

Subject: Re: submission of formal objection to TUP for drag car "Test and Tune" events on Forbidden Plateau Road

I am a resident of Forbidden Plateau and object to the proposed Temporary Use Permit (TUP) that would allow for drag car "Test and Tune" events on Forbidden Plateau. My reasons for objection are as follows:

- 1) The events are beyond loud. They prohibit the ability to use my home when cars are racing, and I live well away and out of the direct line of sight of the strip. Being outdoors when the cars race is intolerable, and being indoors is little better.

The newly created sound barrier will actually likely make the sound issue worse, rather than better as it will simply focus the sound towards residents and make it echo throughout the valley.

- 2) To date, then events have been out of control. Jeepalooza spilled over onto the road and the surrounding area, with fireworks during the fire season. The fire risk in the area is already bad in the summer. These events, including the camping and high density of people will make the first risk much, much worse.
- 3) The drag strip is inconsistent with the Regional District by-laws. This was tested, debated and finalized earlier this year. The answer to that process, which already involved the proponents, concerned residents, the RD staff, and lawyers resulted in a legal opinion that no, racing/tuning is not allowed, period. A TUP would fly in the face of all of the efforts and opinions already submitted.

There is no reason/ benefit to circumvent the existing processes and results. No means no.

- 4) A drag strip in this location also conflicts with the Regional Growth Strategy, the adjacent values (Nymph Falls) and the rural residential nature of the area. Putting another Saratoga Speedway in the middle of Forbidden Plateau makes no sense.
- 5) The proponents and process to date regarding the drag strip have been anything but transparent or acted in good faith. The goal has been to act first and force everyone to either accept the situation or force the issue via administrative processes. To date, anyone that has opposed the process has been vilified and intimidated. It has become toxic to the entire neighbourhood.

Behavior like this should not be rewarded with a TUP that validates and authorizes the activities that have caused such disruption. The TUP should be denied and confirm the processes that have occurred to date and uphold the bylaws that exist to control situations like this.

- 6) This TUP and associated drag strip are being sought to establish a commercial enterprise in a rural residential area. There has been nothing but excuses and rationalization to allow this, such as fund-raising for charities. This is nothing but smoke and mirrors and looking for a way to legitimize a bad situation.

Why would Vanisle announce on a public Facebook group page to over 1,000 people if they are 'only' going to let 50 participate? If it truly is just their friends and family, surely they wouldn't need to advertise.

Further, why pour hundreds of thousands of dollars into something only 50 people can use for 9 days a year for 3 years? This is not intended to be a small friends and family event. They are advertising because this is a commercial endeavor and they have much bigger plans.

Participants are being educated on how to discuss the proposal and obscure the true intent for the site (commercial drag venue). Say it's for charity keeps the public off their backs. Don't use the R-words: Race, Racing, Runway, etc.

There are already established sponsors (Atlas Manufacturing), which contradicts the concept of a friends and family event.

There has been extensive advertising and promotion. Their Facebook posting shows 239 members, and they charge \$700 annual membership. This is not a small family enterprise.

Considering all of the above, it is unreasonable to trust that it will be limited to just 50 cars and a small group of people. It is already well beyond that and their plan is for bigger.

- 7) The concept of, "it's private property, people can do what they want" does not apply in this situation. What is being proposed is a commercial venture that spills over into everyone else's property and forces them to endure extreme noise and the chaos that follows the proposed events. This is not OK. What's more, most of the attendees are not even residents of the area, or even the Comox Valley. They are coming here to do this because no one else wants it where they come from.
- 8) The "events" to date have been out of control. After each event, word spreads and more people get involved and become attracted. The TUP will be the same. The TUP may have limits on racers/ campers, but nothing they proposed or said indicated that they would limit spectators (people have already enquired). Those are the people who usually create the problems and it's a bad combination.

The proponents have already made the venue known. It's on the map. Over 3,000 car enthusiasts and racers have had it made known to them that it exists and that there is a project on the go. Over 3,000 people were both formally and informally invited. These are very large numbers and they will grow. There is zero evidence to date that there will be any control on the crowds and spill-over into the surrounding area.

The only way to regulate this is to not allow it to start in the first place.

- 9) Imagine having this right next to your house. How would you feel about it? How would you like to try and raise children and have pets that have to endure this? It's simply not right. Wrong idea in the wrong place.

Thank you for your time and consideration.

Given all of the hostility and toxicity with this issue, please do not publish my name with this letter.

3120-20 / TUP 3C 19

From: Ton Trieu
Sent: Wednesday, October 23, 2019 3:44 PM
To: Jake Martens; Sylvia Stephens
Subject: FW - Revised Letter re Smit Airfield

From:
Sent: October 23, 2019 3:24 PM
To: Ton Trieu <ttrieu@comoxvalleyrd.ca>
Subject: - Revised Letter re Smit Airfield

Good Day Director Grieve, Director Hamir, Director Arbour, Mr Dyson and Mr Trieu,

Good day and thank you in advance for taking the time to read my letter. I apologize for the length of it but I wanted to capitalize the opportunity to be heard.

This past Sunday (Oct 20 2019) , for the resident's of Forbidden Plateau, a meeting was held , in part for the purpose of being able to address the concerns to VanIsle and for them to answer any questions people may have. I attended as I am a resident of Forbidden Plateau and the proposed activities negatively interfere with my family to be able to enjoy our weekend time together during events. Our own home, back yard become unusable. They also bring heightened and unwanted risks and safety concerns. My email below is my formal objection to the proposal submitted by VanIsle Airfield Society Inc and the property owners.

The CVRD like any other community have bylaws. These bylaws are in place for good reasons. They help maintain safety and respect within communities. And to one another. They help to main the character in communities where we are proud to call home. Where we feel safe and have the right to enjoy our homes and properties .Without causing interference to one another. The bylaws relating to the dragstrip were explained quite clearly to VanIsle and the property owners directly by the CVRD. And it was simple. It was no. Granting them a TUP is giving them permission to act separately of our community bylaws. It is granting them permission to insert these events and hobbies directly into our residential community. Other communities have rightfully rejected these types of proposals. They have been rejected to preserve the safety of the communities and the families within them. They have been rejected because simply put, they just do not belong in the heart of residential communities. Nymph Falls is the heart of our community. These proposed events run directly along side of the park. Another of the many reasons that Smit Airfield is not an appropriate venue for these events.

