gmail.com>
Sent: Tuesday, May 2, 2023 8:08 PM
To: vicphsub
Cc: Lisa Gauvreau; Ben Mabberley; Timothy Peterson; Brad Smith
Subject: Letter of Support for Crystal Mountain's Rezoning Application

May 2, 2023

Dear Island Trust Planners and Trustees,

Please accept this letter of strong support for the Crystal Mountain's rezoning proposal (District Lot 90, Lot 9 and District Lot 88 and 89 Lot A).

I write this as Galiano Island resident/settler since early 1994 (29 years) who has personally benefit from the programming provided by Crystal Mountain, and who actively participated in the last OCP (Official Community Plan) review process on Galiano.

The following are among the reasons I wholeheartedly support this rezoning application:

- This file has been a slow and thoughtful process that has involved extensive community consultation, several tours of the land, water tests and reports, and thorough discussion over the course of 17+ years;
- Crystal Mountain has consistently negotiated in good faith, and honoured all of the amendments suggested by the Trust (including the 'above and beyond' reduction in #s of overnight participants from 30 year round to 17 year round + 5 camping in the summer), resulting in a lighter building footprint;
- By transferring the title of 75% of their land to the Islands Trust Conservancy, and setting a new and positive precedent for future Galiano F1 zoned land (protecting 60% of the forest within their development) CM is essentially helping to steward (and not threaten) local ecosystems;
- Crystal Mountain is one of few rezoning applicants that have actually taken the time to go over to Penelakut Island to meet with the elders there about the project—to address any concerns they might have and brainstorm ways the Penelakut community might access and benefit from the land. This proactive gesture, along with an ongoing liaison rep, is indicative of their integrity, commitment to relationship building and moving towards long overdue reconciliation measures;
- The development of a spiritual education retreat facility in the North End of Galiano is entirely in keeping with the forms of community economic development that were put forward as 'ideal' in the last OCP review (this is a project that yields highly beneficial personal/social impact while having not only a *low* environment impact, but a protective one!);

- Despite the predictable histrionic claims of the NIMBY minority, it's hard to imagine more quiet (silent meditation is their bread and butter), thoughtful, and environmentally sensitive neighbours than the Crystal Mountain community;

At a more general level, I support this application because I believe people's faith in the Island Trust's capacity to demonstrate common-sense governance (that is reasonable, flexible, and contextually grounded) hangs in the balance.

In theory, I am a big believer in rezoning systems that protect unique ecosystems through the establishment of reasonable limits on growth and private rights. In practice, however, if there is no forward momentum on a file that's involved 17 years of discussion and application adaptation, it is difficult NOT to conclude that:

- the Islands Trust is bargaining in 'bad faith';
- the rezoning application process as a whole is broken, and/or
- that the rezoning process as it stands is far too vulnerable to NIMBYs who have a lot of time on their hands to weave false narratives, and a tendency to define 'community benefit' according to their own narrow self-interests.

Given this, and in the name of letting Crystal Mountain and the community as a whole begin to move forward, I highly encourage the trustees to continue to 2nd and 3rd reading of the bylaws once the public hearing process is completed.

Deblekha Guin

From: Timothy Peterson
Sent: Tuesday, May 2, 2023 1:04 PM
To: vicphsub
Subject: Fw: Fwd:
Attachments: Public Hearing.docx

From: John Ronsley <jcronsley@gmail.com>
Sent: May 2, 2023 7:21 AM
To: Bmabberley@iislandstrust.bc.ca; Brad Smith; Lisa Gauvreau; Timothy Peterson
Cc: John Ronsley
Subject: Fwd:

----- Forwarded message -----

From: John Ronsley <jcronsley@gmail.com>
Date: Tue, May 2, 2023 at 7:16 AM
Subject:
To: <Jcronsley@gmail.com>

Dear Galiano Local Trustees and Planner Smith,

This letter is to demand that you not proceed with the May 6th Public Hearing into the proposed rezoning of the Crystal Mountain property.

This proposed rezoning is problematic for multiple reasons which are very well documented by myself and others in writing. Rather than address or acknowledge the many problems, our unelected Islands Trust staff and former local trustees have been silent or even dismissive. Our current trustees have not, as one would hope, shown willingness to take a fresh and critical look at this proposal but rather have referred to it as unfinished business that should have been dealt with by the last LTC and one where “the cake is already baked with the icing on it so there isn’t much left to do.”

We can now add one more insult to the consultative process in the way that the Public Hearing has been falsely advertised. As has been pointed out directly to you, there has been “misleading information and blatant errors in all of the public hearing notices carried in local publications, posted on bulletin boards, mailed to adjacent property owners and posted on the Islands Trust website.”

Given that ultimate approval of this rezoning proposal was apparently the endgame right from the start, I will not be surprised if “the egregious errors” in how the May 6th Public Hearing has been advertised is also dismissed as something of no great consequence. However, those errors will bring into question the validity of the rezone approval process.

Thank-you for your consideration.

Sincerely,

J Ronsley
40 Spotlight
Galiano

From: Kendall Kyle <kendallskyle@gmail.com>
Sent: Tuesday, May 2, 2023 8:51 AM
To: vicphsub
Cc: Brad Smith; tpeterson@islandstrust.bc.caj.ou;
benmabberly@gmail.com; Lisa Gauvreau; Janice Oakley
Subject: Crystal Mtn rezoning

As a former opponent of the Crystal Mtn rezoning, I now fully support the current rezoning application as it addresses, admirably, former concerns regarding environmental protection and benefit to the community.
Kendall Kyle

From: Michael Hoebel <mike.hoebel@gmail.com>
Sent: Tuesday, May 2, 2023 12:12 PM
To: vicphsub; Lisa Gauvreau; benmabberley@gmail.com; Timothy Peterson; Brad Smith
Subject: Letter to Galiano LTC re Crystal Mtn rezoning
Attachments: MH to GILTC re Crystal Mtn.doc

Please find attached my letter of support for the proposed rezoning of the Crystal Mountain lands.

Michael Hoebel
798 Georgeson Bay Road
Galiano Island, BC
V0N1P0

Michael Hoebel

798 Georgeson Bay Rd.
Galiano Island, BC V0N1P0

May 2, 2023

Galiano Island Local Trust Committee: Tim Petersen, Lisa Gauvreau, Ben Maberley

Dear Trustees:

Re: Proposed Bylaws 256 and 257 (Crystal Mountain)

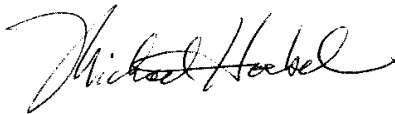
I am writing to express my full support for the proposed redesignation and rezoning of the Crystal Mountain lands in north Galiano Island, to allow for the development of a spiritual education retreat facility.

I have been a Galiano resident for more than 40 years, and am aware of the history of these lands, and of the controversy surrounding the current and proposed future use of the lands by the Crystal Mountain Society.

A number of north Galiano residents have raised concerns, and some have expressed strong opposition to the proposed rezoning, over the many years it has taken to get this rezoning to public hearing. At the same time, other north Galiano residents now support the rezoning as a result of the Crystal Mountain Society's efforts to reach out to neighbours to answer questions, and provide information about their vision and plans.

It is time for the GILTC to make a decision about the proposed redesignation and rezoning of the Crystal Mountain lands. I urge you to approve the proposed OCP and LUB amendments, so that Crystal Mountain and their north end neighbours can move on, and work out their differences in the interest of the greater community.

Sincerely,



Michael Hoebel

cc. Brad Smith, Islands Trust planner

From: Brad Smith
Sent: Wednesday, May 3, 2023 9:45 AM
To: vicphsub
Subject: FW: P/H May 6 2023 CMS

From: Brad Smith
Sent: Wednesday, May 3, 2023 9:45 AM
To: 'Sandy Pottle' <sandypottle@hotmail.com>
Cc: Timothy Peterson <tpeterson@islandstrust.bc.ca>; Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>; Ben Mabberley <bmabberley@islandstrust.bc.ca>
Subject: RE: P/H May 6 2023 CMS

There is an error in the notice with respect to lot sizes. The zone designations and sketch map are accurate.

While the error is unfortunate staff are of the view that the notice does not require re-notification. I will explain the error in the CIM.

I will add this to the public hearing binder including my response.

Best regards, Brad

From: Sandy Pottle <sandypottle@hotmail.com>
Sent: Tuesday, May 2, 2023 9:02 PM
To: Timothy Peterson <tpeterson@islandstrust.bc.ca>; Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>; Ben Mabberley <bmabberley@islandstrust.bc.ca>
Cc: Brad Smith <bsmith@islandstrust.bc.ca>
Subject: P/H May 6 2023 CMS

Dear Chair Peterson and Trustees Gauvreau and Mabberley:

Please review the notices regarding the public hearing scheduled for May 6th re GL-RZ-2014.1 (Crystal Mountain).

Mistakes have been made as to the zone designations and sizes of the lots involved.

I feel that it is important to have the correct information made available to the public before this hearing takes place.

Thank you for your attention to this matter.

Yours sincerely,

Sandy Pottle

From: Susan Allen <susan.here@hotmail.com>
Sent: Tuesday, May 2, 2023 10:54 PM
To: vicphsub; Lisa Gauvreau; benmabberley@gmail.com; Timothy Peterson; Brad Smith
Subject: Public Hearing for the Crystal Mountain Rezoning application - May 6th, 2023

Dear Trustees,

This email is in favor of Crystal Mountain Society's rezoning application.

I've been studying with Lama Mark since 2006 and it has been a privilege to attend and participate in many retreats with him over the years, thanks to the small team of dedicated and hardworking volunteers from the Crystal Mountain Society.

The summer retreats are also organized and run by a few devoted student volunteers, who are supported by the meditators during retreat time.

These Teachings and retreats have been invaluable to me for many reasons, here are a few of them:

They provide a wonderful opportunity unfold the ancient traditional texts through study, reflection/contemplation and meditation in a really safe, supportive environment which can be helpful to untangle the tangle of our limited views.

To be on the land, completely immersed in nature, among the trees with the wildlife, sleeping on the ground in a tent is so conducive for the important work that goes on there. Being grounded helps to get us out of our head and become more present.

Peace and quiet allows for the vibration of a busy lifestyle to drop away, settle an over occupied and anxious mind, and calm an agitated nervous system – all of which can support our mental and physical health.

Contrary to popular belief, being in retreat is not a holiday! Each day is full and it can be hard and challenging to notice what comes up as our regular daily activities and usual distractions start to fall away.

It can also be challenging for some of us to camp during the retreat; crawling in and out of our tents, sleeping on the ground and staying warm and dry, especially as many of the people who attended, including myself are in our mid 50's or older.

Volunteering in the non-kitchen has also a challenge at times when cooking or cleaning up under the beam of our headlamps/flash lights in the morning for breakfast and in the evening for supper because there's no hydro. In addition, since the kitchen platform is not enclosed, it is really exposed to the elements (not forgetting the critters and animals!) and so on a wet, cold day it is difficult to get warm or dry our clothes there.

Of course, a retreat can be incredibly blissful and glorious too - it's all possible.

In my humble opinion, the opportunities that the Crystal Mountain Society provide by hosting and organizing these retreats in a safe and natural environment are crucial in enabling us to cultivate a wholesome sense of perspective and balance, especially during these topsy turvy times we're all living in right now.

I therefore support their rezoning application to create a spiritual education Centre in a forest setting wholeheartedly.

Kind regards,

Susan Allen

From: Tieg Mowbray <tieg_m2@yahoo.ca>
Sent: Tuesday, May 2, 2023 9:03 PM
To: vicphsub; Lisa Gauvreau; benmabberley@gmail.com; Timothy Peterson; Brad Smith
Subject: Letter in support of Crystal Mountain's rezoning application

To the Galiano Trustees and Planners

My name is Tieg Mowbray. I have been living on Galiano (on and off) since 2009, and have been a part of CMS (Crystal Mountain Society) since then as well. I work on Galiano as a carpenter as well as a general handyman.

I also help maintain Crystal Mountain property during the summer retreat.

I will share with you an interesting conversation I had today with someone who doesn't support the application. And his reason was that there was no "community benefit".

Having taken part in many retreats over the years and done a few silent retreats myself, I wholeheartedly support Crystal Mountains application to rezone. For most people, especially those who are not familiar with meditation and retreat work, the idea of a retreat is somewhat selfish, and doesn't serve anybody. In many parts of Asia, especially from Tibet, which our Buddhist lineage hails from, retreat work is still regarded as the highest undertaking a human being can strive towards. Our world, with it's busy-ness and distractions makes it near impossible to find the centre of ourselves that we all long for. Therefore, having a quiet space in nature to practice for long periods of time on end is of utmost importance. I personally think that to discover one's natural condition, without the unnecessary use of drugs or alcohol, is of the most benefit to society and to the planet as a whole. How can we genuinely help society if we don't understand our own life or experience? How can we really solve problems in society if we lack the personal clarity to know how suffering arises and how it ceases? This is what is learnt in retreat, in our own experience, our own mind and heart and life. And through these discoveries we can develop genuine compassion for others through an understanding of the human condition. I can think of no better "community benefit".

Warm regards,

Tieg Mowbray
455-2555 Cook Rd Galiano.

From: Akasha <galianoforest@gmail.com>
Sent: Wednesday, May 3, 2023 4:37 PM
To: vicphsub
Cc: Lisa Gauvreau; Ben Maberley; Timothy Peterson
Subject: Error in May 6/23 Public Hearing notice

Dear Trustees

I have just noticed a fairly serious error in the Public Hearing notice on the Islands Trust website describing the Crystal Mountain properties to be rezoned. On the notice (attached below) you will see the acreage size of the 2 lots is reversed.

This makes it seem the Trust Conservancy will acquire 20.5 hectares of protected forest while the Crystal Mountain development will affect only 4.5 hectares. While the error is likely unintended, it has the effect of misinforming our community on important facts of this development.

How can this be corrected at this late date? I understand a public hearing notice containing correct facts must be published well in advance of 3 days before a public hearing.

sincerely,
akasha forest
2231 Montague Road
Galiano Island

From: Bowie Keefer <bowie.keefers@gmail.com>
Sent: Wednesday, May 3, 2023 1:19 PM
To: Lisa Gauvreau; Ben Maberley; Timothy Peterson
Cc: vicphsub; Brad Smith
Subject: Submission by Anna Keefer to Crystal Mountain rezoning public hearing

Dear Trustees,

I feel blessed by the gentle philosophy of our neighbours at Crystal Mountain, and I warmly encourage you to approve their rezoning.

They have a soft footprint on the forest and a calming influence on this troubled world.

With peaceful wishes,

Anna Keefer

From: Bowie Keefer <bowie.keefer@gmail.com>
Sent: Wednesday, May 3, 2023 1:07 PM
To: Ben Mabberley; Lisa Gauvreau; Timothy Peterson
Cc: Brad Smith; vicphsub
Subject: Crystal Mountain rezoning public hearing

Dear Trustees,

I'm writing as a North Galiano neighbour of the Crystal Mountain retreat centre to express my strong support for approval of their rezoning application.

As the bedding planes of the Nanaimo formation sandstone bedrock are tilted toward the Salish Sea and away from the Trincomali Channel shoreline, groundwater supply to that shoreline area would be undetectably affected by the retreat centre which is located behind an inland ridge. A large area of natural forest between the retreat centre and the nearest residences is being generously donated to the Islands Trust Conservancy. This provides a protected buffer area for groundwater recharge, which will be enhanced as the presently young forest cover recovers from having been logged about 20 years ago.

This is a totally benign activity by quietly peaceful people bringing a message of gentle harmony to our community. The benefits brought by this meditation retreat centre to local residents and other British Columbians fit very well with the Object of the Islands Trust.

With best regards,

Bowie Keefer, Ph.D.

From: Elizabeth and Doug Latta <delatta@telus.net>
Sent: Wednesday, May 3, 2023 8:35 AM
To: vicphsub

We recently sent our letters to the Trustees on Galiano but have since learned that to make our letters part of the public record we need to post them to this address. Here are the letters. Thank you.

Dear Trustees'

I am in favour of the re-zoning of the Crystal Mountain forest lot. Imagine if a typical forest lot owner was able to purchase the Crystal Mountain forest lot. Certainly all the lovely trees on Lot 9 would be harvested.

Points in favour of the rezoning:

The water issue has been addressed.

Forest fragmentation is not an issue since any forest lot owner would soon destroy all the remaining forest.

Preventing pollution of the creek is protected.

Land given back to the community meets the traditional rezoning requirements.

Thank you.

Doug Latta
1029 Montague Road
Galiano Island

To Trustees Mabblerly, Gavreau, and Peterson:

I am in favour of the rezoning of the Crystal Mountain property. I believe this will be an opportunity to provide the island with a stellar example of how to responsibly and creatively work to rezone.

The Crystal Mountain representatives have worked long, hard and creatively to meet the concerns of the community at the north end of Galiano. It is a testament to their commitment to this worthwhile project that they have continued to work, year after year, towards achieving this rezoning. I am always surprised and upset by the continuing disinformation that is spread throughout the community and hope that rezoning will be granted by the trustees so that their vision will be realized and the fears put to rest by the reality of their project.

I have attended functions on this property and experienced the integrity of the Crystal Mountain Society members. I have faith that they will continue to exhibit the same integrity when rezoning is achieved. I believe that their presence on Galiano can only benefit the community.

Thank you for your attention to my comments.

Elizabeth Latta
1029 Montague Road,
Galiano Island

From: Jennifer Abbott <flyingeyeproductions@icloud.com>
Sent: Wednesday, May 3, 2023 7:44 PM
To: vicphsub; Lisa Gauvreau; Ben Maberley; Timothy Peterson; Brad Smith
Subject: A letter in support of Crystal Mountain Society's rezoning proposal
Importance: High

To the Trustees of Galiano Island,

I'm writing in support of Crystal Mountain Society's rezoning proposal to create a spiritual education centre on two properties located on what settlers call Galiano Island.

I moved to Galiano when my son was only 8 months old and raised my children there for many years. Although my filmmaking career has taken me elsewhere, I am now actively looking to move back to a rural community and hope one day to return to Galiano. Of all the places I've ever lived, Galiano was the place I felt the deepest sense of belonging, kinship with the land and waters and more than human world and connection with the community.

I have been a practicing Buddhist for several decades, and last October took my Zen Buddhist precepts. I also consider myself a deep ecologist. My Buddhist practice and my commitment to living in harmony with the wild world as well as creating a livable future are deeply connected. If you agree that today we face countless existential crisis from climate change, to threats of nuclear war, the 6th mass extinction, huge gaps between rich and poor etc. etc. etc. then perhaps you'll also agree that human beings in dominant culture are adhering to destructive ways of being and destructive ideologies. And how do we change that? I stand in solidarity with many, including the good people at Crystal Mountain, who propose part of our healing and transformation as individuals and as a culture requires practices of reflection. Author David Hinton lays out how contemplative practices facilitate clear seeing and consciousness shifts in his excellent book *Wild Mind, Wild Earth*. So when I write to you today to urge you to support Crystal Mountain's rezoning, I do so because it's my point of view that the world needs places like Crystal Mountain to heal and to transform.

