

**Municipality of North Cowichan  
Special Council  
MINUTES**

**October 1, 3 and 4, 2019, 6:00 p.m.  
Cowichan Performing Arts Centre - Theatre  
2687 James Street  
Duncan, BC**

Members Present    Mayor Al Siebring  
                          Councillor Rob Douglas  
                          Councillor Christopher Justice  
                          Councillor Tek Manhas  
                          Councillor Kate Marsh  
                          Councillor Rosalie Sawrie  
                          Councillor Debra Toporowski

Staff Present        Ted Swabey, Chief Administrative Officer (CAO)  
                          Sarah Nixon, General Manager, Corporate Services  
                          Ernie Mansueti, General Manager, Community Services  
                          Mark Frame, General Manager, Financial and Protective Services  
                          David Conway, Director of Engineering  
                          Rob Conway, Director of Planning  
                          Natasha Horsman, Manager, Communications and Public Engagement  
                          Karen Robertson, Corporate Officer  
                          Nelda Richardson, Deputy Corporate Officer  
                          Megan Jordan, Acting, Manager, Communications and Public Engagement  
                          Laura Westwick, Recording Secretary

**1.     CALL TO ORDER**

There being a quorum present, Mayor Siebring called the October 1, 2019 Special Council meeting to order at 6:00 p.m.

**2.     APPROVAL OF AGENDA**

It was moved and seconded:

**That Council approve the October 1, 2019 Council agenda as circulated.**

**CARRIED**

**3.     PUBLIC HEARING**

**3.1    "Rezoning Application No. ZB000064 for "Zoning Amendment Bylaw No. 3761, 2019"**

**3.1.1 Mayor Siebring to call the Public Hearing to order and explain the Public Hearing process**

Mayor Siebring called the public hearing to order at 6:00 p.m. for Rezoning Application No. ZB000064 for Bylaw 3761 (Motorsport Circuit).

Mayor Siebring provided an explanation of the public hearing process.

Mayor Siebring pointed out the locations of the public hearing binders that were available for viewing by the public throughout the duration of the Hearing. He advised that the binders contained written submissions received during the period August 21, 2019 (when Council gave first and second readings to Bylaw 3761) through to 12:00 noon on October 1, 2019. He also conveyed that during that time, the public hearing binders were also made available for viewing by the public at Municipal Hall.

The Mayor then advised that any written submissions received during the public hearing would also form part of the public hearing record and at the conclusion of the hearing all submissions would be retained in the vault at Municipal Hall for permanent retention.

Mayor Siebring also conveyed that no further verbal or written presentations could be received by any member of Council following the closure of the public hearing.

**3.1.2 Corporate Officer to provide a summary of correspondence received (as of Tuesday, October 1, 2019 at noon) as well as acceptance of any petitions or late correspondence**

The Corporate Officer noted that prior to the hearing there were 35 submissions received prior to 1st and 2nd reading (22 in support, 10 opposed, and 3 with concerns) and 157 submission received after 1st and 2nd reading (1023 in support as outlined below, 129 opposed, and 8 with concerns). Copies have all been circulated to Council in advance.

1023 In support, broken out as follows:

- 20 Submissions received through the Public Meetings email
- A Large Submission from VIMC that included the following:
  - 29 Letters of Support from Residents near the circuit and living in Sahtlam
  - 78 Letters of Support from Residents living in North Cowichan
  - 59 Letters of Support from Residents living in Cowichan Valley
  - 37 Letters of Support from Residents living outside of Cowichan Valley
  - 800 signatures from a 2017 On-line petition from Residents living in Sahtlam, North Cowichan, Cowichan Valley and outside of Cowichan

The Corporate Officer then read into the record 3 late submissions from the following individuals:

- Neil Dirom, from North Cowichan in support of the application;

- John Scull, Ph.D, 3291 Renita Ridge Road, North Cowichan, opposed to the application; and
- Jan Dwyer, 5839 Banks Road, North Cowichan, opposed to the application.

### **3.1.3 Director of Planning to introduce the application and provide an overview of his October 1, 2019 staff report**

The Director of Planning introduced the application, which included:

- Clarification of the properties involved in the application;
- Why rezoning is necessary;
- Explanation of permitted uses under the proposed rezoning;
- Review of the draft bylaw;
- Review of amendments to the applicant's commitments since the August 21, 2019 Council meeting, as detailed in the applicant's letter of September 25, 2019;
- Clarification that if the proposed bylaw were to receive third reading, the applicant's commitments would need to be secured by a restrictive covenant prior to adoption of the bylaw, approval from the Ministry of Transportation and Infrastructure would be required due to the proximity of the properties to a provincial highway; and that development and building permits would also be required before development on the lands can proceed.

The Director of Planning answered numerous questions from Council, which are summarized as follows:

- Under the amended commitments, go-kart use will be subject to the same noise restrictions as any other vehicle;
- Bylaw reference to "including but not limited to" under permitted uses is not meant to be vague or provide latitude for additional uses to be added, but merely a best attempt to capture the intent;
- There is no named maximum number of days per year for go-karting (application stipulates minimum of 6 days);
- Monitoring stations can be moved to other sites, subject to mutual agreement between VIMC and North Cowichan;
- Ministry of Transportation would need to approve the bylaw as the subject properties are located within 800m of a controlled access provincial highway;
- Approvals for bridge construction on Menzies Creek would be required from Ministry of Forests, Lands, Natural Resource Operations and Rural Development, likely the Department of Fishers and Oceans, and also the Municipality through the development permit process pertaining to riparian areas;

- Although the facility is often referred to as a race track, the applicant has advised North Cowichan they have no intention of racing vehicles in the conventional sense at this facility, with the exception of go-karts;
- Facility can only operate on up to two statutory holidays per year (with the exception of Christmas and Boxing Day) for the purpose of hosting international events;
- Enforcement of sound limits is still anticipated to be complaint driven, similar to most bylaw enforcement actions;
- The operators of the facility will also be doing their own noise monitoring to compare with Municipal monitoring in order to differentiate from other traffic noises;
- Each noise violation would be fined separately - there is no proscribed minimum or maximum time between violations;
- If the \$25,000 bond is depleted, the applicant will deliver further letters of credit to replenish. This stipulation shall be included in the covenant;
- The go-kart definition includes go-kart racing;
- The motor vehicle testing facility definition does not allow racing, and therefore no covenant is required in this regard.

#### **3.1.4 Presentation by the Applicant**

Council received a presentation from the following individuals who represented VIMC:

Mark Holland, Holland Planning Innovations (Planner). Key points included the following:

- Purposes of rezoning:
  - To support significant investment in expansion.
  - To resolve outstanding issues of zoning and sound impacts of Phases 1 and 2.
  - To secure significant community benefits, including protecting natural lands, trails, infrastructure and financial support.
- Phase 1 has provided \$1.5 million annual contributions to the local economy as follows: \$158,000/year in municipal taxes, 124 construction jobs, and 21 jobs in operations.
- Phase 2 is anticipated to create 200 construction jobs, 30 full time operations jobs, an estimated \$4.5 million into the local economy and an estimated \$400,000/year in municipal taxes.
- Various consultations and interactions with First Nations have been occurring since 2017.

- Climate action planning includes:
  - Acknowledgement of North Cowichan's commitment to action on climate change.
  - Contracting of Cowichan Energy Alternatives Society for emissions baseline and climate action plan.
  - An operating target of being the first climate neutral training circuit in North America.
  - The circuit's vehicle companies are leading progress on zero emissions vehicles, with BMW, Porsche, Audi, Mercedes and other launching mainstream zero emission vehicles.
- Wildfire interface considerations:
  - Public concern expressed in relation to fire hazard as development area is within OCP "Extreme Fire Hazard zone".
  - Assessment and interface plan completed May/June 2019.
  - Risk of wildfire initiating and spreading from existing motorsport circuit is low.
  - Risk management recommendations:
    - Maintain road access to entire property for rapid response.
    - Additional staff training for responding to vehicle fires and initial attack of any vegetation fire.
    - Review procedures and prepare written fire response plan for a variety of fire scenarios on site.
  - Phase 2 development reduces fire risk due to track standards, borders, implementation of firesmart guidelines and enhanced fire responses capacity.
- Community Engagement:
  - The circuit supports the community, and the community supports the circuit.
  - The applicant has made numerous adjustments to its original proposal in response to community input.
  - Heavy industry is necessary to provide employment and services to residents, but also presents a tradeoff between the benefits to the entire municipality versus a few nearby. The Drinkwater industrial area was zoned heavy industry many decades ago.
  - The proposed rezoning meets numerous North Cowichan policies including preservation of rural character, lands and habitats; enhancing

public trails; growing the Municipal industrial base; supporting environmentally responsible and lower impact industry; supporting climate action and clean vehicles; and supporting municipal infrastructure.

- To support rezoning is to support solutions to past concerns.

Kira Kristenson, Madrone Consultants (Archaeologist). Key points included the following:

- Preliminary Field Reconnaissance (PFR) of the property was conducted on August 21, 2019 by two Madrone archaeologists, accompanied by Cowichan Tribes representative Irvin Canute, biologist Sarah Bonar, and Chris Erb and Brent Brownsell of SupErb Construction.
- As currently proposed, the VIMC expansion has low potential to impact archeological deposits.
- It is their recommendation that a member of Cowichan Tribes be present to monitor construction of the Bridge Crossing #3 as the archeological potential of land near the east bank is assessed as low to moderate.

Council asked Ms. Kristenson several clarifying questions, the answers to which are summarized as follows:

- Culturally Modified Trees (CMT) are only protected if they pre-date 1846, and in their assessment none were found.
- It is anticipated that any accepted recommendations would be secured as part of the approval process and development agreements, whether in covenant or in other forms.
- An archaeological overview was performed to assess archaeological potential and it was determined that an Archaeological Impact Assessment (IAI) was not necessary.

Sarah Bonar, Aquaparian Consultants (Environmental Consultant). Key points included the following:

- The project has been redesigned to limit environmental impacts as far as possible, including retaining and reforesting all areas outside of the development footprint.
- Reforestation to include repair of previous owner's logging damage to Bing's Creek, with 74% of parcel to be reforested/revegetated after construction of Phase 2.
- Groundwater management to include:
  - stormwater being detained, retained and infiltrated into the ground.
  - runoff to be filtered with separators and bioswales to remove contaminants.
- The site will be encircled with a wildlife fence, with the circuit to be fully video monitored and controlled when in use.

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- The four stream crossings will be clear-span bridges to maintain existing stream beds and flows and will allow fish passage if fish do access these upper reaches.
- Bing's Creek corridor will be offered to the Municipality, with Uplands (A4) area offered for preservation and use as trails, as well as financial support for construction of trails to link to Mt. Prevost.
- Following constructions and reforestation, the development footprint will be limited to only 11.3 hectares (26% of the Phase 2 parcel).
- The Phase 2 parcel comprises 2.7% of the Bing's Creek watershed area.
- The development footprint area of Phase 2 is 0.7% of the Bing's Creek watershed area.

Council asked Ms. Bonar several clarifying questions, the answers to which are summarized as follows:

- Even if the application is approved, a development permit cannot be issued without federal and provincial approvals. The Department of Fisheries and Oceans have indicated they have no objections, but final approval is still pending from the Ministry of Forests, Lands, Natural Resources and Rural Operations.
- No high-octane fuel and no fuel with lead will be used at the track.
- It is not possible to provide an accurate estimate of the exact number of trees which will be taken out as part of Phase 2 constructions, but the net impact of Phase 2 following reforestation will be 6.1 hectares out of a total of 221 hectares.
- Only the areas required to build the circuit are to be cleared, with the rest to be retained as forest. As well, the damaged area from Bings Creek would be re-treed. The initial disturbance area is 31.5 hectares or 73% of the Phase 2 parcel, and 13.1 hectares would be revegetated or reforested.
- The Bings Creek and A4 areas will be untouched, with lay down construction areas and anything not needed for functionality of the track to be reforested.
- A small area would be landscaped around the buildings in the southeast corner, along with a 2 meter strip of grass along the site of the actual circuit (part of the stormwater filtration system and for safety reasons). The landscaped areas and grass areas would add up to 1.2 hectares.

Jeff Tomlinson and Jim Bechanan, JEA Engineering (Engineering). Key points included the following:

- Domestic water and fire water to be supplied by the Drinkwater Road water system.
- Sewage disposal will be via on-site systems.

- Storm water management will be controlled with a combination of sub-surface and surface infrastructure.
- Storm water quality will be controlled with sumps/oil interceptors and vegetated bioswales depending on risk and circuit design requirements.
- Individual servicing details will be provided during the design stage.

Ben Coulson, RDWI Consultants (Sound Engineer). Key points included the following:

- Noise monitoring indicates the track produces levels similar to existing ambient community noise due to highway traffic.
- Noise assessment is consistent with historical and expected track operations and is appropriate.
- Proposed noise level limits based on CVRD bylaw (**L20** 59 DBA, **Leq** 59 dBA, **Lmax** 79dBA) are appropriate and consistent with local jurisdictions; use appropriate and accepted scientific parameters that reflect community response; and are achievable by the facility.
- Proposed mitigation will help reduce sound levels from the track, but details have not yet been finalized (red line on diagram presented is potential for a wall; green lines are berms).

Council asked Mr. Coulsen several clarifying questions, the answers to which are summarized as follows:

- The Navcon Peer Review relied upon reports produced and subsequent conversations with staff. A lot of the conclusions are observations made based on extreme comparisons (background sound to high instantaneous levels), which is an inappropriate comparison. As well, the suggestion that the **Leq** is an inappropriate parameter is surprising, as it has been used for 40 years and is the most widely used for assessing community noise throughout the world.
- The Navcon Peer Review identified that measurements in the community did not match modelled results, and are therefore not a validated model. However, models used do not always represent reality in an absolute sense. There are some adjustments the model cannot account for which happen in reality, and those adjustments can be made based on measurements to adjust for those factors. It is conventional throughout the industry to approach modelling in this manner.
- Sound is subjective. Being able to hear a sound means it is audible, but it does not necessarily mean that it is intrusive. Having sound limits does not mean that someone will never hear the facility. There is no noise standard that guarantees inaudibility, and that is not the intent of those standards. There has to be balance between audibility and what is an acceptable sound limit to not cause intrusion.



- There are no generic standards that apply to racetracks or motor sport facilities –they are usually reviewed on a case by case basis.

The Mayor invited **Elder Robert George** of Cowichan Tribes to provide his comments prior to hearing from registered speakers.

- Elder George was speaking on his own behalf, and urged Council to keep the mountain in its current state. The mountain carries their stories and it is their Garden of Eden.
- His family has been protecting these lands for many years; he is the fifth generation of his family trying to do so. His people go out to harvest medicines, but as soon as 100 acres are taken out, 100 acres of medicine are gone.
- They have not had much success with colonization and corporations, and they have lost quite a few battles. He is speaking here on his own behalf to keep the mountain natural.
- He has a medicine staff that has four feathers representing the four cultures of people -- the white culture, red culture, yellow culture and black cultures, all coming together as one. It is a symbol of the virtues to be reminded of: forgiveness, love, justice, and peace. It is to remind everyone of how to work together, and conduct business in a respectable, kind, loving way. He hopes the day comes in the future where business is done that way. Maybe his grandkids will be standing here someday saying the same thing, but he hopes not.

### **3.1.5 Mayor to call for submissions from the public on the proposed site specific zoning amendment**

The Mayor then invited submissions for the first time from registered speakers on the proposed site specific zoning amendment. He asked speakers to state their name, address, and whether they were in favour or opposed to the application, along with the reasons.

**Kryshelle Langford**, 60 Sahtlam Avenue East, Lake Cowichan, delivered a letter on behalf of **Haley Ketch**, Mina Drive, North Cowichan:

- The Corporate Officer read out the letter which indicated that the August 21, 2019 email to Council was not written by her and she is requesting that it be withdrawn.

**Vicki Walker**, 3921 Corey Road, North Cowichan, spoke in **favour**:

- She lives under two miles from motor circuit and does not find the noise excessively loud, disruptive, or annoying.
- She is proud to have a facility like this in her neighbourhood, and is grateful for the contributions VIMC makes to the community and the taxes they pay.

**Scott Yanko**, 1243 Margaret Place, North Cowichan, spoke in **favour**:

- As a resident and business manager of a well-known organization that has been a member of this community for almost 40 years, his organization cannot operate successfully without support from the community, residents, governing members and support through corporate partnerships such as the one they have with VIMC.
- VIMC and GAIN group have become one of his organization's biggest supporters by holding functions at their facilities, and have supported other groups in the valley.
- VIMC has brought touch of class and diversification to this community by giving people one more reason to visit.

**Ashley Quesnel**, on behalf of **Kirsten Quesnel**, 5920 Clements Road, Sahtlam, spoke in **favour**:

- She can hear the circuit, but believes VIMC deserves a chance.
- VIMC contributes to the community in more ways than average person, and is located where other loud operations are carried out; but for shorter hours.
- VIMC is not a disturbance to her or her family.

**Leah Malone**, 4955 Cowichan Lake Road, Sahtlam spoke in **favour**:

- She has lived in Sahtlam for 10 years, and in the Valley for 20 years. Although she is not an environmentalist, archeologist or sound engineer, her quality of life has not been depleted.
- She is a community member, and VIMC is a forward-thinking supporter.

A friend of **Dean Mellroy** (name of speaker not provided), of 4920 Cowichan Lake Road S., Sahtlam, spoke in **favour**:

- Dean had to step out, but he used to live in Sahtlam and supports the application.

**Dorothy Alexander**, 911 Arbutus Avenue, North Cowichan, spoke in **favour**:

- Spoke on behalf of the 80 members of the Vancouver Island Karting Association.
- 15 acres of original 46 acres of Phase 1 (in zone C8) has been zoned for go kart racing since May 2011.
- SNA indicated karting would not be subject to noise limits, but Association neither asked for, nor expected, to be exempt.
- The national accepted standards are 82 decibels, and well below the 95 decibel limit for the track.

- The Association would be subject to all the same restrictions applied to the circuit.
- If the proposed rezoning is not passed, the majority of the property remains heavy industrial with no noise limits.
- When asked by the Mayor whether the Association could abide by the proposed maximum 79 dbA limit, Ms. Alexander responded yes - their standards are 82 decibels measured 30 metres from the rear axel.

**Daryl Judge**, 3711 Cowichan Lake Road, North Cowichan, spoke in **favour**:

- Has lived here for 49 years, and his property is right at the Tansor cutoff road leading to the Cowichan Lake Highway.
- He hears vehicles and all industrial activity starting from 7:00 a.m., and carrying on beyond 5:00 p.m.
- He can hear the track from his location, but it is not annoying and is just part of the noise in that area.

**Matt Williamson**, 4675 Westwood Road, Sahtlam, spoke in **favour**:

- He lives two minutes from the track and cannot hear it over the highway, gun range, or other noises – it is much better than noise from a plane.
- The noise issue will be moot as all cars in the circuit become electric.
- He uses the track and bought a house there because of the track.

The Chair asked for a 15 minute recess at 9:05 p.m.

The Public Hearing resumed at 9:20 p.m.

**Jaxon Vaccher**, 2459 Liggett Road, Mill Bay, spoke in **favour**:

- He is a former employee of the VIMC and current resident of the Valley.
- In July 2017, he created an online petition to show support for VIMC expecting 200- 300 signatures. When the petition was closed last year, there were approximately 800 people who signed that petition who are based in the Valley and who support the circuit.
- The Mayor asked Mr. Vaccher whether he created the petition as part of his role with VIMC, to which Mr. Vaccher confirmed he was not employed by VIMC at that time.

**Peter Watts**, 2575 Partridge Road, Mill Bay, spoke in **favour**:

- Mr. Watts works in hospitality and is currently the Manager of Microtel Inn and Suites in Ladysmith.
- He feels the rezoning will benefit families as an attraction and for job opportunities, and will benefit all accommodation providers.

**Karen Bresler**, 1107 McKenzie Drive, North Cowichan, spoke in **favour**:

- She has a law firm with a focus on real estate and family law, and is a Director of Duncan Cowichan Chamber of Commerce.
- The majority of her clients view the Valley as unattractive due to lack of jobs. The circuit's application offers an opportunity to attract businesses, encourage spending in local businesses and tourism, while respecting the environment with the measures to be put in place.
- The expansion application offers an opportunity to grow and move successfully into the future.

**Sarah Stipkala**, Hilton Road, North Cowichan, spoke in **favour**:

- She is a long term resident who owns two properties near Mr. Prevost, and has not been impacted by noise.
- VIMC's community involvement and raising money for charities allows them to give back.
- The Cowichan Valley is lucky to have them.