We have been expected to have an open mind yet that same expectation is not extended nor offered to us. I had fully planned on asking questions and sharing concerns at the meeting but once the dialogue began with one of the property members I did not feel comfortable or safe to do so. I worried that I too would be subjected to harassment. The property owner's downplayed and belittled members of the community when they brought forth how these events have impacted their personal time on their properties and in their homes. One of the property owners outright stated that in his mind ' anyone opposing this is killing'. This comment was related to the façade that this is done for charity, in particular for cancer and raises questions in the ethics of philanthropy. This is the type of bullying that the community has been under for years. Over this dragstrip. More cars have been on it than planes so I call it what it is. It wasn't paved for planes. Dan Annand even stated that himself. The paving was for the sole purpose for drag cars, street legal and actual race cars.

They have held events without consideration to the entire community knowing full well they did not have everyone's support. **They held events under the guise of 'these are family and friends' yet there is proof that they advertised these events on public facebook groups created for car and racing enthusiasts. One particular invitation was basically a free for all. " Is anyone up early and bored. They are having a test and tune at the courtenay airfield up forbidden today"** There are 2.6 k members on this particular group. **The other facebook group page that advertised an event in April has 1.1k members.** There has been lack of transparency and honesty. There has been inappropriate statements and conduct. People who have publicly opposed the dragstrip were publicly shamed, vilified and harassed. This has made it so people are afraid to come forward. Dan also has said and heavily implied, he is going to do what he wants anyway. He stated they toyed with the idea of just accepting and paying fines they would receive from the CVRD if they went ahead with these events. He advised he consulted with lawyers and was told if he chose to take the matter to court that he would win. So people feel backed into a corner. I feel backed into a corner. Either give him what he wants or he will make our lives miserable. That is my take home message. There is a letter (addressed to Mr Grieve) posted on the Jeepaloza facebook page in which a neighbor and friend of Dan's states he suspects that is exactly what Dan will do. So his OWN supporters publicly admit that he could very well make people's lives miserable IF he chooses to do so. To me that feels like the community is at his mercy in order to enjoy peace and safety , which by the way, are set to his standards. They display little regard for bylaws, create 'smoke shows' for what is actually going on and the way they use charity to justify why there is a need for these types of activities

Please also take into consideration the future. Just yesterday morning I saw a big dump truck drive off the property. Likely dropping off more dirt for the sound barrier.(Which actually funnels the noise directly to the homes who are affected the most). They have done lots of work , have spent a substantial amount of money and still are doing it without being granted a TUP. It begs to question, are they going to do it anyway? Why invest time and money without having the TUP(which they should have done from the start but failed to do so)? It seems unlikely that VanIsle or the property owners will walk away from the work that has been done and the money they have invested. Either they have the confidence they will be awarded a TUP or/and they have another plan. Either way, they plan on having these events. If the CVRD says yes , it will only strengthen their position to make it permanent. It will be very difficult and challenging to turn back.

Jeepaloza have it stated on their group page that due to problems last year they are unsure if or where it is being held for 2020. They also posted that if they can decrease the numbers they can meet the city's approval, so I suspect they are going to apply for another TUP. So while VanIsle is applying for 3, then Jeepolaza for one, meaning the community is now enduring 4 events. 12 days and approximately a minimum 108 hours of loud noise, safety risks and neighborhood interference during the time of year and days of the week that community residents and families are wanting to enjoy their properties and the nature park we call home. And these are just the events we know of. They are learning what numbers the city will approve, the in's and out's of how to host events in which they do not need special permits. I am also greatly concerned that this is gateway for Smit Airfield to turn into a venue for other events.

VanIsle advised us that they could possibly have to up to 50 cars. To them and the supporters, this is not a lot of cars. I beg to differ. Obviously one car doing repetitive burnouts for 6 hours is too much in my opinion. However, if one considers each of those 50 cars has even just 2 opportunities to 'test and tune' their car, that is 100 burnouts per day. A repetitive, loud, intentional noise that is not intended to be heard for warnings (like the Hydro River Siren). They have stated their reasons for wanting to insert themselves into our community. . There is no where else they can do this. That is not a valid argument or reason. They state they need to know that their cars are safe and ready for an actual race. So in essence they are implying they could be bringing vehicles that are unsafe and better to find out in the heart of our community before they are in a race and have wasted money to traveling to other places. That is the risk and responsibility THEY take by choosing to be involved in these activities. Residential communities should not be made to shoulder the risks and responsibilities of their hobbies.

Yes it is private property. No one is disputing that. But the safety risks are not private. These events are not private. They spill into our lands and on our road. The noise reaches onto our properties making our yards unusable. Dan even said at the meeting that they had to regulate certain members, referring to them as 'motorheads'. Tania admitted they lost control with non-members being invited and allowed to participate. These individuals then were part of the social media harassing. Though I appreciate she assured us those individuals are no longer welcome, the damage was done. My point is, it is obvious that they have not had full control and in fact cannot regulate these events to a standard of safety and respect that our community need and deserves.

Thank you,

22 October 2019

Dear Comox Valley Regional District Electoral Areas Services Committee

Regarding: The application for a Temporary Use Permit (TUP) for drag car "Test and Tune" events on Forbidden Plateau Road: a rural, residential and nature park area that is not zoned for drag car events.