If you take my life as an example, as I say, I've had some kind of contemplative practice for many years. When I lived on Galiano for 10 years, I had the great privilege of attending numerous meditation events with Crystal Mountain. As there hasn't been a permanent home for teachings especially during the cooler months, these retreats were held in rented facilities. We even had a 3 week retreat at La Berengerie Restaurant! More recently, I frequently attend residential Zen "retreats" which are not retreats at all - as the last thing we're doing is retreating from the world. Instead we call them Zen Sesshins, which means touching the heart-mind. Both at Crystal Mountain and elsewhere, it's a time of intensive meditation, reflection and teaching. I invariably emerge having done some very deep and healing work gaining insights and feelings of peace and solace which have enabled me to go forward and do the difficult work I do as a filmmaker of social justice documentaries. I'd go so far as to say that the films I've made would not have been possible without my meditation practice. And of course I want as many people as

possible to benefit from similar experiences, including of course those that will be offered at Crystal Mountain in a forest setting.

This project as you well know preserves 90% of the forest cover - land that otherwise is vulnerable to deforestation and development. In my personal experience with Crystal Mountain, I've observed the deepest respect for the land and community. I've also been impressed by the fastidious attention Crystal Mountain has given to groundwater concerns, the renewable energy and rainwater systems proposed and the low density numbers allowed at the same time on the land. It's my understanding that no other land use has included restrictions on day use but Crystal Mountain agreed to these to set people's minds at ease. So in addition to being a place of healing and transformation for humans, just as importantly, the proposed retreat centre will preserve Galiano's rare Coastal Douglas-fir ecosystem, respect the many creatures who live within it while also protecting a forest carbon sink. All the while, creating a humble and low impact place for healing and transformation in these difficult times.

I therefore truly hope you will approve this rezoning not only for the benefit to those who participate in the events of Crystal Mountain but also for the ecological protective vision at its heart and the ways people who participate will manifest their experiences in the world. The benefits, I have no doubt, will ripple far and wide.

With thanks for considering these comments.

Sincerely,

Jennifer Abbott

From: Dirk Ouellette <hapibeli@gmail.com>
Sent: Wednesday, May 3, 2023 8:08 AM
To: vicphsub
Subject: crystal mountain

Hello there!

This letter is in support of the rezoning application for Crystal Mountain. I have attended the retreats (yes, a number of times) and they are totally wonderful, in every way!! Including ideas for knowing how to recycle, that was where I got the ideas and lessons.

Yes, I have the most amazing lessons from Crystal Mountain!! And I totally support them!!

Johanna New Moon

From: Brad Smith
Sent: Wednesday, May 3, 2023 11:14 AM
To: John Ronsley
Cc: vicphsub; Ben Mabberley; Lisa Gauvreau; Timothy Peterson
Subject: RE: Proposed Bylaw 257 to amend Galiano L.U.B. 127

It would be up to the LTC to decide if a definition of “*Contemplative, spiritual or meditative activities*” should be included in the proposed bylaw. Up to now, they have not directed staff to do so.

Best regards, Brad

From: John Ronsley <jcronsley@gmail.com>
Sent: Wednesday, May 3, 2023 6:59 AM
To: Ben Mabberley <bmabberley@islandstrust.bc.ca>; Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>; Timothy Peterson <tpeterson@islandstrust.bc.ca>; Brad Smith <bsmith@islandstrust.bc.ca>
Cc: John Ronsley <Jcronsley@gmail.com>
Subject: Proposed Bylaw 257 to amend Galiano L.U.B. 127

Please see the attached word document.

From: Brad Smith
Sent: Wednesday, May 3, 2023 9:38 AM
To: vicphsub
Subject: FW: Proposed Bylaw 257 to amend Galiano L.U.B. 127
Attachments: 8.7.1.2 of proposed Galiano Bylaw 257.docx

From: John Ronsley <jcronsley@gmail.com>
Sent: Wednesday, May 3, 2023 6:59 AM
To: Ben Maberley <bmaberley@islandstrust.bc.ca>; Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>;
Timothy Peterson <tpeterson@islandstrust.bc.ca>; Brad Smith <bsmith@islandstrust.bc.ca>
Cc: John Ronsley <Jcronsley@gmail.com>
Subject: Proposed Bylaw 257 to amend Galiano L.U.B. 127

Please see the attached word document.

Dear Galiano Trustees and Planner Smith,

This letter is to request clarification of the following term from 8.7.1.2 of proposed Galiano Island Bylaw 257 to amend Galiano Land Use Bylaw 127, 1999:

“Contemplative, spiritual or meditative activities”

According to the proposed Bylaw amendment, this is one of three permitted uses of a new land use designation which is to be called Spiritual Education or SE1.

“Contemplative, spiritual or meditative activities” are nowhere defined in the proposed Bylaw amendment. This is not the case for “contemplative, meditative or spiritual retreat uses” which is defined under 2.2 Section 17 (definitions) and is a permitted land use under 8.7.1.1.

Is it the intention of the framers of this bylaw amendment that “contemplative, meditative or spiritual activity” should be anything at all that the current or a future property owner of SE1 land wants to make it? In my opinion, this is the expected result from not defining the term.

Thank-you for your consideration.

Sincerely,

J. Ronsley
40 Spotlight
Galiano

From: Mark Webber <mwebber108@yahoo.ca>
Sent: Wednesday, May 3, 2023 3:25 PM
To: vicphsub; Lisa Gauvreau; Ben Maberley; Timothy Peterson; Brad Smith
Subject: Crystal Mountain Society's Rezoning Application: LETTER OF SUPPORT FROM A NEIGHBOURING GALIANO LOT OWNER

Re: Crystal Mountain Society's Rezoning Application

LETTER OF SUPPORT FROM A NEIGHBOURING GALIANO ISLAND LOT OWNER: Mark Webber

I am a long-term owner of Lot 10, DL Lot 90, a bordering neighbour of Crystal Mountain Society's (CMS) land. We have a shared common ecosystem and have many years of familiarity with the CMS members, their activity and aims for quiet retreats. I am an enthusiastic and sincere supporter of the rezoning application. It will be great for the Galiano community, a protected ecosystem and a peaceful place of retreat and learning. CMS members and their Board have been easy to communicate with, and are very open and informative to what they have planned about their application.

The application is innovative and highly beneficial for all: planning to preserve and care for the land, its forest and wetland ecosystems. CMS has increased their protected areas from 75% to 90%. In addition, along with this 90% protection, CMS Lots 9 and A will, when rezoned, become preserved forest, transferred to the stewardship of the Islands Trust Conservancy. That only 0.5% of the land will be built upon, for a peaceful usage and low impact is highly beneficial and very generous to us all. And that an emergency access/evacuation route will be available to residents and visitors on the north end of Galiano is a serious safety asset.

This application fits in so well with the Official Community Plan, its aims and guidelines and fulfills a comprehensive plan 'to do no harm' to the precious ecosystem. At the same time it allows the land to be used for the worthy purposes of human growth and study, developing ourselves in deep and meaningful ways.

As a neighbour, I support their well-researched and careful groundwater management plan, and I am confident in the protection and stewardship of the land under this rezoning process.

As a landowner, naturalist and founding member of IMERSS (Institute for Multidisciplined Ecological Research in the Salish Sea, <https://imerss.org/>), with aligned environmental care and nurturing aims as CMS, this application is of profound importance to me. It supports all of us to live with and in this glorious forest environment.

Sincerely,

Mark Webber

455-2555 Cook Rd.

Galiano Island.

We acknowledge that our work takes place in and throughout the shared, unceded, and asserted territories of the *pune'luxutth'*, *quw'utsun'*, *snuneymuhw*, *leey'qsun*, *shts'um'inus*, *W̱SÁNEĆ*, and of the Indigenous Families who have been stewards of these lands and waters since time immemorial.

From: Marta Castiglioni <castiglioni.marta@gmail.com>
Sent: Wednesday, May 3, 2023 8:36 PM
To: vicphsub
Cc: Lisa Gauvreau; benmabberley@gmail.com; Timothy Peterson; Brad Smith
Subject: Letter in support of Crystal Mountain Rezoning Application

Dear Trustees,

I have been visiting Galiano Island for some years before I decided to move here in 2022. I now live on Cook Road very close to the Crystal Mountain property, having chosen the North end of Galino because it is sparsely populated, peaceful and somewhat more remote.

I have been aware of Crystal Mountain rezoning efforts for a long time but it was not until last year that I really began to ask questions with the intention to understand all the facets of this application and what Crystal Mountain plans for the future.

After thorough investigation I am completely confident that this application will have multiple benefits for the community of Crystal Mountain, local residents and Galino at large. 75% of land will be transferred to Island Trust Conservancy together with a generous endowment to manage the land itself. Low impact, green buildings will be minimal and will not be used in any other form than meditation retreats. Finally the kind of the activities planned for this property are such to ensure a peaceful and respectful footprint with as little waste as possible and as little noise pollution as possible. A non polluted and preserved environment is in fact what is needed to undertake such a practice as Crystal Mountain supports.

Furthermore I am impressed with the efforts made by Crystal Mountain Society to see through this process, rectify past mistakes and yet maintain integrity.

I am in full support of this rezoning application.

Marta Castiglioni.

From: Nancy McPhee <nancy.mcphee108@gmail.com>
Sent: Wednesday, May 3, 2023 7:19 PM
To: vicphsub; Lisa Gauvreau; Ben Maberley; Timothy Peterson; Brad Smith
Subject: Crystal Mountain rezoning GL-RZ-2014.1
Attachments: 20230503 CM ltr PH.docx

Hello,

Please find attached a letter regarding this rezoning application.

Nancy McPhee
250-539-5764

"Letting there be room for not knowing is the most important thing of all."

Pema Chodron

With respect and deep gratitude to the First Nations of the Coast Salish Sea regions: the ceded and unceded territories of the Penelakut, Lamalcha, the Hwlittsum, the Tsawassen, Tsartlip, Tswaout, Tseycum and Pauquachin peoples, on whose land we live and work.

3 May 2023

To: vicphsub@islandstrust.bc.ca; lgauvreau@islandstrust.bc.ca; bmabberely@islandstrust.bc.ca
tpeterson@islandstrust.bc.ca; bsmith@islandstrust.bc.ca

From: Nancy McPhee, 2 – 654 Burrill Road, Galiano Island, BC

Re: Crystal Mountain Rezoning application **GL-RZ-2014.1**

This letter is in support of the rezoning application being considered by the Islands Trust. For the past almost 20 years, Crystal Mountain has had an application to rezone the property at 1915 Devina Drive before the Galiano Trust Committee.

Of note to the trustees:

- There is a developing relationship with the Indigenous peoples of Penelakut, whose territorial land Crystal Mountain would like to preserve as a meditation centre. The group of people leading the Crystal Mountain rezoning process have communicated over a period of years with Chief Joan Brown. As well, they were invited to sit in a meeting with elders and some of the Council. This is the start of building a cooperative relationship for the future. This land is very conducive to hosting gatherings and these first meetings and statements of their intention on their lands are laying the groundwork to continue these conversations. It is interesting to note that the traditional values of the indigenous peoples are aligned with those of Crystal Mountain – to be respectful of the land and develop relationships with the flora and fauna on the land as we pursue our lives and to honour those who have lived in harmony with the land and water and all their relations.
- The north end of Galiano has seen many different activities over the many years' settlers lived and worked here. There was a large fishing operation in Saltery Bay, in the early 1900s with many fishers and their families living and working there while their children attended school in the north Hall. Just read the names of the students in the school, posted on the wall of the hall, which tells the story of diversity of residents in those times.
- There was for a time a general store beside the Spanish Hills government dock, a place to buy groceries and even get lunch – perhaps a burger and chips.
- There also existed two large resorts with horses to ride, cabins to stay in, families to gather for summer holidays, happy noisy days at the beach in the sun.
- In the last few years, Crystal Mountain representatives and representative neighbours reached an agreement regarding the important points the neighbours insisted on in order for them to support the rezoning application. It seems that this agreement has been forgotten.
- The many years of consultation, adjustment, adaptation, modification at the requests of Trustees, Staff Planners, neighbours, water and ecological consultants has resulted in a rezoning application that meets everyone's needs to the greatest degree possible.

It is my hope that this application will receive 2nd and 3rd reading on May 6, 2023, to finally close this file.

With respect to you all, respectfully submitted.

From: Peter Barrett <peterdouglasbarrett@gmail.com>
Sent: Wednesday, May 3, 2023 7:56 AM
To: vicphsub
Subject: Crystal Mountain rezoning application

To Trustee Lisa Gauvreau, Trustee Ben Mabberley, and Chair Tim Peterson,

I have studied and practiced forms of meditation and mindfulness for over 35 years.

I have a great respect and appreciation for the natural world and all creatures that exist within its' matrix.

I have worked on numerous beach access and forest trails over my 16 years on the island.

I am always heartened to see further developments to preserve and protect portions of the island in perpetuity.

I often go to the forest and meditate as a contemplative practice.

I am firmly and unequivocally opposed to the Crystal Mountain development proposal under review, despite my acknowledging that contemplative practices are taught there and that their proposal would protect portions of the natural environment.

I do not believe that the benefit of having more protected park area is worth *both* changing the OCP *and* allowing the short-term and long-term housing developments as proposed by Crystal Mountain.

I do not believe that Crystal Mountain can justifiably be characterized as a 'community facility'.

I fear that, should this critical change to the OCP be made, the island as a whole will suffer irreparable harm and unintended consequences that will echo for generations.

I have spoken with many Islanders who have expressed opposition to the proposed development by Crystal Mountain..

None of those I have spoken with have expressed prejudicial views of meditation or contemplative practice.

To characterize those who are raising concerns about this development as being folks opposed to meditation and/or contemplative practice is simply disingenuous.

It is a convenient fiction.

I believe that the Galiano Community will come to strongly regret having allowed this development to take place.

I strongly urge you to vote 'no' on this proposed development.

Thank you for your time and your service to Galiano Island.

with thanks,
Peter Barrett

[Peter Barrett](#)
20205 Porlier Pass Road
Galiano Island
British Columbia, Canada
V0N 1P0
250-539-8111

From: Risa Smith <risabsmith@gmail.com>
Sent: Wednesday, May 3, 2023 9:27 PM
To: Ben Maberley; Lisa Gauvreau; Timothy Peterson
Cc: Tom Mommsen; vicphsub
Subject: Letter to Trustees on CMS Bylaws
Attachments: Letter to Trustees on CMS Bylaws.pdf

Dear Trustees,

Attached please find a submission on the Crystal Mountain Rezoning to be discussed this week at a Public Hearing on Galiano Island.

Unfortunately we will not be able to attend in person but I hope you will allow a short statement on our behalf from a colleague.

I also assume you will post this on the islands trust web site.

I have copied to the email indicated for written comment which I presume will ensure our submission is posted.

Thanks to Lisa and Ben for meeting us in person to exchange views on this issue.

Risa Smith and Tom Mommsen
Galiano Island

risabsmith@gmail.com

May 3, 2023.

Re: Crystal Mountain Society Rezoning

Dear Trustees Maberley, Gauvreau, and Peterson

Thank you to Trustees Maberley and Gauvreau for meeting us in person to discuss our concerns and exchange viewpoints. We would very much like to meet with Trustee Peterson before the public hearing, but have unfortunately been unable to connect.

It is our belief that draft Bylaws No 256 and 257 are not ready for 2nd reading. Principal concerns of the community and North-end Neighbours have not yet been addressed in these draft bylaws. We will remind you that we are rezoning land, not people. While the intention of the current owners appears to be eastern meditation, it is up to you to consider the effect of the rezoning on future landowners. The CMS rezoning was a major election issue on Galiano and the incumbent Trustee lost the election because of her unwavering support for this rezoning and her unwillingness to address community concerns.

Amendments that we suggest, before it goes to 2nd reading, and the rationale for these are:

- i** *The land use by-law amendments be moved from “Community Facilities and Utilities” to Subsection 5 “Economic Activity”;*
- ii** *A definition of “contemplative, spiritual or meditative activities” be defined in a narrow fashion to reflect the intention of this rezoning;*
- iii** *A commercial water license be obtained before rezoning;*
- iv** *A third-party independent Section 219 Covenant holder be secured, who has proven experience and capacity to monitor covenants. If this is not possible, the elements of the Section 219 covenant should be directly incorporated into the LUB;*
- v** *A proper consultation with First Nations be completed and the concerns of affected First Nations be taken into account;*
- vi** *Statutory Right of Way for Emergency Access through CMS rezoned lands be signed by CMS and the CRD.*

Rationale:

- i.** The community has repeatedly expressed dismay that this would be considered under Community Facilities and Utilities considering that while CMS has identified what they think is a community benefit, it is really up to the community to identify what benefits them. The objectives in the LUB are clear: “to allow for spiritual education facilities that enhance the knowledge and wellbeing of retreat users and visitors and that do not adversely affect the natural environment”. There is no claim of community benefit, but only of benefit to retreat users and visitors. On the [CMS posting for their summer 2023](#) retreat they say “Please expect additional housing costs over and above the traditional retreat fees” further proof that CMS itself recognizes that this is indeed an economic activity.
- ii.** Definition of “contemplative, spiritual or meditative activities” has not been provided and seems to be an addition to the allowable uses. While “contemplative, spiritual or meditative uses” are clearly defined the addition of ‘activities’ with no associated

narrow definition significantly broadens the allowable uses in this rezoning. Such a broad concept, with no definition could include anything from artist retreats, to music festivals – some of the many activities that provide contemplative, meditative and spiritual uses for many people who are not adherents to CMS philosophy. I don't believe broadening the uses is the intention of the rezoning. Staff claim that they will only provide a definition on direction from the LTC.

- iii. The staff report recognizes that the province may require a further water test before a commercial license is obtained. In that case approval should be deferred until the license is obtained. The sustained yield and the water management plan are dependent on the accuracy of the 2015 study on sustainable yield, which has been questioned by some community experts and which is not compliant with provincial requirements for a commercial water license.
- iv. The LTC has no ability to monitor a covenant, by its own admission. Yet the Section 219 covenant contains important restrictions on the use of the land. It appears that the public is expected to monitor the covenant. However, CMS has issued letters to some North End Community members indicating that they will be charged with trespass if they enter the property. These community members were indeed monitoring compliance with VIHA regulations. So it seems that CMS is going to exclude community members who monitor. It would be preferable to have an independent third party charged with monitoring the covenant. If that is not possible, then the elements of the covenant, which are critical restrictions, should be directly incorporated into the LUBs.
- v. Although the staff report indicates that consultation with First Nations has been completed, there is no documentation of a proper consultation or the response. There is a comment that one FN said they did not have the capacity to respond. The Penelakut have reserve land at the North End of Galiano, have homes here, and consider Galiano to be their home. Thus, they are very affected by all land use decisions at the North End. This is not the way that FN consultation is done.
- vi. CMS has indicated that they have provided a Statutory Right of Way for Emergency Access, but the community has not seen an agreement signed by the CRD and CMS that demonstrates a Statutory Right of Way for Emergency access has been obtained. To this point the community only has hearsay from CMS.

Thank you for considering our suggested amendments.

Risa Smith and Tom Mommsen
19915 Porlier Pass Rd
Galiano, BC V0N1P0
Cell: 778 966 7025

From: Brad Smith
Sent: Wednesday, May 3, 2023 10:11 AM
To: vicphsub
Subject: FW: CMS

Please include my response

From: Brad Smith
Sent: Wednesday, May 3, 2023 10:11 AM
To: 'Sandy Pottle' <sandypottle@hotmail.com>
Subject: RE: CMS

It is the intent of the applicant to have their approved road access at the end of Devina which would be initiated at time of subdivision should the rezoning be approved.

