

Date: November 27, 2015

File No.: GL-RZ-2014.1
Crystal Mountain

To: Galiano Island Local Trust Committee
For the meeting of December 7, 2015

From: Kim Farris
A/Planner 2

CC: Robert Kojima
Regional Planning Manager

Re: Preliminary Report - Bylaw Amendment Application

Owner: Crystal Mountain – A Society for Eastern and Western Studies
Applicant: Stephen and Helen Foster
Location: Lot A, Districts Lots 88 and 89, Galiano Island, Cowichan District, Plan VIP68079 AND Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200

PURPOSE OF REPORT:

The purpose of this report is to provide an update on the status of this application, material provided from the applicant to date, and options on proceeding with the application.

BACKGROUND:

Background information on the property, the proposal, professional reports, and the preliminary staff report are available on the LTC webpage under 'Current Applications':
<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications.aspx>

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

“GL-2015-002

It was MOVED and SECONDED,

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

- (1) Submit a survey regarding the proposed building sites, accesses and Development Permit Areas and the location and size of all existing structures;
- (2) Indicate whether or not existing structures will be removed or will remain;
- (3) Indicate whether any of the proposed huts will have cooking facilities;

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

At the June 1, 2015 regular meeting the LTC passed the following resolution:

“GL-2015-047

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee refers Memorandum (requesting the nine questions listed in Resolution GL-2015-002 to be answered) dated May 25, 2015 Re: Application Update (File Number: GL-RZ-2014.1 Crystal Mountain) to the Galiano Island Advisory Planning Commission and that in the meantime the Galiano Island Local Trust Committee will continue to listen to further ideas pertaining to GL-RZ-2014.1 Crystal Mountain.”

The rezoning application and nine questions were then forwarded to the Galiano Island Advisory Planning Commission (APC) to provide comments on how to undertake a preliminary review of the Crystal Mountain zoning proposal, provide general comments on the applicant’s proposal, and identify areas of concern. The APC minutes from the June 29, 2015 and the July 3, 2015 meetings are attached for the LTC’s review. The following are motions made at the two meetings:

June 29, 2015 - MOTION

- “The Galiano Island Advisory Planning Committee recommends that the Local Trust Committee work with the Trust Fund Board to produce, in writing, options that can be considered to make the transfer of title to the trust fund board to provide the necessary privacy for the applicant that is integral for their project while providing the community benefit, as required in the OCP.”

July 3, 2015 - MOTION

- “The APC are supportive of the nine criteria established by the LTC as per GL-2015-002, and listed here again as follows...”
- “In addition to the nine points in GL-2015-002, the APC thinks:
 - 1) accurate well details (location, quality, quantity) should be added to the mapping;
 - 2) all of the actual easement agreements on private land either in use currently or proposed for retreat access should be provided to the LTC.”

THE PROPOSAL:

The applicant recently provided a Groundwater Assessment by Hy-Geo Consulting and an updated proposal and site plan (viewable on the LTC website under 'Current Applications').

The applicant wishes to proceed with the application to rezone the two subject properties to permit a year-round not-for-profit forest retreat centre on both Lot A and Lot 9. The proposal is to locate the buildable areas on 25% of the subject properties (6 ha) and register a conservation covenant on the other 75% of the properties (18.3 ha) as a community benefit. The applicants have amended the proposal in order to address the concerns from the LTC and the Galiano Island APC. The proposal amendments include:

- Reducing 3 buildable areas to 2:
 - Moved the 'Caretaker Area' off of Porlier Pass Road and joined it with the 'Short Term Retreat Area' off of Devina Dr.
 - 'Lower/Short Term Retreat Area' – The main greeting and gather area where a majority of the buildings and structures and the forest retreat use will be located.
 - 'Upper/Long Term Retreat Area' – Designated for future sleeping huts and a kitchen/dinning hut.
- Moved the main access and entrance from Porlier Pass Road to Devina Drive;
- Emergency access to connect Porlier Pass Road to Devina Drive across the subject property (see Figure 3);
- Removed cooking facilities from sleep meditation huts;
- Provided a groundwater assessment; and
- Organized a number of community engagement meetings.

SITE CONTEXT:

The rezoning application includes two subject properties: Lot A and Lot 9. Both properties are located on the northwestern end of Galiano Island. Lot A is currently designated Forest (F) in the Official Community Plan (OCP) and zoned Forest 1 (F1) in the Land Use Bylaw (LUB). It is approximately 20.5 ha (50.7 acre) in area. There are a number of structures located on Lot A: outdoor kitchen, sleeping/meditation huts, and multiple accessory structures (eg. tent platforms, etc.). Lot A has two road accesses: Porlier Pass Drive and Devina Drive. The main vehicle access to Lot A is from Porlier Pass Drive. There is a roughed-in access from Devina Drive which is currently blocked. Access to both lots can be achieved through Lot 9.

Lot 9 is designated Rural (R) in the OCP and is zoned Rural 2 (R2). It is approximately 4 ha (10 acre) in area. Lot 9 is largely undeveloped except for a small structure (a pagoda) located on the northern edge of the property. Lot 9 can be accessed through Devina Drive.

