

A letter in response to questions and concerns about the proposed Crystal Mountain Society Forest Retreat Meditation Centre

Dear North Galiano neighbours,

The Crystal Mountain Society (CMS), with encouragement from the Local Trust Committee, has had the pleasure of visiting our neighbourhood community to listen to your thoughts and ideas about our proposal to create a Forest Retreat Meditation Centre on Galiano. We were happy to see you last spring at our open houses and information sessions and have enjoyed meeting you at our recent neighbourhood walkabouts.

We understand that you may need more information about the CMS proposal and that you wish to see your concerns fully addressed. We too wish to achieve respectful and sincere relationships with our neighbours, which is why, as the proposal continues to be refined, we are fully committed to **transparency and accuracy** – our goal is to keep factual and up-to-date information available to the Galiano community.

This letter is a response to some of what we have heard. CMS will attend all related issues that are brought forward. We hope to address the concerns of our neighbours and to set the record straight on some misinformation that has been circulating.

'IS CMS A GALIANO BASED SOCIETY'?

First of all, **we would like you to know that we are a volunteer society that relies solely on donations to function.** Yes, CMS is a registered non-profit charity. We have no parent organization, financially, religiously, or otherwise. There are no paid staff and teachers and retreats are not run to generate profit. The proposed retreat centre is on Galiano however the mailing address of the Society fluctuates as it depends on which board member is currently receiving the mail.

Some members of the community question how our proposed Forest Retreat Meditation Centre will benefit the Galiano community.

According to the OCP, *'the social and economic diversity and creativity of the island community and the important role of volunteer based groups in community life are fundamental to our identity'* (OCP 2.e), and *'diversity is integral to a sustainable and healthy community. Good health care facilities are essential for residents and visitors of all ages. An island community depends on the activities and services of its volunteers'* (OCP 2.g).

Crystal Mountain was registered as a society in 1976 and as a charity in 1981; a non-profit society may be registered as a Canadian charity only if its purposes are exclusively for the public benefit. The stated purpose of CMS is to promote the development of the wholesome, clear, interested mind through study, meditation, and compassionate work. The OCP recognizes that *'the Island provides opportunities for renewal of body, mind and spirit'* (OCP 2.i), which directly aligns with our mission.

We seek to support growth and development of human beings in their search for harmony with the natural world by creating a Forest Retreat Meditation Centre, a proposal we believe is in harmony with the values of the community and the preservation of forest land. Protection, preservation, and restoration of the forest are at the core of our proposal.

We cherish the sublime natural beauty and tranquility the island has offered over the past 36 years that Crystal Mountain has called Devina Drive home. As such, we wish to safeguard and sustain the peaceful rural lifestyle that we value along with our neighbours. We have previously hosted retreats that offer a simple and natural camp-style experience. We seek to formalize rezoning for a low impact all-season Forest Retreat Centre that supports study, meditation, instruction, and quiet contemplation in the beautifully forested surroundings of Galiano.

In the decades we have been on the island and hosting retreats, we have often had 20-25 people participating at a time. Once the prep time has passed, living in a retreat space means little to no speaking, moving about by foot, having a soft touch on the land. Most people who don't know us well, even those who are neighbours, know how low key our presence is and are often surprised to learn that a retreat is underway. The rezoning will change our rudimentary facility to a year round retreat space. But our low key way of running retreats will not change.

Concerns about our proposal's compliance with Islands Trust and Official Community Plan policies have been expressed, and rightfully so. We support policies that have been created with the island's best interests at heart. This is why, in order to preserve and protect the natural beauty of the island we all love and share, we have shaped our proposal with the utmost respect for the OCP and are responsive to elements we understand are important to the community.

WATER MANAGEMENT

For instance, we take water management concerns very seriously. At a time when the global effects of climate change are at the forefront of everyone's minds, we want to make sure that nothing we do will be detrimental to our neighbour's water supply or to the waterways and wetlands integral to the eco-system.

For this reason, we have engaged the highly respected Alan P. Kohut, Senior Hydrogeologist at Hy-Geo Consulting, to conduct a comprehensive Hydrological Assessment Report. This report outlines steps for management to preserve and protect water supply and quality for all users.

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

We understand that the prospect of a group of people requiring water for food preparation and washing sounds daunting for water quality and supply. However, our Hydrological Assessment Report confirms the viability of the proposed water conservation practices, including monitoring water use by meter, using low flow fixtures, coin showers and providing limited access to laundry.