There is an existing easement across the Romagnoli-Smith property that allows CMS access across that lot. That easement will remain in place and will accessible to the public in an emergency as per the agreement that has been reached with the CRD.

Best regards, Brad

From: Sandy Pottle <sandypottle@hotmail.com>
Sent: Sunday, April 30, 2023 6:59 PM
To: Brad Smith <bsmith@islandstrust.bc.ca>
Subject: Fw: CMS

Dear Planner Smith

I was speaking with trustee Mabberley today and he said that he thought that you had responded to me regarding the question I asked in the email below.

Trustee Mabberley filled me in on what he understands to be the Emergency Access arrangement regarding CMS rezoning.

I would appreciate it very much if you could provide me with the details in advance of the Public Hearing.

Thank you

Yours sincerely

Sandy Pottle

From: Sandy Pottle

Sent: April 28, 2023 8:07 AM

To: Timothy Peterson <tpeterson@islandstrust.bc.ca>; Ben Maberley <bmaberley@islandstrust.bc.ca>; Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>

Subject: CMS

Dear Chair Peterson and Trustees Maberley and Gauvreau:

Have Romanoli-Smith and CRD been contacted regarding the possibility of having access to CMS via Porlier Pass Road rather than Devina Drive?

Thank you for whatever information you can provide.

Sincerely

Sandy Pottle

From: Arjan van Asselt <vanasselt.arjan@gmail.com>
Sent: Thursday, May 4, 2023 10:46 PM
To: vicphsub
Cc: Brad Smith; Timothy Peterson; Lisa Gauvreau; Ben Maberley
Subject: Letter of support for Crystal Mountain Rezoning
Attachments: Letter of support for Crystal Mountain.pdf

Good Evening,

Please find attached my letter in support of the Crystal Mountain rezoning application.

Best wishes

Arjan

Arjan van Asselt
vanasselt.arjan@gmail.com

Adrianus van Asselt
535 Dobson Lane
Galiano Island, BC

May 4, 2023

Dear Members of the Island Trust Committee,

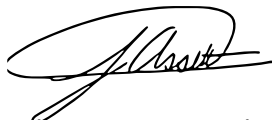
My name is Adrianus van Asselt and I am a fulltime resident of Galiano and I wholeheartedly support the Crystal Mountain Society's (CMS) rezoning application.

Having spent nearly 10 years studying the diatoms populating the waterways surrounding Galiano Island, I am struck by their diversity and ability to thrive in the same waters. The people populating our lovely island are just as diverse and unique, each with their own wishes and needs. Galiano provides for many of those desires. Golfers have the golf course, conservationists have the Mallard Conservancy Centre, Anglicans have the church, artists have the Yellow House, bookworms have the library, etc. I am one of those people who looks forward to shutting out the distractions of life for months at a time to focus on studying the mind and its beautifully complex habit patterns. Can I do it at home? Not at all, I am not that advanced of a practitioner! There are way too many distractions vying for my attention. Crystal Mountain is one of only a few places in Canada where one can safely isolate for deep, silent contemplation. This is something to be cherished and celebrated. It will provide valuable opportunities for those who want to learn about themselves, a place for meditators to meditate.

I truly believe that even though there is a great variety of people on Galiano Island with many diverse opinions, we can all peacefully coexist. This rezoning application has shown time and time again to meet and exceed the standards set out within the planning guidelines. Their protection of the environment is truly 1st class.

It is my opinion that the CMS proposal is of benefit to the Island as a whole and I urge you to support this rezoning application.

Best wishes,

A handwritten signature in black ink, appearing to read 'A. van Asselt', written in a cursive style with a large loop at the end.

Adrianus van Asselt

From: Jorge and Maria Carmita Menyhart <jorgem74@telus.net>
Sent: Thursday, May 4, 2023 7:47 PM
To: Timothy Peterson; Lisa Gauvreau; Ben Mabberley; Brad Smith; vicphsub
Cc: Russ Hotsenpiller
Subject: Public Hearing Notice

To Chiar Tim Peterson, Trustee Lisa Gauvreau, Trustee Ben Mabberley, Planner Brad Smith,

I have been following the Crystal Mountain rezoning from time to time.

When I read the Public Hearing Notice a few days ago I thought I got it all wrong, the development will be situated in zoned Rural 2 and in only 4.0 hectares.

I phoned a friend to let her know about my mistake and she phoned me back later to tell me that she looked at the Staff Reports and that the area for development was Forest 1.

I went back to look at the notice , and looking carefully at the map in very small letters I was able to read A and 9.

I would like for you to look at the size of the letters and bold where it is written Lot 9 (20.5 hectares) is currently zoned Rural 2 (R2) and lot A (4.0 hectares) is zoned Forest 1 (F1), and now compare it with letters size on the map, they are minuscules.

Not everybody has great eye vision, especially older people and we tend to dismiss writing with very small letters due to the difficulty to read them and assume that the normal size words are correct, like I did. There are a lot of old people on Galiano, many of them interested in the future of our island.

I have read Planner Smith response to this issue, and I found it inadequate. He said: " I will explain the error in the CIM.", well, that is too late.

Yes, the error is unfortunate but it is more than that. The Islands Trust processes are based in transparency and fairness.

This is a very important rezoning, controversial to say the least, with a new LTC that has received this rezoning with a Public Hearing after first reading

In the name of the Islands Trust transparent process, the Public Hearing for Proposed Bylaw No. 256 and 257 scheduled for May 5 **should** be postponed to a later day, otherwise people will believe less and less in the proficiency of the Islands Trust staff and ethics standards of the Islands Trust.

Kind Regards,

Carmita de Menyhart
219 Sticks Allison Rd. East

From: Cathy Buttery <cathrynbuttery@hotmail.com>
Sent: Thursday, May 4, 2023 7:14 PM
To: vicphsub
Subject: Fw:

From: Cathy Buttery
Sent: April 29, 2023 5:00 PM
To: tpeterson@islandstrust.bc.ca <tpeterson@islandstrust.bc.ca>; bmabberley@islandstrust.bc.ca <bmabberley@islandstrust.bc.ca>; lgauvereau@islandstrust.bc.ca <lgauvereau@islandstrust.bc.ca>
Subject:

Dear Chair Peterson and Trustees Mabberley and Gauvreau:

Please add this correspondence to the Public Hearing binder regarding Rezoning Application GL-RZ-----

I am requesting that the rezoning application for this property be denied.

I wish to state from the outset that I am not influenced by a dislike for the practise of Buddhism or by any animosity towards any individual or individuals involved in Crystal Mountain.

It is my belief that all citizens in a democracy should be treated equally and that this application should be considered in relation to the fact that the property to be developed is in the Forest 1 (F1) zone. I do understand that there is a residentially zoned property which will be transferred to the Islands Trust Conservancy as part of the rezoning.

In my opinion the land in question would be less severely impacted if the zoning were to remain as it is now or if the F1 zoned portion was rezoned to Forest 3 (F3) as allowed for in our Official Community Plan.

As you are aware much of Galiano's land mass is still in the F! zone and the acceptance of this application will set precedents for other such applications. I am not in favour of setting a precedent for retreat use on Forest lands.

The North end neighbourhood will be negatively impacted by the scale of this development with increasing traffic on Devina Drive which is located in a now quiet rural residential neighbourhood.

There is already capacity in appropriately zoned areas nearby where retreats are already happening. Many homes in the area are also being used for accommodating CMS guests and special events which will attract even more participants are being included.

Many people who live in the North end neighbourhood are not in favour of this development and I am urging you to take into account the public interest especially from those who will bear most of the impacts.

I have other concerns with this development that I know will be addressed by others more knowledgeable of the details of the various reports and infractions that have been documented over the years.

Thank you for considering my submission.

Yours sincerely,

Cathryn Buttery

From: Timothy Peterson
Sent: Thursday, May 4, 2023 9:25 AM
To: vicphsub
Subject: Fw: Bylaw amendments 256 and 257
Attachments: Second and Third Readings.docx

From: John Ronsley <jcronley@gmail.com>
Sent: May 4, 2023 6:46 AM
To: Timothy Peterson; Lisa Gauvreau; Ben Maberley
Cc: Brad Smith; John Ronsley
Subject: Bylaw amendments 256 and 257

Please see the attached.

Dear Galiano Trustees,

This letter is to request that you **do not support** the recommendations from Planner, Mr. Brad Smith for second and third reading of Galiano Island Local Trust Committee proposed Bylaw No.256 and Galiano Island Local Trust Committee proposed Bylaw No. 257 for the following reasons:

1. These recommendations are made without the benefit of a Public Hearing and therefore, assume no important findings or concerns will arise from an important part of the Community consultative process.
2. The Bylaw proposals have substantial opposition in the Galiano Community as indicated by numerous letters of concern and a petition taken in a single two week period with one hundred seventy-four signatures opposing the Bylaw amendments. By way of comparison, the proponents of these amendments have never shown numerical support for them such as in the form of a counter-petition.
3. A number of unresolved concerns remain with these proposals and therefore additional amendments to the Bylaws are needed. These concerns have been summarized and submitted to you.
4. It is incongruous to recommend the creation of a community facility that the community does not want.
5. The Island Planner cites as a reason to support his recommendations that “Significant effort has been invested in the application proposal to date.” He does not appear to acknowledge that this is what should be expected from a proposal that falls well outside of the policies and objectives of Galiano’s Official Community Plan (OCP) for land use which is the case in this instance.
6. During the recent election campaign for our Local Trust, at least one but probably both elected local trustees indicated that the community and the proponents of these bylaws need to “reconcile their differences”. To date, no attempt has been made to facilitate this approach to address concerns.

Thank-you for your consideration.

Sincerely,

J. Ronsley
40 Spotlight
Galiano

From: Lindsay Williams <lindsayongaliano@gmail.com>
Sent: Thursday, May 4, 2023 7:38 PM
To: Ben Maberley; Brad Smith; Lisa Gauvreau; Timothy Peterson;
vicphsub
Subject: GL RZ 2014.1

Dear Chair Peterson and Trustees Maberley and Gauvreau:

Please add this correspondence to the Public Hearing binder regarding Rezoning Application GL-RZ-2014.1-Crystal Mountain (Bylaw 256 and 257)

I have lived and worked on Galiano Island for 16 years. I have worked hard to be a contributing member of this community and I have been working in public service for 8 years. Early in my time on Galiano, I was employed as a note taker for the Advisory Planning Committee when the OCP was reviewed in 2009. I spent hours at meetings while a small but mighty committee debated the OCP review with passion and a sharp eye. They soberly debated the placement of commas. They had roundtable discussions with arguments about the use of one word over another. The OCP is serious. Changes are not taken lightly. If they are taken, it should be for the **betterment of the island as a whole**. It should be to make Galiano a healthier, happier place to live. It should be to create jobs or housing or safe spaces for residents already committed to calling this island home.

The Rezoning Application of Crystal Mountain is not for the betterment of the island as a whole. It will not create jobs or housing for residents. It is not a Community Facility. It is to serve the purposes of a small organization that has made an incredibly minimal effort to enhance or engage this island. I watch the Affordable Housing initiatives work and struggle and spin their wheels in the process of rezoning -- and they are trying to provide homes for residents that need it. They're working for Galiano.

A couple of years ago, a petition was circulated expressing opposition to this Application. It got 174 signatures. That's more than 12% of our population. That's not a small number. That number must be taken seriously. 12.4% of this island does not want this change in the OCP resultings in an increase in population density that in return offers Galiano the literal bare minimum.

A Community Facility should serve everyone from the most senior of our seniors to the littlest babe in arms. It should offer the community a space to graze or gather. I don't believe that the Crystal Mountain development will do this. What I believe it will do is set an irreversible precedent for other organizations to seek the same treatment of their applications.

I ask with greatest respect and as a 16 year Galiano resident, a regular community volunteer, a public servant, and a property owner at the North End that you do not allow this application to pass.

I am available anytime at 250-539-8968 or via email if you have any questions about my position on this application.

Thank you for listening,
Lindsay

From: Joaquin <jkarakas@gmail.com>
Sent: Thursday, May 4, 2023 9:16 PM
To: vicphsub; Lisa Gauvreau; Ben Mabblerley; Timothy Peterson
Cc: Maxine Leask
Subject: Crystal Mountain Rezoning Application - Submission for Public Hearing

Dear Trustees,

This letter is to provide input as you consider the Crystal Mountain rezoning application.

The Local Government Act requires zoning to be consistent with a community's Official Community Plan.

This application for re-zoning to permit visitor accommodation is very clearly inconsistent with the Land Use Designation for this property, which envisions forestry related uses and in some cases, limited residential uses.

Should the Trustees wish to grant this zoning, you are required to update the OCP to reflect this use. Otherwise, the proposal needs to be modified to be consistent with the existing OCP.

Other considerations that are important to this proposal include the lack of sufficient or sustainable infrastructure provision, including for water, sewer, transportation. Site ecology has also not been sufficiently considered and addressed as part of this application.

Having said this, a proposal that can meet the stated vision and goals of the community, and demonstrates sustainable best practices as envisioned in the OCP for this property, is possible, but will require further analysis and refinement to get it right and be a project that most if not all residents and property owners of Galiano Island can be proud of, and not be divisive, as it appears has been the effect of this proposal.

For these reasons I ask you to ask the proponent and staff to rework the proposal to get it right.

Respectfully,

Maxine Leask
Joaquin Karakas
135-1005 Devina Drive,
Galiano Island

From: Michael Keefer <mike@keefereco.com>
Sent: Thursday, May 4, 2023 9:02 AM
To: Lisa Gauvreau; Ben Mabberley; Timothy Peterson
Cc: vicphsub; Brad Smith
Subject: Chrystal Mountain

Dear Trustees, I'm writing as a North Galiano neighbour of the Crystal Mountain Retreat Centre who has no vested interests in the Centre, to express my strong support for the approval of their rezoning application.

As an environmental professional, I have a good but non-expert knowledge of Galiano Island's aquifers. Based on my observations of the large areas of surface water in the area, the bedrock geology and associated hydrogeology, it is my belief that this part of the Island has an abundance of water. Further, it is my understanding of the Centre that they do not pose any risks to the aquifer. I understand that my opinion matches that of qualified hydrogeologists.

My understanding of Chrystal Mountain gives me the impression that the proposal offers many benefits to Galiano's community and that you as decision-makers should support their proposal.

Thanks for your attention.

Michael Keefer

From: Rena Graham <renainla@gmail.com>
Sent: Thursday, May 4, 2023 6:40 PM
To: vicphsub
Subject: Saturday meeting - May 6th at Lion's Hall

To Whom it May Concern,

I would like this email to serve as support for Crystal Mountain's rezoning initiative. From my perspective, they have satisfied every concern and question regarding their property and should be allowed to move forward toward using this as the retreat centre it has always meant to be. There are naysayers who believe this may usher in a new precedent, but Islands Trust is wise enough to address each rezoning on their own merit, so I believe this is a stale argument. There are also those who felt there was some bending of the rules when the forest lot was first purchased and that may be true. Since that time however, the Board of Directors and rezoning committee, along with resident teacher Mark Weber have followed every guideline put forward to correct those mistakes in an ethical manner.

I'm a full-time permanent resident on Galiano and the idea of a spiritual retreat and teaching centre on this island can only bring us all blessings. Please do the right thing and approve Crystal Mountain's application in full.

Thank you,

Rena

--

RENA GRAHAM

Writer and Editor

cell/text [604 440-9699](tel:6044409699)

[Website](#) | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

From: Sandra Dolph <sandradolph.1@gmail.com>
Sent: Thursday, May 4, 2023 4:19 PM
To: vicphsub
Cc: sands@morningbeach.com
Subject: Crystal Mountain rezoning application

Hello,

This is a letter to support the rezoning of Crystal Mountain on Galiano Island, Bylaws 256 and 257. Their spiritual education retreat facility will be a wonderful addition to our diverse community here on Galiano. And the land gifted to the Island Trust Conservancy is a wonderful bonus!!

Thanks for including my support in your decisionmaking on the outcome of this matter.

Kinds regards,
Sandra Dolph

Crystal Mountain land rezoning application will take place on May 6 at the Lion's Hall, 12:30

We are asking for support of Bylaws 256 and 257, and for 2nd and 3rd Reading at the close of the Public Hearing. This will allow us to create a "spiritual education retreat facility" on our remainder parcel and 75% of the land will belong to the Islands Trust Conservancy and zoned Nature Protection as a solid community benefit.

--

Sandra Dolph,
Cedar Grove Pottery
Galiano Island, BC Canada
www.sandradolph.com

From: Brad Smith
Sent: Thursday, May 4, 2023 9:56 AM
To: vicphsub
Subject: FW: Submission to P/H CMS May 6 2023
Attachments: CMS LETTER P:H May 6 2023.pdf

Brad Smith, PAg

Island Planner, Southern Team

200-1627 Fort Street | Victoria BC V8R 1H8

(778) 679-5185 | bsmith@islandstrust.bc.ca | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

From: Sandy Pottle <sandypottle@hotmail.com>
Sent: Thursday, May 4, 2023 7:12 AM
To: Timothy Peterson <tpeterson@islandstrust.bc.ca>; Ben Mabberley <bmabberley@islandstrust.bc.ca>; Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>
Cc: Brad Smith <bsmith@islandstrust.bc.ca>
Subject: Submission to P/H CMS May 6 2023

Dear Chair Peterson , Trustee Gauvureau and Trustee Mabberley:

Re: Public Hearing May 6 2023 Bylaws 256 and 257 (Crystal Mountain Society)

Crystal Mountain Society rezoning to Community Facility rather than Visitor Accommodation is driven by the fact that the proposed retreat does not have frontage on a road designated Minor Rural for example Porlier Pass Road. This means that the main access to the facility will, if approved, be located on Devina Drive which is designated as a Residential Road.

The Galiano Official Community Plan land transportation policies were designed to protect residential neighbourhoods from the impacts of facilities such as Visitor Accommodation or Industrial uses.

The Rezoning application for CMS is often compared to Galiano Conservancy Association/Millard Learning Centre which is under Community Facilities and zoned Environmental Education/Nature Protection. The GCA/MLC has frontage on Porlier Pass Road and could just as easily exist under Visitor Accommodation as Community Facility. Frontage on a Minor Rural road did not present itself as an issue during that rezoning process. The site for the GCA/MLC was chosen to ensure that there was minimum disruption to neighbours.

When the forestry company which owned about half of Galiano discarded its holdings on to the Real Estate Market unplanned in the early 1990s a tremendous amount of time was spent by citizens of Galiano and the Ministry of Transportation in development of a Road Network Plan that would serve as a template for development of the island. The Galiano Island Transportation Advisory Committee (GITAC) and the Ministry worked on this project for seven years and produced a comprehensive and well researched Road Network Plan for the Island. It deserves to be respected and if changes are to be made they should be done by changing the bylaw rather than by ignoring the provisions and ticking a box in the Policy Statement Directives Checklist or by leaving this box blank as has happened on a previous occasion.