Figure 1: Subject Property Map

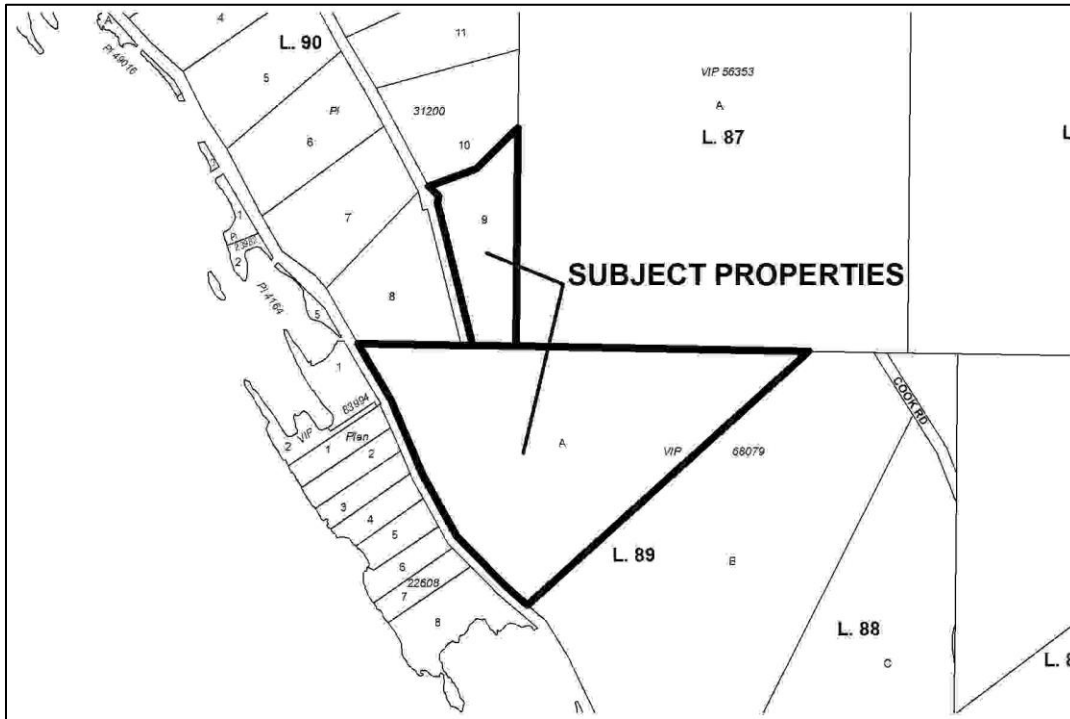


Figure 2: Orthophoto with 2 metre Contour Intervals



Figure 3: Land Ownership

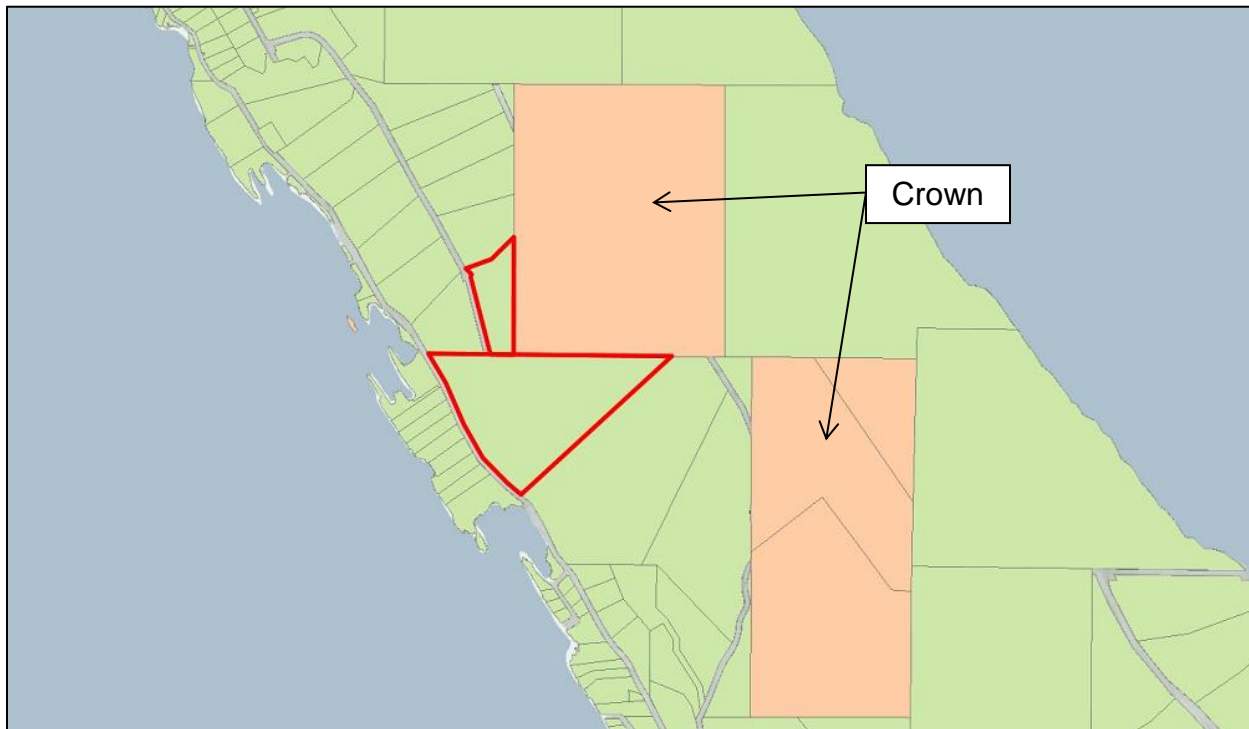
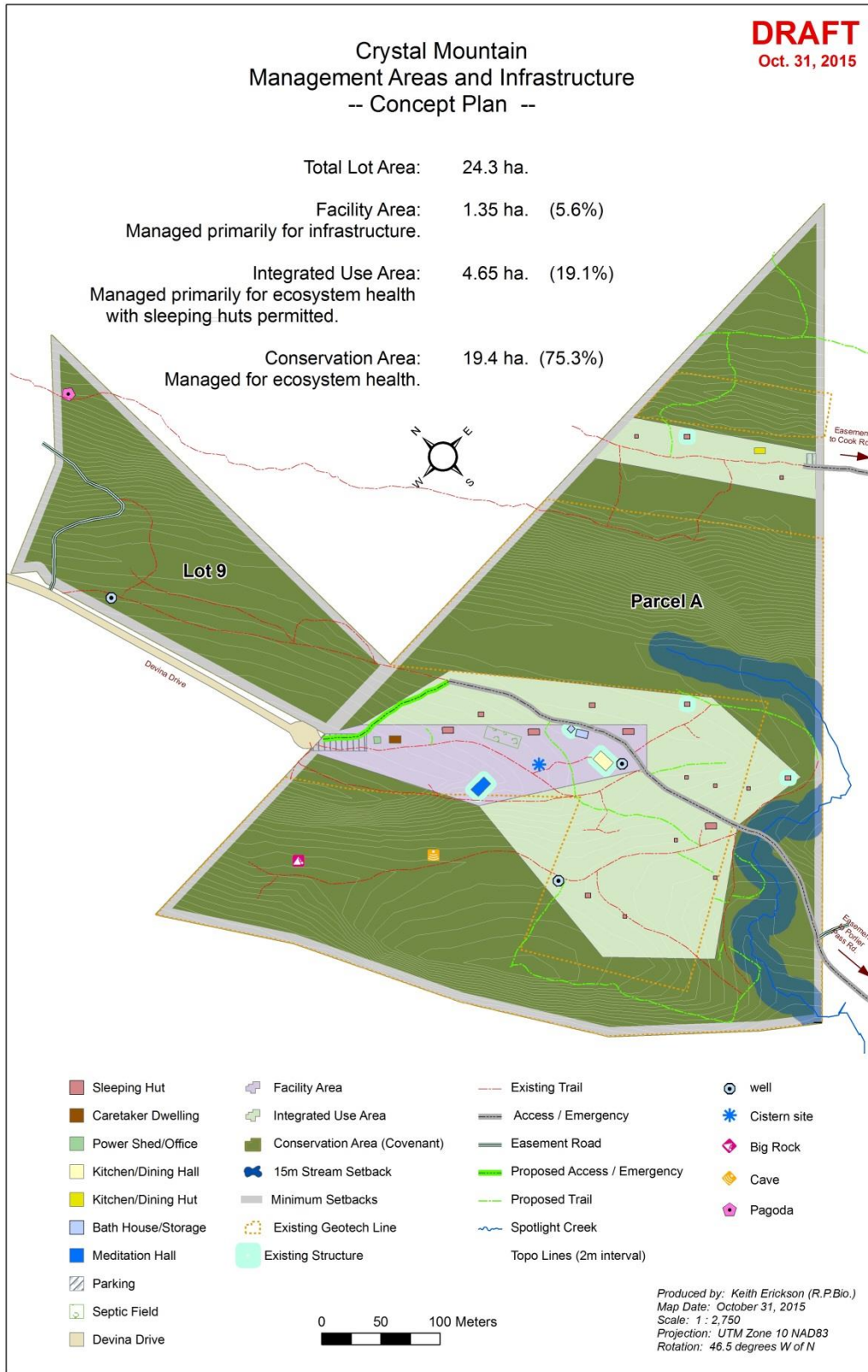


Figure 4: Site Plan



Picture 1: Outdoor Kitchen (on Lot A)



Picture 2: Old meditation hut on Lot 9



Picture 3: Newly constructed meditation hut on Lot A



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

Directive policies relevant to this application include:

Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:

- 3.1.3 - the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

- 3.2.2 - the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
- 3.3.2 - means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
- 4.2.6 - to protect the ecological integrity on a scale of forest stands and landscapes.
- 4.2.7 - 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.
- 4.2.8 - the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
- 4.4.2 - measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater.
- 5.1.3 – the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic values of the Trust Area.
- 5.2.3 - the aesthetic, environmental and social impacts of development.
- 5.2.4 - potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.2.5 – to achieve efficient use of the land base without exceeding any density limits defined in their official community plans.
- 5.2.6 - address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
- 5.3.5 - address the impacts of road location, design, construction and systems.
- 5.6.2 - the identification, protection, preservation and enhancement of local heritage.
- 5.6.3 – the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
- 5.7.2 - economic opportunities that are compatible with conservation of resources and protection of community character.
- 5.8.6 - address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

Official Community Plan:

Lot A is designated 'Forest' and Lot 9 is designated 'Rural' in the Galiano Island Official Community Plan (OCP).