This report ensures protection of the groundwater resource for all users. Mr. Kohut concludes that water availability far exceeds the planned use and that no neighbouring wells will be impacted. We have also proposed rainwater catchment for larger structures with cisterns to store water for additional use and firefighting protection. This report is posted in its entirety on the IT website.

In addition, groundwater wells can be registered through Provincial Government programs and monitored for quality and quantity. The Society will voluntarily join the program and proposes monitoring of water quality and rationing through water metering to meet the limits stated in the Groundwater Assessment Report. The information collected can be accessed by the public at any time. This means that we will be able to reassess water use and are open to discussions with community members and neighbours.

One particular area of concern, Spotlight Creek, a seasonal watercourse running through the lot, is protected from pollution or harmful impact. All provincial riparian setbacks and regulations, as well as OCP Development Permit Areas apply and will be respected fully. As well, the ecosystem-based land-use plan includes care for the creek. The terms of the existing Water Licence issued under the Water Act on Spotlight Creek will continue to be honoured.

SEWAGE TREATMENT

We have heard your request for adequately detailed information about sewage treatment plans to protect groundwater resources. Studies by a qualified septic engineer are currently underway to ensure safe and efficient wastewater treatment that will not negatively impact the environment. Our plan will be based off the results of the studies and made available to the public.

Since the Islands Trust Policy Statement encourages *'innovative technologies and safe alternatives for disposal of sewage effluent'* (ITPS 5.4.5), systems that will fit the site are being designed to conform to Island Health standards. For example, waterless composting toilets are now accepted by Vancouver Island Health as important means of addressing the need to preserve and protect water resources — these will be an element of our proposal. Concern has been expressed that CMS is installing a 'wetland septic' ; this is not being considered. Systems will meet all standards of health and safety.

PARKING

One potentially confusing misinterpretation that has been circulating pertains to the number of parking spaces we will provide. A planner's report presented to the LTC on May 2 concluded with a recommendation of a total of 20 parking spaces. It was calculated that *70 parking spaces would be required only if the huts and meditation hall were occupied independently*. However, recognizing this would not be the case, the number was reduced to 12, one space per 3 sleeping huts and two for the cottage use. Planners recommended overflow parking for an additional 8 vehicles, which will be accommodated in the proposal.

Also, retreatants often avoid bringing a car by ride-sharing, so as to reduce the visual and associated sensory impact of vehicles on the site. Those staying off-site generally walk between accommodation and classes for the duration of their stay.

FOREST PROTECTION

Protection of the forest is of primary importance to CMS. The Islands Trust Policy Statement directs *'that sustainable forestry depends on maintaining and, where necessary, restoring the ecological integrity of forests' 'on a scale of forest stands and landscapes' through 'retention of large land holdings and parcel sizes' and that 'location and construction of roads, utility and communication corridors' be sited 'to minimize the fragmentation of forests.'* There is an expressed need to establish *'forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity'* (ITPS 4.2.2, 4.2.6, 4.2.7, 4.2.8).

CMS fully supports the Islands Trust Preserve and Protect directive as expressed in Galiano OCP land use policy c. *'The forested landscape is integral to Galiano's character and that ecosystem-based sustainable forest management is critical for maintaining and restoring Galiano's forest ecosystem.'*

Ecosystem-Based Management (EBM) means engaging in conservation planning to develop a system of protected areas and reserves that will help to sustain important ecological, cultural, and social values. EBM is an adaptive approach to managing human activities that seeks to ensure the coexistence of healthy, fully functioning ecosystems and human communities. This science-driven tool is based on ecological rather than cadastral units. The priorities that guide ecosystem-based use of land and water focus first on what to protect, then on what to use.

The groundwork of our proposal is an Ecosystem-Based Land-use Plan (EBP) that reflects best-practice forest stewardship policies. We have engaged a Registered Professional Biologist based on Galiano to conduct this study and advise our application to ensure the CMS proposal meets all OCP Forest Objectives and is consistent with OCP Forest Policies to protect the intrinsic values of the forest ecosystems that form the island's dominant physical environment.

The EBP has been integral in identifying the 18 ha (45 acres) of forest and wetland to be protected by covenant, the 4 ha (10 acres) for integrated use suited for sleeping huts, and the 2 ha (5 acres) designated as the facility zone, thus ensuring the coexistence of healthy, fully functioning ecosystems and human activity.

COVENANTED LANDS

A forest management and restoration plan will be registered by covenant on land title. The protective covenant will rest safely in the hands of the Islands Trust Fund and the Galiano LTC.

In British Columbia, restrictive covenants granted in favour of conservation or other similar agencies are by their nature enforceable, run with the land indefinitely, and can only be cancelled and discharged: (i) with the agreement of the covenant holders under the terms of the covenant; or (ii) by an application to court under the Property Law Act (BC) (s.35(1)(2)).