I also have concerns regarding the use of professionals hired by proponents in advancing development applications and note that correspondence from Islands Trust Council to the provincial government expressed concern that clients' interests may be put ahead of sustainability and compliance and that members of the public do not have the same ability as the proponent to provide expert reports for environmental assessment processes. This practice seems very similar to the use of lobbyists. CMS has hired a number of professionals to bolster the case for approving their development. This has been especially problematic as regards water supply.

A legal opinion that has been received from Islands Trust lawyers has made it quite clear that it is not legal to distinguish between non-profit enterprises and profit driven enterprises in zoning and as a result the following clause had to be removed from the bylaw:

“Zoning for Comprehensive Spiritual Retreat shall only be permitted for non-profit organizations.”

The Wellness tourism industry continues to grow throughout the world and this rezoning may set a precedent for the conversion of forest zoned land to retreat use. The definition of what constitutes a contemplative spiritual retreat activity has yet to be defined.

It is stated in the staff report that final adoption (fourth reading) of the bylaws is subject to the Commercial Water License approval which is still pending by the province. It would be more prudent to make the advancement of this application to second and third reading dependent on the approval of the water license.

I am thankful to CMS for offering the Community Benefit of the 75% land transfer to The Islands Trust Conservancy but I do have concerns with the fragmentation of the lot into two separate development zones, the associated duplication of infrastructure and the creation of the panhandle lot.

I believe that there is still room for peaceful dialogue between CMS and the North end neighbours and was happy to hear at the All Candidates meeting that our two local trustees thought that a community solution was possible by “getting together in a room and hammering it out”.

Islands Trust has made much progress in officially recognizing that First Nations are a priority for engagement in all of its undertakings. It seems that there is also a willingness of First Nations to engage in ways that they have not up to this point. I would therefore suggest to the LTC that engagement with First Nations be initiated prior to considering this application further.

The area in which this rezoning is taking place is in close proximity to the Penelecut Reserve and is a core part of their (and other First Nations) traditional territory. The Coast Salish Peoples of Galiano have also not had an opportunity for comment. I suggest that this consultation take place in a way that is meaningful to First Nations, that funds be made available to this end and that this will serve as a template for all future rezonings and undertakings of Islands Trust.

Good Luck in your deliberations and Thank you for serving our community. It is not an easy job.

Yours sincerely,

Sandy Pottle

From: stefan jerry <bluffvalleyfarm@yahoo.ca>
Sent: Thursday, May 4, 2023 3:05 PM
To: vicphsub; Lisa Gauvreau; benmabberley@gmail.com; Timothy Peterson; Brad Smith
Subject: support for crystal mountain re-zoning

Hello All,

We wanted to add our voices to the support of crystal mountain re-zoning application.

We have lived on Galiano for 24 years and have been involved with most of the community volunteer groups.

We have always appreciated the thoughtfulness of those willing to give back to the community and those willing to protect their lands through covenants.

The new zoning for this application is progressive and will allow more of our forest lands to be protected while maintaining a gentle use on the remainder of the land.

Thank you

Stefan Fedorowich
Jerry Parenteau

880 Burrill road
Galiano Island

From: Brad Smith
Sent: Friday, May 5, 2023 7:33 AM
To: vicphsub
Subject: Fwd: letter of support for Crystal Mountain Society's rezoning application
Attachments: letter for Public Hearing May 2023.pdf

Sent from my iPhone

Begin forwarded message:

From: Susan van Asselt <vanasselt.susan@gmail.com>
Date: May 4, 2023 at 10:30:45 PM PDT
To: Brad Smith <bsmith@islandstrust.bc.ca>, Timothy Peterson <tpeterson@islandstrust.bc.ca>, Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>, Ben Maberley <bmaberley@islandstrust.bc.ca>
Subject: letter of support for Crystal Mountain Society's rezoning application

Please find attached my letter of support.

Warms wishes, Susan

--

Susan van Asselt
250 921-4463

May we all be loving and kind, compassionate, joyful, and equanimous

May 4, 2023

Dear Chair Peterson, Trustees Gauvreau and Mabberley and Planner Smith,

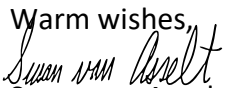
Please accept this letter as one of support for Crystal Mountain Society's rezoning proposal, changing from Rural Residential Lot 9 and F1 Forestry Lot A, to Nature Protection and Spiritual Education.

My husband and I moved to Galiano Island almost 4 years ago and live at 535 Dobson Lane in the North end. We moved here for the sole purpose of being close to a place where we can study and practice the form of spiritual education that works for us, a specific lineage of Tibetan Buddhism. According to the [Sumeru Guide to Canadian Buddhism](#), Crystal Mountain Society is one of approximately 500 Buddhist organizations in Canada, and one of only a handful that offer opportunities for silent meditation retreats similar to what one would find at traditional Tibetan and Indian Buddhist monasteries. Retreat centres such as this offer rustic, basic amenities only and costs are low.

Studying and practicing in this manner, which can seem quite foreign to Westerners, has made me a much better Counsellor/Mental Health and Substance Use Clinician, and I use my skills to help people live their best lives within this and other communities every week. Community benefit might be hidden, but it is definitely present!

I also support this application because of its careful protection and stewardship of the land. To have 75% of the land protected with no building allowed, and preserving 90% of the trees in perpetuity, preserves it for future generations in an environmentally sensitive manner.

For these reasons, and many more, I urge you to support this application and continue to move it forward through 2nd and 3rd reading.

Warm wishes,

Susan van Asselt
535 Dobson Lane
Galiano Island

From: Galiano Planner
Sent: Saturday, May 6, 2023 2:49 PM
To: vicphsub
Subject: FW: GL-RZ-2014.1 (Crystal Mountain)- do not rezone please

Brad Smith, PAg

Island Planner, Southern Team
200-1627 Fort Street | Victoria BC V8R 1H8
(778) 679-5185 | bsmith@islandstrust.bc.ca | www.islandstrust.bc.ca
You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

From: andrea russell <thaifirefly@gmail.com>
Sent: Friday, May 5, 2023 1:01 PM
To: Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>; Galiano Planner <galianoplanner@islandstrust.bc.ca>
Subject: GL-RZ-2014.1 (Crystal Mountain)- do not rezone please

Hi! I do not approve of having Crystal M mountain rezone to allow for an accommodation business like a retreat center . It is not an appropriate spot to do so, and particularly the traffic and the water will be issues for neighbors in a residential and forest lot area. Their plan for water is insufficient. It will run dry the aquafir, and neighbors will be negatively impacted in a variety of important ways. Their plan for safety should there be fire or other emergency, is insufficient. Traffic is a concern. There are many many reasons why we should not have a retreat business established at this location.

Please do not allow it to be rezoned. There is no benefit to the local community. People will occupy the ferry, meaning traffic congestion and difficulty for locals to get places on the ferry, drive to the retreat center with their fossil fuel burning vehicles, ,creating more traffic, and use water and other resources while meditating at that spot alone-- not contributing to the broader community in any ways-- then leave. No benefit to us.

They can meditate and study spirituality at their homes or other locales, thats awesome, but we do not want to negatively change our forested peaceful residential island life to accommodate it. They have not offered any good reason why we should change the zoning rules .

I cant attend the trust meeting on this topic but would like my voice and opinion as a neighbor to the site proposed, on the record as someone who objects to rezoning.

Thankyou!

Andrea

Russell

654 roberts rd , galiano

--

Andrea Russell

www.sparkcircus.org

From: Ann Thorsteinsson <annthorsteinsson@gmail.com>
Sent: Friday, May 5, 2023 8:40 AM
To: vicphsub
Subject: Rezoning of Crystal mountain area

Hello,

I have property in spotlight cove - 20445 porlier pass road. This has been my families property that we are temporary caretakers of while we are fortunate to be on this land. My grandparents and my parents have always looked out offer spotlight cove and tried to make decisions that would put its natural beauty and ecosystem in the forefront. We have tried to enhance that land yet honour its undisturbed natural beauty.

I hesitate in writing this as I have written prior and gone to a meeting and I quite frankly don't understand how there can be an argument in permitting a development to move ahead that directly would impact residents and wildlife and the flow of waters around the area.

My mother wrote years ago and couldn't understand how there was an issuer when the land was purchased under an agreement about development restrictions. My mother is unwell and my father has passed away and now my son lives on the property and works for many people on galiano as an arborist. We are noticing changes on the land here and are concerned about the impact of such a proposal. I am concerned about the run off and sewage and how it might further affect the first bay in Spotlight cove as the stream runs directly into that bay. There is an abundance of wildlife that thrive on the fresh stream water filtering in to the salty bay.

There are many issues I see here but I feel the most important is the use of the land and what it was intended for. Although my grandfather purchased water rights to the stream as it has been disconnected and there is insecurity over the water flowing we have not been using it as we had done prior.

If this zoning is passed how can one limit others - who is to oppose a campground etc. from being developed in this area ? This is pivotal in Galiano's future as it opens the door to massive changes on the island and in the north end. Please focus and look ahead. We are really all here temporarily and it's important to make decisions to protect and honour this area we live on. I hope that future generations can experience the beauty and grace found in the uniqueness of Galiano's North end and Spotlight cove.

Thank you for your attention to this proposal. My family is a strong No.

Ann Thorsteinsson.
Noah and Tia Powers
Marilyn Thorsteinsson
Sent from my iPad

From: Art Moses <art_moses@yahoo.com>
Sent: Friday, May 5, 2023 4:14 PM
To: Timothy Peterson; Lisa Gauvreau; Ben Mabberley; vicphsub; Brad Smith
Cc: art_moses@yahoo.com
Subject: Submission to Public Hearing re Bylaws 256 and 257 (Crystal Mountain)
Attachments: CM Public Hearing submission May 5 23.docx

Dear trustees - Attached please find my submission to the Public Hearing re Bylaws 256 and 257 (Crystal Mountain)

Thank you.

Art Moses

Bylaws 256 and 257 (Crystal Mountain Society) – a precedent-setting breach of Galiano’s Official Community Plan

May 5, 2023

To the Galiano Island Local Trust Committee from Art Moses, 375 Juniper Lane, North Galiano

In 1990 my wife and I bought a small unfinished house on 5 acres of land on a ridge above Devina Drive on North Galiano. It was part of a 9-lot subdivision of land zoned residential. We had been attracted to the island on previous visits by its quiet, rural character, mostly well-planned residential areas and by the commitment of islanders to protect sensitive environments and maintain a forest land base.

We added on to the house and finished it nine years later. Whenever we have undertaken work on the property, we have been careful to ensure all work complied with Galiano LTC and CRD bylaws and that we obtained the necessary permits.

Galiano forest bylaws upheld

Shortly after we bought our place, we became keen observers of events after forestry giant MacMillan Bloedell put its managed tree farm, that then constituted more than half the island, up for sale. It was purchased in large part by people keen on its development potential. We watched as the Galiano Island Local Trust Committee enacted bylaws to prohibit residential development on most of these forest lots without a rezoning. We followed events as trustee Margaret Griffiths courageously sat on the witness stand under withering cross-examination by lawyers for MacMillan Bloedell, and defended the bylaws with dignity, even as she knew her husband was at home dying from a terminal illness.

Those Galiano bylaws were ultimately upheld by the BC Court of Appeal in 1995, with Justice Mary Southin ruling that the Islands Trust Preserve and Protect mandate was “no mere piety”. In 1999 new bylaws and Official Community Plan provisions were enacted specifying options for rezoning forest F1 land for residential purposes.

Crystal Mountain violations begin

That same year Crystal Mountain Society bought their 50 acres of F1 zoned land at the end of Devina Drive. They began building cabins, outhouses and a large kitchen structure and started using the land in ways that were and still are not permitted under Galiano’s Official Community Plan and Land Use By-laws. They have repeatedly had Stop Work orders placed on their buildings by the CRD and have been assessed fines by Islands Trust By-law Enforcement. But the violations of our by-laws continued.

Public OCP review 2009-10: No retreat facilities in F1 zone

The OCP and LUB were amended in 2011 after an extensive public process involving islanders from across the political spectrum. I was vice-chair of the advisory committee that reviewed forest policy, and can attest that in no way did the public OCP review sanction the conversion of F1 land for a “spiritual retreat zone” of the type proposed in the by-laws and OCP amendments before you today.

Bylaws 256 and 257 violate the OCP, would set precedent

In fact, proposed bylaws 256 and 257 are completely contrary to the Official Community Plan and Land Use Bylaw. They would set a definite precedent for development of visitor accommodation on forest lands, with other owners of F1 land watching and ready to follow.

The current zoning for F1 permits only forestry and forest-related activities. The zoning is designed to maintain Galiano's forest land base for ecosystem-based sustainable forestry and rural character, and to help mitigate climate change. Our OCP policies only support rezoning opportunities in F1 for clustered low-density residential use or forest-related light industry.

Proposal violates requirements to cluster development

This proposal is completely contrary to the notion of clustering development. In so-called Area A it proposes to spread buildings throughout the development zone, with sleeping cabins, a kitchen building, a bathroom building, an office, a storage facility, a meditation hall and a residence for the caretakers. And then there's the issue of the North Ridge, so-called Area B. This is proposed as an entirely separate, unconnected development area with its own kitchen, own bathhouse, own well (which has yet to be drilled), own septic field and three more sleeping cabins.

North Ridge: another dangerous precedent

This second development area on the North Ridge sets another precedent for development in the forest zone. No other forest landowner has been allowed to establish two separate unconnected development areas. All residential development resulting from F1 rezoning has been contiguous, with lots adjoining.

And what causes this lack of connectivity between the applicant's two separated development zones? It's the land they propose to exchange with the Islands Trust Conservancy as a community benefit in return for density to which they would not be entitled.

Land exchange is disjointed, fragmented

The problem is the land exchange with the ITC transfers title to land that will be divided up into three or four fragments, in turn separated by the applicant's development areas for visitor accommodation and infrastructure. The land the ITC is to receive is connected only by the tiniest of areas at the edges of those development areas. This is exactly the type of forest fragmentation that is discouraged by our OCP and Islands Trust directives.

Improper zoning designation

For an applicant that has been out of compliance with local rules and bylaws for so long, it's remarkable how many favours the previous trustees and planning department has willing to provide. For example, according to its website (where it advertises its retreats to an international audience), the applicant charges "retreat fees" for its accommodation and services. But the proposed rezoning will not place this operation in an Economic Activity zone, like other visitor accommodation facilities on the island.

Instead, by classifying it under "Community Facilities and Utilities", the LTC is letting the applicant off the hook for a fundamental requirement for an Economic Activity of this nature – having "direct frontage and suitable access on a highway classified as Main Rural or Minor Rural (Land Transportation

Policy (f)) e.g. Porlier Pass Rd. Instead, the proposed rezoning provides access to this development from a residential road (Devina Drive). This violates OCP policies designed to keep developments in an Economic Activity zone away from residential neighbourhoods.

The LTC could have, and still can require the applicant to develop access to its property off Porlier Pass Rd. The LTC could have, and still can place the proposed retreat development with visitor accommodation in an Economic Activity Zone and protect residential neighbourhoods from the impact of this commercial activity.

Water concerns

There are other serious problems with this proposal, not the least the questionable water use the applicant estimates will be used. They even suggest that the proposed caretaker residence won't really be a residence at all for the purposes of determining how much water will be used. And to determine how much water is available from their well, their 2015 pump test did not meet current provincial standards for an operation that has applied for a commercial water licence. The hydrologist based his test merely on how much water the applicant told him they would need in 2015 – a number that has been revised upward through the rezoning process.

Lack of Indigenous consultation

Furthermore this application must not proceed before there has been fulsome consultation with Indigenous nations who have serious interests on North Galiano. The pro-forma referral letters sent by the planner to various agencies, including First Nations, in April 2021 cannot be considered serious consultation.

For all these reasons I urge the LTC not to approve Proposed Bylaws 256 and 257 and to keep the Public Hearing open while they consider these and other issues, as well as reflect on the erroneous information given in the Public Hearing notices that seriously understate the impact of this proposal on Galiano's forest land base.

Thank you for your attention

Art Moses, 375 Juniper Lane, North Galiano

From: Barbara Shields <kutenaiwellness@gmail.com>
Sent: Friday, May 5, 2023 9:00 AM
To: vicphsub
Subject: support for Crystal Mountain Retreat Rezoning

Dear Islands Trust Trustees,

I am writing to offer support to the proposed Crystal Mountain Retreat Centre on Galiano Island. While I am not local to the island, I have attended retreats on this property for many years. It is a beautiful setting and, in my opinion, a wonderful use of the land. I am so happy the majority of the land will remain undeveloped, the infrastructure of the retreat centre is minimal, and the beautiful forest can be enjoyed in a quiet, respectful atmosphere. The teachings I have experienced at Crystal Mountain Retreats has been life changing and I appreciate that these teachings are available so close to home.

I wholeheartedly support the rezoning of this property so that it can continue to be used in such a quiet and respectful manner. Thank you for helping to move this proposal forward.

Respectfully,

Barbara Shields

Sent from [Mail](#) for Windows



Virus-free. www.avast.com

From: Carol Wilson <surfcarol@yahoo.com>
Sent: Friday, May 5, 2023 3:34 PM
To: vicphsub
Subject: Yes to Crystal Mountain Rezoning

Hello,

I am 26 year resident of Galiano Island and I fully support the rezoning of Crystal Mountain.

I have listened through many of the Trust meetings regarding the Crystal Mountain revoking application and I am confident the Crystal Mountain organization will utilize and manage the expanded mediation retreat space in a conscientious manner, mindful of impacts on the land and people of Galiano.

Sincerely,

Carol Wilson

456 Cain Rd
Galiano Island, BC
V0N 1P0

From: JOHANNA & DIRK <wildswanresources@gmail.com>
Sent: Friday, May 5, 2023 9:53 AM
To: vicphsub; Lisa Gauvreau; Ben Maberley
Subject: Crystal Mountain Rezoning

Honorable Islands Trust Officers

Dear Sirs,et Mms;

I am writing in support of the Crystal mountain rezoning application.
This has been dragging on for too long.

As long as their request conforms to the Galiano OCP, I have no objections.

Dirk Ouellette

841 Burrill Road

From: McKenzie, Donald <don.mckenzie@ubc.ca>
Sent: Friday, May 5, 2023 4:10 PM
To: vicphsub
Cc: Lisa Gauvreau; Ben Maberley; Timothy Peterson
Subject: Crystal Mountain rezoning application
Attachments: Crystal Mountain Rezoning Application.docx

Kindly review this letter prior to the Public Hearing. Sorry for the late submission.

Kind regards,

D. C. McKenzie OC, MSM, MD, PhD, LLD(Hon)
Professor Emeritus
Division of Sport and Exercise Medicine
The University of British Columbia
Vancouver
Canada V6T1Z3

don.mckenzie@ubc.ca

May 5, 2023

Re: Crystal Mountain Society (CMS) Rezoning

We have property on Porlier Pass Drive as well as within Lot 90. This application is particularly relevant to us.

While normally we would be in favour of activities that promote health and well-being, the rezoning proposal by CMS lacks the transparency, openness and integrity to merit support. After reviewing the detailed and complex files available from the Galiano Island Current Application Webpage, we are struck that the application has been allowed to get to this public hearing. It seems that the CMS, presented as a retreat Society '*to promote the development of the wholesome, clear interested mind through study, meditation and compassionate work*' have repeatedly violated the Official Community Plan bylaws for over 20 years! What is equally striking is that they have been allowed to do this. The responsibility of stewardship is significant and we noted from reading through the lengthy GL-RZ-2014.1 (Crystal Mountain) application that, in the past, the LTC decided not to actively enforce land-use bylaws. We also noted that the BC Ombudsman was recently contacted to review bylaw enforcement practices. We did not see a report.