The Rural policies relevant, but not limited, to this application include:

- a) The principal uses shall be residential and agriculture.

The Forest policies relevant, but not limited, to this application include:

- a) The principal use shall be forestry. All structures including dwellings (except dwellings on land rezoned to RR or CF) must be accessory to the principal forestry use and no uses should impair the long-term natural processes of forest growth and regeneration. 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. Instead, in order to preserve and protect

the forest resource, the plan favours the clustering of residential uses on sites within the forest, carefully selected as the basis of sound planning principles, with the balance of the lands being set aside for forest uses in perpetuity.

- c) The lot size for subdivision of Forest land shall be at least 20 hectares (49.4 acres).
- d) The protection of biodiversity shall be encouraged through appropriate forestry practices and the protection of riparian zones and other sensitive ecosystems.
- g) Appropriate small scale forest related activities such as the sustainable gathering of greenery products, food crops, hiking, bird watching and wildlife viewing, education and value added industry shall be encouraged.
- j) The siting, size, number and character of buildings for forest uses permitted on Forest-designated land shall be regulated, and buildings shall be located on the least productive portions of the land except where the site is a sensitive ecosystem, and in accordance with development approval information if it has been provided.
- k) The fragmentation of Forest-designated lands by roads or other service or communication corridors shall be minimized.
- l) A citizen association to provide information, education and advice on local forest practices shall be encouraged.
- n) Landowners are encouraged to protect the natural systems, biological sustainability, ecological services, and natural aesthetics of forest lands.
- o) Landowners are encouraged to protect riparian areas, marine shoreline areas, sensitive ecosystems, endangered habitat, soils, watersheds, biodiversity, old or large individual trees, and old growth stands.
- p) Landowners are encouraged to protect culturally modified trees and other heritage features.
- r) The Local Trust Committee encourages local economic opportunities for small-scale sustainable forestry through supporting:
 - i) the establishment of a non-profit community-owned forest that is consistent with ecosystem-based sustainable forest practices, and the lands so acquired are preserved for forestry use in perpetuity for future generations;
 - ii) the development of co-operative ecosystem-based sustainable forest management and value-added ventures;
 - iii) initiatives to provide tax incentives for maintaining ecosystem-based sustainable forest management activities;
 - iv) appropriate small scale forest related activities such as the sustainable gathering of non-timber forest products, food crops, hiking, bird watching and wildlife viewing, education and value added industry.

The current proposal is not consistent with a number of the OCP policies in each designation therefore an amendment to the OCP is required.

OCP Road Network Plan:

The Road Network Plan, Schedule C in the Galiano Island OCP, shows a proposed emergency access through Lot A from Porlier Pass Road to Devina Drive. The following are applicable Transportation polices in the OCP:

- The Road Network shown on Schedule C represents both existing and proposed roads, and is subject to the following:
 - the locations of proposed highways and emergency access routes shall be considered approximate locations;
 - locations of proposed highways and emergency access routes shall be confirmed at time of rezoning, subdivision or building permit;
 - highway and emergency access route connections at property boundaries should be consistent with the approximate locations identified on Schedule 'C', unless more detailed site investigation of all lots concerned identifies a more suitable point of connection consistent with the general continuity of routes through adjacent lots as identified on Schedule 'C';
 - there should be no additional highway route or emergency access route interconnections, except for local access to lots within a new subdivision, other than provided for in Schedule 'C';

The applicant is proposing an emergency access from Devina Drive to Porlier Pass Road. The proposed emergency access route will be forwarded to the Galiano Fire Department for comment if the application proceeds.

Development Permit Areas:

The subject properties are located within the following Development Permit Areas (DPAs):

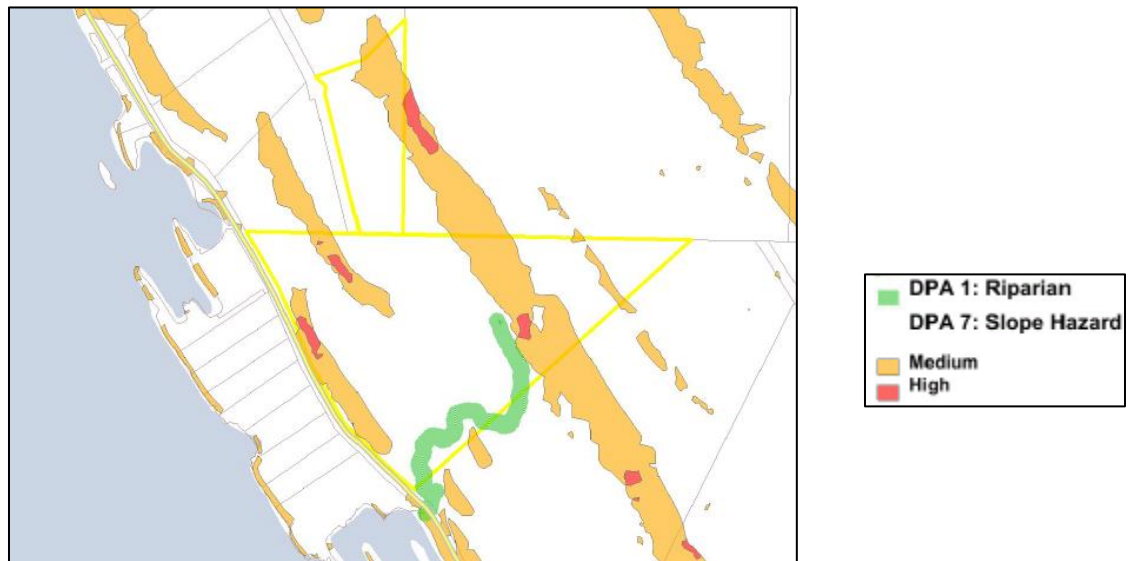
- DPA 1 – Riparian Areas
- DPA 3 – Tree Cutting and Removal (applies to all properties on Galiano Island)
- DPA 5 – Sensitive Ecosystems
- DPA 7 – Steep Slope Hazard Areas

Generally zoning amendment applications do not initiate Development Permits (DPs). Staff are aware of existing buildings and structures located on the property although their exact location has not been surveyed; therefore, it is not clear if any of these buildings are located in the DPA. To date the property owner/applicant has not applied for any development permits for the buildings and structures located on the property. The applicant will be expected to apply for any necessary DPs and building permits.

Figure 4: Sensitive Ecosystems DPA



Figure 5: Steep Slope Hazard and Riparian Area DPAs



Land Use Bylaw:

Lot A is zoned Forest 1 (F1) and Lot 9 is zoned Rural 2 (R2) in the Galiano Island Land Use Bylaw, No. 127, 1999. The relevant regulations for the F1 zone are included below:

7.1.1 In the Forest 1 zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses including residential uses are prohibited.

7.1.1.1 timber production and harvesting

7.1.1.2 accessory forestry uses including the sawmilling and planting of timber harvested on the same lot and the growing of seedlings in nurseries
Buildings and Structures for Forestry Uses.

7.1.2 A single non-residential unenclosed building or structure with a floor area not exceeding 93 square metres is permitted in each lot and every such building or structure must be screened by a landscape screen not less than 9 metres in height and complying with the requirements of subsection 15.1.1 of this bylaw.

