

Myth: The Notice of Civil Claim filed with the BC Supreme Court by the Sahtlam Neighbourhood Association will, if successful, cost North Cowichan taxpayers millions of dollars.

Fact: The Sahtlam Neighbourhood Association is not seeking any damages against North Cowichan in the civil claim, so will not receive any monetary awards should they win the case, and North Cowichan will not have to pay out any money should they lose. The claim against North Cowichan is merely to force a judgement on whether or not the racetrack is operating legally according to zoning bylaws.

Myth: Too much money has been spent – nothing can be done about it now.

Fact: Citizens have the right to due process. Had municipal staff performed appropriate due diligence before approving the racetrack property, then they would not be in the current position of being sued by residents. Responsibility for this situation does not lie with Sahtlam, and residents should not be blamed for asserting their legal rights and insisting that the municipality adhere to its own bylaws.

Myth: I can't hear the racetrack, so this doesn't affect me.

Fact: North Cowichan allowed the development of the racetrack without public consultation and against its own bylaws. If this decision goes unchallenged, perhaps the next decision local government makes will affect you. As we learned with the Shawnigan Lake contaminated dump site, great things happen when we all pull together.

**For more information, please visit our website:
www.sahtlamneighbourhoodassociation.com**



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FACTS ABOUT THE RACETRACK

Myth: The racetrack is no louder than traffic on Highway 18.

Fact: There is little to no noise from Highway 18 for the vast majority of Sahtlam residents. The racetrack, however, routinely and significantly exceeds ambient noise levels. This is due in part to its higher elevation and many curves, and also because of the types of cars and style of driving. To hear the racetrack noise for yourself, please visit our YouTube channel.

Myth: The racetrack was approved in consultation with the community.

Fact: The community had no input whatsoever into the decision to approve the racetrack. North Cowichan municipal staff interpreted the zoning bylaws in such a way that the requirement for public hearings was bypassed.

Myth: Before approving the racetrack, the municipality ensured it would not create excessive noise for nearby residents.

Fact: North Cowichan staff neither conducted nor commissioned any noise studies to determine the impact of the racetrack on the local neighbourhood.

Myth: The racetrack is not subject to any noise regulations.

Fact: Provincial nuisance law prohibits anyone from causing "substantial and unreasonable interference with the use and enjoyment of property." While businesses are generally exempt from North Cowichan noise bylaws, provincial nuisance law trumps municipal bylaws.

Myth: Noise from the racetrack affects only about a dozen properties.

Fact: According to the 2016 Census, Sahtlam is home to 577 properties with a population of 1345 people. Noise complaints to North Cowichan have come from throughout Sahtlam and beyond – from Gibbins Road near the hospital and Bell McKinnon Road west of Highway 1. On a particularly loud day, the racetrack can be heard from as far away as Maple Bay. If planned expansions go through, the noise will affect a much wider area.

Myth: The facility is not a racetrack because they don't hold races.

Fact: Whatever you call it, it's still too noisy. High-performance vehicles are being driven at excessive speeds around numerous curves and through multiple gear changes, sometimes with multiple cars on the track. This creates the kind of noise that is consistent with a racetrack.

Myth: Only street-legal cars are permitted on the track.

Fact: The track has played host to numerous non-street-legal vehicles, such as Radical race cars, formula kit cars, and other vehicles that lack mufflers and therefore would not be allowed on public roads. While many of the vehicles used at the racetrack are considered street-legal, the manner in which they are driven at the track - and the noise that results - would be illegal on public roads. In addition, many of the cars using the racetrack have high-performance settings that, when selected, increase their noise output substantially.

Myth: The racetrack has voluntarily implemented a noise management protocol to address complaints from nearby residences.

Fact: The racetrack's voluntary noise policy sets a maximum noise limit of 101 dB, which is significantly higher than other racetracks in North America located near residential areas. For example, a comparable racetrack in Vernon has a court-ordered noise limit of 80 dB.

Myth: The racetrack wanted to consult with the community to solve the noise problem, but the Sahtlam Neighbourhood Association refused to participate.

Fact: The solution proposed by the track involved months of noise modelling studies while continuing to operate without any relief for residents in regard to noise. The racetrack could solve the problem quickly and inexpensively by simply lowering their noise limits until the frequency of complaints reaches a minimum. Negotiations with the track and the municipality began in November 2016, but after no measurable progress, the Sahtlam Neighbourhood Association initiated legal action in June 2017.