**Brent Clancy**, 33 Pine Street, Lake Cowichan, spoke in **favour**:

- He is President of Lake Cowichan District Chamber of Commerce.
- Expansion brings economic development, as well as people coming from outside of the area to spend money and look at business ventures.
- VIMC has supported the Chamber with numerous events including the Christmas parade, summer parade and Cowichan Lake stewardship.
- He understands noise concerns, but VIMC is doing everything it can to address those concerns.
- Not expanding and having the land go to a different industry would be detrimental to the area as other businesses are not likely to put in similar self-imposed restrictions.

**Cheri Mactier**, 640 Trans-Canada Highway, North Cowichan, spoke in **favour**:

- She is a Director with the Ladysmith Chamber of Commerce.
- VIMC operates year round attracting people from the island, the mainland and abroad. With visitors travelling through Ladysmith, opportunities to attract business and exposure are enhanced.
- The facility has provided an attractive community venue to support events and for use by non-profit organizations.
- Expansion would have positive economic impact on region.

**Paul McGregor**, 3055 Oak Street, Chemainus, North Cowichan, spoke in **favour**:

- He is President of the Chemainus Chamber of Commerce.
- VIMC has a willingness to work with and not against governments by revising their plans and limiting hours of operation.
- VIMC has invested much into the facility and the community. They will continue to bring economic development.

**Julie Scurr**, 2896 Drinkwater Road, North Cowichan, spoke in **favour**:

- Chair of Business Advocacy Committee of Duncan Cowichan Chamber of Commerce.
- Speaking to economic and tourism aspects of business, the track has brought in significant construction and direct operational spending, and employs 21 full time staff.
- The visitors' centre sees visitors from the Eyrie asking for information about restaurants, wineries and attractions.
- When VIMC previously hosted a car launch event, hundreds of media featured Cowichan, increasing its exposure around the world.
- VIMC has invested in the community, including \$200,000 to non-profit organizations, and is a key visitor attraction.

**Aimee Sherwood**, 3575 Seaview Road, North Cowichan, spoke in **favour**:

- She is speaking on behalf of Cowichan District Hospital Foundation.
- VIMC have made regular donations to CDH Foundation, which have been allocated to the new hospital building fund.

**Fred Oud**, along with **Sheri Patterson**, c/o 7380 Trans-Canada Highway., spoke in **favour**:

- He is past president of the Cowichan Exhibition and is on the Board of Directors.
- Diversity creates interest in the community, and can create a world class operation to allow more people to visit.
- More jobs for residents and extra taxes will benefit those living in North Cowichan.
- The applicant has proven to be a good neighbor by supporting local businesses, managing environmental impact, giving Bing's Creek land to the Municipality and being committed to reducing noise levels.
- Over 50 local business have been supported by helping them survive, creating spinoff jobs and strengthening the tax base.
- Over 80 non-profits have been supported with \$250,000 in donations.

- These actions speak to the commitment the applicant has for the area.

**Lynn Ross**, on behalf of **Jack Peake**, 105C - 540 Al Wilson Grove, Duncan, spoke in **favour**:

- Jack Peake is former Mayor of Lake Cowichan, and former Chair of the CVRD.
- He supports the application for economic reasons due to the downward trend in the forestry sector.
- Loss of jobs and tax revenue make it difficult for local governments to meet their needs.
- VIMC supports worthwhile causes in the community and has donated large sums of money to many groups since it opened, as well as bringing tourism dollars that every community seeks.
- Rezoning not only benefits North Cowichan, but the whole Valley.

**Matt Delange**, 3721 Drinkwater Road, North Cowichan, spoke in **favour**:

- He was born and raised in the Valley, and lives on Kingsview Road in the properties.
- As current general manager of Surespan with 15 years' experience, and having built many bridges, he feels this is one of the most concise and comprehensive reports and best environmental plans for that area, as well as the plan for rainwater capture in light of the zoning.
- Difficult times are ahead due to the Teal Jones shutdown, Catalyst having to lay workers off, and the Western Forest Products' strike.
- He recommends North Cowichan look at all options and at a diversified portfolio of moving forward with expansion to help the Valley be stronger from a financial and environment standpoint.
- This is the best option on the table for that land for longevity of the Valley and to take care of environmental concerns.

**Ken Wright**, 6357 Cowichan Valley Highway, North Cowichan, spoke in **favour**:

- He is a professional geoscientist, and manager of Duncan Paving. He has lived here for 20 years.
- VIMC is a very large employer for Duncan Paving, not just in doing the circuit, but other investments GAIN group has made around town.
- It provides a lot of employment for their workers, and the expansion will provide 30 paving jobs for 3 months. Duncan Paving has also utilized the track for driver training.
- The circuit adds a new layer of fun and tourism for the Valley, and a safe place to drive cars at speed.

- In the short term, noise is an issue, but high end cars supplied to GAIN (Porsche, a few others) are going electric, which will be seen more and more over next 10 years. Noise is an issue, but it will be going away.
- He understands why people are concerned, as it is not as much about the volume as the sound of it.

**Mary**, on behalf of **Bruce Muir**, Elmsworth Construction, 7-5815 Banks, North Cowichan, spoke in **favour**:

- VIMC is a good neighbor and he has no issues with the facility.
- When on his property, he hears traffic noise on the highway and Surespan. He does not enjoy those noises, but understands his property is in a heavy industrial area.
- He is happy to learn VIMC purchased other land, as that property could have been purchased and used for any number of industrial uses.
- Under I2 zoning, there are no restrictions on noise or hours of operation. VIMC are being extremely responsive to both of these issues.
- He hikes Bing's Creek trail, which is amazingly beautiful, and his understanding is that VIMC is giving that land to North Cowichan, as well as preserving the land for wildlife habitat. These are huge wins for the community.
- He has been a business owner for many years, and many are struggling. VIMC needs to be welcomed to the Valley and given full support.
- VIMC is putting in thousands of jobs, and taxpayers liked them are needed. They have proven themselves to be responsible, and have listened to neighbours' concerns.

**Michael Ruge**, on behalf of Elly Ruge, Cowichan Auto Repair, North Cowichan, spoke in **favour**:

- He relayed a story of guests sitting out on his deck at 10:30 at night, and, upon hearing a noise, they assumed it was noise from the circuit, even though it had been closed for hours.
- Unless people are sitting at the track monitoring it to know if that noise came from there, he hopes people don't just guess and assume things.
- A number of businesses are pro for the track that don't want to speak out because of speaking on social media and alienating people. Businesses want to move to the community and don't want the controversy.

**Paul Jordan**, 462 Point Ideal Road, Lake Cowichan, spoke in **favour**:

- Resident of Lake Cowichan and Director of Lake Cowichan Chamber of Commerce, and was Co-Chair of Lake Cowichan's 75th anniversary celebrations.

- He interacted with VIMC two weeks ago when they were running a very large hot rod show. He contacted them to see if VIMC could assist, and they allowed 50 cars to drive around the circuit, enabling them to have a much greater registration and successful event. This is just one illustration of ways in which VIMC has benefitted the community in Lake Cowichan.
- On personal note, he spent an entire afternoon going through SNA's website and Facebook, and I was struck by the passion with which they feel for their argument against the circuit. The three particular concerns were environmental, economic, and noise.
- It boils down to noise and the concerns of a group of neighbours whose lives have been impacted by noise vs. the opportunity for future to embrace a world class facility which will bring economic benefits.

**Duck Paterson**, 1125-b Walken Road, Ladysmith, spoke in **favour**:

- The motorsport circuit is not just a local entity, but one which reaches beyond North Cowichan boundaries, and benefits all of the central island population.
- They are involved in community events and charities, are members of the Ladysmith Chamber and supported Ladysmith Days, Show & Shine, Cops for Cancer, and other events.
- Community involvement is very important, but the benefit of the circuit to entire area is very large - people spending money, sleeping here, eating here, shopping here. Hopefully when people see how beautiful it is here, they will be investing here, and that's what he wants to see too.
- He gave an example of a couple who have gone to the circuit many times who visited Ladysmith. They went downtown and fell in love with Travellers' Hotel, which has been run down for 12 years. They bought it, hired locals to start working on things, went through red tape, and received rezoning. Early in the New Year, they will be starting their \$3 million renovation to this iconic landmark - saving the hotel and retaining heritage. Once complete, it will employ 18-21 people. They have since also bought a house on a piece of property in Area H.
- Even though this is a local issue, he believes in the big picture and looking into the future, and the need to look at economics of the entire area. If North Cowichan prospers, it filters down to business and families in entire area.

**Helmut Blatiken**, speaking for **Chaim Sisson**, 3366 Limerick Road, North Cowichan, spoke in **opposition**:

- Climate protection is currently the biggest challenge and is everyone's business, both on a small and large scale.
- He understands the enthusiasts, but operation of the circuit means an additional burden that is not necessary for the common good. Approval for expansion of the operation would send a false signal to accomplishments of



our biggest challenge – to reduce greenhouse gas emissions. We need to move away from internal combustion engines.

- For him, the biggest question is: where does the sound have to be measured? Contamination has to be measured at property line, not one or two kilometres away, and noise is contamination.
- Regarding climate change, give concerns of environmental damage which cannot be compensated by short term profit. Future generations will have to pay the price.

**Galen Armstrong**, 5984 Castley Road, North Cowichan, spoke in **opposition**:

- They are Sahtlam residents, that live 2 km from circuit. They hear it regularly and it is annoying.
- More than that, it is about paving over forested land, in an already struggling watershed and moving the economy towards land-intensive recreation catering to an elite group instead of making choices that reflect the climate crises we are in.
- They hope Council will make the right choice for watershed health and for their children.

**Erika Verlinden**, 5984 Castley Road, North Cowichan, spoke in **opposition**:

- She urged Council to leave a legacy of environmental, social and First Nations responsibility by saying no to the application.
- Expansion only benefits a few -- the mega rich, VIMC and a few people employed in construction -- all at the expense of the Sahtlam soundscape, potential archaeological sites, historical and sacred connection of Mt. Prevost.
- Please do not allow burning of fossil fuels for fun - it is counter to what's needed get through the climate crisis.

**Marilyn Palmer**, 1444 Maple Bay Road, North Cowichan, spoke in **opposition**:

- She has on occasion heard the track from her house. In preparing to speak, she read all the documents, the GAIN group submission, and those written by SNA, and all other referees responses. She discussed this application with urban planning and design professionals, and relied on her four decades as an architect.
- While the community has many unanswered questions, the most important two questions when asked to decide on land use: is there a need, and is this the best location for that proposed use.
- As an aside, charity donations are irrelevant to land use - this is a land use issue, and must be evaluated on basis of that concept.

- The GAIN group has not demonstrated a quantifiable, valid or supported response to either of the questions of demand or location, either in past or part of this application.
- They have created a highly divisive mess in the community. There have been lots of opinions and some errors in judgments, but no professional economic analysis, no business cases, no land valuation studies, and no projections of future economic impacts. Other Chambers' presentations were full of speculations, but she has yet to hear any real analysis that demonstrates those impacts are reliable and valid.
- Given these, how can we right the wrongs done that have created this conflict?

**Icel Dobell**, 7901 Stoneyhill Hill, North Cowichan, spoke in **opposition**:

- She would like to limit her comments to expansion impact on the forest, people in the forest, animals, bats and birds.
- Racing cars means different things to different people - to some fun, to others noise pollution. Every year, well over 100,000 people (locals and tourists) seek peace and quiet to walk or bike in the internationally acclaimed North Cowichan forests. We are not talking about right vs. wrong, but two different experiences.
- The sound of a race car may be music to some ears, whereas that same noise in the forest to humans and animals may sound like a one ton mosquito driving through one's brain.
- This past year, hundreds of people reached out to Council about the forests. Council listened and committed to highest values for management of forest.
- There are higher values that cannot be bought and morally should never be sold such as the quiet of the forests, which also happen to be of significant worth to community.
- VIMC submitted an environmental impact assessment. In it, there is no proof that increased noise will not negatively change the environment in the surrounding forest, driving some animals and people away.
- Facility operation noise is outside the scope of study, so they didn't study it. Unless there is proof to the contrary, we must assume there is a negative impact.
- VIMC has not provided our community or Council with the facts necessary to make an informed decision on racetrack expansion.

**Paul Rickard**, 4053 Lanchaster Road, North Cowichan, spoke in **opposition**:

- He is a Charter Member of Cowichan Stewardship Roundtable, past president of that organization and former member of technical team advising for the Cowichan Chinook rebuilding plan.

- This is a land use decision. The land use concerns are the watershed for Menzies Creek, which blends into Bing's Creek and for the strong increase that will result in burning hydrocarbons with premium plus gasolines. They don't burn regular gas, and they do contain lead.
- You are looking at careful plans of a complete rebuilding of the last operating watershed. Plans of extensive culverting/ditching, redirecting surface flows and removing best functioning natural watershed in North Cowichan. It does affect the ecosystems and fish in those creeks.
- In a time of climate change emergency, acknowledged by watershed management board, everything needs to be done to look at unnecessary fossil fuel burning and huge amount of tire wear.

**Martha Lescher**, Duncan, spoke in **opposition**:

- This is very important to many residents, as well as investors far removed. She thanked Council for asking many knowledgeable organizations to contribute referrals.
- She would like to challenge the claim that GAIN is offering economic benefit. It owns VIMC, Villa Eyrie, what used to be Sahtlam Lodge and has their eye on other interests in the Valley.
- At one time, the community was built around a single industry - forestry. People who worked in forest harvesting had enough to support a family and purchase a home.
- Even with that affluence, when lumber barons pulled out, the community suffered to rebuild. Is it healthy for community to become so dependent on one business? What influence will it hold when it pays so much in taxes, has access to vast resources which they use to promote their best interests?
- GAIN is an investment group whose bottom line is profit, and already have a controversial reputation. They pay low wages for hard work, demand undue loyalty from their employees who otherwise suffer consequences as seen at the Ramada. Employees stand to gain nothing of long term value. Is this the best picture for economic growth?
- She is not saying we don't need taxes, employment or donations - the Valley is a desirable place to live. The Duncan Chamber said that small businesses are the backbone of Island communities – she urges the Mayor to broaden the vision of how we build economic wealth in community.

**Paul Rossmo**, 4063 Cowichan Valley Highway, North Cowichan, spoke in **favour**:

- He is the General Manager of VIMC.
- Similar to North Cowichan, current staff of VIMC were not directly to blame for poor communications in the beginning.

- Reducing sound levels and lessening impact to the community - all through this time Council moved forward with positive engagement.
- He has attended most Council meetings, and no actions that were taken were ever good enough. Detractors were relentless, even when they lost the lawsuit; even when costs awarded by the court were waived by VIMC and the Municipality - they posted on social media as if they had won.
- VIMC took the high road, but the postings got worse - abuse, including bullying of himself and his staff. He withdrew from those discussions.
- Here is what he faces: photos of cars that have never been to the circuit; asking their helicopter not to fly over farms (VIMC does not have a helicopter, but one came once in 2018, and has not been back since). Posts blaming VIMC for tire marks; posts calling on their membership to write to Council to create buzz, insinuating that Council can be bribed. This doesn't include references to his disability.
- Council needs to know what the truth is and what is not.

**Dan Woodley**, 6187 Marsh Road, North Cowichan, spoke in **favour**:

- He is a full time employee of VIMC, and his job is tour team leader- he organizes scenic tours and driving programs.
- He first became familiar with circuit through hockey. After his first visit, he had to be involved. He met so many amazing customers having the time of their lives. He is proud to say he works for VIMC.
- This expansion remains a great opportunity for North Cowichan and the surrounding area. This is his job and his passion that he shares with everyone through the gates. Let's continue to expand and grow.

FIPPA s. 22(1)

[REDACTED] North Cowichan, spoke in **favour**:

- The first time he went to VIMC it was for an open house because he had interest in the circuit.
- He heard complaints about sound and went to the open house to hear from those people about what their experience was.
- Because of that trip, he got a job at the circuit as a part-time instructor. He has a background in performance driving and teaching high end use sports.
- His passion is teaching driving and he takes that very seriously. He is now lead instructor there, and he is the one that interacts with people who take their programs.
- His passion is to teach them performance driving, but the skills he teaches at the track might make a difference for them on the road and makes them better drivers. Because he cares about people's health and safety, he feels that he makes a difference.

- He relayed story of a woman who was initially reluctant to drive, but later on thanked him as she had been in terrible car accident before, landing her in hospital for 6 months and having to relearn to walk. That one day completely increased her confidence in driving. That's what he does there, and that's how he pays North Cowichan taxes.

**Christina Wallace**, 6630 Forestry Road, Mesachie Lake, spoke in **favour**:

- She became part of the food and beverage team at VIMC this past May, and is bartender.
- Before she joined the circuit, she was stay at home mom, formerly a bylaw officer in a hamlet on the northwest-passage in the Arctic. She was diagnosed with PTSD.
- Her job at the motorsport circuit is her happy place. The expansion would give her year-round work and creates jobs for others.
- There's a five star restaurant in the plans, and she's looking forward to using her staff discount there.

**Sean Hern**, 648 Battery Street, Victoria, spoke in **favour**:

- He was the lawyer retained with VIMC, who argued the case in Victoria in relation to the jurisdictional issues and removing the Municipality zoning issues out of the lawsuit.
- He wanted to note there is some inflation between the issues relating to track as it operates today and what is the decision before Council, which is rezoning application and expansion.
- This Council was elected into office with the track in place. If Council turns down rezoning, the track will still be there and has all the use it is entitled to with no mechanism to add the things that are currently on the table - restrictions around the time it can operate, noise mitigation, controls around sound - there is no ability or power to retroactively impose those.
- This rezoning process is an opportunity for this Council to reach back into the existing track and add those restrictions. This is important for people who are the detractors as it currently is - this is the opportunity to make it a better tack.
- The decision before you is not track or no track. The issue is track or better track. It is important not to confuse those two issues.

**Cathy Gilbert**, 240 McKinstry Road, Duncan, spoke in **opposition**:

- She is not an expert - she is a community member, parent and grandparent.
- The earth is what we all have in common - we share this planet. It is a planet on fire. We have a short time to mitigate damage to the planet.

- Every individual thing we do matters, and everything includes this expansion proposal - she believes it will have impacts on species in this area. It will be a problem of not only those neighbours, but across the Valley.
- She hadn't heard there had been greater economic spinoffs for small business. The opportunities for people who live in Cowichan Valley are restricted by cost. One in four children live in poverty - using the track at a few hundred dollars isn't something most can do. It does sound fun.
- If we have to look at significant gains, not sure what they are -- but she is very concerned with environmental impacts: the actual space, emissions from cars, switchover will not happen right away. Our planet's problem is imminent. People flying here is also worse for the planet.
- She is hoping this Council will choose to make a great decision for this community and the world.

**Gail Mitchell, #8 - 3194 Gibbins Road, North Cowichan, spoke in **opposition**:**

- She is co-president of Cowichan Valley Naturalists.
- Council will have received their letter - they stand with several other groups and ask that Council decline this application.
- Personally, she wants to emphasize, whether we like it or not, times are changing, faster than anticipated, and we cannot ignore this.
- VIMC is a business that has persuaded many that it would be good for the Valley. She personally finds this debatable, and short sighted, when you consider how fossil fuels are being used in this activity.
- Cowichan Valley has been promoted as a place of serenity, to slow down and savour life. She has watched the speed fanatics' trailers going into the gate and watched those highway usable vehicles rev their engines, but this grandmother is not intimidated by revving the engines.
- Those who have the power to make decisions for the community must be courageous and support the call for action. The first step is to recognize the climate emergency -- the next step is to take action.
- If this application is approved, it means we're not listening, and the earlier decision of recognition is really worthless.

**Susan Kaufmann, 4371 Sunrise Road, Duncan, spoke in **opposition**:**

- She understands we are here about a rezoning application and development permit will come later.
- Mr. Conway talked about the clubhouse and circuit and whether it was actually a permitted use under I2, and she believes that was the focus. It was not decided, so she wonders why North Cowichan did not seek a legal opinion.

- With respect to definitions, some definitions are defined, but not all. The definitions in permitted uses are law, and if those are not clear to you tonight or to the public, she wonders how you can move forward.
- She heard there are only going to be street legal vehicles, but that is not defined within this bylaw - nothing says only street legal vehicles.
- She has heard about economic benefits of this organization moving forward, but she only sees 50 jobs for 100 hectares of land. She heard from Surespan, who have 105 employees for 11 hectares. She is trying to gauge the economic benefit for the community. Yes, there are benefits for short term, but what about long term - what is the real gain?
- She is disappointed in some of the Chambers of Commerce - a lot of people are providing good economic value and creating/drawing thousands of people in our Valley. They are saying if we don't approve, it is going to wreck the economy. She doesn't think that's true.
- She would like to see VIMC put money into making improvements for the sound, as an act of good faith to do those improvements on Phase 1. As a resident of Sahtlam, she doesn't have confidence that will be the case moving forward.