7.1.6 No lot having an area less than 65 hectares may be created by subdivision.

The relevant regulations for the R2 zone are included below:

5.5.1 In the Rural 2 (R2) zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

5.5.1.1 dwellings

5.5.1.2 cottages

5.5.1.3 home occupations

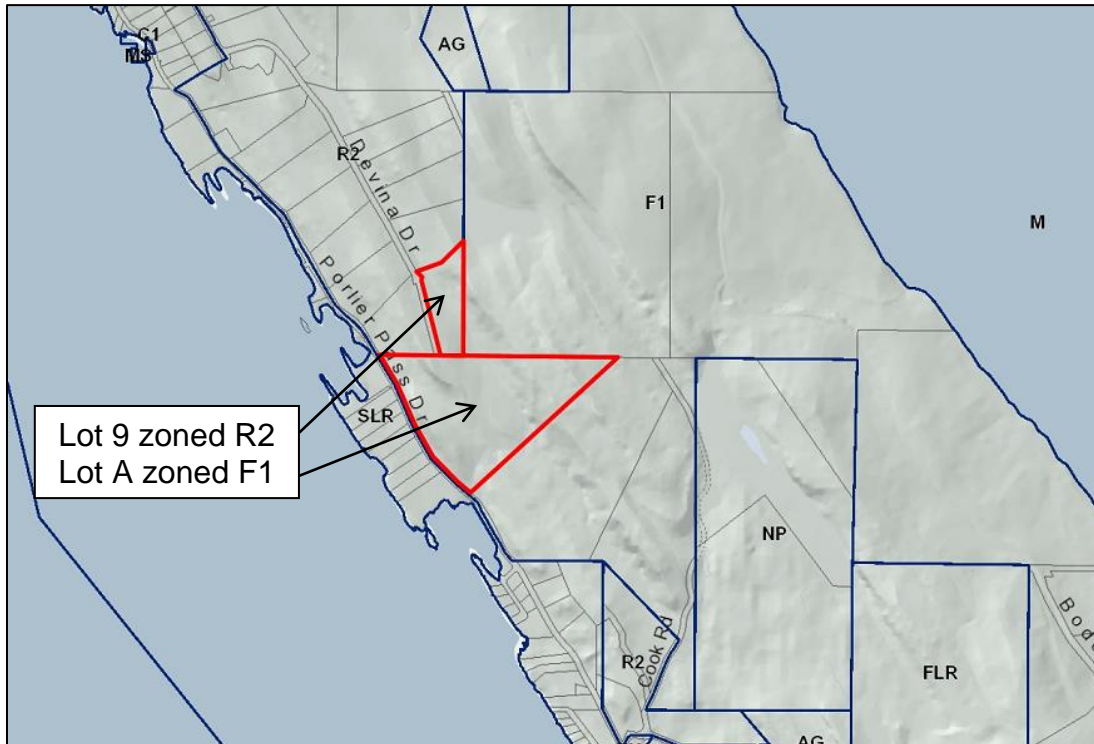
5.5.1.4 farm use

5.5.2 One dwelling is permitted on each lot, and one additional dwelling is permitted in respect of each 4 hectares of lot area over 4 hectares.

5.5.3 One cottage is permitted on each lot having an area of 0.4 hectares or more, in respect of each permitted dwelling.

5.5.4 Lot coverage must not exceed 25% of any lot.

Figure 6: Zoning Map



Islands Trust Fund:

The applicants have applied to the Islands Trust Fund to register a conservation covenant on the combined 18.3 ha of area on Lot 9 and Lot A. At the November 2014 Trust Fund Board meeting, the following motions were passed:

“It was moved and seconded that the Trust Fund Board approve the Crystal Mountain proposal to covenant approximately 18.3 ha of the lands described:

- a) Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200, PID# 000-851-035; and,
- b) Lot A, District Lots 88 and 89, Galiano Island Cowichan District, Plan VIP 68079, PID # 024-351-041, subject to the successful negotiation of an endowment.”

Sensitive Ecosystems and Hazard Areas:

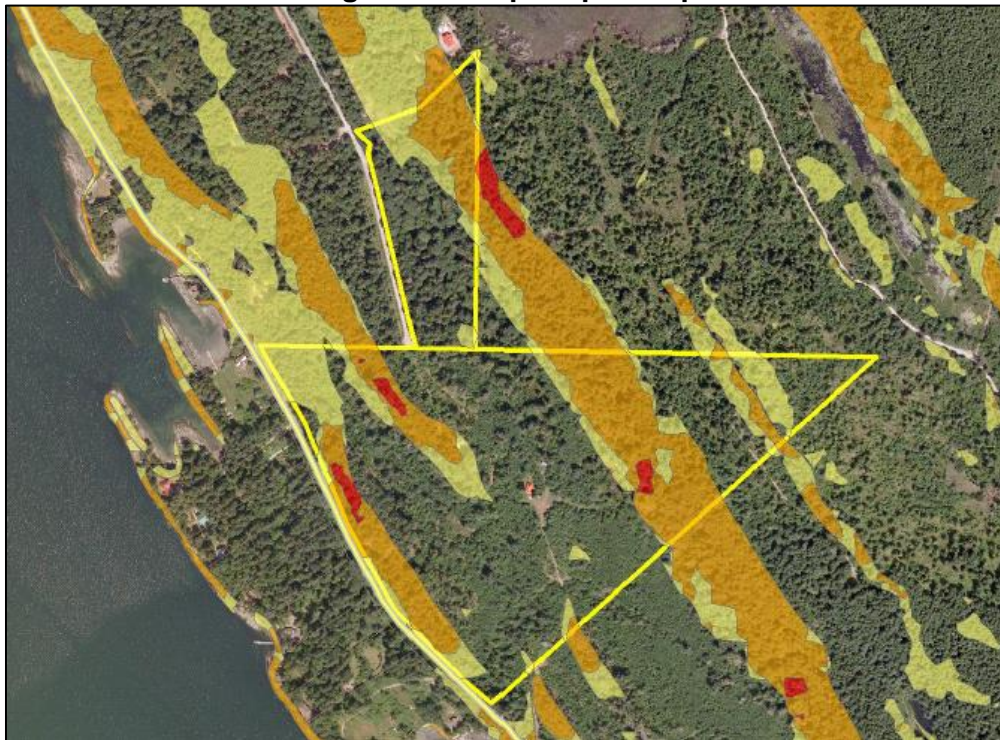
There are similar, linear areas of both sensitive ecosystems and hazard areas located on the subject properties. The subject properties contain cliff, woodland, riparian, and wetland sensitive ecosystems areas as noted in Figure 7. There are also areas of low, moderate, and high slope hazards. A majority of the proposed development will be outside of the sensitive ecosystems

and hazard areas. Staff will work closely with the applicant to ensure there will be no negative impact to the sensitive areas. Development Permits may be required for any land disturbance or construction within the Development Permit Areas to protect sensitive ecosystems and steep slopes.

Figure 7: Sensitive Ecosystem Map



Figure 8: Steep Slopes Map



Archaeological Sites:

There are no archaeological sites on the property or in close vicinity registered in the provincial database.

Covenants:

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

Bylaw Enforcement:

There is an active bylaw enforcement file (GL-BE-2002.109) from 2002 associated with Lot A as there were numerous buildings located on the property that were not permitted by zoning. Generally, if there is an active bylaw amendment file with the intent to legalize the non-conforming use or density, the bylaw enforcement file will be placed on hold until the bylaw amendment application is finalized. As the applicants applied for a rezoning, the bylaw enforcement file has been placed on hold.

In 2013, additional buildings (meditation huts – Figure 4) were constructed without the benefit of a building permit on Lot A and are not permitted by zoning. Even though the bylaw amendment application is still active, no new buildings are permitted to be constructed. Bylaw Enforcement have been notified of this bylaw infraction. If the application does not proceed, bylaw enforcement will be initiated.

Climate Change Mitigation and Adaption

The preservation of natural areas and forest ecosystems is an important factor to reduce greenhouse gas emissions. Forests act as an important carbon sink—absorbing and storing carbon that would otherwise be circulating in the atmosphere. An OCP objective in the Forest designation is to preserve a forest land base and to maintain or enhance carbon storage and sequestration. The bylaw amendment proposal would also preserve 75% of the land in a conservation covenant as a long term community benefit and will have minimal impacts within the remaining 25% of the subject property.