Perhaps naively, we think that the bylaws are created for a purpose. When individuals or groups disregard the bylaws, what is the purpose of applying to amend the bylaws if they are not enforced?

We see from reports, correspondence, submitted letters etc., identification of serious issues within the application that still require thoughtful consideration: rezoning from Forest I to Spiritual Education (spiritual activities were never defined), current provincial water requirements, fragmentation of the forest, emergency access, community vs economic activity?

In our opinion, this rezoning application is contrary to the OCP and proposed by a group that has ignored the bylaws produced to govern the land use. The application is not consistent with the preservation of the environment and community sustainability. There are no amendments or modifications that would justify approval.

Respectfully submitted,

Donald C. McKenzie OC, MSM, MD, PhD, LLD(Hon)
Barbara L. McKenzie

From: Akasha <galianoforest@gmail.com>
Sent: Friday, May 5, 2023 3:47 PM
To: vicphsub
Cc: Lisa Gauvreau; Ben Maberley; Timothy Peterson
Subject: Crystal Mtn submission (attached)
Attachments: CRYSTAL MTN SUBMISSION 5May23.pdf

Thank you for adding our submission to the Public Hearing binder on Rezoning file GL-RZ-2014.1 re Bylaws 256 and 257.

Sincerely

Gerrit and Akasha Forest
2231 Montague Road
Galiano Island, BC V0N1P0

PUBLIC HEARING FOR CRYSTAL MOUNTAIN REZONING GL-RZ-2014.1
BYLAWS 256 AND 257
May 6, 2023

Dear Trustees Lisa Gauvreau, Ben Maberley, and Tim Peterson:

First, our appreciation for your work and the difficult task before you as new Trustees on this file. We cannot imagine where you could have found the time to read all the material for this Public Hearing before having to make a decision on how to proceed.

The correspondence in the Public Hearing binder contains many testimonies of the real and wonderful benefits of the Crystal Mountain retreat experience, this particular meditation practice, the wonderful people at the retreat, the great teaching and the special benefits to the island of the retreat's presence.

I agree with much of what has been said about what it feels like to be able to step away from everything to find peace and quiet in nature. I love my own wellness and mindfulness practices and mentors. But this rezoning is not about the value of Buddhist meditation or our wellness experiences. Our personal experiences are irrelevant to the issues and questions at hand.

Zoning is based on the land:

1. The principles for rezoning rest on the policies of our Official Community Plan
2. The size and scale of proposed development
3. And Impacts

Zoning cannot discriminate. It cannot treat applicants differently based on whether they are meditators, or any other group of people. It also cannot treat differently proposed facilities based on whether they are not-for-profit or for-profit.

Rezoning applications must be based on OCP policies, for example, the size and scale of development, water use, waste disposal, as well as other requirements others have spoken to.

SIZE AND SCALE OF THE RETREAT

It totals about 10,000 sq. ft. There are 30 buildings (some built and some proposed) in addition to wells, septic systems, property access and parking, rainwater infrastructure, etc dispersed on two distinct development areas on their Forest lot A.

IMPACTS - comparing different development options:

Does a retreat serving 35+ retreatants and guests, with accommodation for 22 onsite, have less environmental impact than the residences that could be built on CMS' two properties through rezoning options in the OCP?

One of the properties, zoned residential, is entitled to a house and cottage. The forest lot is entitled, through rezoning to F3, to one house and a conservation covenant for the forest.

There is no evidence that residential buildings on these two lots would result in more than 10,000 square feet of buildings and 25% lot coverage.

IMPACTS - WATER AND WASTE

Crystal Mountain's website states their well used for retreats produces 0.75 gpm. Is that enough for summer retreats of up to 35 people onsite daily for and groups of 35-60 people for group activities six times a year? It's debatable.

Though a CMS representative has stated that 3 separate water experts confirm Crystal Mountain's water use will be adequate and will not compromise neighbours' wells, the Trust's staff hydrogeologist has publicly stated at an LTC meeting May 2, 2022:

“all these tests are likelihoods; the only absolute is monitoring ... these are all estimations for sustainability. You won't get me saying it's an absolute or any other hydrogeologist for that matter”

It's reasonable to request Crystal Mountain obtain their Commercial water licence (which is required by the province) before proceeding further.

Up to now the retreat centre has operated 20 summer retreats without a septic system. There have been questions about where kitchen, bathing and washing grey water is disposed. Also questions about human waste disposal.

These issues should be resolved before Crystal Mountain offers further retreats.

IN SUMMARY

Nothing in the Galiano OCP contemplates the scale and layout of this type of development on land zoned Forest.

Once zoning is changed to permit a development of this type and scope, it is actually irrelevant if the humans are meditating or engaged in other activities, zoning has been granted and can/will be expanded over time and through future ownership. That is what humans do wherever we settle.

Is this model development for forest lands as proponents have said? It's up to the people of Galiano to decide. And the focus for decision-making should be the Official Community Plan.

For us, valid questions and concerns remain unresolved.

Sincerely

Gerrit and Akasha Forest
2231 Montague Road
Galiano Island

From: Brad Smith
Sent: Friday, May 5, 2023 12:57 PM
To: vicphsub
Subject: FW: Crystal Mountain Public Hearing

Brad Smith, PAg
Island Planner, Southern Team
200-1627 Fort Street | Victoria BC V8R 1H8
(778) 679-5185 | bsmith@islandstrust.bc.ca | www.islandstrust.bc.ca You can also reach us toll-free via
Service BC 1-800-663-7867 | 604-660-2421

-----Original Message-----

From: Gisele Sabourin <gis.sabourin@gmail.com>
Sent: Friday, May 5, 2023 12:45 PM
To: Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>; Ben Mabberley <bmabberley@islandstrust.bc.ca>;
tpeterson@islandstrust.ca; Brad Smith <bsmith@islandstrust.bc.ca>
Subject: Crystal Mountain Public Hearing

Dear Chair, Trustees and Planners for Islands Trust on Galiano:

Sorry I'm late in sending this supporting email for the Crystal Mountain Rezoning. I was not aware that you should also be receiving this directly.

I am writing as a homeowner living at the north end, close to the Crystal Mountain property. I moved to Galiano and my partner and I built a house here because of Crystal Mountain.

I support this application and applaud all the efforts of the people who have worked on this file - 14 + years of working on the plans, refining the application to meet the changing times, conserving water, conserving tree canopy, preserving big old trees, minimizing the footprint of the structures, dedicating 75% to conservation (nature reserve), dedicating an emergency right of way, what more can be asked!

And all the while, being honest and polite, abiding by the rules of the Trustee meetings, and not rising to the constant negativity of a few people on Galiano, some of whom are not full time residents!

The organization has been diligent in meeting the different and changing requirements of the various trustees, planners, and licensing bodies over the many years this Rezoning application has been live on the books.

I heartily support this application and feel it is an asset to the community. Please give 2nd and 3rd reading to this application.

Gisele SABOURIN

From: Jeff Keohane <jeff.keohane@gmail.com>
Sent: Friday, May 5, 2023 3:35 PM
To: vicphsub
Subject: Proposed Galiano Bylaws Nos. 256 and 257

This note is to convey my enthusiastic support for passage of Galiano Bylaws Nos. 256 and 257 and the rezoning application of the Crystal Mountain Society (CMS) to be considered on May 6, 2023. I am a landowner and frequent visitor to Galiano.

The proposed use of the two CMS parcels is laudable and minimal. The proposed development will provide a service—"spiritual education retreat" in the quiet of the woods—not generally available to meditation practitioners, particularly those in the islands. Nearly all of the land, however, will be preserved in its current state and will be permanently unavailable for development. Moreover, the proposal would provide for extensive protection of water resources and emergency access for North End residents. The proposed bylaws themselves are incredibly detailed, constraining the number of sleeping huts and their sizes, limiting CMS to one kitchen and one bathroom facility, and requiring no more than 1.55% coverage of the area. They also prevent the use of the land for tourism, visitor accommodation, or food service to the general public.

The rezoning application process has been long and demanding, and has provided for more than enough public input for the trustees to make a well-informed decision and adopt the proposed bylaws.

Very Truly Yours,
Jeff Keohane

From: Orissa Forest <orissaf@gmail.com>
Sent: Friday, May 5, 2023 2:15 PM
To: vicphsub
Subject: Fwd: Application GL-RZ-2014.1 Bylaws 256 & 257

Cc: Tpeterson@islandstrust.bc.ca, Bmabberley@islandstrust.bc.ca,
Lgauvreau@islandstrust.bc.ca

I am opposed to this application as it has been proposed. This is not about meditation or a retreat. The issue is land use. As such, the guest accommodation needs to be appropriately zoned for.

If the Official Community Plan (OCP) needs to be changed to create a new category for land use there needs to be a request to change the OCP and the community needs be involved in this review.

The community of Galiano will continue to grow and land will be continue to be developed. It is important that we create a coherent plan for development rather than having piece by piece changes to the OCP to accommodate applicant needs.

**Sincerely,
Orissa Forest**

From: Paula Uyenaka <puyenaka@gmail.com>
Sent: Friday, May 5, 2023 10:05 AM
To: vicphsub; Lisa Gauvreau; Ben Maberley; Timothy Peterson; Brad Smith
Subject: Crystal Mountain Rezoning Application

To the Galiano Trustees,

My name is Paula Uyenaka and I have lived on Galiano Island for 24 years. I have owned land here since 2002, worked full time in the community as a contractor, paramedic, and ferry worker, and my child has been happily raised here from the age of 2 (he will be 28 this month).

I am fully supportive of the Crystal Mountain Society's proposal to rezone. I have attended most of the LTC meetings in the last few years and feel confident that I have a good grasp on the merits of the proposal as it stands today, as well as the intricacies of the process which led to this point.

It has been an extremely painstaking one, spanning so many years, and my heartfelt sympathies go to the applicants who like anyone else would naturally have wished for a speedy expedition of their goals. However, in the end, that length of time can be seen as a great benefit. The time for ideas, for new ideas, for consultation with community and experts, the time for concerns and objections to be raised and addressed, and the time to re-think restrictions and conditions (and what seemed to be concessions), have allowed us all to reflect on them in a positive light. After so many, many, many years, a lot of the "hindsight" has already happened! At the end of the day we as a community had the time for a collaborative process to determine the best possible outcome for the use of some of the land on our small and special island.

I would like to briefly outline some of the changes that have been made to the proposal over the years - changes made in response to community input - namely 18 community consultations over 6 years, including open houses and round tables, many of which were facilitated:

-Transfer of title of 75% of their land. Let's not forget, this is of the highest community benefit. While we all understand the disadvantages of fragmentation and "hook lot", I know that the applicant took it upon themselves to seek professional consultation in the siting of their development portion in order to best balance their two-fold desire for operational needs and ecological stewardship. This is not a case of

choosing to develop the most financially lucrative portion of the lot and sloughing off the rest to the community. A look at the map will clearly show the great ecological value of the proposed donated land.

-Overnight participation has been cut by $\frac{1}{3}$

-The proposed number of huts has been cut by almost half from 30 to 17

-The number of allowable tent sites was dropped from 8 to 3.

-Day use participation has been formally restricted in number

-Food preparation capacity has been removed from hut design

-Building footprint has been reduced by $\frac{1}{3}$

-An observation well has been offered

-AND the applicant is volunteering to protect 60% of the tree cover on their remaining portion of the land

I believe this demonstrates the applicant's desire to do the best possible for all parties concerned.

I am heartened to see many supportive letters submitted in the past few weeks. I also see some in opposition which attempt to characterize the nature of the land use as "visitor accommodation", "resort", or "tourism", implying a purely commercial basis for the enterprise. I trust that a reasonable person would accept that the unplumbed, single occupancy huts and tents provide accommodation that is ancillary to the pursuit of learning, that a charitable organization is deemed by the government of Canada to have proven itself in the test of public benefit and also not to be in the business of profit, and furthermore that any future owner of the land would be bound by the self-same bylaws 256 and 257 that have been so long and thoughtful and precise and explicit in the making.

Casting aspersions on Crystal Mountain for contamination of a well water sample from a property on the grounds of a subjectivized sense of geographical proximity is without basis and demonstrates a lack of good faith.

Of particular interest to me are the complexities and imperfections of nascent (and currently lacking) processes for meaningful consultations with

Indigenous Nations who have stewarded these lands for thousands of years prior to the Islands Trust. I look forward to the Islands Trust undertaking the work of co-creating these processes to develop and then implement a consultation protocol so that applicants have a road map. At this time, there is no such framework, and Indigenous communities are at risk of being used or tokenized by anyone with other agendas. The consultation process would need to be Indigenous-led, ensuring Nations decide on their own priorities, benefits and terms. This needs to happen at the Nation to Nation or governing-body to governing-body level, not between individual applicants and individual Indigenous people.

Lastly I'm glad to see water management becoming more rigorous on Galiano and other Gulf Islands. We've all always been concerned with water and it's apparent that concern has always been too little too late. I have listened closely to what the Islands Trust water expert, William Shulba has shared with us about not doing more needless well-testing as well as the professionals who have used stringent conservation models in determining allowable water usage and designing a Water Management Plan for Crystal Mountain. I think we will all - North End Neighbours and South End Neighbours - do well to devise our own water management plans going forward, notwithstanding the absence of legal requirement.

I encourage the trustees on May 6 to move onwards to 2nd and 3rd reading of Bylaws 256 and 257 and hope that more forest lot owners come forward to rezone their lands out of forestry and into forest and groundwater protection.

Thank you

Paula Uyenaka

127 Shopland Rd

Galiano Island, BC

From: Quetzo J. Herejk <quetzoh@gmail.com>
Sent: Friday, May 5, 2023 2:15 PM
To: vicphsub; Lisa Gauvreau; benmabberley@gmail.com; Timothy Peterson; Brad Smith
Subject: Support Letter for Crystal Mountain Society - May 6 2023
Attachments: CMS Support Letter - May 6 Quetzo Herejk-1.pdf

Good afternoon,

Please find my letter of support attached.

Warm regards,
Quetzo

--

"we're not supposed to be perfect. we're supposed to be useful" - Leonard Peltier (from *prison writings: my life is my sun dance*)

Letter to Galiano LTC - May 6 2023

Re: Support for Crystal Mountain Society Rezoning Application

My name is Quetzo Herejk, I came to Galiano 10 years ago to work as a therapist at the newly rezoned Woodstone Residential Treatment Center. I live here on land that I own with my family. I have been following this very long rezoning closely; I took part in the facilitated community consultation meetings at the north hall 6-8 years ago, and have attended many of the LTC meetings over the years.

I am in strong support of this application being approved. I believe Crystal Mountain Society has demonstrated great diligence to meet and exceed the needs of the Islands Trust and the requests of the community - which have been significant 'asks' over the years. I recall the time, about 7 years ago, when the chosen north end community representatives said as a group "If you transfer title, we will be in full support." This support never followed through.

We find ourselves here today, the goal posts of those neighbors' requests having moved and swayed and magically been re-created with made-up 'facts' that has lead to a break down in the LTC processes, and for me, a total lack of clarity around what else is being asked of CMS to complete this rezoning. Aside from the personal fears of a handful of residents, and the disinformation that stems from these fears, it is unclear to me what stone remains unturned. From a conservation perspective, rezoning these lands protects them from being repeatedly clearcut. If locals claim to have an ethos of conservation at the forefront of their concerns, I am completely perplexed by how blocking this rezoning meets their value of protecting forests and healthy ground water for generations to come.

Indigenous 'consultation'

Of particular interest to me is the complex and imperfect processes (and current lack thereof) for consultations with Indigenous Nations, who have stewarded these lands for thousands of years prior to the Islands Trust.

So many aspects need to be considered. Many questions would need to be asked. Who in the Indigenous Nations comes to the table? Are they elected or appointed or self selected? How are they compensated for their labor? What are the benchmarks to consider a consultation complete? Is it an approval process? How can we ensure that Indigenous communities aren't pitted against one another? How can we ensure settlers aren't tokenizing Indigenous voices, or exploiting them to further their own causes? How can these consultations begin to address, let alone repair, a rupture so vast and traumatic, and hundreds of years old, across the nation, in ways that are truly relational and not only transactional?

I find it irresponsible that applicants would be expected to engage with First Nations without any parameters of what constitutes a thorough, fair, respectful, and meaningful consultation. Surely an honest consultation would first involve having First Nations to the table to decide what such a process could even look like.

My understanding is that the current method in the Islands Trust for involving Indigenous Nations on Galiano land use is through the distribution of an information package called a Referral that gets sent to the 15 Nations in the region. Clearly, there is much work to be done at the structural level of the Islands Trust, the CRD, and the Coast Salish region broadly, and these protocols of true consultation with reconciliation will take epic amounts of labor and time. I am excited for the day they emerge, and that Indigenous people are paid for their work on these matters.

Without a current consultation framework for rezoning applicants to follow, I understand CMS went out on their own some years ago, and began corresponding with Chief Joan Brown and Council member Robert Sam of Penelakut tribe, among others. I know they were invited to a formal meeting on Penelakut with Elders, and have corresponded with other Indigenous community members on island. I know that CMS reached out to Penelakut Chief and council again in January, 2023 to continue their efforts in meaningful relationship building, and to listen to questions and concerns they may have. This demonstrates an active and committed engagement over time. What do applicants do when or if Indigenous communities and Councils are engaged in their own priorities and aren't up for spending their precious time on such projects?

Regarding the OCP

One misunderstanding that I am witnessing is around our OCP. When I hear that this rezoning 'goes against the OCP' I am totally confused. My understanding through discussions with trustees and land use experts is that the OCP is a document of vision and that it is regularly amended when the community decides to amend it. A good example of this is the Millard Learning Centre which is on land not designated to host 70 campers or run programs for off-island school groups. The rezoning resulted in new bylaws to accommodate these uses, and thereby the OCP was updated with amendments. This is the same case with the CMS rezoning; we see the 2 bylaws here before us. If the trustees vote in favour of moving to 2nd and 3rd readings on May 6th, then these amendments, just like at the Learning Center, will become part of our OCP. In total, there have been 38 minor and major amendments to our OCP since the year 2000.

The Polarization of our Community through Disinformation

The amount of disinformation I have heard and seen circulating in the community has been staggering. The history of F1 lands being snapped up by speculators for over-development in the early 90's has left some residents with tremendous fears of what might happen. These fears began to create narratives about the 'types of people' at CMS as well as other forest lot owners, beginning a pattern of Othering. This creation of an 'us against them' mentality has led to fracturing of community relationships, intimidating behavior towards CMS members and meditators, and all manner of fantastical false accusations against CMS.

Polarization is not a mysterious event - it's a well studied social phenomena that happens through the practices of disinformation (turning opinions into facts, turning tiny specifics into general 'truths', and divisiveness (a group using fear tactics to demand that citizens take their 'side' or lose social assets with them like friendships). On Galiano, citizens have literally stopped turning up to LTC meetings because of this vitriol. We have utterly lost perspective on the bigger issues of living in these times. We need strength in community more than ever, and yet, this enormous loss of civic engagement on Galiano, hasn't been acknowledged openly. It hasn't helped that the processes of rezoning forest lots for anything other than residential use are undeveloped.