**Paulina Kee**, 3228 Gibbins Road, Duncan, spoke in **opposition**:

- Lots of new information here and she would like to acknowledge the scientists/ecologists/biologists, and thank the Municipality for acknowledging we are facing a climate emergency and are committed to an action strategy.
- Her concern with expansion, in light of climate crisis, is that we have no idea what the future holds. We need to build resilience, and the highest aim is to be towards long term resilience.
- She is concerned regarding the disruption it will cause to the post-disturbance ecosystem recovery, which is just beginning to take place with the wooded areas and elk population - it will be a setback to further recovery.
- Her other concern is mental health of the community. There is a mental health crisis in the community that is growing. Children are growing up in the area, and their brains are still developing. More research is needed on mental health and cumulative noise disturbance (for example, baby shark song played at low volume could drive someone insane, but some people like it).
- After listening to members of Cowichan Tribes and many members of the community thanking VIMC for support, she would like to see the mountain kept as is and have the request to preserve the plant medicines be honoured.

The Mayor stated that as there were still several speakers who wanted to speak, he recommended that the Public Hearing be recessed and reconvened on Thursday, October 3, 2019 at 6:00 p.m. at the Cowichan Performing Arts Centre Theatre at which

time Council would continue to hear the remaining registered speakers and then hear submissions from the floor.

It was moved and seconded:

**That the Public Hearing be recessed at 10:58 p.m. and be reconvened on Thursday, October 3, 2019 at 6:00 p.m. at the Cowichan Performing Arts Centre Theatre.**

**CARRIED**

The Corporate Officer noted that the Public Meetings email in-box would be available to accept written submissions until 12:00 noon on Thursday, October 3, 2019.

**Municipality of North Cowichan  
Special Council – Public Hearing  
MINUTES  
October 3, 2019, 6:00 p.m.  
Cowichan Performing Arts Centre - Theatre  
2687 James Street  
Duncan, BC**

Members Present	Mayor Al Siebring Councillor Rob Douglas Councillor Christopher Justice Councillor Tek Manhas Councillor Kate Marsh Councillor Rosalie Sawrie Councillor Debra Toporowski
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Sarah Nixon, General Manager, Corporate Services Ernie Mansueti, General Manager, Community Services David Conway, Director of Engineering Rob Conway, Director of Planning Natasha Horsman, Manager, Communications and Public Engagement Karen Robertson, Corporate Officer Nelda Richardson, Deputy Corporate Officer Megan Jordan, Acting, Manager, Communications and Public Engagement Laura Westwick, Recording Secretary

**RECONVENE THE PUBLIC HEARING**

Mayor Siebring reconvened the Public Hearing at 6:02 p.m. for Rezoning Application No. ZB000064 for Bylaw 3761 (Motorsport Circuit).

Mayor Siebring once again provided an explanation of the public hearing process and pointed out the locations of the public hearing binders which he noted were available for viewing by the public throughout the duration of the Hearing. He advised that the binders contained written submissions received during the period August 21, 2019 (when



Council gave first and second readings to Bylaw 3761) through to 12:00 noon on October 3, 2019. He also conveyed that during that time, the public hearing binders were also made available for viewing by the public at Municipal Hall.

The Mayor then advised that any written submissions received during the public hearing would also form part of the public hearing record and at the conclusion of the hearing all submissions would be retained in the vault at Municipal Hall for permanent retention.

The Mayor asked the Corporate Officer to provide an overview of the correspondence received.

The Corporate Officer noted that:

- After the recess of the Public Hearing on October 1, 2019, further submissions were received and copies of all correspondence received as of noon today have been forwarded to Council and added to the Public Hearing binder. No further petitions were received.
- The Public Hearing binder has been available for public viewing until 4:30 pm at Municipal Hall and 3 copies are in the Theatre lobby for viewing and will be available throughout the hearing.
- Two late pieces of correspondence were received which are being photocopied for Council for review this evening and copies will be placed in the public hearing binder for members of the public to view.
  - Watercourse impact summary memo submitted by Aquaparian Environmental Consulting; and
  - Letter from Jan Dwyer.

The Mayor then called upon **Jarred Williams Qwustenuxun** of Cowichan Tribes to speak.

- He was here last Tuesday until the very end. He heard something over and over - money and economic growth. Those must be really important to people here.
- People are talking about the new possibilities this wonderful track will have and that new visitors will be here. That's what we want - we need more people, apparently.
- He also heard that everything is really loud - highway is loud, all things loud. He heard it's OK to be loud. Other things are loud too.
- He lives just up the road from here and walks through all this land, and has for generations. He walks with his three sons and they ask why are there no more trees. What happened to the other river they used to go to? What should he say to them?
- When they go to bath holes near where there was almost a noise park, he doesn't want to hear race cars. It was the same for them, less than 2 km away. It was made into an off-road park, and was really loud, and it was all about

how it's OK to be loud, as it's out in the woods. The Tribe had to acquire that land so that their sacred areas were not being interrupted and everyone worked so they would be able to use that land. There is a bath hole there - he goes there and brings his sons. He shows them who they are there.

- He heard Tuesday of low archeological significance. Archeology is study of a culture through remains that exist within the fossil record. He was there with his chief. They are not in the record -- they are on the land, out there hunting, walking, harvesting. They don't leave anything on the ground because that's what they were asked to do for generations.
- He hears everyone call it Mt. Prevost, but who is that? Why did he get to name this place? It is a Garden of Eden to their people - that's where their first man landed and walked all the way down here. It is a very sacred place.
- Somena, the long house down by the white bridge, is not where it used to be. When the railway was put here, they moved it. It was over by where the Forest Museum is now. He doesn't see any reserve land there.
- At the highway between the old village and the mountain, what is called Bing's Creek now - he used to go up into hills, to the holes, to the sacred area. This is area where young men become men.
- These are very sacred things and he doesn't see a lot of his people here, and people are asking him about that. They are only 4% of the population. The average income is of an aboriginal person is \$19,000 a year. They hunt up there, and he was eating deer from there last Tuesday, made in a traditional pit oven with relatives, very close to where this new race track would be. Won't it chase away the deer, the elk? What happens in the ocean when those really big ships come -- all the whales, salmon and herring leave, because it is way too loud. Now it is going to be loud up there, too. How are they supposed to eat, if they don't have any money and if there are no more elk? They are actually robbing the food out of their people's mouths.
- They don't think about that - they think about economic growth and how it is that growth going to help their tribe. They have only approximately 5,000 members and 5,000 acres of land. One acre each. North Cowichan has roughly almost 2 acres to each individual, and they have 48,000 acres. Maybe they need to leave a little bit for these animals so they can eat.
- He is the chef to the elders - he sees the elders every single day, hears them every day, and they are not nearly as well behaved as he is - they are mean, they get upset, they don't hold back. An elder was at a large climate symposium in Victoria as week ago. In 30 years there won't be enough water to run their river; and in 60 years there will be no cedar trees. Why are we in such a rush? Who are we without cedar, river? The salmon are gone. He used to go fishing and get hundreds, but now he catches one a night. Now everything is upside down. All he heard about was money.

- He has so many of relatives that have asked him to come here and tell what is happening -- they don't have food or water, and now they won't have cedar. This is a chance to come together, be one, and work together to help everybody. They have a racetrack. Does there have to be another 100 acres?

The Mayor then called upon speakers who were registered to speak on October 1 but did not have the opportunity to speak on that date.

**Judith Appleby**, 1033 Islay Street, Duncan, spoke in **opposition**:

- She is a former Sahtlam resident, who lived near the Sathlam fire hall.
- She is not a sound expert, but does take exception to several things said by the VIMC sound expert. In particular, his saying he walked around the neighbourhood and trusted his own ears that there is no noise problem.
- The race track has affected her life. From 2016 to 2017, she was dealing with a difficult family situation. Their escape was their verandah, a decompression zone. Whether sitting surrounded by trees and wildflower meadows, listening to breezes, while dreaming of time when life a little easier. They would sometimes sit with tea and a book.
- This was not without interruptions - they are 200 m from Old Lake Cowichan Road. There are tractors and chainsaws; small aircraft practicing. Here she can agree that noise is subjective.
- Two things they never heard were the highway or industrial park. When the racetrack opened and was making that noise, she checked for dirt bikes, but that wasn't it.
- A couple months before she found out about VIMC, noise didn't happen every day - it was dependent on cars and wind direction. When it did, the verandah was no longer a decompression zone and the garden was not peaceful. They were assaulted with the sound of engines revving, over and over again, for hours at a time. It was a noise they could hear not only from the verandah, but in the house with the stereo on.
- She understands noise is amplified due to elevation from the highway. Expansion will take it up higher on Mt. Prevost, carrying the noise further. She urges Council not to let that happen.

The Mayor then called upon two additional members from Cowichan Tribes to speak.

**Presentation by Darren George, Councillor for Cowichan Tribes**

- He feels it is very important at this time to talk of land structure, and would like to thank North Cowichan for giving him the opportunity to speak.
- He does have concerns. He has been a Sahtlam resident for 35 years and his ancestors have lived there all their lives. He has had a really had a hard time in the last 25 years watching development grow.

- Sahtlam members came to see him about what is happening with the race tracks. At the time that was happening, it was uncertain what was going to happen, so he is glad this is an open place to make some change and make something right for development of that property.
- They are really worried what is happening with the environment, and the elk that are of concern to the needs of his community. When he drives on the highway, he sees them getting less and less. Are they moving because of development? Is that creating a new surrounding? We don't know. We may want to find out first before new development.
- His ancestors used to say they would go up to the mountains to refresh their hearts and minds, but now they can't. He doesn't wish for bad development, but for good development for all the right reasons.

### **Presentation by Lucy Thomas**

- She is a Cowichan band member and survivor of many life experiences. She stands here tonight a little nervous, as she is not a political person.
- At first, she didn't want to speak - it was not her place, she doesn't live there, she doesn't know what's going on, and doesn't have the history. Then took she took a step back, and remembered that this is unceded territory of the Coast Salish people. She is very passionate about helping her people, and she speaks from the heart.
- She went around asking a lot of people, as she didn't want to speak in her own words. Somebody told her that the race track is for rich people; that they don't live here, and then they go home. She didn't like hearing that they were not from here.
- They were not consulted, and were not at the table. She recalls talking about their fish 40 years ago. When she was 8 years old, they had hundreds of fish, enough food for the year. Today they are lucky to get 5 fish. Even commercial fisherman are complaining and standing with them.
- We are talking about land that belongs to animals. First nations were put on earth to look after the land, and only took what they needed; built their homes and tents; then packed up and left. They were told to pray to the elk when they go hunting; pray to the fish; pray to the cedars when take branches off. When you leave, take what you need but don't get greedy. They use those trees and the eagles in all their ceremonies. She is speaking for them, as they can't speak for themselves. We are taking their homes away.
- With respect to burial grounds, how often is it heard that they dig up and come across some of their old bones. Some keep digging and don't tell anybody. Those are their ancestors in those grounds. They have no real burial ground -- wherever they were, that's where it was. That's why you can find them all over this Island.

- In their winter ceremonies, they are encouraged to go up the mountains, to be one with mother earth, talk to trees and birds. If someone is having trouble in their heart, that's where they go. When things are crashing in at home, they go for a walk with their grandchildren. They let the leaves and branches take away all negative things. When they come home, they feel better.
- She has really bad allergies. She went in to the long house and they gave her a medicine. It was good for 15 years. Because of all the logging and building, they can't find one herb. Now she has to take the white man pill every day. That herb is gone - only they know what it looks like and they can't find it on the island. That should tell how much things are being taken away. It might not seem important to others that medicine worked, but it worked for everything.
- The rivers were their highway. That was how they got to visit people and fought their wars. They don't think about stuff like that when building - they think of money, of profit, of fun, of big toys. She is on committees for the homeless, and when she looks at that place, she thinks why couldn't they build something for the homeless if they wanted to spend money. There are people in poverty, not just hers, who are working and living in poverty, yet they want a racetrack. She can't understand what a racetrack would do.
- She prays hard to say the right words. She is not political, but she does speak passionately about first nations concerns and issues.

The Mayor then continued to call for speakers who previously registered on October 1, 2019 but had not yet had the opportunity to speak.

**Peter Rusland**, 5807 Banks Road, North Cowichan, spoke in **opposition**:

- He believes his property value will be adversely affected by the track. The track is a gated exclusive playground for wealthy folks.
- The other night, he heard person after person speak in favour - most either worked there, played there, have connections to it, or were paid by VIMC somehow. His agenda is not money or votes or anything else. His agenda is about protecting our community, and the elders share those thoughts.
- This track has divided his community. He wants everyone to get along, although not everyone will agree. Council's job is to figure out how to make that happen.
- He is glad there is finally a public hearing on this - perhaps there should have been one several years ago. He still doesn't know why and how that site was sold for millions by North Cowichan with no public input.
- We now have opportunity for input, but some of current councilors were on that former council when this happened. Lingering questions remain about how GAIN gets its money - it behooves Council to ask about this project.

- There are so many questions about this project, and this is Council's golden opportunity to say no and do the right thing as it relates to noise, pollution, devaluing property values, climate crisis.
- We are considering a race track, not a hospital, or housing -- just say no.

**Keith Williams**, 207 - 1715 Pritchard Road, Cowichan Bay, spoke in **opposition**:

- He has friends and acquaintances on both sides, and is amazed that the amount of goodwill towards a go kart club could turn into his nightmare.
- It is a playground we are talking about - they are not setting up a solar energy farm, not milling lumber or manufacturing - it is an elite playground.
- He doesn't like the numbers game he sees and how many people he sees on that side speaking - he didn't know this was a referendum.
- To his friends who are in support, they mentioned problems with noise from logging, gun ranges - those people are not applying for a zoning change.
- With climate change talk, has this not been a part of this application? Councillor Marsh was wondering why she could hear it from Maple Bay. With every bit of elevation, the noise is elevated and magnify exponentially. If there is nothing about elevation in this application, that is a serious omission. Are you going to talk climate talk, or walk the walk.
- General consensus was that the former Mayor and Council were naïve or negligent to approve the application. This Council has a chance to put an end to the quagmire.
- With the existing track, a lot of the things people say it has brought to valley won't be diminished - they can still test cars, still test electric cars, and be progressive.

**Elodie Roger**, 980 Grandview Street, North Cowichan, spoke in **opposition**:

- She is speaking as part of Somenos Marsh Management Society, who was asked to be one of the referral agencies for this decision.
- She reviewed the Phase 2 documents provided; she dug into the data of what has been provided and not, and also walked the lands.
- Bings and Menzies Creeks are extremely vulnerable right now. They have the highest level of metal concentrations and non-metal concentrations in watersheds, and summers are longer and drier.
- No data was provided on wildlife migration and the significance of those for people here and for Cowichan Tribes.
- She hopes that Councilors are able to make a decision. The state of that watershed is one of the healthiest on the west coast, and means a lot to many people here.

- One of the reasons she decided to stay here was to see how passionate and involved everyone is with issues related to the water. When different groups and the community coming together, putting agendas aside, and focusing on water - this is what she's proud of.
- As many of have said already, words need to be followed by actions, and more data is needed.

**Tom Sparrow**, 1282 Cherry Point Road, Cowichan Bay, spoke in **favour**:

- From a professional perspective, he has been overseeing infrastructure projects such as schools, highways, airports, hospitals and border crossings, across Canada.
- He commends VIMC and GAIN from a professional perspective on the work they have done.
- He knows many in the room are concerned with environmental impact and carbon emissions, but from a professional perspective, the work they have done is admirable, and the investment to make sure they are trying to meet the needs of this community and the Island.
- From a personal perspective, he lives on Cherry Point Road, and has driven the circuit on three separate occasions getting his Level 1 to 3 certifications, to learn to drive better.
- He takes his vehicle and gets gas at Superstore - it is not a race car. It is a car that can be driven on highway and he very much enjoys learning how to better operate his vehicle.
- They have done an amazing job, and he compliments them on the investment they are making on this Island and the community, the economic diversity and support of this Island and the province.
- He is very disappointed in that some of the comments that have arisen are not very fair to the people who are investing into this opportunity. He wants to thank them for the patience they have had and the support they are getting for ensuring we are creating diversity.
- When asked by Councillor Marsh as to Mr. Sparrow's professional background and experience, he indicated his current position is that of Chief Project Officer; that he holds three graduate degrees in public administration, sciences and in business administration, in addition to his project management certification. Mr. Sparrow also provided examples of numerous projects he has worked on over the past 35 years, located both on the Island and across Canada.

**Lia Versaevel**, 9904 Maple Street, North Cowichan, spoke in **opposition**:

- She appreciates the work Council is doing, and the time and dedication given to this project.

- In 2017 she had the opportunity to lease a carriage house on Clements Road, which was on five acres of property in Sahtlam. She speaks from some experience, having lived there for one year.
- Her background is in conflict analysis, and she tries to see the perspective of both sides. She tries to imagine what the proponents are thinking --she is sure they are seeing this facility as already built, done deal, but she does not. She doesn't think it is any secret that she doesn't agree with Phase 1. We need to look at this as more than a piece of paper.
- She also has experience as a science teacher, and when she looks at this area, she thinks of a number of things. This is elevated property, not waterfront, not ocean level - we are talking about the side of a mountain. We cannot separate land from water or air -- all of these things are interconnected, as are the people and every other living thing within this system.
- She lives and works here in North Cowichan, and was thrilled when she came to Council a couple months ago and they agreed to work from this point forward for the planet. She urges them to continue.

**Paul Fletcher**, on behalf of **Arthur Thomas Rimmer, MD**, 162 Jubilee Street, Duncan, spoke in **opposition**:

- He has resided at 6181 Green Road and has concerns regarding the proposed expansion.
- This facility, while enjoyed by some, developed at significant cost to the environment, and those living nearby.
- He has followed the expansion and listened carefully to the presentations by the proponent, and was impressed by VIMC's efforts to mitigate some of the impacts. He also acknowledges significant support from some members and VIMC's contribution to the economy.
- The track has caused significant disruption to many in Sahtlam and a significant division within the community. None of this is acknowledged by VIMC. He is saddened by the angry discourse and personal attacks by VIMC at some of their critics.
- The track is here to stay, and the proponents have yet to address noise and disruption by the existing facility. Expansion will exacerbate these problems. The proposed site will climb mountains, cross two streams, and noise will undoubtedly worsen.
- As a family physician with patients and members directly affected, he has concern about the impact the proposed expansion will have.
- He is a father of two and the state of world we'll be leaving is part of our legacy, as well as the legacy of Council and Mayor. We need to ask if this is what we plan to leave for future citizens and the environment.



**Dan Ferguson**, 4064 Vaux Road, Glenora, spoke in **opposition**:

- He lives right by the gun club. He doesn't mind the gun club, or people hunting in a safe manner.
- The track bothers him, and it chased him off his porch on Sunday morning.
- All the information heard about how the sound doesn't travel, how noise is subjective -- noise by definition is an unwanted sound, and that track is noise.
- He lives in that paradise, and he doesn't want to listen to cars. He doesn't hear anything else in the industrial park, the sawmills, or the Surespan yard, but he hears that track.
- This represents a lot of what's wrong with our culture, such as embracing internal combustion engines. He hears about electric cars, so why not take the gas engines off and open a track for electric? There is an opportunity for the Cowichan Valley to embrace the future of clean air and not the future of toxicity.
- He has been called a liar on Facebook page. When you can hear it from Glenora, he is not a liar. Council needs to say no.

**Garry Bruce**, 1027 Vista Avenue, Duncan, spoke in **opposition**:

- He is a Councillor with City of Duncan.
- He has lived in Duncan area for 70 plus years, and his heart goes out to the people of Sahtlam.
- He can't imagine setting up a household, buying property, moving out to the area or surrounding areas, enjoying the peace and quiet of that neighbourhood, and then having this thing flopped in the middle of that after years of quiet and just a wonderful way of to life.
- He and his wife spend a bit of time with good friends who live on Sahtlam Road. He is on City Council in Duncan, and one of the things he is learning is that as Council members they have to protect the people in their neighbourhoods, and so does North Cowichan Council - they have to make sure what they do is win-win. He is tired of win-lose programs.
- With the showing of people here, coming out and expressing their thoughts on this thing, it would be interesting to see how the first part of this track got put in place.
- On another point, the cars that are running on this track are street legal, but if you take a Honda and wind it up to 7,000 or 8,000 RPM and pop the headers off, it is still a street legal car, but it will roar like an Indy car.
- He really feels badly for the people of Sahtlam to have to live through this.