We are residents of Forbidden Plateau and we object to the proposed TUP that would allow for drag car "Test and Tune" events on Forbidden Plateau including but not limited to the following reasons:

- 1. Adverse impacts to our personal property**
- 2. Safety concerns**
- 3. Negative impacts to Nymph Falls Nature Park users and wildlife**
- 4. Contravention of the Comox Valley Regional Growth Strategy for Rural Comox Valley and incongruence with contemporary climate change policies**

As other communities object to drag car events due to the incredible challenge of finding a suitable location for this hobby, the applicants' written claim that "There is no other location to do what we wish to do in this application" is not a strong argument that Forbidden Plateau is a suitable community for drag car "Test and Tune" events.

- 1. Adverse impacts to our personal property:** these "Test and Tune" drag car events have already proven to negatively impact the usability of our home and property.

We purchased our property in 2013 with the knowledge that Smit Airfield is located 1.6 km away. At that time, Smit Airfield was not hosting drag car "Test and Tune" events and there was no visible or public evidence that this was being planned. We chose Forbidden Plateau because of its rural setting, appreciating that CVRD Bylaws and our own property's covenants would protect our financial investment from urban encroachment and noise pollution. Publicly accessible evidence that the property owners were planning drag car events emerges in 2015 with the formation of the Vanisle Airfield Society Inc. but unfortunately this occurs without co-occurring evidence of community or CVRD consultation.¹

The property owners began hosting drag car "Test and Tune" events in 2017 in contravention to CVRD Bylaws. During these events, the noise impact from the drag cars is equivalent to having a chainsaw running on our back deck and negatively impacts the usability of our home and property. As a family balancing demanding careers, we have very few good weather weekends that we can share together at our home. The proposed TUP would unjustly demand that we give even more of these up.

You will have on record at the CVRD that we submitted a noise complaint on September 18, 2017. Therefore, the property owner's claim to the media that "there's only one neighbour who takes issue with it" is misleading and incorrect.² The current written supplement to their application indicates that a berm has been added to mitigate noise and improve safety. This berm exists on one side of the drag strip, closest to the road, and does not protect the park or homes toward the end of the strip. The likely consequence of the berm to many homes

positioned toward the end of the runway and uphill from it is that it will funnel more noise directly toward them.

2. Safety concerns: we are concerned for our own personal safety, road safety and fire risk.

The current application includes three small points under safety protocols which principally serve to protect the drag strip; however none of these points address our safety concerns. In our view, the event organizers and property owners have demonstrated limitations in their capacity for managing previous events that are hosted at Smit Airfield. Vanisle Airfield Society's written claim that "The events have been none other than perfect" contradicts their spokesperson's recent admission on October 20, 2019 at the Forbidden Plateau Road Association Meeting that they "lost control of younger members". Further, the property owner acknowledged at this same meeting that "We lost control of Jeepapalooza".

During the May 2019 Jeepapalooza Event, unpermitted fireworks were discharged during one of the evening's parties putting all of us at risk for a wildfire. We note that the CVRD is aware of the significant limitations to evacuating residents from Forbidden Plateau in the event of a wildfire. During the May 2018 Jeepapalooza event we were riding our bikes up Forbidden Plateau Road when we encountered a convoy of jeeps coming down the road with such speed that several of them skidded out on corners upon encountering us (the exact time and date of our ride is documented on Strava 19 May 2018 at 10:26 AM). During the May 2019 "Test and Tune" event we were forced out of our property by the noise so we went for a ride down Forbidden Plateau Road to leave the area. A dodge ram truck leaving the drag strip property swerved toward us honking his horn and yelling "Get the [expletive] off the road!]" (ride documented on Strava 26 May 2019 at 2:36 PM). Given the increasing numbers of cyclists who ride along Forbidden Plateau Road and the staggering increase in park users who park along the road, the occurrence of these negative interactions experienced just by us is concerning. We worry about the road safety of cyclists and of park users.

Several residents of Forbidden Plateau have stated to us that they are reluctant to come forward to voice their opinion of drag car activities on Forbidden Plateau because of a history of intimidation, they explain, by one of the property owners. Justification for this concern is reinforced by a Jeepapalooza BC Facebook post (June 16, 2019) which shares a letter from a supporter in favour of Smit Airfield as a location for these events. The letter addressed to a CVRD Director reads: "I think the few complaints you're getting now will be nothing compared to the complaints you might get in the future if the Property Owners decide to make it miserable for those few people who continue to complain."³

On January 1st, 2019 Vanisle Airfield Society posted an open invitation on Facebook to the North Island Timing Association which currently has over 1100 members to attend three weekend events.⁴ This is inconsistent with Vanisle Airfield Society's characterization of the events as "small, intimate and uncomplicated". Even with their stated commitment to limit events to 50 drag cars, we do not agree with the characterization of 50 drag cars on a paved drag strip with timing systems and lights as "small, intimate and uncomplicated" when it is located adjacent to a regional nature park and within a residential area.

Further, the CVRD will recall that "Test and Tune" participants interpreted the purpose of the events and the membership fees quite differently than is characterized in this application, meanwhile displaying concerning disregard for residents:⁵

- "Show these people how many of us want and need this"
- "The noise isn't going away because I'll make continuous passes on there [sic] street at 2 am if need be, so get over the noise"
- "And all these hoo haas who build their houses up in the woods can shut it. Its 10 km away from town"
- "Let's try and refrain from using the r words (race, racing) as it keeps the public off our backs"
- "Proceeds go to expanding the place for enthusiasts"
- "What's up Forbidden? A place to actually open it up without risk of the cops ruining your life I hope" ... response "You bet it is"

3. **Interference with Nymph Falls Nature Park and wildlife:** the drag strip is directly adjacent to a nature park recreation area

The CVRD's own website boasts of the birds and wildlife that reside in Nymph Falls Nature Park.⁶ TripAdvisor reviews of Nymph Falls Nature Park rave of the natural park experience.⁷ Unfortunately, park users will be a largely unrepresented voice during the review of this TUP.