Communications/Consultations:

The following agencies have been identified for referring draft bylaws for comment; the LTC may also direct staff to include other agencies not listed. Additionally the LTC may choose to refer the proposal to the Advisory Planning Commission.

- First Nations:
 - Cowichan Tribes
 - Halalt
 - Lake Cowichan
 - Lyackson
 - Malahat (TE'Mexw Treaty Association)
 - Pauquachin
 - Penelakut
 - Semiahmoo
 - Stz'uminus
 - Tsartlip

- Tsawout
- Tsawwassen
- Tseycum
- Ministry of Transportation and Infrastructure
- Island Health
- CRD, Building Inspection Services
- CRD, Electoral Area Director
- Galiano Island Fire Rescue
- Mayne Island Local Trust Committee
- Salt Spring Island Local Trust Committee

Furthermore the public hearing notice would be circulated to all property owners and tenants within 100 m of the subject property in advance of the public hearing.

Professional Report:

The applicant has provided two professional reports (Eco-system Land Use Plan and a Groundwater Assessment Report) for this proposal. The LTC should advise staff if they believe any further information or professional reports that should be requested.

Eco-system Land Use Plan

The applicant provided a comprehensive ecosystem-based land use plan (environmental assessment) prepared by Keith Erickson (R.P. Bio). The purpose of the report is to:

1. Determine how to protect, maintain and where necessary, restore function ecosystems on the Crystal Mountain land; and,
2. Recommend ways to minimize the impacts of the Forest Retreat uses within the context of the identified ecological constraints.

The report designates the two subject properties into three management zones: the Protected Ecosystem Network, Short Term Retreat Zone (Area), and the Long Term Retreat Zone (Area). The short term and long term retreat zones, as mentioned in the proposal, are the designated buildable areas. The Protected Ecosystem Network represents the area to be covenanted for conservation.

The report provides numerous recommendations on the following:

- General siting and layout of buildings and facilities within the Short Term Retreat Area and the Long Term Retreat Area in order to mitigate threats to the sensitive ecosystems;
- Protection of groundwater within the Long Term Retreat Area;
- Emergency access linking the southeast end of Devina Drive with Porlier Pass Rd;
- Potential parking regulations;
- Minimizing impacts of existing and new Trails. The report supports low impact recreational and spiritual activities as they are consistent with the objectives for each management zone including the Protected Ecosystem Network;
- Control and removal of invasive species;
- Restoration within the Short Term Retreat Zone and the Long Term Retreat Zone;
- Forest restoration for the entire property;
- Reduction of wildfire risk; and
- Specific restoration recommendations for each sensitive ecosystem identified on the property.

If the LTC proceeds with the application staff recommends the assessment report's recommendations be conditions of the bylaw amendments approval. Staff will also refer the environmental assessment report to the Islands Trust Fund to ensure the report does not conflict with the objectives of the conservation covenant.

Groundwater Assessment

The applicant provided a Groundwater Assessment Report by Hy-Geo Consulting dated November 2, 2015. The assessment report summarizes the quality and quantity of groundwater for the proposed uses and any potential impacts to surrounding groundwater supply. The report states that a maximum daily requirement for a retreat centre for 30 people would require an estimated 2839 liters/day. The main well (WID 23227) was pumped in October 2015 and it was determined that the yield is 43 percent (4069 litres/day) more than the estimated water supply requirement of 2839 liters/day.

During the pump tests, the engineer observed two neighbouring wells to assess any impacts while pumping was taking place on the main well. Based on monitoring results, no measurable effect on any neighbouring wells or surface water sources in the regional are anticipated.

As for quality of the groundwater supply, the main well (WID 23227) meets or exceeds the Guidelines for Canadian Drinking Water for all parameters except for total coliforms. The source of coliforms could be from grey water discharge or decaying vegetable in the vicinity of the well head. The report provided a number of recommendations to address and treat the higher levels of total coliforms.

COMMUNITY INFORMATION MEETING(S):

At this preliminary stage in the process, there is no need for a community information meeting. If the application proceeds, staff recommends scheduling a community information meeting when draft bylaws are complete.

RESULTS OF CIRCULATION:

There has been no circulation associated with this application. As the application proceeds public and agency notification will be required.

STAFF COMMENTS:

The purpose of this report is to provide a brief background and to seek direction from the Galiano Local Trust Committee (LTC) to proceed or not proceed with the zoning amendment application. The applicant is proposing to rezone the two subject properties (Lot A and Lot 9) to permit a year-round forest retreat centre on both lots.

The following are points of interest the LTC may wish to discuss prior to making a decision to proceed or not proceed with the application.

The following are comments requested from the Galiano Island LTC:

1. Submit a survey regarding the proposed building sites, accesses and Development Permit Areas and the location and size of all existing structures;

- The applicant has provided an updated site survey which is posted on the GL LTC website. A DPA overlay of this map will also be available on the website.
2. Indicate whether or not existing structures will be removed or will remain;
 - See existing structures site plan and proposed site plan on GL LTC website. The following is a list of proposed new structures as outline in the applicant's updated proposal:
 - Accessory dwelling 93 sq. m (1000 sq. ft.)
 - Meditation hall 123 sq. m (1324 sq. ft.)
 - Kitchen/dining hall 123 sq. m (1324 sq. ft.)
 - Bath house/laundry 70 sq. m (753 sq. ft.)
 - Storage/workshop 70 sq. m (753 sq. ft.)
 - Power shed / office 28 sq. m (300 sq. ft.)
 - Kitchen/dining hut 32 sq. m (350 sq. ft.)
 - Meditation huts for up to 30 participants 450 sq. m (4843 sq. ft.)
 - Total footprint 989 sq. m (10,645 sq. ft.)
 3. Indicate whether any of the proposed huts will have cooking facilities;
 - The number of kitchens have been removed from the sleep meditation huts. All cooking facilities will be in community kitchen/dining buildings. Staff recommend keeping all kitchen/cooking facilities in communal areas and not in sleeping huts in order to retain the intent of these structures – to sleep and mediate. If cooking facilities are included, these structures may be deemed a cottage by definition in the LUB and OCP.
 4. Indicate whether the outhouses will consist of composting toilets or another system;
 - The applicant is investigating composting toilets and has hired a septic consultant (Ian Ralston) to complete a septic report for all existing and proposed buildings and structures.
 5. Submit plans to implement the recommendations of the environmental assessment;
 - The applicants have shown a willingness to comply with a number of recommendations outlined in the Environmental Assessment prepared by Keith Erickson that was provided with the application package in 2014. These include removal of invasive species (currently in progress), forest restoration and reduction in fire hazard by tree thinning, and installation of compostable toilets. The applicant is also working on a Sustainable Forest Management Plan which incorporates land management and recovery as outlined in the Ecosystem-based Land Use Plan. The applicant provided a table of restoration recommendations in updated proposal which it hopes to achieve in the management plan.
 6. Consider an amendment to the application to transfer title of the proposed covenanted lands to an organization which has as its primary objective the conservation of forest land;
 - The applicant provided the following response: “We have recently had multiple discussions on the transfer of ownership issue with the planners, with Island Trust Fund and with the members of Crystal Mountain’s rezoning committee. Our biggest concern with transferring ownership is that we would lose the ability to make certain decisions concerning the use of the landscape bordering our areas of operation. To be clear, the key commitment undertaken by the operators of a retreat facility is that those who use the facility know they are protected. The retreat work that individuals do is very private and solitary and for the most part requires disengaging from the world and journeying deep within themselves. This can be emotionally and existentially challenging and, particularly for those doing long term retreat work, requires entering into a place of real vulnerability. Talk is

held to a minimum, even eye contact with another person is discouraged. The whole point of centers like Crystal Mountain is that those attending need to feel safe throughout that journey. To date, and in spite of our primitive facilities, people have been coming from near and far, from New Zealand, Europe, Brazil, the US, across Canada, because they have learned that Crystal Mountain provides them with this safety, instruction and isolation.