**Brian Thacker**, 5644 Menzie Road, North Cowichan, spoke in **opposition**:

- Listening the other night, there are many people who are in support that don't live in the area that hear the noise. This reinforces the notion that the one with the most money has the biggest club. GAIN spends a lot of money.
- The sound expert had very little to say about the real world - it is not just about decibels. The independent peer review by Navcon should have more weight than it was given.
- He has the same concerns with Phase 2 as with Phase 1 noise assessment - it should be taken into consideration. Aside from the environment, it is noise.
- When the track opened, he was forced to listen to the drone of noise. For the first time in 40 years, when on Menzies Road, he thought: does he have sell his house to relieve himself of the noise?
- These people took no precautions and made no attempt to mitigate the noise created. They simply treated Sahtlam people like country hicks when the complaints came.
- He does know things about noise. He started Surespan, and they try to respect the noise they emit. They make conscientious efforts to keep the noise down. He personally builds sound walls, which they ship all over Canada and US.
- GAIN has made no attempt to deal with Phase 1. For Phase 2, there are pretty lines on a map, but no time or money - simply words.
- He was disappointed reading how "pro" North Cowichan is to passing this law through. He is astounded the zoning application can go forward and not address the sound from Phase 1.
- Going up higher will increase the noise. It is not the 59 decibels - it is the drone.

**Gerry Hawkes**, Westview Street, North Cowichan, spoke in **favour**:

- He was born in Duncan, and has lived and worked in Valley all his life.
- He is a proud member of the Vancouver Island Karting Association. Karting is family club, from ages 8 to 85. He likes to see the positive interactions between parents, sons and daughters.
- Trucks and cars go down the highway, and have to keep sound to minimum. That is part of our rules.
- All other sports are supported financially, which is a good thing. The motor sport community can't get permission to build a track, never mind being paid for by taxpayers.
- The kart club was told 10 years ago by the Regional District when it bought land at Shawnigan to build a kart track that it as a really good idea, but it was

not in the right place. They were told to go to an industrial area near a highway. That's where this is.

The Mayor then invited submissions for the first time from members of the public who had not previously registered to speak.

**Dr. Brenda Bernhardt**, 6829 Forestry Road, Mesachie Lake, spoke in **opposition**:

- Noise is not just irritating. It is known to have a direct human health impacts.
- Occupational Health and Safety Regulations state that workers are not to be exposed to 85 decibels of daily noise. The track would be allowed 79 decibels for 3 minutes, 4 times an hour throughout the entire day, with 59 decibels allowed constantly.
- Studies have shown chronic exposure to noise levels above 55 decibels and increased risk of stroke and heart attack. Aircraft noise impacts development of reading skills in children, as well as numerous other health concerns.
- Wildlife face more problems than us. They are more dependent on sound, making them easier prey, and they become inefficient at hunting. High intensity sounds induce fear and forces them to abandon habitats. Aircraft noise is responsible for decrease in reproduction activity of animals.
- Proceedings in National Academy of Sciences found clear connection between noise pollutions and abnormal levels of stress hormones, lower survival rates in bluebirds, and similar results to post traumatic stress in humans.
- Bird diversity and abundance has been shown to decline as a result of chronic noise; road noise is also shown to impair foraging efficiency of bats and alter communications in frogs and invertebrates. A September 2015 research article in 'Global Change Biology' determined anthropogenic (human caused) noise impairs foraging, which has direct consequences for animal survival and reproductive success."
- We are in the midst of a climate crisis; an emergency.

**Sandy McPherson**, 5734 Van Koy Road, North Cowichan, spoke in **opposition**:

- She can hear the track 3 kms away, and will speak of consumption of fossil fuels from a different perspective.
- Vehicle tires and brake pads are biggest source of microplastic pollution in rivers and oceans. Tires are made from approximately 20% rubber, 80% plastics and chemicals, and carbon black is rated by World Health Organization to be a carcinogen.
- It takes about 23 litres of oil to make one tire, or 92 litres per car. How many tires do these cars go through?
- Up to 10% of tire wear becomes airborne particles that can drift up to 5km. This is not assisted by filters and swails, and stormwater runoff.

- According to EUNOMIA Research Group in UK, tires pushed to peak abrasion release maximum particles into the environment, air and water.
- According to International Journal of Research and Public Health, normal wear equals over 1 kg per tire, or 4 kgs per vehicle.
- Brake pads have the same issue, but stopping at 30 miles per hour emits two times more than at 20 miles per hour. How much wear does a brake pad take at over 100 mph?
- The road surface, asphalt, another fossil fuel, takes wear and tear, releasing particulate matter into air and into water.
- Electric cars are not the solution because of the issues cited with brake pads and tires.
- In acknowledging the air shed, water shed, climate crisis and reconciliation, she asks that Council strongly refuse this application. It is within Council's purview to downzone this land and allow nature to regenerate.

**Ashley Quesnel**, 5920 Clements Road, Sahtlam, spoke in **favour**:

- She personally has no objection to circuit. It is not a problem to her, and there is no outraging sound.
- Her home is on a hill, quite close to circuit, and she doesn't hear much noise from circuit.
- This is bringing great opportunities to the Valley, including jobs, fundraising, tax dollars and revenue. The circuit should be able to stay where is.
- She personally doesn't understand if there is such sacred land there to be protected, why was it up for purchase?
- So many of these problems could be resolved if people work with circuit staff instead of against them.

**Sierra Courtemanche**, 5894 Cassidy Road, Ladysmith, spoke in **opposition**:

- The heart resonates at the same frequency as the earth. Right now we are in climate crisis; we have not been listening.
- The current policy of this zoned area does not support the health and wellbeing of the community.
- She has heard concern for the environment and also about being able to sustain families through economy. We have acknowledged that we are in a climate crisis, and the youth are asking us to acknowledge this, which means we have to change behaviours.
- She works with children, and she had to go outside of current policies which keep children in cemented boxes away from nature; to go and educate herself on land in forest; how to reconnect them. We too need to get ready to shake up and change our behaviours.

- We don't need to have fun by destroying the earth. Try to create spaces that reconnect us - that creates safety. If we can acknowledge a climate crisis and if we can acknowledge truth and reconciliation, first we have to create space so we can listen.
- She is glad people have spoken up here. This is a unifying thing, and people that have solutions are here. She has heard a clear no, very clearly.
- She also would like to acknowledge that anti-indigenous racism is tied to values, and our current education system is disconnected to that.

**John Steven**, 111 McKinstry Road, Duncan, spoke in **opposition**:

- If we surveyed everyone, we would learn it is commonly accepted that each person has the right to peaceful enjoyment free from harm.
- We have heard arguments in favour of the track, due to some people's pleasure and profit. Some people are opposed due to loss of property values; arguments about the loudness of the track and decibels recorded.
- Loudness is only one quality of sound and is not enough to describe the harm done. Some people used the word subjective. It makes no more sense to ask an engineer to assess harm than to ask a land surveyor to diagnose an illness.
- In a just and civil society, if one person is in favour and another opposed, it is not a split decision. They should be weighed equally.

**Dr. Stephen Faulkner**, 162 Jubilee Street, Duncan, spoke in **opposition**:

- Has lived in valley for 38 years, and congratulates racetrack committee for their well-planned campaign to expand their operation. The fact that they were unable to get Phase 1 approved without public input is a testament to their tactics.
- As a young doctor, he stood on this stage and made exactly the same arguments that the committee are giving us now, trying to convince people why an airport was needed, located adjacent to where expanded racetrack is planned.
- While he was very disappointed at the public opposition and they never got the airport, the world did not end, and business continued along. People continued living in a friendly peaceful community. He is now a little wiser, and glad we don't have an airport.
- Putting the business case aside, he has walked the land and this expansion would be double the size of current rack, and at higher elevation. Sound will project across entire valley, and on frosty days with thermal inversion the sound on the track will amplify even more. Sahtlam neighbours' complaints will pale in comparison with complaints from across the Valley.

- All acoustics studies are based on the existing track, not from a higher plateau broadcasting everywhere. Cars will be able to accelerate on longer straight runs - no studies or discussion have occurred on increased noise this will entail.
- Peace and quiet is what attracts people. We don't need more noise to attract people - they are coming already. He has an AirBnB in Glenora which attracts people from around the world, and they consistently comment on the quiet.
- Why compromise for the sake of one group? Many from the yes side were from out of town. They will support if it isn't in their back yard.

**Cat Callewardt**, 5451 Cowichan Lake Road, Paldi, spoke in **opposition**:

- Resident of valley for 58 years, most of that time in Sahtlam and Paldi. Family home is still there and the property has been in family for 100 years.
- When she was young, there was no Highway 18. Wildlife was always prevalent. She loved seeing the animals. Menzies Creek had fish and big enough pools to go for a dip on a hot day. The pools stayed all summer. Now they are all gone due to climate change and hot summers. The hydro line took out timber. A big price to nature, as fish no longer travel upstream. At least wild animals are still able to roam.
- The addition of Highway 18 came at a high cost, and it was no longer safe for animals to travel there. Some years later, she was disappointed to learn North Cowichan turned another part of their forest into industrial land, and a subsequent request for rezoning was made for a piece of this land for go kart racing. They attended hearings and spoke their peace, as they do not feel the enjoyment of a few should ruin the area for residents.
- The go kart track became even larger. Now entertaining a bigger track, and she can only guess what comes next.
- Noise drowns out the sound of nature, and it is not possible to carry on a conversation with intrusive noise. She has seen a lot of changes, and can't image the difference her father or grandfather would find - they would turn over in their graves.
- To date, nothing has been put in place to contain the noise. Some people are showing a shortage of compassion.

**Kerry Bristow Davis**, 27 - 3205 Gibbins Road, North Cowichan, spoke in **opposition**:

- He attended the hearing on Tuesday, Oct. 1, and heard all the information presented by consultants, engineers, and heard the questions asked by Councilors.
- Some citizens supported application, which helped him understand the economic benefits that would result from rezoning.

- He also liked hearing from those who are opposed to the application. The Cowichan indigenous man who spoke jolted him to take heed to his values and forced him to ask himself about being motivated or manipulated.
- Economic benefits do both --money talks. He was motivated by Mr. George because of his love for this part of Canada.
- Love for this valley reminded him of a newspaper article which talked about the luxury car market. A speaker from VIMC on Tuesday showed pictures of the luxury cars that would be driven and on show at VIMC. A Vancouver Sun headline on May 8, 2019 read: "Vaughan Palmer: Report reveals thick of money laundering in BC luxury car market".
- The Cowichan Valley must not be an engine driven to that illegal activity.

**Wendy Hill**, 4189 Cowichan Lake Road, Sahtlam, spoke in **opposition**:

- This is a passion issue. People talking about quality of life, protecting mental and emotional health, and their biggest personal investment - their homes. This is generally a quiet and peaceful neighbourhood. It is tearing people apart, and track is biggest contributor.
- Her experience is that track has not been a good neighbor. Her naïve position is to let them stay, but put up noise protection. They have not done that, but are spreading misleading misrepresentations to the community. According to one of their mailouts in her mailbox, "We have listened and responded to concerns regarding sound. We hear from many, including Sahtlam neighbours, that this is not an issue for them."
- She has never been approached, and for many it is an issue. If she goes on past behaviour, it makes her very uncomfortable what the future looks like. It is not going to get quieter.
- They donate to causes, but won't be good neighbours. Many more will be in the same boat as the local residents, scheduling outside recreation around the tracks. This is a land use issue, but specific to Sahtlam.
- One question she doesn't understand is about the \$5,000 fine - is that not a conflict of interest? Should that money be spent on sound mitigation and relief for those in noisiest area?
- She has a suggestion - if electric cars are coming, table the application and wait until this happens. This would mitigate noise and environmental concerns.
- Let's not put cart before the horse. We should not have to sell ourselves.

**Shawn Pierce**, 4375 Bingwood Creek, spoke in **favour**:

- He is one km from test track, and can also hear the gun range. He has learned to live with the gun range, and doesn't find it intrusive.

- He enjoys living in the valley. He has horses, which make a lot of noise; motorbikes, and has ability to ride around 5 acres.
- The track offers his 17 year old son an opportunity to drive properly. It also offered some great bonding time with his two sons, spending time at the track, all fancy cars, out on track, getting to drive and walk around for 3 or 4 hours - he thanks them.

**Patricia Doyle**, 3240 Moorefield Road, North Cowichan, spoke in **opposition**:

- She can attest to the noise at her daughter's home, causing many disturbed family gatherings.
- She can speak of First Nations medical fields being destroyed.
- Freeman Ford King was a park naturalist, a storyteller and prominent figure; his nature house still stands. As a young girl, he told her that we are all stewards of this land, we all need to take this responsibility seriously to do our part. Many chose careers in this field because of Mr. King.
- This is even more important here tonight. She asks Council to do the right thing - reject this proposal and allow our community to hear.

**Jacklyn Carstensen**, 6486 Diana Drive, North Cowichan, spoke in **favour**:

- In September 2018, she rented a space at VIMC for a corporate fundraising event. This event was open to the general public, and was well received.
- Throughout the preparation, staff educated her on continuous community support for non-profits to give back to community.
- As a business owner, she was thrilled to learn VIMC existed so many people will benefit from world class attraction.
- She strongly urges Council to approve for economic benefits.

**Valerie Masuda**, 6798 Somenos Road, North Cowichan, spoke in **opposition**:

- She used to live in Mill Bay, close to two little dogs. She used to leave at 9:00 a.m., and come back at 5:00 p.m., and they would bark the whole time. She would sit down with book, and then they would bark. She couldn't go out in the back yard.
- She spoke with people in the strata, at back of the lot, saying they don't hear this noise at all. She then talked to someone else who said they like dogs and it was no problem for them.
- The barking continued, and then bylaw came by. Owner paid the fine, and said "what's the problem?" So she asked her to mitigate the noise, inquiring if she could please close the front windows, and she said no - her dogs need air.



- This is a nuisance, and it is not about whether I like dogs or I like cars. The fact is, this is a nuisance and it is bothering people who live in the area, relentlessly, who have no choice but to listen.
- The track has not made any effort to mitigate. She noted that their parting remark was that if Council doesn't let Phase 2 go ahead, there will be no reforestation, no noise mitigation - these are not good neighbours.
- They are not good for the community, have not proven that they recognize people as community members, and they are not interested. She urges Council to vote no.

**Walter Slobodan**, 4925 Belvedere, Sahtlam, spoke in **opposition**:

- He was born in Duncan, raised in Lake Cowichan, and has worked in a structural engineering career. Three years ago, he moved back to Valley to enjoy the peace and quiet.
- The track is bit of a nuisance to him. The noise issue is subjective - some can live with it - but do we need another layer of noise, increasing every day? The new track configuration will allow for cars running on both the upper and lower tracks at same time. The noise will probably increase.
- He feels the economic benefits are overstated. People come to the track for a one day event, then leave town when the event is over. VIMC advertises accommodation packages at the Villa Eyrie - how much is contributed to the local economy?
- It was commented that if VIMC does not develop, zoning could have heavy industry on it. If a sawmill or value added business set up, the benefits to local economy would offset those of VIMC.
- As for future electric cars - how many vintage and sports car enthusiasts will trade in for electric? He doesn't see the noise levels dropping in the near future.

**Kathy Mercer**, 6231 Mina Drive, North Cowichan, spoke in **opposition**:

- In 2018, she appealed her property value assessment, as it was compared to a property in Sahtlam valued far above hers. It is a small size property, almost the same house. The explanation provided for the difference was that the property had been devalued by 55% due to its proximity of the track - more than half of the value of the home. Even if she wanted to sell her property, there is nothing available in the Valley for even half of what their property is currently valued at due to the track.
- Others in the area have also had property assessments devalued during 2018. What would expansion mean - further devaluation?
- They didn't lose value due to the gravel pit expansion or installation of Bings Creek facility - she doesn't smell or hear it. She didn't have low property value

with industry which previously occupied. But once put in a high performance track, values plummet.

- Residents needs to be taken into account. They are the supporters of this Valley, and of North Cowichan.

**Tracy Clark**, 5959 Clements Road, Sahtlam, spoke in **opposition**:

- The former Council's wrongdoings have put them in an unfavourable situation, struggling to find solutions and compromises.
- Robert George, the Sahtlam and various other organizations have been forthright, truthful to individuals, the community and the environment, asking Mayor and Council not to be dismissed or ignored. Council has heard their truths and is now responsible for what they hear.
- Each one knows what is right and wrong. The hardest thing and the right thing are the same thing - she asks Council to say no to the expansion.

**Mariah Wallener**, 4242 Sahtlam Road, Sahtlam, spoke in **opposition**:

- The issue before you is a land use decision, and how much money the proponent has handed out is irrelevant.
- Council is being asked to take a 100 acre parcel out of I2 heavy industrial and incorporate it into a new zone dedicated to motor sports. Motor sports need pavement and lots of it. Council have seen the plans, and they are going to need to destroy three quarters of that parcel. They might reforest it, but you have no authority to ensure that happens when all is said and done.
- Heavy industrial zoning has many uses that doesn't need a large footprint. Council could work with a developer, ask them to donate that beautiful watershed land on that property and give them a couple variances to thank them. The motorsport track cannot protect that - there is nowhere else to put the race course.
- She asked that the 100 acre parcel be left as is, and to fix the Phase 1 zoning problems if need be. If it is such a great economic boon, why do we need more? They have the racetrack, the go-kart people can use it and they are donating all this money. Why do they need another 100 acres of beautiful forest habitat that serves this community for carbon sequestration and wildlife habitat? It is an industrial zone, but there are many uses that could be put on that property and preserve the benefits to the community. She asked Council to consider that when making its decision.

**Curtis Bachelder**, 3904 Johnny Bear Road, spoke in **favour**:

- His parents moved here in the early 1970's, and never lived anywhere further than their current location. He took his first steps at the Forest Museum.

- He has two children, and is not looking to go anywhere else. He took his son to a car show at the track last year, and is proud to be raising the next generation of car lover.
- He can see the track from his window, but has never actually heard it. He knows someone that lives across the road, and they don't hate it. They enjoy going to visit, seeing the cars and participating in something they enjoy.
- He is always encouraging of something that brings an array of things to do, and the ability to do things that have never been tried or available before.

**Skye Gamble West**, 4380 Pollock Road, Sahtlam, spoke in **opposition**:

- Would like to relay a few short experiences that she has encountered regarding animals and livestock affected by noise. [*Ms. West's husband took over presentation at this point.*]
- Every time there is noise from the track, her dog cowers and runs for cover. Watching her sheep and goats, every time there is a loud noise, they lift their heads, and look in the direction of the track. If it is too loud, they move to the pasture. It is a shame they have escape.
- The other day her pet goose, in his desire to protect every chick and duck on farm, was heard screeching - the call he uses when a predator attacking. He was running around the farm, with no idea what was bothering him. He noticed every time there was a vroom from the track, he panicked. Her heart was broken by this distress. These are only a sample of stories.
- Wild animals have no one to console them. If expansion goes through, she implores Council to require far stricter noise constraints. She is among many who do not support the expansion. Council should not be romanced by the money.

**Jeremy Friesen**, 231 White Road, Duncan, spoke in **favour**:

- People are not actually here to talk about whether the track exists, or the zoning of the track. As he understands it, if Council doesn't change the zoning, there will be no recourse for any noise violations because of the industrial zoning.
- If rezoned, Council can actually do something if it is loud. Everyone arguing against noise should be on the side of rezoning.

**Julia Rylands**, 4785 Sahtlam Estates Road, Sahtlam, spoke in **opposition**:

- She has read the Wakefield Acoustics report and letter, the BeSB noise study and Navcon peer review. She will be focusing on their choice of measurement types and inappropriate comparisons.
- She is a retired scientist, and was employed by the Ministry of Defence in the early 1980's. She worked on a project that looked at the effect of noise from army vehicles on cognitive performance of the vehicle operators and

passengers, and personnel exterior to those vehicles. Those vehicles are a little noisier, but the science behind the noise measurement is very relevant.

- Even back then in 1980's, it was recognized that expressing noise as a weighted equivalent level is not adequate for assessing noise effect on the ability to concentrate, make decisions, arousal level, sleep quality and nuisance effects. Why in 2019 would one still use the measure designed for assessing hearing damage to assess nuisance impact of noise on the community?
- Many published scientific papers show intermittent noise made by cars accelerating, gearing down and decelerating has many more negative effects on humans than continuous level background noise, such as highway noise, even at higher decibels, creating more than just a nuisance.
- If considering the impact on quality of sleep -- if someone is woken up by different noise than normal background noise, even if not as loud, can create a startled response, raising adrenaline levels, heart rate and alertness. This is what is happening to first responders trying to sleep during a VIMC event. Once awakened, it is hard to go to sleep again when the environment is noisy. The serious consequences of sleep deprivation of first responders going on duty goes well beyond noise nuisance.

**Don Uhlman**, 5478 Normandy Road, North Cowichan, spoke in **favour**:

- A little over a year ago, he bought a 5 acre parcel, and is now in the midst of building a home there.
- So far, it is a nice quiet area. He does hear a lot of chainsaws on Sunday afternoon; hears the dirt bikes, quads, small farm tractors -- people looking after property, which is all fine.
- On zero occasions has he heard the motor circuit. He's not there every single minute it is running, but so far it has been very peaceful for him and his family, and he is in support of VIMC to proceed with what they plan on doing.
- It would be a great facility when it is all completed, and will bring great economic relief to the Valley.

