

# ADOPTED



## Galiano Island Local Trust Committee

### Minutes of Special Meeting

**Date:** September 24, 2022  
**Location:** Galiano South Community Hall  
141 Sturdies Bay Road, Galiano Island, BC

**Members Present:** Dan Rogers, Chair  
Jane Wolverton, Trustee  
Tahirih Rockafella, Trustee

**Staff Present:** Brad Smith, Island Planner  
Lauren Edwards, Recorder

**Attendees:** There were approximately 90 people in attendance

#### 1. CALL TO ORDER

The meeting was called to order at 1:00 pm. Acknowledgement and gratitude was stated for the opportunity to live, work and play in the traditional territory of the Penelakut First Nation people.

#### 2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

#### 3. BUSINESS

##### 3.1 Community Information Meeting re GL-RZ-2014.1 (Crystal Mountain)

Planner Smith presented on the rezoning application and provided an overview of the amendments for Bylaws 256 and 257, including that:

- the approval of the Minister of Municipal Affairs is required for bylaw 256 which will amend the Official Community Plan (OCP) to include policies and designation as Spiritual Education for 6.14 hectares of the site;
- 18.4 hectares will be designated as nature protection and transferred to the Islands Trust Conservancy;
- a Section 219 Covenant is in place for the land in perpetuity; and
- the LTC to consider public hearing prior to third reading.

Speakers on behalf of the Crystal Mountain site presented information, including:

- the purpose, history and use of the retreat and property;
- maximum users are limited to 30 people and four scheduled special events per year with user increase to 60 people on those four days;
- a description of proposed infrastructure, sleeping huts; footprint, environmental impact and FireSmart building materials;
- a description of relationship building that is occurring with the Penelakut First Nation people;
- technical information from a professional ecological assessment report was presented by biologist, Keith Erickson;
- technical information from a professional groundwater report was presented by Al Kohut, HyGeo Consulting;
- technical information from a professional water management plan report was presented by Gord Baird, EcoSense; and
- policy is supported for land use and preservation as well as community benefits and consideration for climate change.

Chair Rogers introduced the Q&A section of the meeting and responses included the following information.

- Zoning consideration is based on land use planning and protection;
- Staff reports and trustees have provided rationale for the zoning designation;
- Zoning does not permit commercial tourism and there are mechanisms set up to protect land and limit development as described in the presentation;
- Limits on the number of users per day is unique to this property on Galiano, but unknown with regards to other islands;
- There are no neighbour concerns previously presented which have not been addressed;
- The 12-hour well test will be adjudicated by the Ministry of Forests and Lands and they will decide if it is sufficient. If they require a 72-hour test, that would be fine;
- The water demand assessment was described in detail;
- The kitchen greywater system can no longer exist and greywater will go into the new septic system;
- There is a yearly two-level system for well testing;
- Prior to 2016, there were no regulations regarding greywater compost system. Any since 2016 have been grandfathered in. Approvals were only given after 2016;
- The water from the kitchen has been going into the greywater pit between two and four weeks per year for the last 15 years. No permission was required prior to 2016;
- Rezoning is to seek legal use of the property for the land use activity. Bylaw Enforcement and the LTC decided not to actively enforce land use bylaw;
- There is an allowable combination for potable and non-potable water;
- There is an aspect of the study program that requires isolation, therefore, separation is beneficial;

- In total, eco preservation is at 90%;
- An easement road currently exists and there is extra protection within the 219 covenant;
- On the upper property level, there is a meditation hut of 160 sq. ft. on skids which should not have been built;
- Applicant stated that in 2004, building was done to assist in designing the retreat and that there was no idea rezoning would take so long. She stated that the three huts should not have been built and apologized for this;
- The applicant commented that there had been meetings with the community over the years, that they are being as transparent as possible; and, that opinions, fears and advice were incorporated resulting in a decrease in huts, people and other parameters, such as the kitchen platform;
- Keith Erickson, Biologist, stated that the opinion of his professional organization was that there was no conflict of interest relating to his separate contracts associated with this site;
- Chair Rogers stated that Islands Trust take expert reports for what they are and sometimes will question such reports or get more than one opinion;
- Because the land donation is going to a public body, there are slightly different requirements regarding the subdivision process and the role of the approving officer is different;
- A water license would not apply to the existing hut on skids on the upper level without proof of potable water and, therefore, the structure could not be used;
- In all cases where there is non-compliance, bylaw enforcement has the right to enforcement;
- With regards to property boundary markings between Crystal Mountain and Islands Trust Conservancy, there is a rope across the easement road indicating private property, there will be added signage, the Islands Trust Conservancy requires corner marker stakes and there will likely be communication;
- Some indecipherable discussion occurred regarding lot access. The approving officer has the ability to allow for an easement access. There are alternative provisions as well. A portion of the lot will be accessed and the lot, as a whole, has road frontage;
- The Society requires 75% in favour in order to sell the property. The zoning and covenant would flow with the property;
- LTC can consider any rezoning application;
- Water use projection is determined by the land use permitted;
- Groundwater potential on the property was evaluated and it was concluded that it meets the use demand;
- Trustee Wolverton stated that she is weighing all the information regarding the application;
- Trustee Wolverton stated that trustees are at arms-length with regards to bylaw enforcement, there is a standing resolution regarding enforcement; and, the advice received was that it would be difficult to apply it retroactively; and
- Discussion became indecipherable at this point.

**4. ADJOURNMENT**

The meeting adjourned at 4:15 pm

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Dan Rogers, Chair

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Certified Correct:  
Lauren Edwards, Recorder