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

7. Consider a plan that would cluster development in one building site not the 3 that have been proposed;
 - The applicant reduced the buildable sites from 3 to 2 in order to cluster development – see Figure 4 site plan.
8. Provide the LTC with a copy of the 2 CRD covenants on the land regarding geotechnical issues and Riparian Area issues; and
 - Covenants have been circulated to the Galiano Island LTC.
9. Consider an agreement to stop construction until completion of the application and to stop advertising and conducting programs within structures that are not permitted under the zoning that presently exists on the land.
 - The applicant provided the following response: “The only new construction on the land over the past years has been the addition of 3 meditator huts, built as prototypes for what we might build if the rezoning were to go through. We recognize that this choice has been contentious and will certainly promise to do no further construction until the rezoning application is complete. Since we initially filed our rezoning application in 2004, we have operated as a simple, warm season location, with crude facilities that support only the hardier of meditators. We have complemented this work by renting housing from many islanders and have more recently focused our effort on building a full size teaching house on a privately purchased, adjoining residential lot. Our upcoming summer program of teaching and retreats is already in place and is fully subscribed, so it would be difficult to consider shutting down our activity at this time. We recognize that there are issues with this and wonder if we could either negotiate a short term compliance agreement with the bylaws people or be granted a temporary use permit? Since the process of amending an OCP can take time to be approved by senior government, this would help ease us through the next few months.”

Community Benefit – Donation vs. Covenant:

The decision to either donate or covenant 75 percent of the land should be evaluated on the proposal’s own merits. Donation requires the land to be subdivided (as it would transfer property title) and requires a willing agency to receive, manage, and restore the land. The option to register a conservation covenant would not require a subdivision as there is no exchange to land ownership. A covenant is a legal document that would be placed on the property title between the Galiano Island LTC, the property owner and a third party agency. Once the covenant is registered on property title, changes are not permitted to be made unless agreeable to all covenant holders.

The applicant is still in the process of pursuing a conservation covenant with the Islands Trust Fund in order to provide a community amenity for 75 percent of the subject property. If the application proceeds, staff will recommend that the LTC request the conservation covenant to be registered as a condition to final adoption. The Islands Trust Fund has expressed little interest in managing the land by donation but supports moving forward with the conservation covenant based on receiving an endowment and ensuring the property owners manage the forest restoration in a sustainable manner.

The applicant has also expressed a concern with donation as they would not be able to manage the land in accordance to the principles of the Crystal Mountain Society. The nature of the forest retreat requires a certain level of reduced noise disturbance; therefore, the loss of management of the surrounding land could impact those in active meditation. Providing the Crystal Mountain Society with full management would allow them to manage the land in accordance with the conservation covenant and to schedule forest restoration efforts when the retreat is not in use

A third option the LTC may wish to consider a combination of donation and a conservation covenant – to donate a portion of the land, and to covenant the other. This option would still involve subdivision as land title would be transfer for the donation.

OCP Policy & Amendment:

Although the application is to rezone a forest zoned parcel, following similar approaches of other Rural Residential/Forest rezoning application would be difficult as the intent of the proposal is unique and should be based on its own merits. The application has been based on the 75/25 guideline where 75 percent of the land is deemed as a community benefit (conservation zone) and the other 25 is rezoned to permit the forest retreat use.

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

An OCP amendment bylaw will be required if the LTC wishes to proceed with this application. The LTC may wish to consider if a new land use designation should be created for the forest retreat area, or a site specific OCP land use designation. The decision to donate or covenant the land may also influence the OCP land use designation.

Existing & Proposed Buildings:

The applicant provided a site plan show the existing buildings on both Lot A and Lot 9 – map located on LTC Current Application website. In addition, an updated proposed building map was also provided and a list of proposed buildings and structures with floor areas in the applicant's proposal. The applicant is aware that the specific number of sleep meditation huts is required in order to draft future bylaws and will be providing the requested information after a discussion with the Crystal Mountain Society.

Potable Water & Septic:

The applicant has hired a septic consultant to address septic concerns for the existing and proposed buildings. Staff recommend a discussion between the Capital Regional District (CRD) and the applicant to discuss potential Building Permit requirements with regards to potable water and septic services. Although this information would not be a requirement of the rezoning as it will be fully addressed at the building permit stage, any initial information would be beneficial as water and septic requirements may affect the layout of the building and structures.

Access:

Staff recommend securing an emergency access through Lot A as shown on Schedule C in the Galiano Island OCP. Currently the lot can be accessed by vehicle from Porlier Pass Road but the driveway from Devina Drive is blocked. The applicants have agreed to grant an emergency route from Porlier Pass Road through Lot A and Lot 9 to connect to Devina Drive – see Figure 4. There is also an opportunity to secure secondary emergency route through the Long Term Retreat Zone along an easement access to Cook Road (see site plan). If the application proceeds, a referral to the local fire department and CRD will be required to comment on emergency access.

Options:

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

1. resolve to proceed no further with application;
2. direct staff to proceed with the application and to prepare draft bylaws; or
3. direct staff to proceed with the application and to clarify any outstanding issues with the applicant and bring forward a supplemental staff report to a subsequent Local Trust Committee meeting.

Staff believe the applicant has provided the necessary information in order to move forward with the application. The applicant provided a clear proposal, site plan, comprehensive environmental assessment, groundwater assessment and is in the process of registering a conservation covenant on 75% of the subject properties which could be considered a benefit to the Galiano community.

The LTC must consider if the application should proceed, and if it does, if 75 percent of the subject property as a community benefit should be donated, covenanted, or a combination of the two options. Donation of the land would require a willing agency to manage and restore the land and would involve a subdivision process. On the other hand a conservation covenant, by obligation, would require the Crystal Mountain Society to manage and restore the land in accordance with the Trust Fund Board policies and may include recommendations from the Eco-system Land Use Plan.

Staff recommends proceeding with the application and for staff to prepare draft OCP and LUB amendment bylaws and to proceed with supporting a conservation covenant between the applicant and Trust Fund Board as a condition of rezoning as the conservation covenant would eliminate the requirement for subdivision, would permit the applicant to manage and restore the lands in accordance with the Trust Fund Board, the Eco-system Land Use Plan, and the requirements of the proposed retreat use.

RECOMMENDATIONS:

1. THAT the Galiano Island Local Trust Committee direct staff to proceed with the application G-RZ-2014.1 (Crystal Mountain) and to prepare draft bylaws.
2. THAT the Galiano Island Local Trust Committee support a conservation covenant between the applicant and the Trust Fund Board to preserve 75 percent of the subject properties as a condition of rezoning.

Prepared and Submitted by:



A/Planner 2

November 27, 2015

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

November 27, 2015

Date

Attachments:

1. APC June 29, 2015 minutes
2. APC July 3, 2015



ADOPTED

Galiano Island Advisory Planning Commission Minutes of a Regular Meeting

Date of Meeting: Monday, June 29, 2015, 2:00pm
Location: Galiano Island Local Trust Office
23 Madrona Road

Members Present:

Sheila Anderson	Chair
Ursula Deshield	Member
Elizabeth Olson	Member
Dave Koster	Member
Akasha Forest	Member
Barry New	Member

Regrets: Karen Harris

Members of the Public: Five members of the public were present.

Staff Present: Colleen Doty Recording Secretary

Media and Others Present: None

1. CALL TO ORDER

Chair Anderson called the meeting to order at 2:00pm. The Chair welcomed the applicants representing Crystal Mountain and introductions were made.

2. APPROVAL OF THE AGENDA

Chair Anderson proposed the agenda include: 1) approval of previous draft minutes of June 9, 2015; 2); consideration of the application with respect to Crystal Mountain application; and 3) and consideration of the referral with respect to Contractors' Yard Temporary Use guidelines.