**Jane Worton**, 3972 Sahtlam Road, North Cowichan, spoke in **opposition**:

- She does hear the track where she lives, and it provides what she would say is nuisance level sound.
- She works from home, and no longer keeps her windows open in the summer. Her kids don't nap with the windows open and it is unpleasant to work in the garden.
- A few houses down, people cannot tolerate it. The noise is incredibly loud where they live and is sometimes very problematic. She thinks it is something we all need to understand - it travels differently.

- She is speaking on behalf of neighbours. She initially supported go kart track - she thought about economic development, commuting less - but the way the track has operated and the level of noise in the community is problematic. The way it has addressed the valid concerns is completely unacceptable.
- She would like to use 10 seconds of her time to play what the track sounds like. She asked Council to imagine if their neighbours were hearing that all the time [Ms. Worton then played an audio clip].

**Nancy Dower**, 1844 Stamps Road, North Cowichan, spoke in **opposition**:

She would like to make three points.

- No economic impact assessment has been provided by VIMC. On Tuesday, many proponents said that Phase 2 would be a financial boom, but where was the data to back it up? Past history of charitable donations is no assurance it will continue.
- The official Tourism Cowichan website contains the following phrase: "Cowichan - slow down, savour life." Nowhere is the VIMC track mentioned on that website. With the intrusive roar from VIMC, marketing North Cowichan as living slow or the new Tuscany is an oxymoron.
- Mainland retirees spend, volunteer and contribute to our community. They are attracted by quiet life. An article in The Vancouver Sun indicated that in 2017, 16.5% of home buyers were from the Lower Mainland, with 4 out of 5 buying as principle residence. There were 697 homes sold in 2018. If you apply that 16.5% of sales were to lower mainlanders, 118 homes sold, with an average price of \$532,000 or \$63 million into the community in one year. The intrusive noise from VIMC will have a negative impact on this.

**Chris Davies**, 4404 Cowichan Lake Road, Sahtlam, spoke in **opposition**:

- SNA residents and local residents have taken a lot of flack regarding the noise, but how many people here can hear the track noise? The real question is - do you hear what they hear? Have you heard what they hear? How many people have taken the time or trouble to visit the badly affected properties, to hear what they hear? He can answer yes to both of those.
- He likens the noise to that of chainsaw at full reps in close proximity. He cannot have a conversation when the track is going. Add to that the devaluation of property, quality of life and mental health. VIMC wants to build another track and invite go karts. These noise levels would increase. If the cars on the existing track are running at the same time, it will be one hell of a noise. He lives in Sahtlam for the peace and quiet, open air, wildlife and his property. His property will suffer more. Is that fair or right? Some people believe in climate change, some don't. The cedar trees are dying by the thousands all over the Valley; rivers are drying up; fish and wildlife are struggling.

- Since the 1970's, we have lost 60% of the wildlife population and a million species of animals and plants are facing extinction. Thanks to climate change, and the unrelenting pursuit of economic growth and money, protected species are declining.
- Council has a duty to protect the future, to protect our forests, our rivers, our streams, our trees, wildlife, and to protect your residents and future generations.

**Morgan Steacey**, 4415 Pollock Road, Sahtlam, spoke in **opposition**:

- She built on an acreage, and it truly was a dream come true on property with sentimental value. She was so excited to find a great place to raise her daughters, and overjoyed to give them the opportunity to explore nature as so few in childhood can experience.
- Since the opening of the circuit, her family has experienced diminished quality of life. The noise outside is so intense, they had to abandon their outdoor activities. When putting her toddler down, over the white noise machine, she could hear screaming tires.
- Many noisy days, maybe more cars, more loud cars, perhaps wind in a different direction - at the end of the day, it is affecting her family. Regardless of what the sound analyst says, it is glaringly clear when vehicles are on the track. It is impossible to escape an engine going in circles, and mistaking it as traffic.
- No amount of data can say that she is not hearing what she is hearing. On Tuesday, she heard that if Phase 2 is not approved, the sound limits are taken off the table. Does that sound like a good neighbor with a desire to achieve a good result, or an organization genuinely trying to achieve sound mitigation?
- She values the community, and everyone must do their part. We live in the most beautiful spot - leave it better for the future. In her mind, the existing noise is unacceptable.
- She asks Council to please consider quality of life before agreeing to further development --people before profit. They need elected officials to give them a voice.

**Steven Holmes**, 6658 Hillcrest Road, Sahtlam, spoke in **opposition**:

- He lives approximately one mile west of the offending track, and the noise level in the first 18 months of operation was awful. He can give you chapter and verse of what it sounds like - no one can experience it unless they are there.
- The gentlemen giving the noise attenuation picked an appropriate time to make that particular summation with a quiet set of individuals driving their well muffled cars on the road.

- He is a forestry engineer, logging contractor and land developer. He has built hundreds of logging roads, and he knows what is coming. He has talked to the gentleman in question about thoughts on to how to control unremitting rain and snow, the flood effect in the fall, large rafts of snow and rain and what goes with it. It knocked out 13 bridges between Prince George and Kitimat - every one is gone. He has experienced it at his house with the rate of flow.
- He has lived here since 1984, and the noise level is not pretty. If Council wants to make a decision, they need to look back on the track record. How they have conducted themselves. In his estimation, they have not been a good neighbor; they have done nothing to mitigate the noise they created, and no reason to believe they will change their way - why would they?
- When asked by the Mayor if the noise improved after 18 months, Mr. Holmes replied that the noise has not gone away and can be heard quite clearly, but the noise level (particularly attributable to cars with multiple progressive shifts, large unmuffled engines) has decreased.

**Monique Joseph**, 6158 Sumas Road, North Cowichan, spoke in **opposition**:

- She is quite scared for our heritage and culture, and forests that we aren't really trying to keep and preserve. She has watched the elk dwindle; there are less and less every year. For families who hunt and live culturally, their hands are tied.
- She lives right near where the track is, and she doesn't know how the track was put there. From her last recollection, her grandfather was fighting for Hill 60 to be preserved so Bings Creek could not be put there. That area has natural aquifers in a land where we are trying to preserve what water we have left - why have a track over it?
- They act like reforesting an area can cause a solution to the problem, but in order for animals to survive, they need a stable forest for at least 50-60 years. Replanting 80% of the trees is not going to help for the next 20 years -- only in the next 50 to 60 years, and where will we be then?
- Her only concern is - as native people, they fight to keep their land for one reason only – water. It helps them live. Without water, how long can anyone live - you cannot live very long without water. What is money going to do when there is no water there to drink.
- Recreational things are great and lovely for economics, but what about the beautiful nature and forests? We thrive on our tourism, the surfing in Tofino, Sooke -- all areas with beautiful forests. Hill 60 now is just a shame – a shadow of what it used to hold. When the rivers run dry and nothing is left to drink, what will money do for us? She would appreciate if Council can work with reconciliation to preserve the world – it is all that we have.

**Allison Rimmer**, 3878 Cowichan Lake Road, North Cowichan, read a letter in **opposition** on behalf of **Sierra Robison** of Westholme Road, North Cowichan:

- She is opposed to any expansion. Having said that, she is here to read a letter from one of the younger generation who is deeply committed to ensuring the Valley remains the jewel it is. She is remarkable young woman who organized the climate strike in Duncan.
  - Cowichan Valley has been Sierra's home for 10 years. She is 17 years old, and is a farmer, activist, permaculture teacher, Crew Director and Lead for Cowichan Valley Earth Guardians Crew, who are fighting to protect our planet, our community, our futures. Her crew planned and led the climate strike of over 1,000 people. They all walked out of schools, jobs, lives, to stand up and say they can no longer live with inaction.
  - It is not just our community that was striking- between Sept 20 and 27, there were a record 7.6 million people taking to the streets to strike for climate action. The global strike shows people we have the people power we need to create a just and regenerative future.
  - They don't want to be activists, but they are reminded every day, every time a new project is proposed, why they need to be. One of many reasons they take place is to tell politicians to step up. VIMC moved into the area in 2016 and radically changed their quiet community to one where they wear big headphones.
  - It is now proposed to triple the size of the track and log and pave 100 acres, which will be impacting an area of great cultural significance to the Quw'utsun Tribes.
  - The wildlife that depends on the habitat is now under threat and need protection to fighter to preserve the watersheds, which are impacted by climate challenge.
  - These are just a few reasons they are asking Council to say no to the racetrack expansion. Please do more research; please tell her when Council makes a decision, it will be one that most positively affects our community, other inhabitants, environment, and a healthier future and economy not based on destruction. This is an opportunity to make that choice, and recognize the power in that. She is trying hard to have hope, as this is a unique opportunity to protect ecosystems and the wellbeing and happiness of our community.

**Leanne Waters**, 6053 Sansum Drive, North Cowichan, spoke in **favour**:

- She is a member of this community and founded 100 Women Who Care. They ended up having 287 women join their organization, which is where women get together four times a year. They need a facility that could be donated, with parking and room for 287.



- With that type of number, there is nothing else in the community which can accommodate and they are very grateful to VIMC to give them their facilities to work those events.
- To this date, there are now 100 Men Who Care, and another 100 Women Who Care, and they have donated over \$500,000 back into the community. They are grateful to them for their facilities.

**Stephanie Aikenhead**, 4197 Sahtlam Road, Sahtlam, spoke in **opposition**:

- She lives approx. 800m or less directly across the highway from finish line of the VIMC track. She is passionate about the environment, habitat and animals.
- It is debilitatingly loud.
- With the VIMC noise report, she asks Council to please not interpret her hearing. Her hearing is fine and to suggest ambient noise is louder than the track is laughable. Important factors to consider - wind and elevation.
- VIMC states that all vehicles will be street legal - she would like to know if that will include the off-road circuit.
- Phase 1 needs to be fixed now, and needs to meet a noise level that gives people their lives back; to enjoy their homes and gardens. This needs to be done to their satisfaction before consideration of Phase 2.
- VIMC will tell us they have plans until the cows come home, but they have had four years to do something and nothing at all has been done. They are not good neighbours.
- She is not an expert, but throw away the noise level numbers. If you can operate the track for 12 of 15 minutes at 60 decibels or less, you can do it for all minutes - that includes go karts. They need a single number acceptable noise level.
- She is not standing up there to say she wants to see the track shut down, but she wants the track to turn the noise down. The track exists, and she is not against anything that contributes to the economy.

**Karen Doucette**, 4159 Cowichan Lake Road, North Cowichan, spoke in **opposition**:

- She appreciates the reference letters from Cowichan Tribes and the Sahtlam Neighbourhood Association.
- Her property is 2km from the track, looking at Mt. Prevost from her home and deck. She does not hear any of the other businesses in that industrial area, nor do they hear highway traffic (except maybe at 7:00 am when all else is quiet and they can hear a dump truck backing up with warning signal sound for a few seconds, or from time to time they hear a loud vehicle, or some Harleys cruising together, but it lasts for a few seconds).

- When the track is going, the noise is constant and is objectionable - whining of performance vehicles and screeching tires. Her son got married, and they had it on their property. Eighty people, every single one of them, said "I couldn't live here with that noise."
- Her daughter also got married this summer, and chose not to have the wedding on the property she grew up on - she didn't want it interrupted.
- They no longer have family gatherings on their property. They were in their house this Saturday and Sunday, and had the windows and doors closed with the television on. They could hear the track.
- They don't mind noise, and are pretty tolerant. They bought their first home in Crofton, and lived 2 km from the pulp mill. It never made the kind of noise that this track has made.
- They have asked nicely and sent letters to the track since 2016 to be good neighbours and turn it down. They like the track, and they like cars. But they shouldn't have to listen to noise for 8 hours a day.
- When they lived in Croton for 8 years, the pulp mill once had a big ash fallout - black ash all over their freshly painted home, their white car - the neighbourhood was covered. Before anyone phoned, the mill was out there doing something about it.
- They came here on Tuesday night, and heard if they don't get the expansion, they won't turn it down at all. How is that being a good neighbor?

**John Applebee**, 1033 Islay, Duncan, spoke in **opposition**:

- The noise issue started since the first days of the track, and if they cared about the community they could have done something at that time.
- It is about 200 yards from their door. One issue is the purported economic value. They were gifted on Tuesday with a large number of business associations who united in their opinion that North Cowichan should take one for team, and accept the track so that business would flow. It won't.
- The forestry community over the years has produced wood products to wide market. The track itself simply appeals to a miniscule subgroup. Forest companies reinvested in the community, in facilities, in employees - he doesn't see the track providing specialized skills that go behind the development of that facility. It is just not there.
- He thinks people will find that economic opportunities are like picking up apples already fallen from a tree.

**Dan Woodley**, speaking on his own behalf and on behalf of **Sheila and Frank Ryan**, 8041 Lindsay Drive, North Cowichan, spoke in **favour**:

- As taxpayers of North Cowichan, they want to support the application.

- There is a need for expanding the tax base and employment opportunities. Participants in this sport and their families support local business.
- They saw just last week the Catalyst Mill laid off 70 people. Diversifying the community has never been more real.
- The issue for noise abatement -- with engineering, this problem is solvable. The noise levels of everyday living - planes, traffic - are part of the reality of daily living today.
- He has lived here for 27 years and counting, and lives 3.9 km from the circuit. He feels honoured to have the opportunity to work there. With this expansion, he hopes that people in the community, for whom this could be a dream job for them, get the same opportunity.

**Paulina Kee**, 3228 Gibbins Road, North Cowichan, spoke in **opposition**:

- A gentlemen earlier spoke about 1984 - that book was a warning, not a model to live by.
- She spoke on Tuesday opposing the expansion, and since then has studied the plans a bit more --the plans looked really seductive. After looking again, she is still opposed. She urges Council and the Mayor to consider the following:
  - Four crossings are planned over Menzies Creek. These are permanent crossings and a disruption to the ecosystem. They must leave it as is instead of adding permanent crossings to allow pollution to impact their environment.
  - Health is what is truly brings our community wealth. The negative effects of expansion will ripple out including wiping out traditional food supplies and plant medicines, clean water, health issues, mental wellness, cancer, and respiratory health. We must do everything we can to support health of all residents who work and live in the community whether support or not.
  - A few years ago, she met a teenager from China who was visiting the valley. They had gone to see her old farm. The grass had gone to seed, and he hadn't ever seen anything like that. He said where he is growing up, there is no grass. We have grass, we have clean water and clean air - we mustn't risk it to expand a motor circuit.
  - The other night, someone called it a death by a thousand cuts, which means a slow death by torture of many small wounds -- not lethal on its own, but cumulative. This is what is happening in this world.

**Bruce Cates**, 620 Arbutus Road, spoke in **opposition**:

- The question to be asked is who are we? Are we the Province of Canada? Are we slow down and savour? Are we award-winning climate action plans? Are

we eco-tourism? Or, are we noise and pollution and watershed destruction?  
How do we define ourselves? Who do we want to be?

The Chair asked for a recess at 9:00 p.m.

The Public Hearing resumed at 9:22 p.m.

**Gary Broulard**, Cowichan Bay, spoke in **opposition**:

- Animals are not represented. First and foremost are the elk - they are a protected species, and even Cowichan Tribes can't hunt those in their territory because the population has been knocked down. You will not allow this expansion to go through, to destroy their kitchens, drinking water - it is not a choice. They are being told it is going to happen.
- He sees some of his tribespeople here and it is great to know their voices are being heard. What did you do last time as the track was unacceptable? How did you rectify that? This is supposed to be a time of reconciliation - they said no the first time, and are saying no again. It is about time Council listened.

**Christina Wallace**, speaking on behalf of **Kimberley Knight and Robert Ketch** of 4360 Pollock Road, Sahtlam, spoke in **favour**:

- Ms. Wallace read out a letter from Kimberley Knight and Robert Ketch as follows:
  - They are writing in support of the VIMC proposed expansion.
  - They have owned property on Pollock Road since 2001 prior to the construction of VIMC, and they continue to reside in the heart of Sahtlam.
  - The circuit does not impact their family or quality of life. Part of the reason to live in rural Cowichan Valley is so his kids have access to motor sports, ATV, dirt and mountain biking. They are proud that there is a facility that supports cars. They enjoy attending at VIMC, and his family also supports hunting, fishing, and all the great things that make the Island a great place to live.
  - They are aware of the huge support the circuit brings to the Valley with their fundraising activities, sponsorship and property taxes.
  - Although they cannot formally speak for their in-laws who live next door, they can say from their experience and discussion that they are in support of what VIMC brings to the Valley.
  - In their opinion, VIMC enhances the Valley and they support its effort to grow.

**Dean Gamble West**, 4380 Pollock Road, Sahtlam, spoke in **opposition**:

- He is in opposition, along with most of his neighbours. He is grateful and applauds Council for having open public consultation, which is a step that was blatantly absent in the original process - he does not know why the

public was not consulted. GAIN knew there would be heavy opposition to get the facility and permits. Once a facility is built, it is much easier to ask forgiveness than permission.

- He moved to Sahtlam in 2014 to a quiet neighbourhood and hobby farm. A year later, he was told of the track being built and most said it was a surprise. He wasn't sure of the impact, but he knew they would hear it.
- It is a constant annoyance to them and the animals. They had only heard the noise and anguish of neighbours, and it severely impacts their quality of life. As part of this community, they need to support their neighbours.
- GAIN is not a good corporate neighbour - it is hard to believe they will do what they say when there is no trust.
- It is an important decision to make, and it will be difficult. The previous administration left a mess for this Council to clean up.
- Voluntary compliance with noise levels would restore some of the trust. Give the residents a sample of what they are to endure - they don't know what 59 or 79 decibels sounds like - these are just arbitrary numbers.
- Please consider a period of voluntary compliance before granting zoning changes for the good of the community.

**Keith Williams**, Pritchard Road, Cowichan Bay, spoke in **opposition**:

- He owned property on Old Cowichan Lake Road. He treasured the property, but started going crazy - he was coming to work angry and miserable. They did sell, took a loss, and moved into downtown Duncan to rent for a year, and they are now in Cowichan Bay.
- He has nothing against the people who use the track and want to continue to use it - he has friends who do, and who are passionate. His problem is with the application - it is crappy, full of holes, red herrings and bad statistics.
- He is not sure whether to be amused by Mr. Holland's paradox - he managed to turn all this logging, paving and noisemaking into a green initiative.
- He was not impressed with the environmental expert who stated the finished project will only occupy 0.7% of the Bings Creek watershed. The Fukushima occupied an even smaller percentage of the Japanese coastline. It takes one linear foot of a watershed to ruin it. Those kinds of statistics don't represent a solid application. He feels bad for the people who love the track - they are not represented well.
- In all seriousness, if he were sitting on Council, he would not want to make himself a climate change hypocrite.

**Mark Primmer**, Chemainus, spoke in **opposition**:

- He is the owner of Well Bread Bakery in Chemainus.

- There is nothing surprising about the VIMC supporters here. He was in the washroom with a friend, and one guy was wearing one of those little yellow flowers, his friend asked "what time are your guys here till tonight?", and he replied "we are paid until 11:00".
- He is not paid - he is here of his own free will. To the hired guns, to the young bucks who say he doesn't hear anything; to those who worked at VIMC and hardly hear anything - if they had a house worth \$400,000 and now worth \$300,000, don't say they wouldn't be hurt. Don't come as hired guns and say these guys are great.
- What a good time it is to be consultant - endorsements from consultants are like praise from your mother - they are still stretching truth, and sometimes they are lying.
- The sound expert was trying to say the experience of sound is subjective, and he gave us his own impressions of noise - a biblical description of the noise of condors while attending a day at the race track. It sounds subjective.
- According to the paid biologist, their plan is to clear 76 hectares of land, but they will reforest the area afterwards.
- Speakers testified regarding economic benefits. His business is doing well, and the millionaires from here or elsewhere are only behaving as expected - when the focus is on what they earn, not what it costs us.
- He was moved by the wisdom of Jarred Williams and Robert George. He hopes Council is not tone deaf.

**Brent Fraser**, 5222 Heritage Road, North Cowichan, spoke in **opposition**:

- How do the majority of Valley citizens feel about this project? Proposed expansion is a revenue generator, but for how many people for how long? Professional studies have been done claiming there is no significant noise impact from track, but many residents would disagree.
- VIMC is a good corporate citizen, but why are they pushing so hard for something with limited benefit and use? Is it part of a larger plan? Do we want revenue at any price? It deserves careful scrutiny.
- He believes it is not a stretch to say high performance driving is for a small percentage in the Valley - what is not to like. But you usually don't get something for nothing, which should raise red flags. Be careful when everything comes your way.
- He doesn't trust VIMC or its affiliate GAIN, and he doesn't support the expansion. They don't align with his values and he urges Council to reject.