This was the scene on the weekend at a property near Nymph Falls. Photo supplied

<https://www.comoxvalleyrecord.com/news/updated-neighbour-wants-brakes-put-on-race-car-testing-activities-near-nymph-falls/>

4. Contravention of the Comox Valley Regional Growth Strategy (RGS) for Rural Comox Valley and incongruence with contemporary climate change policies

At the October 20, 2019 Forbidden Plateau Road Association Meeting, a Vanisle Airfield Society member explained that most of the cars operate on high octane gas without mufflers or catalytic converters and that “We can’t do this on the street because of environmental issues”.

The RGS includes strategic priorities that value ecosystems, natural areas and parks, public health and safety and recognizes the impacts of climate change.⁸ An endorsement of drag car activities in a rural, residential and nature park area would be shockingly incongruent with the following points in the RGS:

- The RGS recognizes the increased potential of wildfires due to climate change, with drier summers (page 66)
- The RGS recognizes that exposure to air pollutants has increased and with it childhood asthma rates (page 67) and that transportation is the largest contributor to green house gases (page 73)
- The RGS reports support for increase in walking and cycling in rural and urban areas (page 73)
- The RGS states that local governments should develop anti-idling policies by 2012 and develop incentives for low-emissions vehicles (page 74)
- The RGS promotes inclusion of climate change modeling (page 78)
- The RGS states that fire protection needs should be addressed for developments in the interface areas where there is a high risk of forest fires (page 78)
- The RGS states that the character of rural areas should be protected (page 86)

We are counting on you, our representatives, to uphold the zoning policies that were in place when we purchased our property on Forbidden Plateau in 2013.

Respectfully,

References

1. <http://www.bclaws.ca/civix/document/id/corpreg/corpreg/soc0122soc0515>
2. <https://www.comoxvalleyrecord.com/news/updated-neighbour-wants-brakes-put-on-race-car-testing-activities-near-nymph-falls/>
3. Facebook Jeepapalooza BC: <https://www.facebook.com/groups/1387143371553900/>
4. Facebook North Island Timing Association: <https://www.facebook.com/groups/portmcneillraceway/>
5. Facebook Vancouver Island Car Meets: <https://www.facebook.com/groups/311355449206032/>
6. <https://www.comoxvalleyrd.ca/parks-recreation/comox-valley-parks-trails/nymph-falls-nature-park>
7. https://www.tripadvisor.ca/Attraction_Review-g181789-d8693914-Reviews-Nymph_Falls_Nature_Park-Courtenay_Comox_Valley_Vancouver_Island_British_Columbia.html
8. Comox Valley Regional District. Regional Growth Strategy. [Internet]. <https://www.comoxvalleyrd.ca/RGS>

October 28, 2019

Hello CVRD Board members;

I would like to thank you all and others present for being here and taking the time to listen. My name is Luke Trigg and I live at 4705 Forbidden Plateau rd. I moved to this address in 2001 and have been lucky enough to call the Comox Valley my home since 1988.

I bought my first house in 2001 and have seen many changes in the property which surrounds mine in that time. My neighbor Dan has always been very respectful and courteous in notifying me of any changes or plans to operate machinery such as excavators or dump trucks well in advance especially if work is to be done on weekends. As well he has always kept the hours of operation within reason, starting later than I'm sure he would like in the mornings and ending at a respectful time in the afternoon with plenty of daylight left.

At our most recent Plateau Road Residents Association meeting some concern was raised by 1 or 2 residents about this Temporary Use permit being applied for by the Van Isl. Airfield Society in order to regulate the days and times for them to be able to Test and Tune their cars prior to travelling to their off Island race events. Noting that the noise was so loud that they were unable to speak on the phone inside their house. The noise that the Test and Tune event emits is no different than a Harley or large truck going by the house and is much more pleasant and exciting than the typical weekend sounds of a neighbor on his chainsaw on a Sunday morning or the sound of a fully booked dog kennel right across the road, which occurs almost every weekend throughout the year.

I live right in the middle of Dan's property, as you can see on the map provided, almost adjacent to the end of his airstrip. When the last test and tune occurred, yes I could hear it and I had been previously informed by Dan so I knew what was going on. The noise level was actually less than I had expected, I can sit outside on my deck and talk on the phone quite easily. In Fact that's exactly what I did. I called some friends and family and said you have to come and visit me and check out these cars, they are so cool, however by the time they arrived and set up lawn chairs the cars were done for the day ending around 3pm and now it's BBQ time.

I moved to the Forbidden Plateau area because I love nature and the peace and quiet I enjoy 365 days a year. I feel very blessed to be able to live in this area, some days I think I am the luckiest man alive. Both Dan and the Van Isl. Airfield Society have raised tens of thousands of dollars through these private events and have donated 100% of the proceeds to various charities and local initiatives throughout this community and others close by. These donations allow people with serious illness to be able to acquire different treatments and medicines necessary to help with their quality of life.

I sometimes take for granted my health and often forget that there will be a time in my life where my family and I will have to cope with my deteriorating mobility and cognition. Hopefully that day is in the distant future, but I am aware that it is inevitable. Everyone in this room will be there one day and I wish for all of us that when that day does come we are able to get the help we need to survive. Unfortunately, I'm sure we can all agree that there isn't currently enough resources to effectively care for our elderly, so I commend when community members step up and attempt to help however they can.

In closing I'd like to say that 365 days a year living in paradise, I feel very blessed, and to trade that tranquility for 30-40 seconds of engine noise every 5 minutes for only 6 of those days (less than 24 hrs total) annually is a small sacrifice. When that sound is replaced in the afternoon and into the evening with the sound of children laughing and playing on the airstrip with their bicycles and scooters while their grandparents cheer from the sidelines. Happy and Joyful knowing that thanks to good citizens who care about their community, that they will have a few more summers to enjoy the laughter of grandchildren and contribute to future generations by buying a burger and enjoying the cars from their own childhood while watching their children and grandchildren do the same.

Thank you so much for listening.

Kind Regards

Luke Trigg

4705 Forbidden Plateau rd

Courtenay, B.C.

Director Hamir, Director Arbour, Director Grieve, Mr. Dyson, and Mr. Trieu,

We are property owners on Forbidden Plateau, in relatively close proximity to the proposed drag racing / test 'n tune event temporary use permit. We object to the proposed permit.