What can be done on the land right now, without rezoning

What has great significance but is often overlooked, is the comparison between what can be done on the land right now, without rezoning, and what can be done once it is rezoned. To listen to the few voices of opposition to this rezoning, a person could come to believe that there *will* be more negative impact to the ecosystems and the community if these properties are rezoned. However, historic evidence on these lots shows us how forest lots have been brutally de-forested under the current zoning.

Understanding that the CMS proposal brings up new and creative options for forest protection within a rezoning, its vital this community looks closely at the actual numbers at stake.

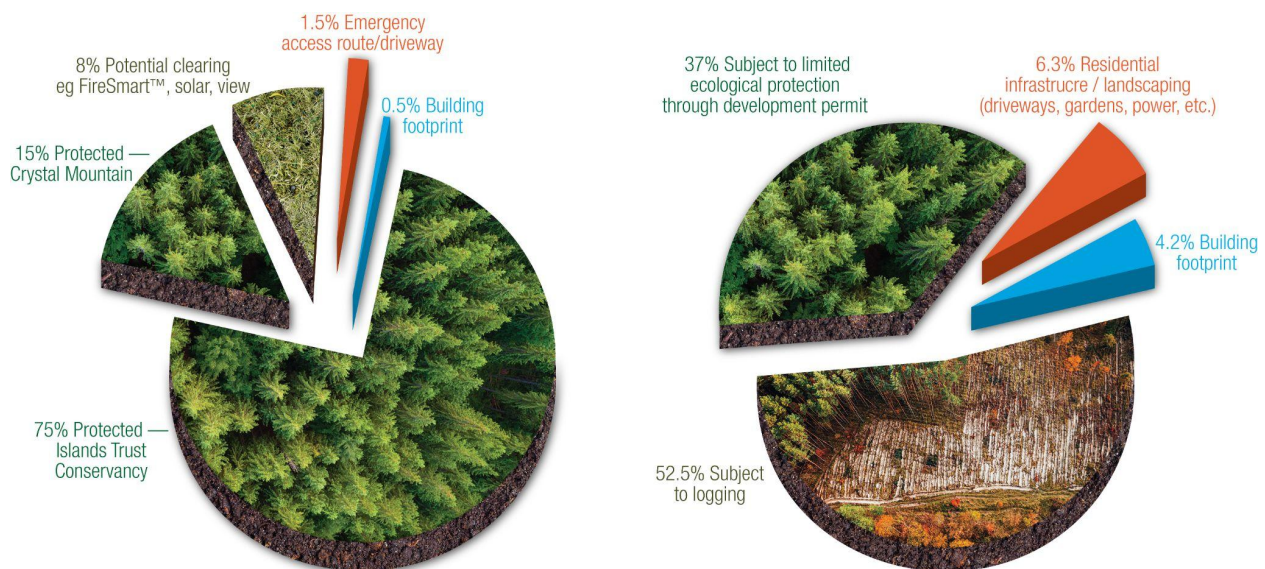
As has been presented at many prior LTC meetings, but is regularly ignored by the fearful neighbours, is that without rezoning and under existing bylaws, on Lot 9, CMS could build a residence of *any* size, a guest cottage, run a business such a B+B's and clear as much forest as desired. The assessed value of this lot is over 500,000 dollars and would be forfeited in this rezoning process.

On Lot A, in its F1 zoning, allowed uses are: logging, running a tree nursery, saw milling and planing of timber. Activities that irrefutably affect groundwater as CMS experienced once when Lot A was logged by Fibermax in 1999.

If we look through the current bylaws on land use which dictate issues such as: percentage of forest protected, number of people, square footage of buildings, water use and so on, anyone can see the facts - that this rezoning does the opposite of the claims against it. Compared to its current zoning, this proposal would result in more than twice the amount of forest protection (90% versus 37%). The proposed total development footprint of 0.5% (compared to an allowable 4.2%), will be located only in areas degraded by previous extensive logging. I attach the diagrams below to illustrate my point.

The pie charts depict the proportionate land use and preservation. The CMS rezoning is depicted on the left, whereas **the current** zoning is depicted on the right.

ENVIRONMENTAL PROTECTION-PIE CHARTS



*Comparison of Proportionate Land Use
Crystal Mountain Society Rezoning Proposal vs Existing Zoning Bylaws*

In conclusion, the CMS applicants have spent 18 years in the process of rezoning. Their proposal should stand as an exemplary model for what forest protection rezonings can look like here on Galiano and throughout the region. They have done their due diligence in community consultations, and they have adjusted their proposal to reflect these collaborative engagements.

At this eleventh hour, for the LTC to expect them to wait for the Islands Trust to develop a robust and respectful protocol for Indigenous Consultation seems unreasonable. I encourage you to proceed to 2nd and 3rd readings at the public hearing on May 6th.

Sincerely,

A handwritten signature in black ink, appearing to read 'Quetzo Herejk', with a long horizontal stroke extending to the right.

Quetzo Herejk
2330 Georgeson Bay Rd
Galiano Island

From: Sandy Pottle <sandypottle@hotmail.com>
Sent: Friday, May 5, 2023 12:22 PM
To: vicphsub
Subject: CMS P/H

Dear Chair Peterson, Trustees Gauvreau and Maberley:

I see in the correspondence regarding Crystal Mountain that Romagnoli-Smith, owners of an adjacent property bordering Porlier Pass Road are supportive of the application.

Could this be an opportunity to designate Porlier Pass as the access point to the development application as was suggested by CMS previously?

Romanoli -Smith might be interested in discussing the access to the upper easement over their property as well.

This idea would alleviate at least some neighbourhood concerns.

Thank you for your consideration of this matter

Yours sincerely

Sandy Pottle
5630 Porlier Pass Road
Galiano
V0N1P0

From: seonaid renwick <ravenswickfarm@gmail.com>
Sent: Friday, May 5, 2023 3:08 PM
To: vicphsub
Subject: Crystal Mountain

To whom it may concern

I am writing in support of the Crystal Mountain re-zoning application

Two North-Galiano properties located at the end of Devina Drive. Lot 9 is a 10-acre residentially zoned property. Lot A is a 50-acre Forest 1 zoned property.

Lot 9

DL 87 Crown Land

Islands Trust Conservancy Portion (75%)

- 100% of wetlands, creek and riparian • 94% of mature and old forest
- 92% of ridges and cliffs

Lot A

CMS Area "B" CMS Area "A"

CMS Portion (25%) includes 2 sub-parcels "Area A" and "Area B"

Rezone both properties to create a spiritual education retreat centre in a forest setting on 25% of the total area or roughly 15 acres . The remaining 75%, or 45 acres, containing the most important ecological values will be transferred to the Trust Conservancy ?

Given what could be built or developed there, this seems entirely benign to me

Seems like a win-win

Cheers !

Seonaid Renwick
Sticks Allison Road
Galiano Island BC

From: Shannon Richardson <shannon@ptmtalent.com>
Sent: Friday, May 5, 2023 10:19 AM
To: vicphsub
Subject: Chrystal Mountain Rezoning Application

To Whom it may concern,

I am writing in regards to the Chrystal Mountain rezoning application and my concerns on this matter.

The Galiano Official Community Plan was put in place by the community to guide development. Chrystal Mountain's proposal is in direct conflict of the forest lands intended use and it is clear that it is for visitor accommodation. The OCP does not support visitor accommodation on forest land. If this rezoning is approved it would set a precedent for all forest lands on Galiano Island and the repercussions would be disastrous. In my view Chrystal Mountain is nothing more than a commercial business operating under the guise of a spiritual retreat.

There are several other issues and concerns with regards to this proposal, water supply, access through residential neighbourhoods and ecological repercussions

I urge all islands trust individuals to think twice about what the potential ramifications would be if this rezoning is approved not just for Chrytsal Mountain but for all the forest lots on our beautiful island.

Thank you for your time,

Sincerely,
Shannon Richardson

From: Sheila Anderson <sjanders52@gmail.com>
Sent: Friday, May 5, 2023 3:12 PM
To: vicphsub
Cc: Lisa Gauvreau; Ben Maberley; Timothy Peterson
Subject: Submission PUBLIC HEARING May 6 Galiano 256, 257
Attachments: Letter PH CMS May6 23.docx

Please accept and post this submission to the Public Hearing regarding Proposed Galiano Bylaws 256 and 257.

Thankyou,
Sheila Anderson
Galiano Island

May 3, 2023

176 Gustin Road
Galiano Island BC V0N 1P0

TO: The Galiano Island Local Trust Committee

RE: Public Hearing Submission for proposed Galiano Bylaws 256 and 257

Dear Galiano Island Local Trust Committee,

I would like to begin by saying I have agreed previously with pretty much all the concerns raised by the public regarding this latest rezoning proposal by Crystal Mountain Society (CMS). I have signed a petition and written letters prior to this. Unfortunately, the previous Local Trust Committee failed to address any of the previously expressed concerns. I will not rewrite all of them in detail here but will offer this brief recap of those I particularly find troubling as we face an imminent public hearing as follows:

1. There is no OCP policy support for converting Forest designated land to commercial uses such as overnight retreats offering accommodation and food services. (Note: this matter was carefully considered at our last OCP Review, and rejected)
2. The conflict with the intent of OCP Transportation Policy f) which is intended to keep commercial and industrial road access/egress using direct frontage on Main or Minor Rural Road Classifications (MoTI/IT Agreement & OCP Road Network Plan). This policy serves to enact OCP Objectives intended to protect the quiet and safety of neighbourhoods on Rural Residential class roads.
3. The designation of the CMS proposal as a Community Facility is unsubstantiated and I believe only being done to avoid application of Transportation Policy f) as per item 2. above.
4. The inappropriate and unprecedented use of hooked lot configuration in a rezoning. This layout circumvents the principle of clustering development into one area to minimize fragmentation of forest land and its ecosystems. I am still quite amazed that the previous LTC agreed that having two development areas and separate access and infrastructure was not going to cause increased fragmentation of the forest ecosystems and land base.
5. The underestimated projected water use, substandard and outdated water testing, and failing of even that testing.
6. Reliance by past LTC on the applicant's professional consultant water reports over precautionary OCP policy and Land Use Bylaw regulations regarding water supply.

7. The use of a Section 219 covenant to attempt to appease some concerns the previous LTC had but really with no means of routine monitoring or a rent charge it is unlikely to ever be enforced effectively.
8. Reliance on future monitoring of water use instead of taking a precautionary approach to testing water supply BEFORE any increased intensity or density is granted.
9. Sprawling impacts on freshwater resources of the area associated with CMS by the use of nearby residential properties to house additional retreat attendees.
10. Reliance on the Provincial Water Licensing Branch to act responsibly to prevent overuse of the aquifer by asking for additional water tests or even denying a license. It seems too soon to know that we can rely on them.
11. A rationale offered for advancing this proposal because of how much time and work staff have done on it! Yet no apparent regard for the work the community has done to create our current OCP which the proposal conflicts with.
12. Errors in the public notices for the May 6 hearing that could serve to confuse or disinform members of the public. No decision taken to postpone the hearing until an apology and a corrected notice can be re-distributed according to legislated requirements.

I am not an immediate neighbour to the CMS proposal, but I am very troubled at the amount of stress and conflict this proposal has caused the residents who do live in the area. My main concern is the lack of respect for our Galiano OCP and the potential impact this could have in the future.

I offer the following suggestions as possible ways of alleviating some of the already documented concerns

- A. Do not close the public hearing on May 6 if it proceeds.
- B. Refrain from giving any further readings to 256 and 257.
- C. Request a Staff Report on the broad potential impact of allowing Forest designation to be rezoned for used for commercial, visitor accommodation or retreats.
- D. Deny the upper development site and refuse to accept any hooked lot configuration in order to uphold the principle of clustering in a single area.
- E. Require that CMS provide their own driveway access on to Porlier Pass Road by constructing one on their own land and thus uphold the OCP Transportation Policy f) (Alternately CMS could attempt obtaining legal permission to use the existing easement driveway crossing the neighbouring F1 lot to Porlier Pass Road.)
- F. Continue to require the granting of an SRW for emergency land use linking to Devina Drive and Porlier through the CMS lands.
- G. Amend the proposed bylaws to place the new zone under the Economic Activity heading in our Bylaws instead of under Community Facility.
- H. Have CMS re-do the water testing and include testing of other wells on adjacent properties.
- I. Use water use estimates based on our existing Land Use Regulations.

- J. Adjust the permitted density to match the well water they can prove that will not damage the aquifer or impact the existing wells in the region.
- K. Amend the Section 219 covenant draft to designate how it will be monitored and what penalty of violations will be and duplicate any aspects of the covenant in the LUB amending bylaw 257.
- L. Absolutely wait until Water License Branch has reviewed and decided on the CMS application for commercial water use before preceding to closing public hearing or giving any further readings.

In closing I will admit it would by my preference that you deny this application entirely because I believe the issue of allowing Forest designated lands to be rezoned for commercial land uses including visitor accommodation and retreats is an item that deserves a thorough examination in our next OCP review, when the community has a chance to step back and think of the big picture and the island's future.

I wish you strength, courage and integrity in executing your duties and responsibilities as members of the Galiano Island Local Trust Committee, particularly when it comes to defending the letter and intent of our OCP and Trust Policy.

Sheila Anderson

From: Ted <ted.weir@gmail.com>
Sent: Friday, May 5, 2023 7:43 AM
To: vicphsub; Lisa Gauvreau; benmabberley@gmail.com; Timothy Peterson; Brad Smith; Janice Oakley; Leslie Cain; Morning Beach
Subject: Letter of support for Crystal Mountain Society

To All My Neighbors, trustees and the chairperson

Regarding the Second Reading of this proposal:

Firstly, I am fully in support of the Rezoning of Forest Lot A for Crystal Mountain Society

I've been coming to Galiano for years and moved here for all the same reasons as a great many people have. But initially I started coming to Galiano Island because Crystal Mountain was here.

They have been a supportive member of the Galiano Island community ever since arriving on the island in 1980 to serve the spiritual objectives of others.

Though this process has been a challenge—20 years working towards a community solution—clearly a mark of their commitment to community.

In addition, Crystal Mountain members have shown a deep duty of care to the environment and the human community of Galiano Island.

CMS is not a business and presents an alternative to what is increasingly an intensive life-consuming daily effort to compete and live in urban BC is, I believe, true benefit to those seeking other meaning to life outside the realm of money-making.

I see, in their proposal, a very wholesome intent and they have worked very hard to act on it including giving, to the Conservancy, Lot 9, a valuable 10 acre residential lot which has old-growth in a sensitive ecosystem. While some have generated controversy using questionable treatments of facts everyone I have spoken with see a benefit to this project and the Galiano community.

Looking forward to approval of this proposal I thank the Local Trust Committee for this opportunity to share my support for this application.

Ted Weir

--

T.G. Weir Inc.

604-700-8013

Skype: teweir

Facebook - facebook.com/teweir

LinkedIn - linkedin.com/in/tedweir

Twitter - twitter.com/tedweir

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From: Brad Smith
Sent: Tuesday, May 9, 2023 10:20 AM
To: vicphsub
Subject: FW: Forest Fragmentation PH May623
Attachments: Forest Fragmentation Comparison CMS PH May623.pdf

Brad Smith, PAg

Island Planner, Southern Team

200-1627 Fort Street | Victoria BC V8R 1H8

(778) 679-5185 | bsmith@islandstrust.bc.ca | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

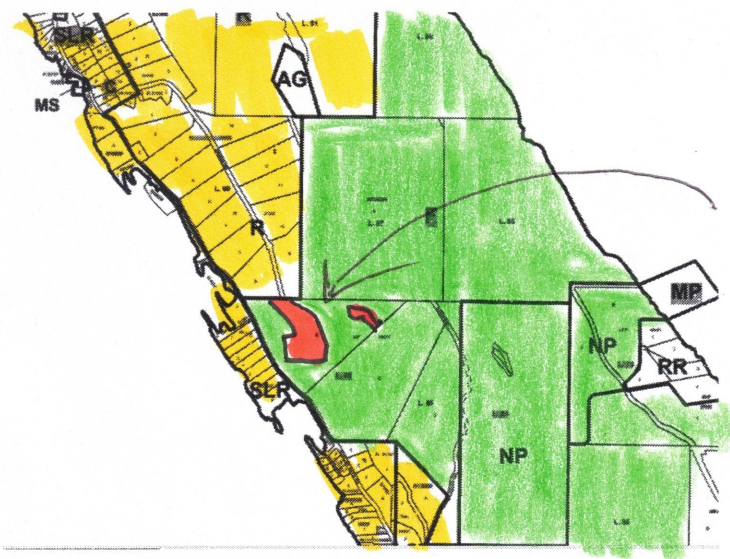
From: Sheila Anderson <sjanders52@gmail.com>
Sent: Saturday, May 6, 2023 1:43 PM
To: Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>; Ben Maberley <bmaberley@islandstrust.bc.ca>;
Timothy Peterson <tpeterson@islandstrust.bc.ca>; Brad Smith <bsmith@islandstrust.bc.ca>
Subject: Fwd: Forest Fragmentation PH May623

Attached to this forwarded message is the fragmentation comparison I presented at public hearing
May 6

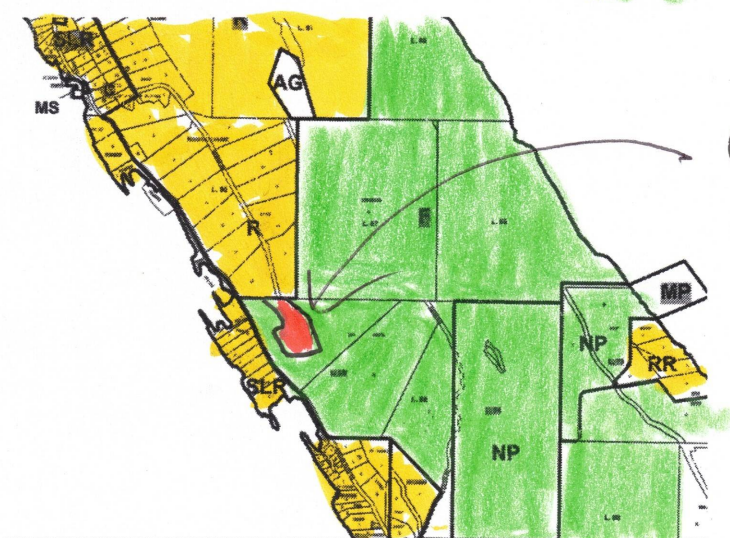
Sheila Anderson

----- Forwarded message -----

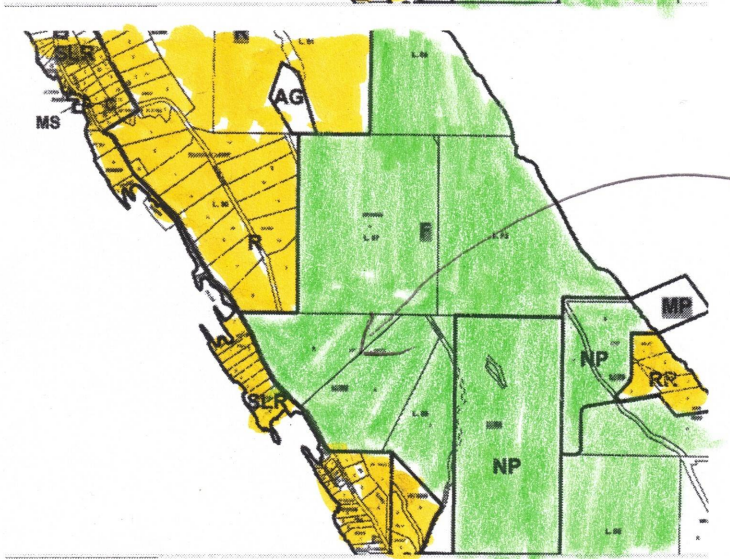
From: **Sheila Anderson** <sja52@live.com>
Date: Sat., May 6, 2023, 11:55 a.m.
Subject: Forest Fragmentation PH May623
To: Sheila Anderson <sjanders52@gmail.com>



① Most Forest land
Fragmentation
CMS AS PROPOSED.
2 SEPARATE AREAS
OF DEVELOPMENT



② Less Forest Land
Fragmentation
ONE AREA OF
DEVELOPMENT



③ NO Forest land
Fragmentation
NO DEVELOPMENT

- FI, NP, F3
- Proposed Retreat
- RESIDENTIAL

Bylaws 256 and 257 (Crystal Mountain Society) – a precedent-setting breach of Galiano's Official Community Plan

May 5, 2023

To the Galiano Island Local Trust Committee from Art Moses, 375 Juniper Lane, North Galiano



In 1990 my wife and I bought a small unfinished house on 5 acres of land on a ridge above Devina Drive on North Galiano. It was part of a 9-lot subdivision of land zoned residential. We had been attracted to the island on previous visits by its quiet, rural character, mostly well-planned residential areas and by the commitment of islanders to protect sensitive environments and maintain a forest land base.