**Gordon MacKay**, 1810 Koksilah Road, Cowichan Bay, spoke in **opposition**:

- His concerns are numerous. Even though he is in Cowichan Bay, he is concerned for the quality of life of the residents around the facility.

- He works in the horticulture industry, and he doesn't see that in this plan or a horticulture consultant on the proponents' panel of professionals. Tree retention, tree assessment, tree protection - what does that mean? You take these down, you lose wildlife, habitat is lost - it is pretty straight forward.
- He urges Council to think about that, because he built his place where a lot of trees were taken down - it is not easy at all to bring them back, and it is hard to get habitat to come back.
- Bringing the forest down for a racetrack is sheer madness. Removing trees is not the easiest thing, and there is no guarantee the trees being replaced are going to survive. He urges Council to decline this proposal.

**Shane Chiasson**, 5984 Cassidy Road, Ladysmith, spoke in **opposition**:

- He lives about 2km from the track, and the noise is at a nuisance level for him - unpleasant, but not extremely destructive.
- He loves cars and driving, and he gets the appeal. However, with facing a climate catastrophe, he thinks it is a pivotal time for us to reconsider the ways in which we derive our entertainment. He understands and respects the desire for this kind of facility, but he believes that it is simply unacceptable to prioritize these projects in our community when so much hangs in the balance.
- He recently moved here and settled on these lands, and feels very privileged to be here. He recently purchased land in Sahtlam on Menzies Creek, and it is a gorgeous creek - he feels an obligation to stand up and speak on behalf of the Creek as it's already suffering a lot. To think about more loss of habitat and degradation is painful.
- He would love to raise children in this community, and the future is really uncertain. He implores Council to make a decision that will benefit all as a community in the long run and the planet, and prioritize projects that will contribute to health and wellbeing of the land and community in the future.

**Lorna Jaynes**, 620 Arbutus Avenue, North Cowichan, spoke in **opposition**:

- She feels the first and highest priority is to protect the quality of life and the land, as well as humans and animals.
- The first track without community input was a disaster. It should never have been built. It is incumbent upon Council to minimize our contributions to that by protecting mountains, watersheds, and limiting carbon. All development, in addition to desecrating the land, creates carbon emissions.
- People asked for a station to be built to sell butter further afield, and thus began the development unabated, which has ruined this Valley. A new start can be made now. She hopes that it is more than just lip service.
- At time of reconciliation, it is imperative that we pay heed to the tribes who have clearly conveyed how this will affect everyone. She was brought to tears

when the young fellow spoke because she loves this Valley so much, and what is happening is painful. It needs to be protected. She urges Council to please say no.

**Brian Hindle**, 6600 Lakes Road, North Cowichan, spoke in **favour**:

- He has been in the Valley for 30 years, and there has been a sea of change as to how people live and are employed. Around 65% of economy was forest based, but it is pretty close to 25% now. It is evolving and changing.
- It is difficult for Council or the Mayor to work their way through this change. All of us are trying to go forward in a direction we think is correct. From his own experience, this area was zoned for heavy industrial, and when they moved into that area, it was zoned for it. They could pretty much put in any industrial. It is now time to start fine tuning, and this application is a part of this.
- At end of the day, jobs are being created in a whole variety of methods - warehouses, excavation, motor sports -- all these things create jobs. We no longer can rely on Catalyst to sustain us in a time of need. It has gone from employing 1200 to 700 people. How do we make up for that? It is going to be many companies, not unlike VIMC, who create jobs in a variety of ways - theirs is just one of many.

**Alison Nicholson**, 3961 Riverside Road, Shawnigan Lake, spoke in **opposition**:

- She is the Director of Area E, which includes Sahtlam. It is immediately adjacent to the motorsport facility and where people are most directly impacted.
- This application is about a Phase 2 expansion, and she appreciates this opportunity for all Area E residents to speak about the concerns they have. She is really grateful for all the caring people who have come tonight.
- The noise concerns of Sahtlam residents are very real. They are significant, and they have borne the cost of Phase 1, with impacts to mental and physical health, and financial loss.
- The decision to be made matters to the Sahtlman neighbourhood and the region. She respectfully requests Council keep the following three points top of mind when making their decision:
  - The application does not guarantee existing noise issues can and will be mitigated, nor that expansion will not add to problem.
  - Watersheds are proving to be increasingly fragile. Each time development is considered, it is critical to think of the cumulative effects on the whole watershed and whether it is needed or is the best use for the long term health of the community and ecosystems.



- This is a huge and timely opportunity to affirm to the community that we must and will fundamentally change our approach to development in light of the climate crisis underway.

**Emily Ritchie**, 670B Stebbings Road, Shawnigan Lake, spoke in **favour**:

- She first came here in search of water - to swim, the beautiful mountains outside her back yard, to jump in the water, relax and enjoy. But this is not what is in front of Council. It is whether or not to rezone an industrial use application.
- She saw the passion and hurt feelings of those not taken into consideration before the track was developed. If Council approves and creates a special tier for this motor circuit, it allows them to have that action plan and hold the company contingent on things they are promising.
- Right now in the current zoning, it is a free for all. Because of that, people are feeling so hurt. As someone coming in to buy property, she would take so much comfort in knowing there is a specific area in the regulations put in place and that we are ahead of the times in setting precedent for what should be standard.
- Driving in circles is not her thing, but she does see how much joy it brings those people who choose to do it. She urges Council to approve as it will allow us to know what is going to be industrial, what is rural, and what we have as agricultural.
- She listened to the presentation - we are not clear cutting ancient forests and cedars -- it had been clear cut by logging, as recent as 15 years ago. We have it here, and it is already started. It is upsetting, yes, but keep it where it is. Do we want to open it up where it is all over, or create a zone where we can hold accountable?

**John Yarnold**, 4195 Sahtlam Road, Sahtlam, spoke in **opposition**:

- Besides the noise, he is tired of personal attacks on members; feelings that large corporations are trying to buy favour rather than earning it; tired of acoustic tourists, cruising up and down his street and deciding it isn't noisy; tired of hearing his experience is not valid; that if he doesn't like the noise, he should move from the home he's lived in for 20 years and raised his children, his own special oasis, or was.
- He is tired of hearing from experts who cannot pronounce the name of his community; that noise is subjective, and the inference that his neighbours are too sensitive.
- He is tired of being told it could have been worse, like a plane. It is not a plane, it's a racetrack. A racetrack unlike any in the world, without consultation or mitigation of noise, within 800m of a long established neighbourhood that is now saying that nothing about it can be fixed unless we allow them to build more racetrack.

- What we have now is what happens when salesmen build racetracks - please don't let them do it again.

**Jessica Evans**, 6111 Pickle Place, spoke in **favour**:

- She was born and raised here, has been employed by VIMC, and would like to show support of the jobs and positive experiences it has given.

**Barry Hetschko**, 6013 Trillium Way, North Cowichan, spoke in **opposition**:

- His concern or question to Council is that he's not sure when this property was originally zoned industrial - 50 years ago, or in the 1950s? It is pretty archaic when a zone is over top of a wet land and two salmon bearing streams. His concern is the building over and logging of these little watersheds, which have their own problems, is not a good idea.
- His other concern is logging of the area which they said they would re-tree - he doesn't think that is going to happen. He is very concerned and is against it.

**Kate Koyote**, 3615 Gibbins Road, North Cowichan, spoke in **opposition**:

- She is not a supporter, and she doesn't want to repeat everything that has been said tonight or on Tuesday. She stands for everything that has been said tonight.
- She wanted to share a personal story. Her daughter asked her for an orange shirt the other day, as she needed it for school. She is ashamed to say that she was frustrated about having to find her a shirt instead of her just putting on her regular clothes, as she had to find the time. When she came home from school that day, she said, "Do you know why we wore orange today." I said no -- I knew it was because of residential schools, but didn't know why. She told me the story of little girl who wore her orange shirt to her first day of school, and it was taken away from her and burned. The rage and unbearable grief that went through my body when she told me that story, was unbelievable.
- Today she feels like she doesn't know what to say to her daughter, who has to write a letter to a residential school survivor who lives in our community. What does she say in her letter if this goes through if we again don't listen to the community members where that land is sacred? She was insulted by the lack of professionalism shown, specifically by the archaeologist specialist who said there's nothing there.
- She cannot imagine how many there are, only a very few in this room, who have never been able to be self determined and have never had a lack of hope in some level of their life. She is seeing we need to stand up for that - to be the community we can be and fix this now.

**Dr. Isabel Rimmer**, 4195 Sahtlam Road, Sahtlam, spoke in **opposition**:

- She is President of the Sahtlam Neighbourhood Association.

- Since 2016, she has been the pointy end of the stick regarding VIMC. Along with growing number of community members, they have worked to find solutions. She can tell you this "aint for sissies" - personal accusations, full page ads in paper, being called a nazi by VIMC executive when meeting with North Cowichan staff.
- Her community and region as a whole has supported her, and it is the cost of defending her neighbourhood. Those intimidation efforts are not just to her but to the Cowichan valley.
- She heard Mr. Holland tell us that unless Council allows the expansion to go ahead, the community would be stuck with the problem of Phase 1. Mr. Holland stated that without rezoning, we return to the challenges of the past. What are these challenges? Are they so insurmountable without rezoning? Every other facility in world builds noise mitigation.
- Mr. Holland goes on to say there will be no noise mitigation, no forest protection, no agricultural land protection, and no community benefits. He may as well have added that unless the Municipality makes a land use decision that allows them to expand, because if they don't they will do nothing to behave as good corporate citizens.
- This is a land use decision. What is the highest and best use of the land in question? Is this location appropriate? This is a proposal for race track, 2 km from muni urban containment boundary, impact last robust watershed. Is this best and highest use of this land? As one of the citizens affected by Phase 1, she would prefer to deal with what they have now than an expanded racetrack.

The Mayor conveyed to Dr. Rimmer three times that she was out of time before requesting that her microphone be shut off.

The Chair asked for a recess at 10:12 p.m.

The Public Hearing resumed at 10:18 p.m.

FIPPA s. 22(1) [REDACTED], on behalf of **Brooklyn Mann** of 6336 Nelson Place, spoke in **favour**:

FIPPA s. 22(1) • [REDACTED] first read out a letter on behalf of Ms. Mann stating as follows:

- As a resident of North Cowichan, she is a firm supporter of the circuit. It is an asset to community; and is generous to the non-profit sector. Their recent donation to the Hospital Foundation is a reflection of their commitment to the residents and elevating the town.
- Employment is a struggle for many right now, and this facility employs residents and attracts tourists to help stimulate the economy. It is an advantage for those who live here, especially small business sectors. In addition, the organization is a large tax contributor. As a taxpayer, she appreciates this immensely.

FIPPA s. 22(1)

[REDACTED], North Cowichan, spoke for a second time in **favour**:

- He is an employee of the circuit and is a full time, lead driving instructor. He is not paid to be here tonight, and is here on his own time, even missing his eldest child's 17th birthday.
- He is passionate about this, and wants to hear about the people negatively affected by this. He also hopes that we can have the perspective. This is a 100 acre piece of land in our community which was logged 40 years ago -it is not old growth. He considers himself green/eco - he drives a car which uses electricity.
- We have asphalt on the island, and having another ribbon of asphalt will bring even more people - he is the one that interacts with them. It is not just the wealthy - people who live in town, on the island, from all of Canada, and expansion will bring more.
- Long term, he does personally hope that it becomes better for everyone affected.

**Peter Van den Bos**, 6895 Hillcrest Road, Sahtlam, spoke in **opposition**:

- The biggest contention is the sound issue, as it is hardest to control.
- Comparing it to the sound from the highway is unfair. It is at a lower elevation, with many banks around it to mitigate the much lower tone of road noise. For the most part, vehicles going up that road have mufflers, which put sound levels at much lower tone and fleeting. Logging trucks and momentary noise goes away.
- The track is positioned on a hillside, elevated from the highway - a disadvantage for noise. If Phase 2 expansion proceeds, it would put the track far above the south tree line, and no amount of mitigation could solve the issue. The higher they expand, the more noise pollution.
- It is not merely an issue of decibels - it is tone and continuous noise, no matter what decibel. Elevation of the track would be in perfect position for the noise to extend further to Duncan and surrounding areas, regardless of whether they appreciate the track and economic benefits or not. This is the sound that residents and visitors could only find relief from if they leave the area.
- He and his neighbours live 2 km northwest of the track - many of the trees and ups and downs of terrain still do not prevent the sound of the track in their backyard. There is no doubt that track expansion up the hill would further increase this noise.
- Some supporters suggested that the existing I2 zoning could lead to a noisy planer mill. It is his understanding that the planer mill would be inside the mill, for which sound mitigation could be accomplished. So far he has not experienced any industrial noise.

**Amy Webb**, 8061 York Avenue, North Cowichan, spoke in **opposition**:

- Where she lives, she hasn't been negatively impacted, but her parents' home in the neighbourhood has been. Phase 2 will increase that impact.
- There have been a lot of comments about industry that could be noisy or louder than a track, and she thinks they are irrelevant. Sahtlman residents purchased there, and didn't know a racetrack would be there.
- She is grateful for the opportunity to speak. This experience is a learning opportunity to hear about the greater environmental and cultural impacts. These are members of our community, not detractors. That kind of language is disheartening, and is representative of intent.
- Council has inherited this mess, but someone else said it is an opportunity to create a legacy. She asks that they choose the right one.

**Jim Peach**, 5735 Menzies Road, North Cowichan, spoke in **opposition**:

- He urges Council to say no to the expansion and not throw the residents of Sahtlam under the bus - they are good people.
- With regards to first nations, he has a whole new respect. They are the jewel of this crown, people have to stick up for them. For those folks who come in here, being native amongst all other white folk, takes a lot.

**Rupert Koyote**, 3615 Gibbins Road, North Cowichan, spoke in **opposition**:

- He has sent emails to all of Council, expressing his opinion in opposition to expansion of the track.
- There seems to be uniform impression from the business community that it supports it. The Chambers of Commerce who spoke in support -- there was no transparent process whereby businesses in the community in membership were consulted. In fact, he sent a letter to his Chamber expressing opposition. Their position was to take it forward that the Chamber was supportive. They are business members who oppose it and continue to do so.

**Cynthia Montgomery**, 1170 McKenzie Drive, North Cowichan, spoke in **opposition**:

- There is a strange disconnect between how VIMC presents itself to the Cowichan Valley. On one hand, they are very generous with aid to many groups. On the other hand, for several years, they continue to make life difficult for their immediate Sahtlam neighbours.
- A sound barrier has been promised but only as dangled carrot for approval of expanded circuit - that is not a good corporate citizen.
- The sound level would average no more than 59 decibels, similar to normal conversation. That is also the level of a barking dog in your back yard but does anyone want to listen to that every day, every month, forever? It is mentally and emotionally wearing. How will the noise not increase with expansion and more vehicles?

- She is distressed by the 100 acres of semi-mature forest that will be felled for this extension. Reforestation is not an equivalent - it takes decades for trees to sequester carbon. How do 100 acres compare to Stoney Hill or Maple Mountain reserve?
- They previously heard praise for the existing track. Rejecting the extension will not diminish benefits of this track. But it should be remembered in an economic downturn, such as is predicted, the most vulnerable industry of all is the automotive industry. It is not an industry to be relied upon for economic stability.
- She heard about the need for expansion to prevent a hypothetical planing mill from moving in. People of Cowichan Valley are one valley, one community - they work together to solve problems. Since when have they pitted one against another? Are we now to put North Cowichan against Sahtlam, forcing them to submit to an unbearable situation? That's not how we solve problems.

**Jack McNeil**, 4190 Sahtlam Road, Sahtlam, spoke in **opposition**:

- He has been angry for four years since the decision was made to approve the racetrack. There was no public consultation, contrary to bylaw.
- He is angry his neighbours are exposed to noise. He is really angry that his daughter, an RCMP officer, has had her personal safety compromised when the track noise on occasion prevented her from having sleep before a 12 hour shift. He knows the risks of her job all too well.
- He is angry there are 100 acres of watershed that could be logged and paved. He is angry it is now an ugly moonscape. Mt. Tzouhalem is a perfect example of poor planning.
- He is very angry Council is considering a rezoning application with increasing carbon footprint. Internal combustion has no future, or in the Valley.
- Four consecutive track managers have done nothing to address concerns - just personal attacks, misinformation campaigns. The best indicator for future behaviour is past behaviour. VIMC is not as advertised.
- This is a most important decision - don't let racetrack expansion be Council's legacy.

**Kate McNeil**, 4190 Sahtlam Road, Sahtlam, spoke in **opposition**:

- She has acquired a better understanding of the environmental discussions, stewardship activities and forgiveness displayed by Cowichan Tribes. She is resilient and determined to stand with them in light of this new threat.
- The First Nations prove to be true stewards of the land. They have lived off the land, did not abuse it, maintained healthy fish and wildlife, and have respected the land for thousands of years. Non indigenous people have screwed it up in a few hundred.

- We want to expand the racetrack on First Nations' sacred mountains. Truth, reconciliation, respect - we are a society judged by actions, not words, and talk is cheap.
- The proponents have an opportunity to make good on the promises made and to take action on those promises. As individuals, and as a culture, we have much to atone for. At a time of crisis, let us be a community example to be followed.

**Michael Haines**, 4361 Pollock Road, Sahtlam, spoke in **opposition**:

- For him and his wife, the sound of VIMC is annoying, it reduces quality of life, and reduces property value and sale ability. It is an intrusive sound over other sounds.
- Economic impact is irrelevant to him - this is a land use issue. North Cowichan made an inappropriate land use decision, and he is not sure full accountability has ever been expressed or accepted, neither by them, or GAIN.
- The Area 27 Motorsports Club near Oliver is an interesting example. How would Oliver have reacted if it were built on the side of the hill that rises up through town? It never would have happened. As it is, it has been built on land with natural buffers, hills and vineyards. The noise is mitigated by the terrain. Somehow, North Cowichan Council decided a motorsport racetrack was appropriate land use, industrial zone, with a rural population of 40,000 on a hillside overlooking a valley with no natural sound barriers. It was immediately contentious.
- North Cowichan council is stuck between a rock and a hard place - the existing track is not going away, but somehow the solution -- the way for Council to save face -- is to now change the zoning to regain some control over the noise and other issues as part of accepting expansion of the track - how is this logical?
- If we are stuck with this track, why is the zoning application tied to immediate expansion? Isn't it logical to rezone the existing track, and if approved and if VIMC lives up to conditions, only then should there be consideration for expansion with all its extra issues. Council can say no to this application while still assuring it will consider the application for rezoning the existing track.

**Mary Ann Deacon**, 1138 Knipsen Road, North Cowichan, spoke in **opposition**:

- She is concerned about the angst this issue has caused. Anyone with whom she has spoken regarding VIMC knew nothing about it prior to its use.
- Had there been a public hearing concerning this and its intentions, all this unfortunate community division and distrust could have been avoided. Parameters could have been established by Council.

- Much of the opposition is from long-time residents and those who moved here to this Valley for its natural amenities, its agricultural opportunities and rural characters - these are hugely altered. Adding to this is the recent realization of the acute climate emergency.
- She applauds Robert George for his concern, and many others opposed such as Kathy Gilbert and Marilyn Palmer. They need hard facts, rather than dreams of economic benefits.
- She hopes this is an unfortunate community lesson we have all learned.

**Jeremy Smith**, 3955 Cowichan Lake Road, North Cowichan, spoke in **opposition**:

- He has written letters to Council in the past, so he will make this short. He and his wife moved from Victoria looking for quiet country living in 2012. They farm sheep, ducks and chickens on 22 acres. They were pretty surprised when Phase 1 went in, as they never would have bought or built here if they knew the racetrack was going in.
- Due to the loss of property value, he and his wife often talk about selling and leaving their dream behind, but they feel trapped. The loss of value, even if they happen to find something comparable, it will not happen.
- They are downstream from the watershed and it affects them quite a bit. He is very emotional about this, as he is stuck, trapped. It is heartening to hear what VIMC said - \$25,000 for fines for exceeding sound limits - is that for Phase 1 as well?
- People in his community have stood up for and spoken for him, and he owes a lot to them.
- In response to Mr. Smith's question, the Mayor confirmed that the fines would be applicable to Phase 1 only if the rezoning application is approved as the application contemplates a comprehensive rezoning of all of the properties.

**Ruth Hartman**, 6455 Diana Drive, North Cowichan, spoke in **opposition**:

- As a former North Cowichan Councillor with 12 years of experience, she is someone who has been where Council is sitting.
- When elected to represent the community, Council hopes to leave a legacy of making changes viewed as positive steps. Sadly, the legacy of her time at North Cowichan, and as Deputy Mayor, is the race track, and all the controversy it has created, which she deeply regrets she was part of. It is difficult to see people who elected her to be suffering.
- She has been listening for the last few years, and then she personally experienced the noise when she rode her bike through Sahlman this spring. It is so terrible for the residents listening to this for last three years - she was gobsmacked and couldn't believe her own ears.