For court applications by landowners under the Act where a conservation agency is involved and does not agree to cancel it, the principal basis of such claim by a landowner would be that because of changes in the character or neighbourhood, or other circumstances the court considers material, the registered interest is "obsolete." Covenants can be cancelled by courts as "obsolete", but case

of a neighborhood has changed very rapidly, or where modern urban planning renders a historical law suggests that successful cases in BC are rare and involve circumstances where the character covenant obsolete as a result of urban development. Such is not the circumstance here, especially given the nature of the land and the covenant holders involved.

A rezoning must take place for any changes in land use but regardless, the covenant will remain in place to prohibit future subdivision, development, or separate sale of the lots, thereby eliminating unforeseen changes to the character of North Galiano. The Galiano OCP identifies such covenants as a community benefit.

The Chair of the Island's Trust Fund has expressed confidence in the security of the registration of a covenant on land title because a covenant remains on title regardless of changes of landowner, zoning or elected local government.

NATURE PROTECTION ZONE

Furthermore this 18 ha (45 acre) covenanted area may be zoned to Nature Protection (NP). NP zoning removes all development rights. This includes all development and residential rights of the 4 ha (10 acre) residential lot folded into this proposal

Altogether, the forest will be safeguarded by four layers of protection: An Ecosystem-Based Land-Use Plan, a Covenant for Forest Protection and Restoration, Nature Protection (NP) zoning, and existing OCP Development Permit Areas.

Concern has been expressed that NP zoned land protected by covenant will prohibit walking trails. CMS is negotiating in the covenant procedure for the trails to remain open. Currently, due to insurance restrictions, unauthorized entry to CMS property is technically considered trespassing. We are also looking at ways to address this restriction.

Diversity is of interest to the community, and OCP and Land Use Bylaws shall address *'the community's current and projected' 'long term needs for educational, institutional, community and health related facilities and services as well as the cultural and recreational facilities and services'* (ITPS 5.8.6). Our Forest Retreat Meditation Centre will contribute to fulfilling these needs. The OCP *'supports the passive contemplation, spiritual connection and low impact recreational and educational access to the forest'* (OCP 2.m) that CMS proposes.

A retreat meditation centre offers a significantly different opportunity than residential uses in that the purpose is to intentionally remove oneself from the normal activities of daily life for meditative study and contemplation. Retreatants remain in complete silence without engaging in activities associated with residential living, such as home occupations or hobbies, lawn and garden care, or coming and going, to shops or to social gatherings.

A site specific zoning is being drafted to reflect these distinct differences in the proposed By-laws now under consideration.

CONCERN ABOUT THE SCALE OF OUR PROPOSAL.

The CMS proposal is a comprehensive plan to rezone a residential zoned lot and a forest zoned lot to permit a Forest Retreat Meditation Centre. The scale and density of the proposed centre is consistent with occupancy averages for one residential lot with a dwelling and cottage and one Forest 3 lot with an accessory dwelling. The calculation includes the number of guests permitted in the OCP home occupation of bed and breakfast use, in two dwellings. A total occupancy of 30 people, the size of an average classroom, is in line with these calculations. We support a limit of 'overnight accommodation for 30 retreatants' in the bylaws.

CMS' total proposed development footprint is one-tenth of the lot coverage currently permitted on the 4 ha Rural zoned lot alone. Altogether, the proposed lot coverage on 24 ha of forest (60 acres) is 0.5%

We recognize that some members of the community envision subdivision and transfer of title as part of any forest land rezoning. Amenity exchanges have been a component of rezoning in which substantially increased personal profit is gained, or where increase in a defined density is proposed, or where a commercial enterprise could result. CMS proposes no subdivision; no residential lots for resale; no personal profit will be gained due to rezoning; no commercial enterprise will result.

COMMUNITY BENEFITS for CMS Forest Retreat Meditation Centre Rezoning Proposal.....

Please see our new updated document submitted to LTC.

Please check us out! All our programs are run by volunteers and open to the public. No membership or religious affiliation is required. While fees are charged where needed to cover food or rental fees, all teachings are supported by donation only.

Over the past few years, we have continued to refine our proposal in ways that address the concerns of our community. This will not change. Nor will our commitment to protect both the integrity of the forest lands and the quiet, rural atmosphere of our shared neighbourhood.

For further updates or more information on the Crystal Mountain Forest Retreat Meditation Centre rezoning proposal, please visit the Islands Trust website at:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/>

or call

or email