Reason for temporary use application

- because an activity is not allowed and would require an exception

Reason for rules in the first place

- so everyone knows what to expect, and all residents can have a set of standards to follow and coexist in an area

We assume that the criteria for making an exception to any set of rules would be something like the following:

- some unusual circumstance exists that was unforeseen when drafting bylaws
- conditional on there being a positive impact.
- completely overruled if there are negative effects on others who have agreed to the same rules.
- completely overruled if it violates the spirit and intent of the bylaws.

We have not seen a valid reason for an exception.

Charity was presented as a reason, and at one point this was presented in a way that suggested that anyone that was against the event was against charity. There is nothing stopping anyone from donating to a charity – plenty of people do so quietly and sometimes anonymously. There is nothing stopping anyone from having a different fundraiser that doesn't have an impact on the neighbourhood.

Reasons against an exception:

Noise and disturbance and potential drop in property values. This might be selfish, but it's valid. We all agreed to zoning rules when we purchased our properties. We would like a little more flexibility in some areas, but we were willing to give that up in exchange for everything else that our property is. So we will live within the rules and be good neighbours. There is no justification for one property owner to bypass bylaws and change the character of any neighbourhood. Drafting a set of bylaws is always a complex process and not everyone gets what they want, but the result is a foundation for doing the best we can. This is a very important concept. The work that goes into that process as well as the decisions

that are made based on that framework should never be undone to accommodate individual wants. This concept applies in business partnerships, marriages, and any other types of contracts – a set of rules is established, and held to unless everyone involved agrees on a change.

Based on what we have seen so far:

- 1 activity presented as a family and friends get together, but then a society established that sells memberships
- 2 starting activities first and requesting a permit later
- 3 online comments from members that show a disregard for the local residents

We are doubtful that the temporary use permit requested is the full extent of this.

In our case, we are considering halting our building plans in case we need to sell our property. We did not purchase a property next to a drag strip, and have no intention of spending the next decades living next to one. With a temporary use permit in place, we would expect that we would have to sell at a loss.

Thank you for your time and consideration,

Allister Darichuk and Annie Boucher

3120-20 / TUP 3C 19

From: Ton Trieu
Sent: Wednesday, October 30, 2019 7:27 AM
To: Jake Martens; Sylvia Stephens
Cc: Brianne Labute
Subject: FW: Concerns with the TUP for Forbidden Plateau Drag Strip

From: Tracy Rebitt
Date: Tuesday, Oct 29, 2019, 9:46 PM
To: Ton Trieu <ttrieu@comoxvalleyrd.ca>, Russell Dyson <rdyson@comoxvalleyrd.ca>, arzeenahamir@shaw.ca <arzeenahamir@shaw.ca>, edwingrieve@shaw.ca <edwingrieve@shaw.ca>, reachme@danielarbour.ca <reachme@danielarbour.ca>, Amanda Yasinski <ayasinski@comoxvalleyrd.ca>
Cc:
Subject: Concerns with the TUP for Forbidden Plateau Drag Strip

Dear CVRD Representatives,

I would like to express my deepest concerns with the application for a TUP for Drag Racing Events to occur on Smit Airfield on Forbidden Plateau Road. Please take the time to read through the points that I have outlined below and take into consideration the huge impact on peoples' lives who live in the area if even one of these racing events is allowed to occur.

Major Concerns Regarding the Temporary Use Permit for Drag Racing Events Occurring on Forbidden Plateau Road

As the closest neighbour to the “test and Tune” TUP I would like to express my deepest concerns for the following reasons.

1. As recently as June of this year 2019 we went through an exhaustive process of outlining the detrimental reasons any form of drag racing occurring on the said land would have on the surrounding neighbourhood. We were given an answer loud and clear that this form of recreation was not allowed. Now we are back to fighting something that was already clearly wrong.

Health and Safety Concerns:

2. The noise level when one of these events has occurred is **way beyond a normal level of noise**. We are unable to communicate with one another in our own home and yard without shouting to be heard. The noise level can be heard all the way upstream to the lake as tested by myself and my daughter when we attempted to “get away” from the noise.

3. This noise level affects our physical and mental health to the point where my children can't think properly (homework, piano, etc.) and my heart condition is exacerbated and becomes quite a concern.

4. We are concerned for our general safety during these events and as a result of our disagreement of the events in general. The neighbourhood has had noise threats, name calling (slander) and “close calls” while biking on our roads during the day's events have occurred. As well, with the number of people who attend

these events and the camping and drinking that occurs before, during, and after the possibility of altercations increases. Traffic on Forbidden Plateau is also a major concern when we have many visitors to the park as well as over a hundred vehicles travelling to and from the drag racing events.

5. Even if the organization has agreed to include security at the events it would be nearly impossible to control hundreds of people 24 hours a day. The property surrounding the land has many exit routes including being attached to our property.

6. There is always a danger of fire hazards or accidents occurring as a result of these events. Emissions emitted from these vehicles is extremely unhealthy and is on the forefront as one of the top priorities in the world!

Tactics/Contradictions/Bullying

7. Forms of bullying and threats have been going on for years dating back to when the airfield was co-owned by Bert Smits. We have been told that the owners would make a lot of noise using the “buzzing” the airstrip with planes, (which they still do), to coincidentally having cars do burnouts in front of our property after the event was cancelled, to slander during an event.

8. Apparently, “all” neighbours have had Dan knock on their door to “check in” whether an event like this is okay. Every neighbour I have talked to have not been approached.

9. An article in the paper quoted that it was only “one” neighbour that had problems with the drag racing events occurring, when in fact many people have complained.

10. The owner of the property has been quoted as saying the drag racing is really to raise money for charity when most of the money raised for charity has been through a completely different event (Jeep-a-looza).