By general consent, the agenda was approved as presented.

3. PREVIOUS MINUTES

MOTION

It was moved and seconded that the Galiano Island Advisory Planning Commission draft minutes of June 9, 2015, be adopted.

CARRIED
(Unanimous)

4. DISCUSSION OF REFERRALS FROM LOCAL TRUST COMMITTEE

Stephen Foster, Libby McLelland, Janice Oakley and Kim Lenglet were present on behalf of the applicant Crystal Mountain Society. They provided an overview of the background and objectives of the Crystal Mountain Society.

Key points were referenced in Keith Erickson's report, entitled "Crystal Mountain Ecosystem-based Land-use Plan," revised April 2014. In particular, it was noted Crystal Mountain has some of the highest ecosystem diversity on Galiano. The Society's intention is one of restoration. Their proposal is to have a conservation covenant on 75% of their land. APC members were invited to see the land.

It was noted that the Islands Trust Fund has been approached to manage the covenant. Mr. Foster emphasized that Crystal Mountain is not interested in ownership. Their preference is for a strong covenant.

Ms. Oakley spoke to her experience at Crystal Mountain, indicating that it was very moving. She'd like the teaching to remain accessible to others.

Ms. Lenglet spoke to diversity. She stated that former forestry land going to Crystal Mountain provides a unique community interest and preserves biodiversity.

The applicants were asked the extent to which they might expect large group gatherings on the property.

The applicants indicated that there could be up to 25 people in the area "below" and five people "up top".

The Chair reminded everyone that the goal of the referral was to identify how the Crystal Mountain application fits within Galiano Island's Land Use Bylaw (LUB) and Official Community Plan (OCP) and what the APC thinks an approach might be and what might be considered.

It was noted by the applicants that the proposed retreat would be off-grid.

The APC then moved to deliberations with continued input from applicants as questions arose. The Chair noted that not enough information has been provided with respect to access to and from the property. She acknowledged the applicant's willingness to adhere to the Road Network Plan's (Schedule C of the OCP) proposed emergency route for the Devina Road residential area and noted there is flexibility in terms of route placement. With respect to the impact on surrounding residential lands, it was noted the neighbours will have an opportunity to comment. There was discussion about proposed density on the property being greater, compared to what it could be if developed area was 25 % Rural Residential (RR) with 75 % going to Heritage Forest (FH) . It was noted the Trust Fund Board policy allows them to hold title to Heritage Forest.

Covenant versus land title transfer was identified as a significant issue. Concern was expressed with respect to equity of approach to F1 re-zonings.

Commission members stressed the importance of access and maintaining a safe standard of access. Mr. Foster noted that it was important to the Society that the purpose of using the land be protected. He stated that Crystal Mountain is a non-profit and that zoning bylaws

ADOPTED

cannot control ownership. He indicated that the Society was open to being partners with a title holder if the land was transferred and perhaps the Society could lease-back land for the retreat use. It was also receptive to having a partnership arrangement that allows the organization to contribute to what the Trust Fund are trying to do.

APC members noted a lack of information about water storage and capacity. Mr. Foster indicated there are three wells on the property. A generator drives the well which is gravity fed.

The APC considered possible restraints around creating a forest retreat zone.

Commission members reviewed the Nov. 1, 2010 "Report of the Forest Policy Advisory Committee," part of the OCP review, noting the following paragraphs:

- There was also broad agreement that any dwelling use on forest zoned lands must be accessory to forest use, and the LTC must seek methods to require or encourage the practice of Ecosystem-Based Sustainable Forest Management. There was substantial agreement that dwelling use must adhere to a rigorous set of conditions that protect sensitive areas and ensure orderly development reflecting the broad public interest. We achieved substantial agreement on what those conditions should be, in several cases unanimously, with disagreements noted.
- We also agree that the LTC should require, whenever possible, maintenance of large forest areas, and discourage subdivision to less than 50 acres (20 hectares) We are in substantial agreement that subdivision of less than 50 acres (20 hectares) should only be permitted through a process of community benefit, with the benefit of greatest value being donation of land for community forest, wilderness preserve or park (p.4).

There was further discussion with respect to the easement access routes to the property. It was reported by the applicants that the easement route being used to access the proposed long term retreat area from Cook Road varies from the route surveyed in that easement agreement.

Another area requiring further information was with respect to watershed management.

There was discussion about needing more information on some areas, one in particular being the transfer of title.

It was suggested the APC look at examples for Retreat Zones in Denman and Salt Spring OCPs and LUBs.

The APC was interested in further exploration into the details of how the Trust Fund Board would treat the land. How would the Board ensure that the Society's management plan would carry on? Members agreed it would be helpful to get more information on all the possible ways as to how the land could be held. What are the policies of the Trust Fund Board and how easily could they be changed?

ADOPTED

MOTION

The Galiano Island Advisory Planning Committee recommends that the Local Trust Committee work with the Trust Fund Board to produce, in writing, options that can be considered to make the transfer of title to the trust fund board to provide the necessary privacy for the applicant that is integral for their project while providing the community benefit, as required in the OCP.

CARRIED
(Unanimous)

6. NEXT MEETING DATE

Friday morning, July 3, 11:30am.

7. ADJOURNMENT

Meeting adjourned at 1:15pm.

CHAIR

DATE

CERTIFIED CORRECT:

Colleen Doty, Recording Secretary



ADOPTED

Galiano Island Advisory Planning Commission Minutes of a Regular Meeting

Date of Meeting: Friday, July 3, 2015, 11:30
Location: Galiano Island Local Trust Office
23 Madrona Road

Members Present:

Sheila Anderson	Chair
Ursula Deshield	Member
Elizabeth Olson	Member
Dave Koster	Member (left at 1:20pm)
Akasha Forest	Member
Barry New	Member

Regrets: Karen Harris Member

Members of the Public: Two members of the public were present.

Staff Present: Colleen Doty Recording Secretary

Media and Others Present: None

1. CALL TO ORDER

Chair Anderson called the meeting to order at 11:30am.

2. APPROVAL OF THE AGENDA

Chair Anderson proposed the agenda include: 1) discussion of the Staff Report within the July 6 2015 LTC Agenda dated June 25 on Secondary Suites from Robert Kojima; 2) continued consideration of the application with respect to Crystal Mountain application; and 3) and consideration of the referral with respect to Contractors' Yard Temporary Use guidelines.

By general consent, the agenda was approved as presented.

3. DISCUSSION OF STAFF REPORT OF JUNE 25, 2015

The Advisory Planning Commission (APC) reviewed the Staff Report of June 25, 2015, concerning the Secondary Suite Review. Members wished to clarify the reasoning behind their recommendations in the Adopted APC minutes of June 2, 2015.

MOTION

The APC requests the Secretary to draft a table with APC recommendations on secondary suites and cottages describing reasons for the recommendations to provide clarity to LTC and staff on intended meaning.

CARRIED
(Unanimous)

The following table was created as per resolution above to represent APC members' comments.