We added on to the house and finished it nine years later. Whenever we have undertaken work on the property, we have been careful to ensure all work complied with Galiano LTC and CRD bylaws and that we obtained the necessary permits.

Galiano forest bylaws upheld

Shortly after we bought our place, we became keen observers of events after forestry giant MacMillan Bloedell put its managed tree farm, that then constituted more than half the island, up for sale. It was purchased in large part by people keen on its development potential. We watched as the Galiano Island Local Trust Committee enacted bylaws to prohibit residential development on most of these forest lots without a rezoning. We followed events as trustee Margaret Griffiths courageously sat on the witness stand under withering cross-examination by lawyers for MacMillan Bloedell, and defended the bylaws with dignity, even as she knew her husband was at home dying from a terminal illness.

Those Galiano bylaws were ultimately upheld by the BC Court of Appeal in 1995, with Justice Mary Southin ruling that the Islands Trust Preserve and Protect mandate was "no mere piety". In 1999 new bylaws and Official Community Plan provisions were enacted specifying options for rezoning forest F1 land for residential purposes.

Crystal Mountain violations begin

That same year Crystal Mountain Society bought their 50 acres of F1 zoned land at the end of Devina Drive. They began building cabins, outhouses and a large kitchen structure and started using the land in ways that were and still are not permitted under Galiano's Official Community Plan and Land Use By-laws. They have repeatedly had Stop Work orders placed on their buildings by the CRD and have been assessed fines by Islands Trust By-law Enforcement. But the violations of our by-laws continued.

Public OCP review 2009-10: No retreat facilities in F1 zone

The OCP and LUB were amended in 2011 after an extensive public process involving islanders from across the political spectrum. I was vice-chair of the advisory committee that reviewed forest policy, and can attest that in no way did the public OCP review sanction the conversion of F1 land for a "spiritual retreat zone" of the type proposed in the by-laws and OCP amendments before you today.

Bylaws 256 and 257 violate the OCP, would set precedent

In fact, proposed bylaws 256 and 257 are completely contrary to the Official Community Plan and Land Use Bylaw. They would set a definite precedent for development of visitor accommodation on forest lands, with other owners of F1 land watching and ready to follow.

The current zoning for F1 permits only forestry and forest-related activities. The zoning is designed to maintain Galiano's forest land base for ecosystem-based sustainable forestry and rural character, and to help mitigate climate change. Our OCP policies only support rezoning opportunities in F1 for clustered low-density residential use or forest-related light industry.

Proposal violates requirements to cluster development

This proposal is completely contrary to the notion of clustering development. In so-called Area A it proposes to spread buildings throughout the development zone, with sleeping cabins, a kitchen building, a bathroom building, an office, a storage facility, a meditation hall and a residence for the caretakers. And then there's the issue of the North Ridge, so-called Area B. This is proposed as an entirely separate, unconnected development area with its own kitchen, own bathhouse, own well (which has yet to be drilled), own septic field and three more sleeping cabins.

North Ridge: another dangerous precedent

This second development area on the North Ridge sets another precedent for development in the forest zone. No other forest landowner has been allowed to establish two separate unconnected development areas. All residential development resulting from F1 rezoning has been contiguous, with lots adjoining.

And what causes this lack of connectivity between the applicant's two separated development zones? It's the land they propose to exchange with the Islands Trust Conservancy as a community benefit in return for density to which they would not be entitled.

Land exchange is disjointed, fragmented

The problem is the land exchange with the ITC transfers title to land that will be divided up into three or four fragments, in turn separated by the applicant's development areas for visitor accommodation and infrastructure. The land the ITC is to receive is connected only by the tiniest of areas at the edges of those development areas. This is exactly the type of forest fragmentation that is discouraged by our OCP and Islands Trust directives.

Improper zoning designation

For an applicant that has been out of compliance with local rules and bylaws for so long, it's remarkable how many favours the previous trustees and planning department has willing to provide. For example, according to its website (where it advertises its retreats to an international audience), the applicant charges "retreat fees" for its accommodation and services. But the proposed rezoning will not place this operation in an Economic Activity zone, like other visitor accommodation facilities on the island.

Instead, by classifying it under "Community Facilities and Utilities", the LTC is letting the applicant off the hook for a fundamental requirement for an Economic Activity of this nature – having "direct frontage and suitable access on a highway classified as Main Rural or Minor Rural (Land Transportation

Policy (f)) e.g. Porlier Pass Rd. Instead, the proposed rezoning provides access to this development from a residential road (Devina Drive). This violates OCP policies designed to keep developments in an Economic Activity zone away from residential neighbourhoods.

The LTC could have, and still can require the applicant to develop access to its property off Porlier Pass Rd. The LTC could have, and still can place the proposed retreat development with visitor accommodation in an Economic Activity Zone and protect residential neighbourhoods from the impact of this commercial activity.

Water concerns

There are other serious problems with this proposal, not the least the questionable water use the applicant estimates will be used. They even suggest that the proposed caretaker residence won't really be a residence at all for the purposes of determining how much water will be used. And to determine how much water is available from their well, their 2015 pump test did not meet current provincial standards for an operation that has applied for a commercial water licence. The hydrologist based his test merely on how much water the applicant told him they would need in 2015 – a number that has been revised upward through the rezoning process.

Lack of Indigenous consultation

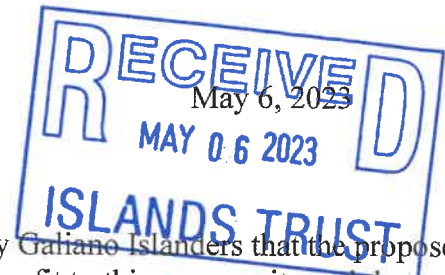
Furthermore this application must not proceed before there has been fulsome consultation with Indigenous nations who have serious interests on North Galiano. The pro-forma referral letters sent by the planner to various agencies, including First Nations, in April 2021 cannot be considered serious consultation.

For all these reasons I urge the LTC not to approve Proposed Bylaws 256 and 257 and to keep the Public Hearing open while they consider these and other issues, as well as reflect on the erroneous information given in the Public Hearing notices that seriously understate the impact of this proposal on Galiano's forest land base.

Thank you for your attention

Art Moses, 375 Juniper Lane, North Galiano

Re: Crystal Mountain Society Rezoning Application



Dear Trustees Gauvreau and Mabberley, and Chair Peterson

There is consistency in the letters written to Islands Trust by many Galiano Islanders that the proposed development by Crystal Mountain Society (CMS) will not be a benefit to this community and that rezoning is undesirable. Fees are paid for services to this organization and donations are made to the teachers. Where is the benefit to the community?

The strongest and most enduring guidance for the ongoing preservation and protection of this lovely Island came from the dozens of Galiano Islanders who contributed to the Official Community Plan. Can their voices, vision and wisdom be ignored? Tourism, in its many guises knows no limit!

Future owners may choose an entirely different type of practice. And what is to prevent this Forest lot, once rezoned, from being sold at a hefty profit? Its value as it currently exists, non-fragmented, is of greatest value environmentally as there's a limited amount of forest land left on Galiano.

Galiano Island is described as the driest of the Gulf Islands and Forest Lot A, the site of the requested re-zoning by CMS, is located within an area described by William Shulba, the Islands Trust freshwater specialist as "Class 1: High Vulnerability. Areas that are in critical need of attention where there is high confidence in existing data." As we look around, we see many dead or dying trees, evidence of lack of moisture – our climate has changed in the past few years and satisfactory recharge of groundwater is questionable. Yet, to date, the only evidence of available potable water on Forest Lot A is based on a 12-hour pump test, performed in October several years ago, even though the industry standard for a pump test is at least 24 hours. Impact on neighbouring wells has not been monitored. CMS is proposing that accommodation be built on this property for 22 people, year round, with the potential for up to 60 attendees several times per year. How many times per year and for how many days/weeks at a time? This would be a major resort! Whether attendees are accommodated on site or in nearby homes, all will be drawing water from the water table at the north end of Galiano Island. Is no consideration being given to the adequacy of the water supply for residents? And who will monitor how many people are on site?

When up to sixty people attend retreats, traveling through a residential community along Devina Drive, currently a peaceful sanctuary for migrating and nesting waterfowl, there will be considerable impact. Areas of this type need our protection. CMS has stated that if a shortage of water is experienced they will truck it in. Yet more heavy traffic and how environmentally sound is that? From which Island will the water be drawn? All are dealing with drought.

Why is so much consideration being given to the wishes of a small group of people who want to create a major tourist resort, the largest on the Island, which they deny is commercial, when the desire by a much greater number of Galiano Island residents to protect Forest Lots and the serenity of this Island is being ignored?

I WOULD LIKE TO ADD A REMINDER THAT THIS DISCUSSION IS ABOUT THE REZONING OF LAND NOT PEOPLE OR THEIR PURPOSES OR THE BOUNDARIES OF WHAT THEY PRACTISE.
This is a significant issue and not just for the north end of Galiano Island.

Respectfully submitted.

Pat and Ian Mayhill
250 Dobson Lane

APRIL 27, 2023

TRUSTEE BEN MABBERLEY
TRUSTEE LISA GAUVREAU
CHAIR TIM PETERSON



RE CRYSTAL MOUNTAIN REZONING

WE ARE NEIGHBOURS TO THIS RETREAT CENTRE,
AND WE HAVE WRITTEN OFTEN TO EXPLAIN OUR
CONCERNS AND HOW WE ARE IMPACTED.

WE STILL HAVE CONCERNS THAT THIS RETREAT
IS NOT APPROPRIATE. IT'S A BIG DEVELOPMENT
ON A FOREST LOT. CRYSTAL MOUNTAIN GUESTS
ALSO ACCESS THEIR TEACHER'S HOUSE FOR RETREATS
USING A SMALL LANEWAY BORDERING OUR PROPERTY
THAT IS MEANT FOR RESIDENCES IN THE AREA.

WE DO NOT AGREE TO THIS REZONING.

SINCERELY,

Lot 12 Devina Drive
DL 90 Lot 12 Devina Drive

Donna Marken
Hans Bongertman

From: Therah Business Manager [REDACTED]
Sent: Friday, July 1, 2022 4:08 PM
To: Jane Wolverton; Tahirih Rockafella; Dan Rogers
Cc: Therah Chair; B. Olds
Subject: Therah Village concerns re: Crystal Mtn development proposal

To The LTC

From Therah Village Developments

Therah's Board of Directors would like to formally submit their concerns regarding the potential impact of Crystal Mountain's retreat development proposal on water reserves and supply at Therah and upon Therah's gravel easement road. Therah is a growing community with 29 shareholder sites many of whom are avid gardeners and rely on local water supply.

The wetlands that feed through adjacent lands and directly into Therah's agricultural area and riparian areas can be directly affected by changes to the water use and consumption further "upstream" at Crystal Mountain's lands. We are aware that their proposal for a large retreat development is being considered for approval. We are also aware that several experts have stated that the suggested water usage in the proposal is seriously underestimated. It has been suggested that the proposed development could affect wells in neighboring properties, including Therah. Similar concerns have been raised by other neighbors abutting Crystal Mountain and affected by the same wetlands and watercourse as Therah.

As an additional concern, Therah holds the easement for the road running from the end of public Cook Road to Therah's gate at the north, just past the easement past the Bongertman's and Friends, accessing Crystal Mountain's lands from the east. Crystal Mountain's owner, members and guests have been trespassing on Therah's easement road and using without permission for some time. Crystal Mountain has no easement agreement with Therah and does not have permission to use its easement road and a letter has been sent to them to that effect.

Recently, there has been a growing concern about Crystal Mountain's unapproved and inappropriate use of Therah's easement road by members and guests. The Bongertman's have confirmed that there has been a large, regular increase of vehicle traffic coming through Therah's easement road, onto the Bongertman's (without their permission) and on to Crystal Mountain's lands.

Therah is currently covering all costs for maintaining this easement road and maintenance crews have reported that traffic has grown significantly, with most of that traffic appearing to be travelling to Crystal Mountain. It has been noted that the increased traffic has definitely affected the wear and tear on the road and increased maintenance costs significantly. Therah's Board of Directors is concerned about the potential increase in trespassing and difficulty with managing this situation should Crystal Mountain's proposal be approved without addressing these concerns.

Please add our concerns to the formal record and as information for discussion at any upcoming community meeting or LTC discussions.

On behalf of the Therah Board of Directors

Thank you,

Michele Cantelon
Business Manager
Therah Village

May 6th, 2023- Crystal Mountain Public Hearing

Chair Peterson, Trustee Gauvreau, Trustee Mabberley,

I hope this Public Hearing is not merely a formality for you to endure.



I hope you are listening to what the people are saying, especially to the letters that are more thoughtful and comprehensive and contain facts, figures, references, and research.

I hope you have not already made a decision and prepared your speeches.

When you consider a rezoning proposal like this one, you should think about the past, present and future.

The Past and Present: proposed bylaws 256 and 257 are contrary to the Official Community Plan and Land Use. The current zoning for F1 permits only forestry and forest-related activities. The zoning is designed to maintain Galiano's forest land base for ecosystem-based sustainable forestry and rural character, and to help mitigate climate change. Our OCP policies only support rezoning opportunities in F1 for clustered low-density residential use or forest-related light industry, and this proposal is neither.

The Future: I am concerned that the Crystal Mountain rezoning, if approved, will set a definite precedent for other proposals to rezone Forest 1 land for "retreat" and other purposes and I am concerned for the potential impact this could have in the future.

The legal opinion from Islands Trust lawyers has made it quite clear that it is not legal to distinguish between non-profit enterprises and profit driven enterprises in zoning and as a result the following clause had to be removed from the bylaw:

"Zoning for Comprehensive Spiritual Retreat shall only be permitted for non-profit organizations.

The ideal option for all forest 1 zone lots is to be maintained as forests, it is better for the future of the children of Galiano, and it will fulfill the objective of the Trust to preserve and protect.

Failing that option, there are only two other options: the first one is represented by the model of Crystal Mountain, educational spiritual retreats for non-profit or for-profit organizations. This covers a wide field from religious, philosophical, mental health, yoga, artistic retreats to retreats for employees of business companies (high tech, medical and pharmaceutical research etc.) who will provide retreats for the benefit of their employee's mental health. The Wellness tourism industry continues to grow throughout the world and this rezoning may set a precedent for the conversion of forest zoned land to all types of wellness tourism.

Basically, all overnight retreats need accommodation for their participants. If this option is allowed, that means visitor accommodation, in several forms from permanent structures to campgrounds and accommodation in neighbor residences. Pressure will increase on ecosystems, groundwater demands, well contamination.

The second option is housing.

This LTC will have to decide if Galiano needs more visitors' accommodation or more housing, now and in the future. We cannot sustain both models. You need to choose.

I hope that you will not pass the second and third reading yet, and that you will not close the Public Hearing today, in order to permit the full input of Galiano's residents to continue.

Thank you,

Carmita de Menyhart

219 Sticks Allison Rd. East

To Galiano Island Trustees Gavreau and Mabberley, and Chair Peterson May 6, 2023

I believe that Crystal Mountain has been waging a war of attrition against the laws and bylaws of the Islands Trust for a very long time. When they are told that something is not in accord with the Community Plan, and must be modified or eliminated from THEIR plan, they just ignore this and carry on. The water problem is a good example, their “estimates” don’t make sense. Their statistics don’t make sense. Should this be queried by a respected person, they go on attack. They have kept on and on at this for years. What they are creating is a resort, with a “spiritual” element built in. I do not see how they can call this place a Community Benefit, but apparently they latch on to a sub clause in the Community Plan in order to make this claim. Exactly how the Community benefits is a puzzle. The place should be called a commercial enterprise, since that is what it really is and why it wants to expand. Since it accepts “donations” instead of payments, and since it uses the words “spiritual” and “meditation” and “retreat” a lot, never the word money, it sounds so harmless and in fact, a spiritual component is fine, so long as the enterprise follows the rules of our Community Plan, which it does not. The fragmented forest is a major example of this and must be emphasized.

And by the way, do the Trustees have the power to cut off this public discussion, to say this is our last chance? Does it actually say that somewhere?

Does the Galiano Community, South and North, understand that there is a line of developers of various stripes just waiting for Crystal Mountain to be approved? One of the reasons the Plan came into being was to prevent mass development on this small island, and the Plan has, in general, really stood up well. I think this is no time to back down.

I do think somebody should emphasize that this is not just a North End Problem, it’s a major decision that could change Galiano forever.

Audrey Thomas

127, 11675, 7th Avenue,
Richmond, BC,
V7E 4X4



Trustees, Mabblerly, Gavreau and Peterson.



Change is a constant of life. It is frightening, challenging and just plain difficult. I know because I am aging.

And aging involves change and apparent loss. But I believe that that the Crystal Mountain Society has embarked upon a change process, to create a space for reflection and the nourishing of spirit, by creating a bylaw which will give the opportunity for everyone, on this island and in this ever shifting world, to retreat and find an attitude towards change that will nurture the individual, the community and beyond.

Crystal Mountain committed to and carried through with a process which has involved a collaborative, consultive and open process with members of the community to design a 'retreat' on their land which would be available to all while respecting the environment. To deal with the changes in our fast shifting existence, we need a wisdom which can only come with reflection and understanding of the dynamics of a rapidly changing world. I believe that Crystal Mountain can offer that sanctuary.