All of these points make it difficult to believe that these events will run perfectly or that the racers care what the neighbours have to endure during these racing events. It brings their intentions into question and their credibility in following through with complying with any restrictions set upon these events. These racers go home to their “quiet” neighbourhoods after fulfilling their “fun” and leave us having to find ways to get away for many days at a time!

Unusable Land and Lower Property Values

11. We have lived at our property for 22 years so this strip has occurred after our purchase. We carefully chose this property to be in a rural location with the ability to enjoy wildlife, nature walks, and a quiet neighbourhood. Our property value will no doubt decrease due to these events, no matter how few days are to be used. It has been a long, frustrating road of negative change along the said property which used to be forested and part of the fish hatchery property.

12. To be told that we have been given notice to leave on these “drag racing” days is outrageous. We have to leave our own property to allow a few individuals to “practice” before an actual race does not make sense, especially if they can only be held on “nice” days. Both of us work and weekends are precious and we enjoy spending our “nice” days outside which becomes unbearable on drag strip days. No one should be asked (“given time”) to leave their home for someone else’s pleasure for even ONE DAY let alone a minimum of 9 days.

13. A minimum of 3 other communities on the Island have seen the negative impact of such an event and have not allowed this activity to occur in their community.

14. Camping is basically in our backyard and is another noise factor we have had to endure over the previous events.

15. We are living in a rural jewel with hundreds of tourists visiting Nymph Falls. The negative impact this would have on the park and attracting more visitors far outweighs their argument that the drag strip invites tourists. Many locals come to the park to walk, bike, jog, etc. and would be impacted by these weekend events. These people cannot voice their opinions, but the people who I have encountered on the trails during one of these events are very surprised and disappointed in having to listen to the noise while trying to have a walk.

16. We have a legitimate business that customers spend a lot of money boarding dogs who are extremely affected by the noise.

17. The environment surrounding the drag-strip property is a very sensitive area that contains endangered birds sensitive to noise, wildlife that would be affected, as well as domestic animals and humans.

18. I believe that in the “eyes of the law” a “reasonable person” would find this activity to be unfair to the residents and visitors. Please put yourself living next to a drag strip and ask yourself if you would want to have their horrendous noise and activity happening in your backyard. Please shut this activity down once and for all. You are responsible for people’s health and happiness (both mentally and physically).

Sincerely,

Tracy Rebitt

4767 Forbidden Plateau Road

3120-20 / TUP 3C 19

From: Jake Martens
Sent: Wednesday, October 30, 2019 5:25 PM
To:
Cc: Ton Trieu; Sylvia Stephens; Antoinette Baldwin
Subject: RE: [Possible SPAM] Application for a permit to hold Drag Racing Events at the Airstrip on Forbidden Plateau Rd

From:
Sent: Wednesday, October 30, 2019 5:23 PM
To: Jake Martens <jmartens@comoxvalleyrd.ca>
Subject: [Possible SPAM] Application for a permit to hold Drag Racing Events at the Airstrip on Forbidden Plateau Rd
Importance: Low

I would please ask that you do not publish my email address as there have been disturbing incidents of intimidation locally regarding this issue

To whom it may concern

As a resident of Forbidden Plateau Rd, I would like to express extreme concern over the potential use of the airstrip for the purpose of drag car tune-up/racing.

I have attended the Plateau Road Resident Association AGM for 2 years. The meeting held in 2018 discussed the use of the airstrip for this purpose and the PRRA members were informed that no permit was required in order to hold such an event, and if we didn't like it, even more events could be held than the proposed 3-4. It was disappointing to learn that this information was not correct as it would now appear that any resident indeed does need a permit to hold such an event. The Events held to date have caused distress to neighbouring properties and even properties several km away from the airstrip.

It is comforting to know that a permit now is required and that there may be a fair process for neighbors living in the area to express concern for their wellbeing if such a "noise- invasive" event is permitted to take place again. I represent 5 local residents who live several km from the airstrip and would like to confirm that the noise we experience when this event is held is extremely disruptive to all outdoor activity. In-door activity is also disrupted, but can be countered by closing all windows and doors and creating a 'counter-noise' distraction eg: perhaps headphones with music.

Having driven by the event we are extremely concerned that the cars used on the airstrip are not using regular gas, but volatile high octane fuel, which in addition to the noise also creates excessive fumes which can also be detected a great distance away from the event. To allow such an event adjacent to a nature park, which aims to protect wildlife and provide a connection to nature for visitors both locally and for tourists from all over the world would be very disappointing. This activity is incongruent with the good will shown by so many residents over decades to protect and promote the conservation area of Nymph Falls Park.

Over the last few years - the fear of wild fires occurring in our region has become a routine reality. If a fire were to break out in the forest adjacent to the airstrip - there is very little opportunity for residents to vacate the area, and there are now a great many residents who live uphill from the airstrip, If a fire were to carve an uphill path -

which one could expect might be the direction a potential wild fire in the Park Area might travel, this would be a tragedy for all.

We appreciate the opportunity to comment
Thank you for considering

3120-20 / TUP 3C 19

From: Jake Martens
Sent: Thursday, October 31, 2019 12:00 PM
To:
Cc: Sylvia Stephens; Antoinette Baldwin; Ton Trieu
Subject: RE: Drag Racing

From:
Sent: Thursday, October 31, 2019 11:35 AM
To: Jake Martens <jmartens@comoxvalleyrd.ca>
Subject: Drag Racing

Please do not publish my email address as I am worried about further unwelcome and worrisome intimidation

To whom it may concern

I am a Resident of Forbidden Plateau Rd, I wish to highlight some of my grave concerns over the potential use of the airstrip for the purpose of drag car tune-up/racing.