APC Resolution/ Recommendation	Discussion	Recommended Outcome
From June 2 nd APC Meeting:		
That the provisions for secondary suites referenced in Bylaw 255, 1a) 2.28 should apply to both Part 5 and Part 6 of the LUB.	Presumed to be a typo, but provisions should apply to AG zone as well as residential	That bylaw 255 be amended to refer to Part 5 and Part 6 of the LUB.
That secondary suites should be restricted on lots smaller than 0.4 hectares, similar to the restriction on cottages.	<p>Concern over water shortages was the primary reason behind the APC's recommendations.</p> <p>Water consumption from a suite would be similar to that from a cottage and this draft grants rights for suites where cottages have been denied.</p> <p>Cistern provision does not necessarily ensure groundwater consumption will not be increased.</p> <p>There are some very water-stressed lots within the small acreages.</p> <p>APC members felt that a precautionary approach should apply. Eg. Saltwater intrusion is irreversible.</p> <p>Salt Spring Island's secondary suite allowance seemed more cautious and site specific</p> <p>Draft bylaws do not respect watershed planning. Kohut and Johansen in 1998 mapped the areas of Schedule C, shaded areas on LUB. Waterline report was 2011.</p>	Proceed with bylaw that allows either a cottage or a suite on residential lots larger than 0.4 hectares and one suite per AG lot to provide options but not excessively increase density or intensity beyond what is currently permitted by OCP and LUB.
That the Advisory Planning Commission seeks clarification with respect to the phrase "one secondary suite per lot"	<p>Concern that if both cottage and suite were permitted it could create non-conformity in future if built on lots 4 hectares or larger but zoned for higher density /smaller lot size, then subsequently subdivided.</p> <p>Concern about interpretation in cases of corporate coop holdings.</p>	Remove provisions for both a suite and a cottage on any lots. And ensure only one suite permitted per lot over 0.4 hectares even if density allows additional dwellings.
Proposed changes to the	Not part of the project description put	Amend draft bylaw by removing all

ADOPTED

APC Resolution/ Recommendation	Discussion	Recommended Outcome
<p>technical definition of a cottage</p>	<p>forward by LTC.</p> <p>Fuller analysis of why this is being proposed by Staff, and its potential impact. What happens to density when one untethers cottages.</p> <p>If accessory requirement removed it could encourage sale of cottage shares and increase footprint on a lot due to separate well, power lines, driveways etc..</p> <p>This was not identified in recent OCP and LUB review as a needed change.</p> <p>Galiano is not the only island using accessory to describe cottages.</p> <p>Encourages or makes easier corporate share divisions where cottages free standing dwellings.</p> <p>No public record of need for this change.</p> <p>What are the legal implications?</p> <p>What are the Bylaw enforcement implications?</p>	<p>portions relating to change of cottage definition as accessory.</p>
<p>2.28.3, why it is necessary to have reference to 40% if there is already a reference to 60m2?</p>	<p>No explanation as to why in Staff reports</p>	<p>Information should be made available to LTC and community as to rationale.</p> <p>Staff explained in June 25 Report.</p>
<p>2.28.6, need clarification on the catchment system required for the secondary suites and whether the cistern would need to be treated for potability.</p>	<p>Reported that in phone conversation with planner Chair learned that NOT intended to be potable.</p> <p>Once cistern in place what guarantees it will be used?</p> <p>Rainwater is scarce for many months of year and seems like a poor basis for increased density.</p> <p>Cisterns filled from groundwater wells do nothing to reduce consumption of groundwater. Just even out demand.</p>	<p>Greater transparency in regards to this requirement. And what ensures it will effectively reduce groundwater consumption.</p>
<p>That home occupations in secondary suites should follow the Land Use Bylaw, except that no non-residential employees should be permitted</p>	<p>The APC felt existing bylaws on Home Occupations were clear already</p> <p>Why is the reference to Mayne relevant?</p>	<p>Change bylaw to restrict non-resident employees in home occupations in secondary suites.</p>
<p>That in each residential zone a provision should be included</p>	<p>Seemed clearer to list in each residential zone rather than just in a</p>	<p>Consider how, in addition to general provisions of 2.28, to include in</p>

ADOPTED

APC Resolution/ Recommendation	Discussion	Recommended Outcome
in the permitted density provisions to limit secondary suites to lots greater than 0.4 hectares in each zone. It is recommended that the language be amended to: “One cottage OR one secondary suite but not both” permitted on each lot having an area of 0.4 hectares or more in respect of each permitted dwelling, to each zone outlined in the Land Use Bylaw: 5.1.3, 5.2.3, 5.3.5, 5.4.3, 5.5.3, 5.6.3	general provision.	each applicable LUB residential zone wording to indicate one cottage or one secondary suite permitted per lot over 0.4.
That under 6.1 of the Land Use Bylaw 127, 1999 - Permitted Density, a secondary suite should be permitted	Seemed clearer to list allowance for a suite in the AG zone.	In addition to 2.28 list in AG zone that one secondary suite per lot over .4 h. is permitted.
From June 9 th APC Meeting:		
... while the Advisory Planning Commission is very supportive of providing options for affordable housing, it recommends that the Local Trust Committee and the public be provided further detailed information	<p>Concern that LTC and community being asked to agree to a density increase with no information about how much of an increase it would be</p> <p>While there is information in Staff Reports about number of lots in various zones, information about lot size, how many smaller than .4 and how many 4 h. and up in residential zones in order to show what the increase would be if this bylaw was approved.</p> <p>The APC is not looking for more analysis, but rather, seeks further data.</p>	<p>The APC would like to receive some information with respect to:</p> <p>1) Existing lots, lot sizes and zones on the island, and potential density build-out; 2) How the ground water and waste-related provisions of this draft bylaw integrate with the <i>Water Sustainability Act</i> and existing ground water and waste-related reports and data; 3) Specifics around the water cistern with respect to achieving desired goals. The proposed bylaw is prescriptive for anyone who wants to develop a secondary suite in any zone but more details are required.</p>
From July 3 rd APC Meeting		
	The concern is that LTC and the community members have all the data before them in order to make informed decisions.	That information with respect to the APC’s concerns be provided before any bylaw is taken to first reading.

4. DISCUSSION OF REFERRALS FROM LOCAL TRUST COMMITTEE

A) Crystal Mountain Application

Kim Lenglet and Janice Oakley were present for the applicant Crystal Mountain.

Although most of the items requested of the applicant have been provided, APC members felt more information was required on:

ADOPTED

- Easements, details, provisions and location of, and likely impact on surrounding lands
- Mapping details of the wells' location
- Options available to the applicants with respect to the transfer of land and how the land will be managed in the future
- Structures that may be removed

However, as the APC was being asked for an initial opinion, they could be supportive of the nine criteria established by the LTC as per GL-2015-002. There was consensus that the nine points were important and worthwhile, although concern was raised about point 7 below being antithetical to the idea of a retreat. The nine criteria:

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

Specifically, the APC noted the following:

- 1) Well locations added to this point and required details on easements should be given to the LTC and APC.
- 2-5) Agree with request being fulfilled before draft bylaws
- 6) Agree
- 7) Agree, but with a concern noted that clustering might be antithetical to the concept of the retreat
- 8) Agree and hopefully in hand
- 9) Agree

There was discussion with respect to Temporary Use Permits as a way of managing use of land.

MOTION

The APC are supportive of the nine criteria established by the LTC as per GL-2015-002, and listed here again as follows:

ADOPTED

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

CARRIED
(Unanimous)

MOTION

In addition to the nine points in GL-2015-002, the APC thinks:

- 1) accurate well details (location, quality, quantity) should be added to the mapping;
- 2) all of the actual easement agreements on private land either in use currently or proposed for retreat access should be provided to the LTC.

CARRIED
(Unanimous)

B) Home-Based Contractor Yards Project

APC members discussed the recent LTC referral.

Members discussed the benefits and constraints of Temporary Use Permits (TUP) and the one permitted renewal, which allows for six years of operation, after which time one must reapply for another TUP or rezone. The TUP may be considered a trial, is less costly for the individual, provides a mechanism for neighbours to comment, and serves to facilitate rezoning. It is up to the private individual/operator, not the Local Trust Committee, to take the initiative in seeking a TUP.

Members discussed the need to add some measures to protect the groundwater and environment from spills of chemicals and other byproducts of the industry when applicable.

Members agreed to continue this discussion at the next meeting.

6. NEXT MEETING DATE

Subsequently set for Thursday, July 16, 2015 at 10:15am at the LTC office.

7. ADJOURNMENT

Meeting adjourned at 1:30pm.

CHAIR

DATE

CERTIFIED CORRECT:

Colleen Doty, Recording Secretary