- Thank you for commissioning the Navcom noise study - it is the truth. When North Cowichan allowed GAIN to buy it as test track, Council thought it had all the information they needed to make a responsible decision - they thought they had considered everything - but now look at the terrible problem created and how this track has divided the community.
- Council is not in the same position she was - it must ask themselves, do they feel they have all the information necessary that, if voting in favour of this application, will it not have lasting negative repercussions for people of our community? Long after casting that vote, Council members are going to have to walk amongst those people and face the consequences. They must be certain they will not regret what they will do - a bad outcome will outweigh all the good. When casting that vote, Council should ask what they want their legacy to be.

**Martha Lescher**, 475 Chesterfield Road, Duncan, spoke for a second time in **opposition**:

- The environmental concerns have been well represented and she has compassion for those whose lives have been disrupted. She is grateful for the education the Cowichan Tribes have offered.
- She challenges that GAIN is offering economic benefit. They have an eye on other interests in the Valley; and there are risks of building community around a single industry. Just this morning, she read how rural communities in Alberta are faced with \$81 million shortfall in taxes by oil companies dissolving.
- She spoke of the GAIN investment group having a questionable reputation, with the bottom line being profit. She is glad to hear from some people who are happily employed, but there is no long term value or growth.
- A rapidly growing community needs to foster a strong secure community. Small business are the backbone of Island communities. She urges the Mayor and Council to design, finance and deliver in a way that maximizes benefits, wealth and health, and local businesses. She urged them to develop policies focused on small business advocacy, and design programs that diversify, have value added support, access critical tools and education, and other resources that may otherwise be unaffordable or inaccessible.
- Wealth must be grown from the bottom up, rather than being indebted from the top, which trickles down then disappears. The current OCP is being reviewed - why would rezoning and creating a new zone even be considered independent of that? She urges Council to say no.

**Angela Voll**, 4300 Creighton Road, Sahtlam, spoke in **opposition**:

- She wished to share her observation tonight of a tiny tired boy. His tiny decibels didn't come anywhere near the amplified ambient noise of the auditorium. His parents chose to observe their social contract before he could

disrupt the proceedings; however, their white carnations suggested they do not practice this in other aspects of their lives.

**Donna Hobson**, 6021 Payne Road, Sahtlam, spoke in **opposition**:

- She and her husband are two of the people affected by the giant mosquito - it buzzes and buzzes.
- They spend a lot of time outside, and love to garden year round. When the track is buzzing, it is all but impossible. They have lived in Cowichan Valley for 43 years, and they also support the Valley, donate local, shop local, and have done so for decades.
- They bought their home in Sahtlam in 1994 for a its rural life. It is not quiet anymore. As the track expands up the mountain, there will be more noise, not less. There is far too much uncertainty and vagueness in the proposal. She cannot support it, and she urges Mayor and Council to vote no.

**Tom Walker**, 6088 York Road, North Cowichan, spoke in **favour**:

- These lands are industrial, not parkland or municipal forest. As he sees it, this rezoning is a housekeeping process to clarify existing and new uses, and to remain as industrial zoned lands.
- Some commitments have been made by VIMC, such as donation of land for a water tower, \$600,000 to build the water tower, a lease for hiking trails in Mt. Prevost, rebuilding Drinkwater Road, building bridges not culverts over water courses, and providing a home to allow a go kart track for kids in this community.
- The major concern is sound, to which they propose the following:
  - some restriction of hours of operation; limiting use on statutory holidays; restricting maximum sound levels; providing sound monitoring stations wired into Municipal Hall; and providing for significant penalties (not just \$100 dollar ticket, but \$5,000 per crack.
- North Cowichan could receive many benefits, but he asks Council to secure those through legal means using tools such as covenants, bonding, and cash deposits.
- He is dismayed and appalled by the nasty remarks and innuendos he has heard in this valley over this issue. It has been mostly on social media, even by some of his friends. He hopes when a decision is made, it is accepted and we can move on. We have to remain as friends - after all, this is the warm land.
- On balance, he supports this proposal. Done right, this could be good for North Cowichan and this Valley. A friend said something to him that resonated - "we should work with the track, then we have a chance to fix what we don't like."

**Pete Elzinga**, 6023 Cassidy Road, Ladysmith, spoke in **opposition**:

- He has lived there since 1987, and he phoned the Municipality to talk to Rob Conway about industrial zoning. Mr. Conway couldn't tell him when it was zoned industrial, just that it was zoned after 1966. Someone should be able to tell him when it was actually rezoned - why isn't that out there? What is the zone for?
- How can people go along with this whole thing botched up when there is no explanation for people who have disappeared, gone, had severance paid, hidden under the table. It doesn't give him a lot of confidence of what is going to happen.
- He and his wife have lived here all these years. If it weren't for his grandkids, he would be gone - he can't put up with all the noise.
- He has no confidence in the Mayor and Council of North Cowichan - it is all a great big white wash job. VIMC has lied to everyone all the way through.
- In response to Mr. Elzinga's question regarding the date of rezoning, Mr. Conway confirmed that after conducting further research, it was determined that his property was rezoned to I2 in 1980 when the zoning bylaw changed from rural to industrial.

**Dr. Richard Walton**, 6606 Chisolm Trail, North Cowichan, spoke in **opposition**:

- Like the first go around, everyone is being sold a bill of goods, again. It is not what people are being told, but rather what people are not being told that concerns him.
- The reported economic spinoffs are a fantasy; comprehensive studies in a restaurant and accommodation resulted in no meaningful benefits. There is no reason to believe this will change, and VIMC has offered zero data to refute this.
- The price we are all paying is very high; the benefits are negligible for all but a few. It was Joni Mitchell who lamented that we pave paradise and put up a parking lot. What was done the first time was wrong. He asked Council not to make the same mistake and to not let the past steal the future from all of these fine people.
- Council has an obligation to the whole community, not just the privileged few. They must choose wisely and do the right thing. If Council doesn't know what to do, they should consult with their esteemed colleagues in Duncan who categorically stated the application should not be supported because they were concerned about the noise affecting their citizens.

**Sarah Chapman**, 6776 Somenos Road, North Cowichan, spoke in **opposition**:

- She lives on this planet earth; she is invested in our species' survival, and is invested in this community's survival. She owns and operates an organic farm.

She provides food that is nutritious to many of these community members sitting here tonight raising their voices, speaking truth to power.

- She wants to acknowledge the voices of the Cowichan Tribes people who were brave to come up here yet again and ask that we wake up. We make the changes that are needed in this society to survive -- that is what is at stake here. What this corporation is talking about doing is destroying a sacred place.
- She has the privilege of having a piece of paper that says she owns a piece of land at the base of Mt. Prevost. She doesn't believe in the colonial construct that she owns that land, but she is a steward of it. She is a valuable contributor to this community, and that has nothing to do with the very small amount of money she has in her bank account.
- She asks Council to please choose their survival here, to choose the health and wellbeing of our natural world - you can't eat or drink money, and money is truly meaningless when facing what is being faced here. She is doing her best to hold on to hope for humanity, but on her darkest days she finds solace in the truth that nature is resilient; that she will regenerate no matter what decisions we make as a species; and that she will survive. She also wants to make it known that this decision is being made for other species.

**Susan Kaufmann**, 4371 Sunrise Road, Sahtlam, spoke in **opposition**:

- She lives in Sahtlam, and her heart is breaking for her community. She sent an email to Mayor and Council yesterday, and did not get a reply about the actual zoning, and whether the zoning issue from Phase 1 had been resolved.
- She is overwhelmed by the outpouring of the people here who are First Nations and residents, and how this has affected them. She also heard about a lack of trust from the previous decisions made and the lack of trust for the members of the VIMC and GAIN organizations.
- She was listening to the experts and she heard things being minimized -- the effects of sound being minimized; the archeological values minimized, when the slide clearly said "low to moderate".
- For the people that support VIMC, Mr. Rossmo and the other people here, she knows you enjoy what you do when you want to, but asks them to use their hearts. Are they not affected by how this facility is impacting the lives of people that live here? It is certainly affecting her.
- It is a land use issue, and Council and the Mayor have the ability to take these concerns into consideration when they make their decision. She certainly hopes that they do.

**Lisa Aiechele**, 4410 Creighton Road, Sahtlam, spoke in **opposition**:

- She moved here on August 1, 2016. A week later, she was buying plants for her garden. When she was there, another fellow was doing work, and there was this beautiful tranquil piece of property, a nursery where abundance is everywhere, yet you could hear this droning annoying noise.
- The fellow mentioned to me, "you are new - what do you think about the track"? She had just moved from the landing strip property of the Glenora Airport, which she lived under for 10 years. Those planes never bothered her. She thought how bad could a track be. She listened to the noise, and headed home.
- A couple days later, she was experiencing this deafening noise while on her new property that was her dream. She grew up at the end of Sahtlam Road, and always wanted to go home. Buying that acreage was a dream come true, but it completely changed. It wasn't long before her life was being greatly impacted. She couldn't be outside doing chores or gardening, and had to take solace in the basement of her new house by mid-August.
- She then decided to become more vocal, writing letters and contacting other community members. She contacted the man who made mention of this to her, and his name is John Yarnold. She apologized for being so inconsiderate and ignorant to the suffering of others.
- For 10 years I lived on Glenora Road, directly across from the landing strip at Langtree Road airport. Without a shadow of a doubt, not one time in 10 years -- when putting down her babies for naps, when painting, when out in her garden, when in her pool -- not once did one plane bother her. There was a slight ambient noise, which was gone in a couple minutes. Occasionally a helicopter would shake the house.

**Maureen Webster**, 4155 Sahtlam Road, North Cowichan, spoke in **opposition**:

- She has lived there for 54 years. She has been affected in many ways, as their property is not a place of peace or a place to heal.
- She urges Council to please say no and to please assist VIMC to fix the existing issues of Phase 1.
- She really wants to thank all her neighbours for speaking out when she has not been able to speak out.

**Chris Istace**, 9890 Willow Street, North Cowichan, spoke in **opposition**:

- Things like the Chamber of Commerce, his experience with the president of the motorsport, his experience with Council, and as a business owner is all irrelevant is because of what Jarred Williams spoke to earlier - his words; that's his old way of thinking.
- He never knew before what he knows now where we understand what the land really means to us; about living in harmony. His life has truly changed,

and he is still learning. He knows that everything is connected, everything matters -- when we do not take more than we need and we leave the place better than we found it. He only knows this because we live amongst the Coast Salish - he has never seen anything so powerful. We are blessed to be living here, and we ignore that. It would be the first Council that truly listened to Cowichan Tribes, truly paid honour to big bear.

- Since the track started, he went one time and the track was deafening. It's the only time he has experienced something like that. He sees and feels what they are saying.
- He leaves with two voices that stood up and spoke - Elder Robert George spoke about how we dealt with things, his grandparents, and hopes for his future generations - and then we have a lawyer stand up from Victoria, saying we have this land now, and we're taking more land.

**Phil Boname**, 1444 Maple Bay Road, North Cowichan, spoke in **opposition**:

- He is moved by the fact that some excellent observations registered as a precursor of OCP review. Had this discourse taken place 6 years ago, he doesn't believe we would be discussing the racetrack.
- The race track was an accident, both in terms of location and especially process followed regarding approval. It did not follow the Local Government Act, and some of you are aware of the fact that some mistakes were made, and now we are paying a big price.
- With nearly 60 years in land use planning, he wanted to be heard as to why he is speaking against the motion. Council has heard excellent support with respect to the reason of indigenous values, and their obligation and responsibility to reflect those interests and values.
- They heard a great deal about the ecosystem and how important it is to preserve and enhance the environment. They heard a lot about degradation of quality of life, particularly for those who are in earshot of that activity.
- One of the things which compelled him to speak was the fact that we do not, as a community, adequately understand the enormous value from an economic standpoint of nature's asset. He cannot believe how we have turned our back on the true value, both from living and nourishment, but in terms of economic opportunity, by desecrating very important parts of the community with improper land use. This is most beautifully exemplified by the racetrack, which was a mistake. Two wrongs will not make a right.

**Gregory Eyre**, 3841 Cowichan Lake Road, North Cowichan, spoke in **opposition**:

- He has a professional background as an environmental officer and safety officer with the Department of Defence (34 years), as well as with the Department of Fishers and Oceans.

- Looking at the application, it is missing critical data. The drawings lack details, such as catch basins, whether they are lined or not lined, a mechanical water separator -- this is not acceptable.
- This is the worst geological area to have a racetrack due to ravines and water flow - gravity will take any water run on to the creek bed. It will leech into the sandy loam to get back into the creek. Each catch basin within 20-50 feet of the creek will not hold anything.
- The Department of Fisheries and Oceans has made a list of spawning chinook salmon as far up as Sahtlam. Small fry that follow the creek home would be devastated by a small spill of petroleum.
- He is more than happy to take anyone down to his property (Menzi's Creek dissects his property) - to show some of the fish: cray fish, green tree frogs, amphibians - it is alive. The biggest problem in the last four years is sediment getting into the creek. This comes from clear cut areas above his place, which leach into waterways, plus additional erosion on banks of the creek, all the way down. Turbidity in the water is terrible.

**Buffy Saunders**, 4612 Vista View Place, Nanaimo, spoke in **opposition**:

- She doesn't want to repeat a lot of what has been said, but she is opposed to the application and stands behind what has already been said.
- She and her partner moved to their property five years ago for the same reasons everyone else has, to enjoy peace and solitude. Phase 1 was a huge mistake made, but they are willing to work with that and accept that it has already happened.
- In honour of the First Nations people and the sacred area, she highly respects what they have to say, honours their beliefs and their feelings around this application. Sitting through the proceedings for two nights listening to what VIMC had to say, she feels it is disrespectful to the needs and wishes of the First Nations and residents.
- She echoes their sentiments and just wants to say that in these times, it is time to change with what's going on with climate reconciliation, people's wishes, and health. If Council does not vote no, it is highly inappropriate.

**Paul Fletcher**, on behalf of **Sherry Veaulieux**, 6881 Somenos Road, North Cowichan, spoke in **opposition**:

- Mr. Fletcher read a letter from Sherry Veaulieux as follows:
  - Her home is 5 km from VIMC.
  - The elk have declined since the opening of the track. The damage that has been and will continue to be done to forestry and wildlife will be vast and devastating if this is awarded.

- She can testify that the noise of the track is apparent and loud in her neighbourhood. Their claim that it is no louder than a lawnmower is laughable. Some personal observations: the public was not allowed to field questions of the experts; she understands there is a public input limit, but to be rudely cut off is unfair.
- With today's climate change, and to help change the way we are headed with rivers, creeks and lands, the environment is in need of serious help. There is help - several non-profit organizations in the Valley are there to protect our greenways to initiate change for our lands.
- She asks that North Cowichan listen to the silent cries of our ancestors. Destruction of Mt. Prevost will result if the application is awarded to VIMC.

**Sheila Bell Irving**, Shawnigan Lake, CVRD, spoke in **opposition**:

- She has been live streaming the hearing for the last 5 hours, as she felt the community needed to be involved this time, not like the last time where it was shoved down their throats.
- She has a toxic soil dump in her community, and they had it shoved down their throats. The lawyer for VIMC is the lawyer who supported them in Shawnigan Lake.
- She is here to be the canary in the coal mine. Ideas that make money are not always the best thing. They now have 105,000 tonnes of soil; wells are at 15 times the allowable lead limit; they are afraid to bathe their children. The same things could happen, and you cannot go backwards.
- Council has to be forward thinking - they cannot approve and then go "oops". That's what they are dealing with - leaking dumps all around them, a dumping ground for Victoria, and the bylaws don't have teeth. You have to hold your ground.
- This first part of it should have never gone through - it should have been put towards the public, but it just got done.
- We are in situations where you have to do the right thing, which does not mean the economy or jobs --the right thing is habitat for elk and salmon. Our bears are starving because there is no salmon.
- They say they are going to pave over it, and it's not going to affect them - you don't think? The bulldozers, and dust from the machinery all driving through -- it is all going to affect them -it is a trickle-down system. The trickle down is going to get paved over. Please stop this.

**Jane Worton**, 3972 Sahtlam Road, North Cowichan, spoke for a second time in **opposition**:

- She regrets missing three things when speaking previously:



- Cowichan Tribes and the impact of this development on their lands.
- Community impact of the circuit.
- Contributions to community groups. She appreciates those contributions have been made; however, many citizens also contribute to the community and donate their money locally.
- One of the boards she sits on was to be given a gift from the motor circuit which would have doubled the value of their annual fundraiser, but they declined it. There are more and more people who are starting to see those examples, including what has been heard tonight.
- One of her friend's husband had a disability and it was hard for him to leave home. The noise in their home is very loud, and they spent \$10,000 to put in new windows to mitigate the sound, exceeding the amount VIMC has put in. Even after that, they could still hear the sound, and were very unhappy. He passed away last year.
- She is so frustrated and unhappy that she could do nothing to help him, but Mayor and Council can. She asks that they listen to the words of Cowichan Tribes, to biologists, and to her neighbours.

**Mrs. Al Mercer**, on behalf of **Al Mercer**, 6231 Mina Drive, North Cowichan, spoke in **opposition**:

- They live directly across from Hwy 18. The noise limits from VIMC won't make things better. He used to work night shifts, and could not sleep during day when the track was in use. It is not a level of sensitivity - it is intrusive and invasive; you cannot hold a conversation without raising voices, even being just a few yards from each other.
- They have been denied the pleasure of having windows open. The consultant said that just because you hear sound, doesn't mean it is loud. If it can be heard from that distance, it must have been loud from the source.
- Airplanes and jets aren't the issue; the highway is not an issue. Highway noise comes and then goes. It doesn't keep repeating the same loud noise all day.
- The promises of noise mitigation, whether it can be effective, are of no value. Fix Phase 1 before further development. What if the expansion and noise cannot be mitigated?
- He urges Council to consider the ramifications, the damage that has already occurred, and the health and wellbeing and loss of values. Has Council considered what would become of the land if the application is not successful? For the sake of Mr. Prevost, he urges Council to deny expansion and vote no.

**Paul Fletcher**, 162 Jubilee Street, Duncan, spoke in **opposition**:

- He is President of the Somenos Marsh Wildlife Society.

- He has battled with Council many times over development issues. Sometimes they have won, and left behind a legacy of lands because they fought and stood their ground.
- This decision is about 100 acres of forest. He heard one person say a small 100 acres. A huge area of land is essentially going to be cut down 75% or 65%; 22% is going to be revegetated.
- He is very worried about that 100 acres of forest that is home to two creeks - Menzies and Bing. They are critical to the health of the watershed.
- The idea that so many things can be promised by the developer: \$600,000 cash so far for trails up Mt. Prevost; to build a water tower; water reservoir to feed water for fire protection - that would suck up a lot of money. The reservoir would be far beyond that. No one suggested any of that water would be used for Bing's Creek. There have been a lot of promises with no backing whatsoever.
- The Chambers of Commerce - how perfect it was when they lined up together, with 36 people in row speaking about the racetrack. They didn't plan anything - they just came here to say something about what they believe in. They believe it is time Council started listening to people that live here and who care about the land.

**Kate Koyote** spoke for a second time in **opposition**:

- She is trying to figure out why Council would not vote no. When she thinks about that, and looking at the complexity of it, she can appreciate their position. But what became clear to her was that VIMC left the conversation on Tuesday night with essentially a threat that noise mitigation and the other agreements put in place for Phase 1 will not be honoured if Phase 2 doesn't happen.
- She wonders if, because of that threat, there are repercussions that the public doesn't understand. Her fear is that would drive a decision, because when she listens to the community and looks at the business case, it is not strong enough to vote yes. Her concern is that a decision will be made that is not in the best interests of the community, but from place of fear or uncertainty.
- She believes that as a community they would all stand behind the fallout of a no vote, whatever that would be. Nothing is written, but she thinks it is really important that Council is not making the decision to vote yes due to repercussions from VIMC.

**Peter Rusland** spoke for a second time in **opposition**:

- He thinks Council is now getting the picture about how the community is reacting to this project, and he is very proud that so many people had the courage to speak their minds. It says a lot about the community.

- A lot of what we heard tonight falls at the feet of Council. VIMC talks about there being nothing in the first phase; no safeguards. Would they do anything if they didn't need the rezoning? They aren't doing it to be nice.
- He doesn't want decisions made based on fear. They should be based on solid strategic growth plans, so we don't have willy-nilly case-by-case things coming to Council like this. He feels there is no solid economic development plan therefore, these have to be entertained. Until those plans are in place, this will happen again and again.
- The days of chopping stuff down, polluting, and putting nature in the back seat are over. Now is the time for Council to act as a catalyst to develop the community for nearly everybody, but it has to start that way.