Here are some of mine and my family concerns:

Fire Risk:

We live more than 10km from the Fire Hall

The drag vehicles use volatile fuel, are hot, with an increased potential for fire starting
Year upon year there is an increased fire risk with only one escape route (Forbidden Plateau Rd)
This increases the potential for an environmental disaster with potential threat to all animal and human life

Wildlife and Nymph Falls:

The impact of our natural environment is threatened through air and noise Pollution
The potential for local environmental ecosystems impact is big
The local PR association protects Nymph Falls so all locals from our diverse communities may enjoy this environment
The impact of these events, may change our environment for always

Noise Pollution:

Drag vehicles exceed acceptable decibel levels for all our community
The impact of this is hearing damage and hearing loss for local children and adults

Adverse Carbon Footprint:

Death of local protected oxygen producing plants and trees from air pollution combined with increased carbon dioxide production from vastly enhanced carbon emissions
Is this really acceptable?

Is this a direction we wish to support as a responsible community?

Community Collegiality:

Drag racers are not local and come to our community to have fun without responsibility or commitment to our community livelihood

There is already an option for drag racing at other venues

Campbell River has declined a similar strip after community engagement; a precedent exists already

How does our local community gain?

It is a lose-lose for our community, our environment and may be a pathway to supporting further pollution and erosion of our natural environment

Our atmosphere and those of our local Wildlife suffer air pollution & noise pollution with a threat to the ongoing health of those ecosystems

These predate people.

I feel we have a responsibility as Canadians to be aware of our social accountability and stewardship of the beautiful place we live and share

Further erosion of this natural environment so that a very few people have fun at the expense of the larger local community & the local natural environment does not align with our 2019 values

Attention: Ton Trieu, Edwin Grieve

October 30, 2019

Dear Comox Valley Regional District Planners,

Hello my name is Cathy Orthner and I have lived on Forbidden Plateau road at 4388 for 25 years and I am writing to support the test and tune charity weekends on smit fields runway. Living here for 25 years has given me a lot of experience on how things work on this road. There always have been a small but vocal group that is against nearly everything that happens in this neighbourhood good or bad and always will. They complained about the amount of vehicles parking on the road near barbers hole and then turned around and protested when Bert Smit cleared a parking lot to improve the situation. Just last year there was a project planned for nymph falls to improve access and expand the parking lot. This would have gotten many of the cars parked dangerously on the road into the parking lot and also improved access into the park in case of a fire. Seems like a great idea? Not in this neighbourhood. Again a small but loud group stepped in and shut down the much needed parking lot expansion because of trees being cut down, while at the same time complaining about too many cars parked on the road. There was even a suggestion that the parking issue would be better dealt with by capping and policing the amount of people that could enjoy the public park on any given day so that they wouldn't have to deal with the cars or crowds like that was a reasonable solution. Many neighbours must be new or seem to forget Berts heavy handed approach to dealing with the neighbourhood and anyone that was against his runway, but since Dan has bought the airfield he has been much more friendly and helpful. Soon after buying the property he had the neighbours over for a meeting at his hanger to hear concerns about the runway and if there was anything he could do to make neighbours happier. Again this small vocal group wanted nothing but it shut down and even though they were rude and offered no positive suggestions Dan decided to change the route the planes took from over peoples houses like it had been to over the river which cut down a ton on noise for the neighbours. He also stopped planes coming in at night and made it a private runway instead of open to the public. He did not have to do that but wanted to try to be as accommodating as he could. To this day I have never heard one of these complainers give a suggestion to improve anything just stomp their feet and say no way not in my neighbourhood to anything that doesn't benefit them directly. In fact Dan even plows everyone's driveways for a couple km stretch of road on either side of his property free of charge every time it snows, including some of the very people complaining about the car events. He told me when he started plowing my driveway that he does it because he enjoys helping his neighbours and understands the give and take of rural life when it comes to noise and what people choose to do on their property. He knows people are being courteous by putting up with his noise and clearly has made efforts to return the favor in any way he can. I wonder how many people would be fighting him over his 3 weekends a year of noisy fun if they realized it was him and him alone that is in control of the runway being kept private and mostly quiet or turning it into a full scale commercial airport as Bert had planned? My guess is that most do not realize that and I doubt if anyone would be happy if he chose to do so. Weather it's the runway, cars parking on the road, logging in the woodlot, the hydro sirens, the gun range at the lake, the dog kennel, rural life can be noisy and its no coincidence that its always the same few that complain and fight anything new. This isn't the first time a couple loud complainers have stopped a mostly positive thing from happening in our neighbourhood, and if they succeed it definitely won't be the last thing they ruin for the rest of us. Please listen to the majority of Plateau residents and allow dan and his friends to continue to run their charity test and tunes.

Thank you,

Cathy Orthner, 4388 Forbidden Plateau Rd.

Comox Valley Regional District

RECEIVED

File: 3120-20/TUP 3C19.

Nov 1 ~~OCT 31~~ 2019

To: B. Labute.

CC:

Reasons to Deny the TUP

Dear CVRD Directors Arbour, Grieve, and Hamir;

Please consider the following points as reasons to deny the TUP for the Drag Racing Test & Tune on my neighbour's property on Forbidden Plateau Road:

1. Noise!! - unbearably loud (can't talk, listen to music, watch TV, or talk on phone, etc). Since our property is located next to, but at a higher elevation than the drag strip, dirt berms don't mitigate the volume and intensity of the sound – the berms may actually “funnel” the sound more towards our property.

How loud?

Drag cars are amongst the loudest noises we can make – they are very loud and cause harm to our hearing (what about the hearing of other local animals – dogs, cats, deer, birds, etc). A normal conversation is about 60 dB, a vacuum is about 75 dB, a lawn mower is 85 dB (about the sound level that can cause hearing damage), a chainsaw is about 110 dB, a rock concert is about 120 dB, a race car is about 130 dB, the loudest drag cars are about 150 dB. Source: HealthLink BC

Note: every 10dB increase is equivalent to a 10 fold increase in sound intensity – so a race car is about 100 times more intense than a chainsaw at full throttle. The loudest drag cars would be 10,000 times more intense sound than a chainsaw!!

I would like to reproduce the volume and intensity of this sound for you but I won't – for a couple of reasons. One, I don't have access to any equipment capable of making this much noise – it is louder than speakers at a large rock concert! And two, if I was to reproduce this volume and intensity of sound in the CVRD boardroom it could/would cause damage to your hearing.