In the attempt to reach out to all those people in the immediate environs who might be affected by or wish to take advantage of this retreat centre, they have had many meetings with the community, both north and south on Galiano. As well they have reached out to the Penelakut on their island to the north. In an initial meeting with them they were well received and they offered a collaborative approach to the use of the land, understanding that First Nations people have a long standing claim to all the lands on Galiano and in BC. They have not been able to have a further consultation with the Penelakut, though not through lack of attempting such a meeting, and I understand that recently this friendly, collaborative agreement has come into question, though there are no particulars which can be addressed. What information was recently given to the Penelakut and by whom is in question at this time. Such consultation must be established on a nation to nation basis, something which the IslandsTrust will have to initiate as a new process to have a validity that both communities can be comfortable with. Such a formal pathway does not yet exist. But this should not stop the process of moving forward this application.

There is no such thing as perfection. Perfection means a type of death. This rezoning process may not be perfect, but it is a starting point and an opportunity to move forward.

Elizabeth Latex
1029 Montague Rd., Galiano, B.C.



May 5, 2023

Dear LTC and Planner:

I would like to address the issue of forest fragmentation - the two unconnected lots that are being proposed for development and the duplication of all services in the CMS application.

Not everyone here will necessarily be familiar with the Trust Policy Statement and Directives. The Trust Policy Statement exists as the legislative bridge to ensure that the object of the Islands Trust Act is met in every instance and for every decision. It contains both commitments and directives and a Directives Checklist is completed by Trust staff/planners for any bylaw amendment applications to ensure consistency with the Policy Statement. If a bylaw is consistent with the policy in the Policy Statement as listed in the Directives Checklist, it gets a tick. If a bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, it gets an X.

What concerns me about the CMS application is that appears to be one more application in a series of applications that highlights the meaningless or toothlessness of the TPS Directives Checklist when it comes to ensuring consistency with the OCP.

The May 2, 2022 Staff Report states that the former LTC has reviewed the TPS Directive Policies Checklist and has determined that proposed bylaws 256 and 257 required for the CMS application are not contrary to or at variance with the Trust Policy Statement. In this staff report, we are presented with a TPS Directives Checklist that ticks off the section "Forest Ecosystems" which specifies "the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development and land-use." as in compliance with this development proposal.

This is in spite of our OCP specifying the importance of forest cover and the retention of unfragmented forest ecosystems. Under Forest Objectives in the OCP, it is stated that "unplanned proliferation of residential uses throughout the forest would be contrary to many of the objectives and policies in this plan, including particularly those dealing with the integrity of forest ecosystems and surface water and groundwater supplies and the impact of residential services such as roads in order to protect and preserve the forest resource" and that "the plan favors the clustering of residential uses on sites within the forest, carefully selected on the basis of sound planning principles", and that "the fragmentation of Forest-designated lands by roads or other service or communication corridors" is to be avoided.

With the unconnected upper ridge development area and the lower one, bisecting the land to be transferred to the Islands Trust Conservancy, I cannot understand how this particular TPS Directive can be ticked off as in compliance. This in my view makes a mockery of the TPS Directives and of the Galiano OCP and is a betrayal of those who worked so hard to develop both documents. I ask our current LTC to please take the time to review the TPS Directives for yourselves in regard to this application. I believe it is unacceptable to allow this application to proceed with the current plan.

Sincerely,

Jennifer Margison
1417 Sticks Allison Road

Crystal Mountain Rezoning



To: Ben Maberley bmaberley@islandstrust.bc.ca
Lisa Gavreau lgavreau@islandstrust.bc.ca
Timothy Peterson tpeterson@islandstrust.bc.ca

cc: vicphsub@islandstrust.bc.ca

We support Crystal Mountain Society's rezoning application for a Spiritual Education Forest Retreat Centre.

Crystal Mountain retreats and events provide a much needed respite to city dwellers and other visitors but are also open to Galiano residents. Buddhist teachings are focused on compassion, kindness and mindfulness. We are extremely fortunate to have access to these teachings right here in our own community.

Opponents have argued that CMS should be considered a commercial facility but this idea seems very removed from reality. CMS has been a registered Canadian Charity since 1976. "A non-profit Society may be registered as a Canadian charity only if its purposes are exclusively for the public benefit." What could be more beneficial than a retreat where people can meditate, find peace within themselves and learn to extend kindness and compassion to the rest of us?

Relating to our bylaws, CMS has fulfilled all of the requests made to them since the rezoning process began twenty-ish years ago. Most of the original land will become part of the public land trust and protected from future development.

Please move the proposal forward so that CMS can continue with their work which is a benefit to our local community and to the entire world.

Thank you,

Lorelei Allen
Michael Norgang

Adrianus van Asselt
535 Dobson Lane
Galiano Island, BC

May 4, 2023



Dear Members of the Island Trust Committee,

My name is Adrianus van Asselt and I am a fulltime resident of Galiano and I wholeheartedly support the Crystal Mountain Society's (CMS) rezoning application.

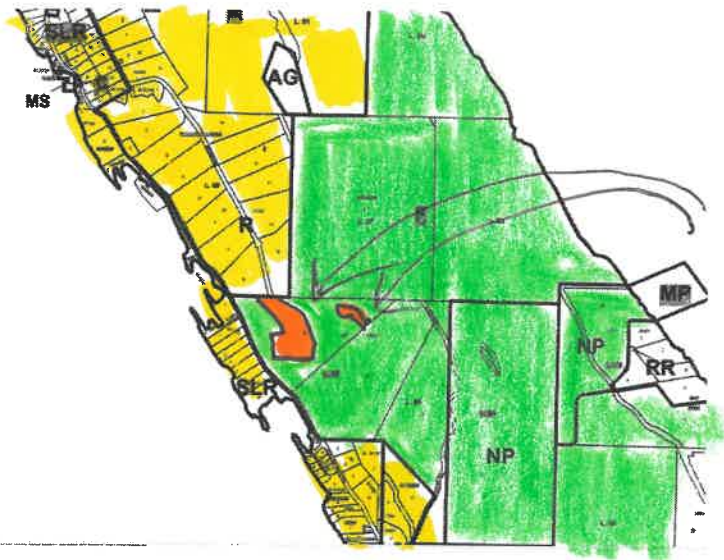
Having spent nearly 10 years studying the diatoms populating the waterways surrounding Galiano Island, I am struck by their diversity and ability to thrive in the same waters. The people populating our lovely island are just as diverse and unique, each with their own wishes and needs. Galiano provides for many of those desires. Golfers have the golf course, conservationists have the Mallard Conservancy Centre, Anglicans have the church, artists have the Yellow House, bookworms have the library, etc. I am one of those people who looks forward to shutting out the distractions of life for months at a time to focus on studying the mind and its beautifully complex habit patterns. Can I do it at home? Not at all, I am not that advanced of a practitioner! There are way too many distractions vying for my attention. Crystal Mountain is one of only a few places in Canada where one can safely isolate for deep, silent contemplation. This is something to be cherished and celebrated. It will provide valuable opportunities for those who want to learn about themselves, a place for meditators to meditate.

I truly believe that even though there is a great variety of people on Galiano Island with many diverse opinions, we can all peacefully coexist. This rezoning application has shown time and time again to meet and exceed the standards set out within the planning guidelines. Their protection of the environment is truly 1st class.

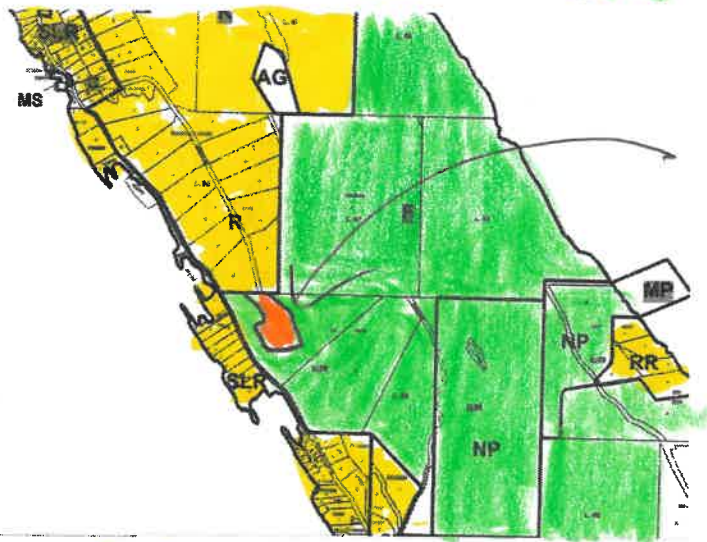
It is my opinion that the CMS proposal is of benefit to the Island as a whole and I urge you to support this rezoning application.

Best wishes,

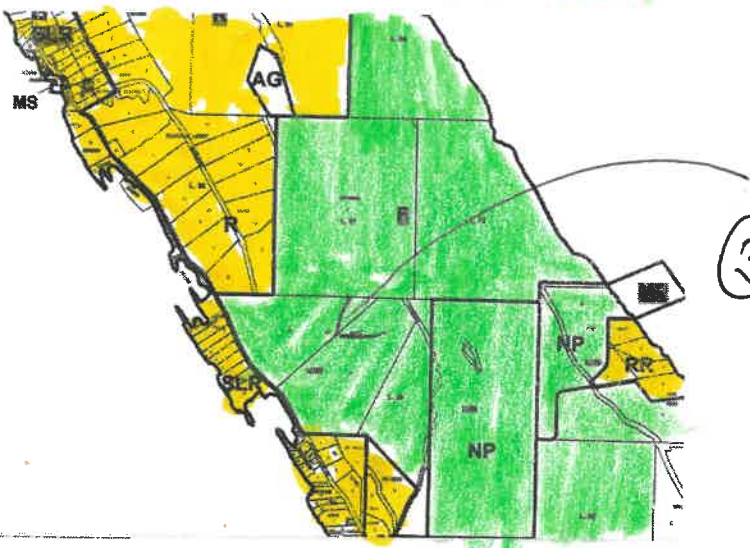
Adrianus van Asselt



① Most Forest land
Fragmentation
CMS AS PROPOSED.
2 SEPARATE AREAS
OF DEVELOPMENT



② Less Forest Land
Fragmentation
ONE AREA OF
DEVELOPMENT



③ NO Forest land
Fragmentation
NO DEVELOPMENT

- F1, NP, F3
- Proposed Retreat
- RESIDENTIAL.

Fragmentation of Forest Land Base by Zone: Comparison

Submitted to Public Hearing for Bylaws 256 and 257 May 6 2023

Sheila Anderson, 176 Gustin Road Galiano Island BC

From: Bert
Sent: May 5, 2023 5:18 PM
To: art_moses@yahoo.com
Cc: lgauvreau@islandtrust.bc.ca; bmabberley@islandtrust.bc.ca; tpeterson@islandtrust.bc.ca
Subject: FW: Crystal Mountain

Sent from [Mail](#) for Windows



From: Bert
Sent: May 5, 2023 5:11 PM
To: vicphsub@islandtrust.bc.ca <vicphsub@islandtrust.bc.ca>
Subject: Re: Crystal Mountain

There has been a conflict of interest of the North-End neighbours and the CM Society for quite some time now. The concerns of most of the people living at the north end have been ignored or partially addressed, to the frustration of many of us

First of all, I am not against a reasonable development at the CM site, if both sides come to a satisfactory resolution. However, my concern about the development, as it is now, are many.

- 1. I do not support turning forest land into visitor or retreat participants accommodations. To this day, since 1999, on their lands are illegal structures like sleeping cabins, an open cookhouse, and outhouses, the use of which at one time had been stopped by the authorities for further etc.*
- 2. In my opinion, the planned development is far too extensive, it will disrupt the existing fauna and flora, not to mention the annual migration newts, the protected salamanders from the forest to the wetlands, nesting waterfowl, raising their offspring through increased traffic, and properly curtail the activities of our resident beavers and other wildlife. Most of all it will eliminate or block our only access to forest roads in the area, since all other roads have been closed/gated for the walking public, like access through the Reserve to Coon Bay, as well as when new owners bought the Hunt property. And to top this off, the new owner of a property on Dobson lane cordoned off the right of way some time ago, and commented that Work Save demanded the road closure while she was building a new home. Some north-enders demanded clarification in a friendly and*

courteous way, she even sent RCMP to a home of one of the participants which she felt threatened by, which was definitely not the case.

- 3. In case of an emergency like a wild fire or earth quake, we, living at the north end, need a quick escape route, and the only way is through the existing CM and Dobson lane.*

If these roads are closed or access is denied, walkers and joggers have only one opportunity for exercise and a healthy lifestyle to use Porlier Pass road, which can be even more dangerous by increased traffic, which will be even more dangerous by increased traffic at the Spanish Hills dock, where to this day the parking issue has not been resolved, neither by our local government nor the police (should the CM development go ahead). Oversized trucks and cars block off half the the roadside, which can be a great hazard to local and tourist traffic, but even more to people on foot, which \i have encountered many times. This situation has to be resolved before CM can get any outstanding permit.

As well as the water consumption issue at CM is of great concern, which has been discussed many times and need answers, many North-Enders with far more knowledge of the laws of the land, the rights and rules, have stated their concerns, far better than I could do. My hope is that you will consider at least some of my concerns.

Last, but not least, I demand that the rightful owners of these lands, the Native Peoples, are consulted in this process, as reconciliation with Our Native Population is of utmost importance to me, as well as the environment.

Sincerely



Bert Castor

Sent from [Mail](#) for Windows

BEVERLY BLACKBURN

The best way to

To know if intended
changes are happening,
the initial situation
must be inventoried
to be later compared.

THEN assessed from
a eco centered standpoint
terms of reference

- with fuel and dandelion
- and sensitive areas
- wildlife corridors
- riparian areas
- single trees
- etc

RECEIVED
MAY 06 2023
ISLANDS TRUST

- fuel pool maintenance
- fuel loading reduction
- erosion mitigation

considered to develop
long term +

Short term goals

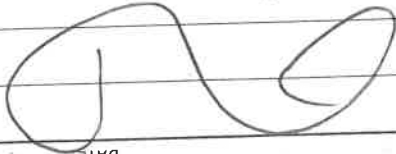
Happiness is just around the corner.

and associated plan.
specifically for the
lot being rezoned.

- All quarter sections
can be treated
equally without regard
to size.

- Other lots must be
50²⁰ Ha or larger
for consideration
& processed as above.

Non conforming lots
may be amalgamated
or rededuced to the
original quarter section
proceed as per above.



CIM / ~~PH~~

What fire mitigation

equipment, training

have you in place

over the many years of

your operation?

LISA How is your experience
different as a
residential/commercial
tejourning?

~~Copy~~

Have you ever been asked
to supply & maintain an
access suitable for a
fire truck in perpetuity for
~~these amenities~~ ^{by}
if another group ^{the}

Flameless

asked you for
the same conditions
of these, what
would do?

~~How~~ ^{How} is your impact

different from a business
providing short term vacation
rentals for a smaller size

ON HOW ^{WHO} REPORTS OR ENFORCES
group? A LIMITED OCCUPANCY OR
THE ACCOMMODATIONS.

① How many times has
the CM altered its
application to the
Cuplannees?

② ~~How the water~~
NO WATER LICENCE?

MEMBERS CONCERN OVER
AQUAFER IMPACT HAS NOT
BEEN SUFFICIENTLY TESTED!
EVEN TO PROVINCIAL
REQUIREMENTS FOR LICENCE
ALON THIS PROPOSAL!

* AREAS IMPACTED — WOODSTONE MAIN
AREA & COTTAGE WAY IS VINEYARD WAY.

③ TO AVOID THIS PROPOSAL BEING A
→ CART BEFORE HORSE.

WATER LICENCE is to put
NO

Humans cause calamity!

NON FORESTERS IN THE

FOREST CAUSE CALAMITY!

THINK FIRE!

FOR ~~TRUST~~ PRESERVE + PROTECT
FOR LOCAL AMENITIES FOR THE
BENEFIT OF ~~TO~~ OF

THE LOCALS, THE

CM PROVINCE & THE COUNTRY

IS THE PURPOSE OF THE TRUST?

WHAT IS THE BENEFIT TO

THE LOCALS? ~~PROVINCE~~ WITH THIS
PROVINCE OF COUNTRY'S

PROPOSAL THAT IS NOT

A BENEFIT TO YOUR BUSINESS?

HOW DOES YOUR PROPOSAL

BENEFIT THE LOCALS, ~~PROVINCE~~

PROVINCE & COUNTRY?

DATE

TO PRESERVE & PROTECT
is in the best interest
of both the locals +
the indigenous or first
locals. ~~The~~ ~~one~~ All can
~~If~~ the trust is open to
seeing the benefit of the
plan. All can be
expected to support the
plans. To spend so
much time & resources
on this work around
is unsustainable &
inappropriate for trustees & defenders
of the trust.
Community plan ~~of the trust~~ ^{of the forest}
where the wild zone
is preserved & protected
is at issue here.

★
The agricultural land reserve
was introduced to protect
farmland from development.

as the forest zone was introduced to preserve the ^{forest} amenity here from developments.

(FORESTRY) and human insensitive ambition has caused and causes great devastation everywhere.

The challenge of climate change has added more responsibility on all to preserve & protect the wild & wild zones everywhere.

Resilience, integrity, sustainability, diversity, are things to look to increase as well as risk mitigation.

The idea of ~~IT IS NOT DONE~~ ^{DATE} THIS PLAN / YOU TRUSTEES OR PUBLIC HEAR ^{IN} THIS PLAN?

THE LOCAL INDIGENOUS MIGHT AGREE

PENDING

NO

1 DO NOT:

see a mixed zone
development that moves

existing boundaries,
(NOT IN THE PLAN)
provides little or no

public or local benefit,

is a serious and

definite up zoning
of residential ^{commercial} use

~~of~~ ^{from the} in the forest zone
(NOT IN THE PLAN)

accessed by an easment

ALSO EXPLICITLY NOT IN
THE PLAN!

Accepting this proposal.

is a horrible precedent

for ~~the~~ ^{other forest zone development} expectations

of a road network

sensitive to the

island and ~~the~~

~~expectations~~ of this

community's PLAN

goes to zero. Li14

DO NOT ACCEPT OR

MOVE ^{THE} ANY FORWARD.

STOP IT NOW.

How is the impact
different.

QUESTIONS

CM & PLANNERS

①

How is the impact of the CM development different than a short term vacation rental business for a similar sized group?

If you limit ~~you~~ the operational open times, who will monitor & report to assure compliance?

If another group with a similar proposal was received, ~~so~~ how would the ~~planners~~ proceed?
& trustees }

after opening a new ~~group~~ forest reforestation option for any other non profit group.

②

WHAT fire mitigation infrastructure, equipment & training have you had in place over the many years of operation?

HAVE you been asked to supply and maintain an access road suitable for a fully loaded fire truck in perpetuity?

WHO does the maintenance on the easement over someone else's property?

em

③ You have been in operation for over 20 years and you have yet to receive a water license. WHAT has been the delay?

- USA

What has your experience been in regard to your commercial application for a water license in the process of your re-zoning?

Can the re-zoning ~~even~~ start without the license?

CM: "B"

④ As an owner of a FOREST LOT, WHAT forest husbandry actions & investments have you made over the period of your ownership?

A: Are the participants of your programs involved in any forest husbandry activities?

On your lot or any others?

⑥ DURING the CMS application, how many times has the applicant altered their proposal requiring a new report for the LOCAL TRUST?

⑦ OF the long processing time of this application, how much of it was waiting for a response from the CM society?

K170 OKUDA.

12920 FOLVER
PASS

250-529-855