**Mark Primmer** spoke for a second time in **opposition**:

- His customers down at the farmer's market are overwhelmingly opposed to the track, and his sales have climbed even with his criticism of the track.
- The track was contentious from the start, and many are suspicious of those who were in office at the time. His father worked for Imperial Oil for 35 years and says he doesn't think he believes in climate change. But then they go to the lake by the cabin they have gone to all the time since they were kids, and it doesn't have fish anymore. What part of it don't people understand?
- When information changes, but behaviour is the same, what is that? It may not be possible to undo the track, but don't allow it to expand. Promises are very false.

**Stephanie Aikenhead** spoke for a second time in **opposition**:

- Everyone has heard from the Chair of the Business Advocacy Committee and Cowichan Tourism about the real estate and spinoffs from VIMC. She would like to ask where the data is and how it was gathered. It has been requested before.
- Estimates mean nothing - they advocate for the track and say it is a key attraction. Without a track, will people bypass our little town that will refuse to grow? To say we have few attractions is offensive.
- Those voices mention how few jobs are available. The Duncan Garage Café employs twice as many people as VIMC. These advocates for the track are supposed to be the voice of businesses. The totem walk brings busloads, and people will spend an entire day touring and shopping before spending the night in local accommodations.
- VIMC is catered to by the Eyrie and there is little to see, do or purchase. Alternatively, they jump back on the ferry to the mainland where they live and pay.
- Cowichan is home to extraordinary indigenous history, parks and totems, agriculture, markets, fine dining, artists and producers of tea, cheese and

produce. There are painters, jewellers, sculptors, woodcrafters and so much more. There are countless biking trails, criss-crossing Mt. Prevost and Tzouhalem, the Cowichan River foot path, Somenos Marsh, eco adventures, fly fishing, the folk festival, and the therapeutic community at Providence Farm. There are gorgeous accommodations and a peaceful wilderness - nothing speaks race track to her.

**Miyo Stevens**, 380 Brae Road, Duncan, spoke in **opposition**:

- He acknowledges they are gathered tonight on traditional unceded lands of the Cowichan people, and he knows that Mt. Prevost is a sacred place for the Cowichan people.
- It is the place of creation and he wonders what Council would decide to allow a racetrack to be on the place of creation of Christian people, Jewish people, Muslim people, or whatever belief system there is.
- What kind of people are we to desecrate a very special and sacred place for the Cowichan People and for all of us here that live in this Cowichan Valley where the Cowichan people have stewarded this land since time and memorial. Who would do that?

**George Gates**, 6755 Cowichan Lake Road, Skutz Falls, spoke in **opposition**:

- One thing that has not been addressed is the economic contribution to small business. He owns three businesses in three different areas, and is past President of the Chemainus Chamber of Commerce, and is currently on the Lake Cowichan Chamber of Commerce.
- In his business, everything is local - his meat, cheese, dairy, produce. He wants to make it clear that the economic contribution from one business to another, although small, is 100% local.
- He is a self-proclaimed expert on buying local. None of his suppliers deliver in semi-trailer trucks, as he picks up most of it himself. He has relationships on social media with other owners, such as Quist Family Farms, and could name a half dozen more.
- His point is that people are asking about the chambers of commerce and the economic spinoff, but he was never asked his opinion. Why?
- Sound is an issue, but maybe it is also to support the local economy. He is not sure if that is happening.

**Paul Fletcher** spoke for a second time in **opposition**:

- I am President of the Somenos Marsh Wildlife Society, and they were granted the request to do a referral on the VIMC proposal. They were very honoured, as they have never previously been asked in 30 years to offer comment.

- Our employee wrote a 17 page report after visiting the site, and they had only 2-3 weeks to do it. A couple experts visited the site, wrote the report, and that report is in Council's hands.
- We see a Facebook post from VIMC accusing us of making statements we never made, and that sticks in people's minds. Statements come out that aren't true, and then they get repeated.
- They wrote a 17 page report, studied the environmental third party reports, and drew their own conclusions from that report. She mentions the number of times the mitigation efforts they were making were very positive, but then she went on to provide other data about why bridges aren't that good as they will do an amount of disturbance, and so maybe don't put them in at all.
- She went on to challenge every environmental offer they made, argued all the points with valid reasons, and why the environmental work is not going to improve, as it will devalue the property significantly for ecological services. That is where you can do valuation of piece of land to see what ecological services it provides and how much those are worth. This is the critical piece of information missing on this property. The rivers and lakes are in trouble, and there is a lack of water.

**Curtis Bachelder** spoke for a second time in **opposition**:

- He has never been for or against any large project, but something that has been mentioned several times is the idea of legacy - to live with the decision and choices that are made.
- The reaction to the choice that is made today is going to carry on in the community's legacy. As a community, whether the decision is yes or no, and with all the frustration and anger, it is going to take a lot of humility and time. It will be important to stand together regardless of what happens.
- It is important to realize that the consequences of good and bad will last way longer than choices of people at the front. It is everyone's responsibility to respect each other and help each other, regardless of where we stand after it's over.

**Paul Fletcher** spoke for a third time in **opposition**:

- He would like to congratulate everyone for sitting there - it has been a long couple of days.
- He also wants to remind Council that they have received a number of referrals from Cowichan Tribes, the Watershed Board, Somenos Marsh Wildlife Society, the CVRD, the City of Duncan, and the Sahtlam Neighbourhood Association. A lot of time has been spent, and a lot of information and research has been gathered for those referrals, which Council requested from all of these groups. Those papers stand as very important points in this deliberation, and he hopes Council has read the detail. It is a long read, but it is very valuable information.

**Sandy McPherson** spoke for a second time in **opposition**:

- With respect to the wear and tear of tires, she felt it might be helpful if staff had some of the links she used to glean that information. If they would like to know more about waterborne and airborne pollution, she didn't include that in her notes, but would be happy to supply it.

**Gregory Ayre** spoke for a second time in **opposition**:

- Mr. Ayre had questions for the Mayor and Mr. Swabey regarding bonding or a performance guarantee to ensure enforcement of the applicant's proposed covenants.
- The Mayor indicated that it would be noted on the record that he is in favour of bonding.

A question and answer period ensued, and Council asked questions of Mr. Sean Hearn (in Mr. Holland's absence) and Mr. Paul Rossmo on various matters related to the application. A summary of responses is provided:

- It is Mr. Hearn's understanding that high performance vehicles will not be using super-charged fuels or fuels containing lead.
- The creeks will have bridges, not culverts.
- The water tower reservoir is a \$2.5 million commitment, and the \$600,000 payment by VIMC is to be used by the District for its purposes in respect of the marsh or other environment amenities. VIMC also confirmed that the uses for the \$600,000 could be broadened to include studies regarding the elk.
- With respect to the Cowichan Tribes referral and concerns regarding loss of habitat for the Roosevelt elk, VIMC would be agreeable to granting an option to buy the "A" lands zoned for agriculture for fair market value, if the Municipality chose to do that.
- Plans for noise attenuation will include sound mitigating berms and a 3-4 metre sound wall around the entire front part of Phase 1, in addition to operational controls and sound monitoring/penalties.
- VIMC is committed to the provincial program requiring that motor vehicles be carbon neutral by 2040; however, there could be some exemptions made to allow for use of vintage/fossil fuel cars, in accordance with whatever the provincial program provides.
- All vehicles driven on the track are street legal.
- With respect to Cowichan Tribes' request to have a monitor at every machine throughout the project so that they can spot archaeological artifacts, VIMC will need to discuss this further with operational staff in terms of what this will entail. However, they are prepared to expand the monitoring beyond Bridge #3.

- Even with the proposed expansion of the circuit, there will not be more than 12 vehicles on the circuit at one time, as that would exceed the maximum sound level. It is unclear at this time whether this restriction would be included in the covenant.
- Construction of noise mitigation in Phase 1 has not been undertaken to date due to the current zoning and enormous financial investment which would be required. The comprehensive rezoning proposed would contemplate sound mitigation as part of the business plan for expansion, which would also include Phase 1. However, VIMC has pulled off non-street legal vehicles and removed problematic members from the track, which has made a great impact on the amount of noise produced.

Council also asked questions of Mr. Conway with respect to bonding for reforestation:

- The ability to secure reforestation would be part of the development permit process.
- The *Local Government Act* allows for the requirement of bonding/security for landscaping and restoration of the natural environment.

The Mayor advised he would provide an opportunity for the public to comment on any new information.

**The Mayor called for submissions from the public for a second time and Council heard from the following speakers:**

**Gregory Eyre** spoke for a second time in **opposition**:

- He has looked into the questions of fuel, and nothing less than octane 91 (they prefer 93) can be used for performance vehicles, which is supreme.
- Biofuels cannot use be used in any of the vehicles as it would destroy their engines. Something to be considered for environmental purposes.

**Keith Williams** spoke for a second time:

- He feels the exchange between Councillor Marsh and the proponent's legal representative is blackmail, which is discouraging to see.

**Dr. Isabel Rimmer** spoke for a second time in **opposition**:

- For a decision of this magnitude, it is shocking to her that the applicant does not have somebody here who can answer questions submitted by Council.
- She would like to remind Council that for everything that has been said about noise mitigation and noise limits, there is no data. The Navcom study has made it clear that study that data presented by VIMC is not worth paper it is written on.
- There is nothing in the covenant that protects their neighbourhood with respect to the noise limits. The maximum noise they can produce is 79 decibels, which is the same volume as a garbage disposal, and is 16 times the

perceived volume from what she normally heard in her backyard. This is a completely unacceptable limit. Everything that VIMC is saying about mitigation is moot based on that unacceptable limit.

**Angela Voll** spoke for a second time in **opposition**:

- Ms. Voll asked a clarifying question regarding the Province's program to require zero emissions in new cars by 2024 - fully offset or zero emissions being remitted?
- She is in full support of province's manufacturing goal, but feels this has no relevance to what they would be doing at the track as people would still be able to drive those older cars around.

**Kate Koyote** spoke for a third time in **opposition**:

- Ms. Koyote asked a clarifying question regarding the maximum number of vehicles allowed on the track at one time, and a response was provided that the 12 vehicle limit was self-imposed by the applicant due to their own noise limits.
- She feels the noise limits and fines associated with those suggests that VIMC is assuming and planning to be fined a lot, which brings her back to security and the ability to trust them.
- From a community perspective, having an assurance that there will only be a certain number of cars on the track making a certain amount of noise would be more helpful.

**Sarah Chapman** spoke for a second time in **opposition**:

- How do the fines that can be collected for this abuse on their community offset the harm done to the wonderful members of that community?

**Loren Duncan**, 5740 West Riverbottom Road, Sahtlam:

- He inquired if the maximum number of vehicles allowed at one time is 12 and how many electric and gas driven vehicles will be allowed at the same time?
- All manufacturers are putting out high performance electric cars. If the business plan is moving towards electric in the future, the number should reflect the noise - so, there could be 50 electric cars plus 6 gas cars, and still be under the noise limit, and everyone probably would be happy with that number. This is a riddle which hasn't been completely sorted out.

**Dan Ferguson** spoke for a second time in **opposition**:

- The number of cars isn't going to increase the volume of sound, but the consistency of it. It is going to be more constant, and more hell for his neighbours. They know that the constant sound is going to be greater.



**Karen Doucette** spoke for a second time in **opposition**:

- With the walls and berms that would be put up, how will those mitigate the sound for those who live at higher elevations? If that question can't be answered, then they will live with the noise they already have.
- With respect to the fines, when any good business makes up a budget or financial plan for something this big, they are going to work this into the budget as an expense to do business. This is big business, and a big company that is in it for money - good financial advisors would budget that into the plan.

**Peter Rusland** spoke for a third time in **opposition**:

- Mr. Rusland inquired about the permitted uses and disposition of the land proposed for Phase 2 if the rezoning application is denied.

Mr. Swabey confirmed that legal advice would need to be sought, but that staff could only speak to the proposed land use as presented in the application.

**Peter Van den Bos** spoke for a second time in **opposition**:

- Mr. Van den Bos inquired as to whether the proposed berms would deal with sound primarily directed to the southern direction towards the Valley, or in every direction.

Mr. Swabey confirmed that specific details regarding the design of the track have not been resolved, but the proposed sound limits will need to be taken into consideration as part of that design. At this stage, the applicant's commitment is to the sound regulations they have proposed.

**Susan Kaufman** spoke for a second time in **opposition**:

- Ms. Kaufman asked questions regarding how the entire property can be rezoned when there are unresolved issues with the zoning and current use of Phase 1 property.
- With respect to covenants, those are being discussed right now as a concept. At the time of development permits, is there a possibility those plans could be changed?

The Mayor confirmed that one of the purposes of the comprehensive rezoning is to remove any uncertainty with those issues. Mr. Swabey also clarified that any other issues to be determined as to how to move forward if the rezoning passes or fails is not under consideration at this time.

**Lindsay Sharpe**, address not provided, spoke in **opposition**:

- Information she has found on internet suggests that lead replacement fuels are more detrimental than lead-based fuel near a water base. With breaks in tires and other carcinogenic risks, how will this affect all the people in that area who have wells? It will affect the waterways and will be costly to manage.

If the applicant doesn't have money for noise mitigation now, how will they have money for all these projects?

- The fines they are going to pay and the increased allowable limits for noise will make the problem way worse for more people.
- With more cars, more tires and all the carcinogenic risks to the Valley, does that mean Sathlam should stop paying taxes? What is proposed is not ideal to a huge portion of people. They should stop paying their taxes to make it clear this isn't OK.
- She doesn't understand why this is being considered. Phase 1 can be dealt with now before Phase 2 - saying that it has to be done this way is not true. There is no due process here.

**Mariah Wallener** spoke for the second time in **opposition**:

- Mr. Conway said the zoning needs to be clarified, but what is being proposed as a solution is a list of new permitted uses. The new list of permitted uses stops them from doing things they are not to do, and lists what they are allowed to do.
- The problem with new list is that for 3½ years, they have been doing something that isn't anywhere on any permitted use in the current bylaw. If they can spend 3½ years doing something not permitted, how is the new list going to assure people that they won't do what they want?
- There is room for interpretation in "but not limited to", and she appreciates the explanation provided - but how does one decide what is reasonable use for a race track - is it not unreasonable to race other cars? Where does it end?
- The whole reason they are here is because the applicant is doing a permitted use not in the list of permitted uses. The solution is no different than what they are trying to fix.

**Peter van den Bos** spoke for a third time in **opposition**:

- None of the information which has been provided supports a bylaw change or zoning change. There's too much doubt, too many questions, and he is dissatisfied with what he is hearing. At this point, they have to step back and leave the zoning as is.

**Kate Koyote** spoke for a fourth time in **opposition**:

- She feels it would be very prudent to take a step back, to make sure due process is being followed, and deal with Phase 1.
- VIMC has an opportunity to actually demonstrate they can follow through on things and practice being good neighbours, so that the trust that people need could be developed through their actions to show that they actually are hearing what the community is saying. At the point where that is actually being addressed, we can then have another conversation about Phase 2.

**Peter Rusland** spoke for a fourth time in **opposition**:

- Whenever Council decides affects the Valley forever. He agrees that there's just too many questions.
- The developer is asking to trust them, give them the rezoning, and then they'll work out the bugs and the decibels, but he doesn't buy that. He really doesn't trust that things won't go off the rails, and once screwed up, you can't get the genie back in the bottle - trees will be gone and streams will be polluted. He urges Council to say no.

**Sheila Bell Irving**, speaking on behalf of **Greg Gerbis**, (no address provided) spoke in **opposition**:

- Would like to remind Council that the Planner previously said that no one at North Cowichan would be monitoring the noise - people would have to call to complain. It would be back on the residents again.

**Mark Primmer** spoke for a third time in **opposition**:

- The lawyer, Sean Hearn, said that this is a business and that they are not obliged, but actually they are - the outrage here is palpable. Have them go to their investors, raise a \$10 million bond, go build a wall.
- It is a negotiating tactic, and the applicant has known all along that it wanted to do Phase 2 - it is just holding this over Council's heads.

**Greg Eyre** spoke for a third time in **opposition**:

- He doesn't understand the monitoring system proposed. In Esquimalt, monitoring is done 24/7 for air and water. Anything that goes above it sounds an alarm and a message goes to operations. They act upon it immediately.
- If North Cowichan has an operations department, he imagines someone is there 24 hours a day and can deal with it - it doesn't have to be after the fact. True time, constant monitoring of any of these items is not expensive and is not a fancy technology - it is readily available and installed on every forces establishment on the Island. He would be happy to help out.

**Peter Van den Bos** spoke for a fourth time in **opposition**:

- It would be better to make no decision than the wrong decision.

**Susan Kaufman** spoke for a third time in opposition:

- Ms. Kaufman inquired as to whether the permitted uses described in the draft bylaw changed at all after receiving feedback on those permitted uses.

The Mayor confirmed that some changes were made to the definitions, but there were no changes to the permitted uses.

### **3.1.6 Final call for submissions**

The Mayor called for submissions from the public for a third and final time.

### **3.1.7 Adjournment of the Public Hearing**

The Mayor noted that no one in attendance wished to speak further to the application then closed the public hearing at 1:14 a.m.

## **4. CLOSED SESSION**

The Council meeting resumed at 1:15 a.m.

The Mayor advised that based on information received during the public hearing, he wanted to seek clarification from the Municipal Solicitor so asked that Council resolve to go into closed session.

It was moved and seconded:

**That Council close the meeting to the public at 1:15 a.m. under the following Section of the *Community Charter* :**

- **90(1)(I) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

(Opposed: Douglas; Justice)

**CARRIED**

It was moved and seconded:

**That Council rise, without report and resume the open meeting at 1:37 a.m.**

**CARRIED**

The Mayor reminded Council and the public that Council cannot receive any further public input on this matter.

## **5. BYLAWS**

### **5.1 "Zoning Amendment Bylaw No. 3761, 2019" (third reading)**

Council debated consideration of third reading to Bylaw 3761, 2019.

Reasons cited for supporting third reading included:

- The race track is good for the economy (supply of goods and services);
- GAIN provides good paying jobs and other companies such as Duncan Paving and Surespan have benefitted and would continue to benefit from the work generated by the expansion. This keeps employees employed which allows these employees to have the ability to purchase homes in the community;
- The lands are current zoned I2 (heavy industry) and if it remains unchanged, VIMC could sell the lands and heavy industrial use would be permitted without the benefit of a public hearing;
- Covenants and a noise bylaw would be put in place to protect the residents, which is currently not in existence. The covenants are contingent on approval of the rezoning;

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- VIMC is prepared to donate 100 hectares back to the Municipality to be used as forest land and recreational hiking and biking trails;
- VIMC is offering \$600,000 to be used for environmental purposes;
- A new water reservoir, as committed to by VIMC, would help attract new and much needed economic activity as well as a supply for fighting fires; and
- A comprehensive noise and environmental mitigation plan is being put forward for Phase 2 which would also address the issues associated with Phase 1. This includes covenants on the land.

Reasons cited for not supporting third reading included:

- Honouring the concerns expressed by the Somenos Marsh Wildlife Society, the Cowichan Watershed Board, other experts, and several members of the public regarding environmental health and the impacts to the natural environment;
- Honouring the concerns expressed by Cowichan Tribes, including members who spoke at the public hearing warning of habitat destruction through deforestation and loss of riparian habitat and the impacts of hydrology, water quality, water quantity, and water temperature;
- Questions about approving phase 2 without first knowing that phase 1 noise mitigation is possible;
- Noise and environmental impacts on the elk, fish, and other wildlife;
- Climate action concerns since Council has acknowledged a climate emergency;
- A desire to move forward with reconciliation;
- The impact that the noise has had on residents and that the independent review by Navcon of the noise modelling study stated that the results were not realistic, misleading, and should be reassessed;
- Concerns for homeowners who live near the race track who have experienced a reduction in property values as a result of the use; and
- North Cowichan has an award winning climate action plan and this application would increase North Cowichan's community emissions, not lower them.

It was moved and seconded:

**That Council give third reading to "Zoning Amendment Bylaw No. 3761, 2019" - a bylaw to rezone three properties at Cowichan Valley Highway and Drinkwater Road to a new Comprehensive Development Zone and direct staff to work with the municipal solicitor to prepare the legal documentation to secure the written commitment made by VIMC in their September 25, 2019 letter and the additional commitments/agreements made by VIMC at the public hearing.**

(Opposed: Douglas; Justice; Marsh; Sawrie; Toporowski)

**DEFEATED**

**6. ADJOURNMENT**

It was moved and seconded:

**That Council adjourn the Special Council meeting at 2:27 a.m.**

**CARRIED**

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Certified by Corporate Officer  
(Minutes certified "correct" and Public Hearing  
report certified "fair and accurate")

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Signed by Mayor