2. It's not just the “run” – each car starts up (loud), warms up (loud), moves to position (loud), burns out (very loud), races (too f#cking loud), moves off track, (loud) – often 2 cars at a time, and the cycle continues with the next

car(s). Plus, the unloading and loading of drag cars onto their transporters – this is not a quiet sport and the noise continues for hours

3. Ruins peaceful, quiet enjoyment of our beautiful property. We have lived on this property since the mid 90's – before Smit Field airstrip was created, before the current owners, and before the drag racing started. We bought here because of the land, location (forest, river, trails, 12 minutes to town), and for the peace and privacy. At the time of purchase, we researched the zoning and potential legal uses – we accepted these rules. This property (our forest, trails and gardens) is our refuge. It allows us to relax and recharge after long days at work and volunteering in front of people and noise. This is necessary for our physical and mental health. The activities on our neighboring property don't just disturb our peace and quiet, they destroy it. Over the past few years, I have started to dread going home on nice days, worrying that it would be another day of noise, anxiety, stress, and anger. This past summer we were able to enjoy our peace and quiet again without worry of drag racing thanks to the new rules clearly forbidding racing in our neighborhood.
4. Can't have guests over or entertain. Having friends and family over is a frustrating and embarrassing experience on race days. They are shocked at the intensity (violence) of the noise and they can't believe it is happening – they have travelled to a small rural community with a house nestled in the forest and they are assaulted with noise louder than CFB Comox airport.
5. Ruins the nature experience of being out in the woods and/or along the peaceful river. Many people, including ourselves, crave the nature experience. We live in or travel to these locations for the sights, smells, and sounds of nature. The sounds and smells of drag racing (high octane racing fuel and untreated exhaust) on our neighbour's property and the neighbouring nature park ruins this experience for many. Nymph Falls (now the second busiest nature park in the CVRD) and the Bear's Bait Trail system have many visitors. These visitors and residents are being robbed of the nature experience on racing days.

6. Because its not allowed – we now have clear and strong rules in the RD preventing this type of car racing activity. I believe I understand the TUP process – making exceptions for events that are otherwise not allowed. However, car racing has been expressly forbidden as an acceptable use on this property for very good reasons. Why would we now turn around and allow what has just been ruled as unacceptable?
7. These events have a negative impact on our home/family life – cause anxiety, anger, frustration, prohibit/disrupt conversations and rest.
8. We just had very peaceful summer without drag strip noise after a very noisy spring (drag racing X 2 and Jeepalooza) – what a contrast, the summer was so much more enjoyable without the high-volume noise.
9. So much disruption to our lives and the neighbourhood for the benefit of a very few. The reasons that Vanisle Airfield Society and the property owners have given for the TUP do not justify the negative impact on our lives and our neighbourhood (road, forest, river, park). I understand that racing at Smit Field will be more convenient for racers who reside in communities on Vancouver Island (many outside of the Comox Valley) and that it will be cheaper than travelling to the Lower Mainland or United States to race. But those advantages to them do not justify the negative impacts on our lives!
10. Based on the social media responses to the newspaper article in the spring, (name calling, slurs, & threats), these events attract a nasty sort of people – we don't want them in our neighbourhood. Similar behavior was experienced at the Plateau Road Residences Association meeting where one supporter of the TUP suggested that if I don't like the drag racing I should sell my house and move away.
11. My family and I generate money (many thousands of dollars over the years) for charity as well – without causing disruption to my neighbours. The drag racing is NOT about raising money for charity – its about drag racing! For the supporters of the TUP to claim that they are saving lives and anyone

opposed to the TUP is against charity is inaccurate, offensive and unacceptable.

12. Allowing campers on the property adds to and extends the noise disturbance – they camp near neighboring properties (away from the drag strip and road) and generate vehicle, voice, and music noise that otherwise would not be present. This increases the disturbance and loss of peaceful quiet enjoyment of our property on summer weekend evenings, nights, and mornings. In the past, these campers have set off fireworks (I believe without RD approval).
13. Drag racing is a dying sport. It's 2019 (almost 2020), is this the sort of activity a responsible community wants to encourage? There is a huge carbon impact and noise pollution. So much fuel used going nowhere very fast & very loud. One of the presenters at the FPRA meeting tried to explain that the cars on the drag strip were "street legal" cars but then went on to describe their own race car as a "full tilt race car" without exhaust pipes (open headers), without catalytic converters (to remove pollutants), and without mufflers (to lower noise) that burns high octane racing fuel (they said some cars use between 100 to 130 octane level – way higher than the 87 – 94 that is sold to street legal cars). Clearly these are not street legal cars. They are contributing needlessly to the very carbon emissions we are trying to reduce.
14. Drag race strips have been banned in many communities – for good reason. Why would we be the exception to that?
15. When we bought our home for its land, location, and peace/quiet (before the airstrip was built) we researched the zoning bylaws to see what was allowed – we accepted those uses. Drag racing is not one of them, we would never have bought next to a drag strip!
16. According to the letter from the CVRD, the TUP is for 3 events covering 9 days per summer (May 22, 23, & 24, July 10, 11, & 12, and September 11, 12, & 13). This is more days of disruption than either the Comox Valley

Musicfest or the Filberg Festival. The drag racing will cause way higher volumes of noise (yes, the cars are louder than Musicfest!) for the benefit of a very few race enthusiasts.

17. Despite the very public (and inaccurate) claims made by the land owner in the Comox Valley Record, there are many neighbours that do not want drag racing happening in our neighbourhood – not for three years, not for 3 events, not for nine days. Not even for one year, not even for one event! We (the neighbours) don't want any drag race (test & tune) events at all!

Thank you for considering these points. I urge you (as strongly as I can) to please deny the TUP for drag racing (test & tune) on Forbidden Plateau Road.

Respectfully Yours,

Paul Rebitt

4767 Forbidden Plateau Road

(Located adjacent, above & directly West of the drag racing property)