

Attachment 5 Planning Implications

Land Use Implications

Section 2.21 of Bylaw 1285 allows the RDN to issue a Temporary Use Permit (TUP) to temporarily allow a use not permitted by zoning. Bylaw 1285 includes criteria for consideration of TUP applications, including impact to surrounding areas or natural environment and suitability of the location for the proposed use. To address the zoning criteria, the applicant has provided a Management Plan, which is also part of the Province of BC licence of occupation application.

Below each TUP criteria from the zoning bylaw is identified and shown how either the Management Plan or supplemental TUP conditions will address the criteria.

Impact on surrounding areas (noise, light, hours of operation, dust, odour, vibration, aesthetic)

The location of the ATV training and practice facility is located in a previous gravel quarry adjacent to Island Highway 19. In the Management Plan, the applicant identifies that the location is far from residential, commercial and other incompatible uses, close to the existing Whiskey Creek off-highway vehicle trails. Consistent with zoning criteria, impacts from light, noise, or dust is not expected to impact residential areas due to the distance from residential areas. The Management Plan also includes conditions for applying stored water on the property to control dust from the ATV track. While not identified in the Management Plan, the applicant has identified that the hours the track will be used will be from 9:00 am to 6:00 pm. Given the time of operation, lighting will not be required. The hours of operation will be a condition of the permit.

Impact to local roads

Comments received from neighbouring residential areas through public consultation identify concerns with traffic impacts, such as on Melrose Road. Given the potential for traffic travelling into residential areas, a condition of the TUP is for adequate directional signage to the Licence of Occupation area at the property entrance at Melrose Road and Claymore Road. The signage will not be permitted to be within the road right-of-way, and will be located on the Crown land property where the use is undertaken. Currently, the applicant has advised that the preference of club members is for accessing the area from Claymore which is more direct to the site. The Claymore route also contains fewer residential areas.

Impact to the natural environment

Given the wetland adjacent to the track, the Management Plan proposes fencing or demarcation of the 30 metres Riparian Assessment Area to prevent any intrusion by vehicles. Given no alterations will occur within the riparian area, a development permit will not be required. The applicant has identified that members will be required to sign waivers to confirm there will be no encroachment into the wetland area. The Management Plan also proposes remediation of the

vegetation within the quarry by removing invasive plant species and replacement with native species.

Suitability of the location and the inability to conduct the use in another area

The Management Plan identifies the preferred location due to the proximity to the Whiskey Creek Off-Road Recreation Area and remote distance from residential areas. Currently within the RDN, the only other property zoned for a similar use is the motorcycle motocross track on Weigles Road in Electoral Area C, the zoning of which does not permit other form of motor vehicles and is generally not compatible with ATV use.

Satisfactory decommissioning and reclamation plan

An objective of the Management Plan is to restore the quarry with native vegetation in areas not required for the ATV use. At the end of the three year term for the TUP, if the applicant does not amend the zoning or apply for TUP renewal, the Province of BC holds a \$10,000 security to remove the ATV use from the property. An undertaking or security from the RDN is not required as the Province of BC holds this responsibility.

Visual integrity and buffering of the Inland Island Highway

As shown on the Site Plan, the applicant will be maintaining the existing vegetative buffer along the highway and will be replanting native vegetation in areas currently occupied by invasive species along the highway. Given the times of the track operation during the daylight, no artificial lighting will be required that may impact the safety of motorists on the highway.

Other considerations

The proposed campground is intended for participants or spectators of the ATV training and practice facility. The camping would be a maximum of 15 sites and a maximum stay of seven days. As accessory to this use, any commercial use of the campground will not be permitted. As there will be no commercial camping, permanent utilities will not be required. The Management Plan identifies that each recreational vehicle will be required to leave the site with their waste and grey water. For events, under *the Public Health Act, Regulated Activity Regulation*, any operator of a public place meant for assembly or recreation must ensure that the public place contains, and the public has access to, adequate sanitary facilities. As a condition of the permit, the public and participants must have access to adequate sanitary facilities containing a toilet, washbasin and ancillary equipment.

Given the proposed use is consistent with the OCP, complies with the criteria in the zoning bylaw, is in an appropriate location, and will not impact adjacent land uses, it is recommended that the Board approve TUP PL2023-023.

Intergovernmental Implications

As the proposed use will be occurring on Crown land, the applicant has an application for a Licence of Occupation with the Province of BC. Once the applicant has addressed zoning requirements through the temporary use permit, the Province has committed to issuing an interim licence for a three year period. This TUP is currently the only outstanding requirement for the licence. As the property is not being rezoned, the Province will only issue an interim licence. Given the Province will take security for decommissioning of the facility at the termination of the TUP / Licence of Occupation, conditions of the permit do not include decommissioning or requirements for an undertaking.

The application was referred to RDN Emergency Services, the Coombs-Hilliers Fire Department and Dashwood Fire Department. Currently the property is not within a fire service area. The Coombs-Hilliers Fire Department could attend an emergency by Melrose Road if tasked by Emergency Management BC, though there would be a delay until the task is given by the Province. Depending on the emergency, it would be uncertain if the Province would issue a task number and the fire department cannot leave their service area without it. Dashwood Fire Department has replied that they will not be the primary responder to the property. The applicant's Management Plan identifies that during large events there will be a first aid attendant available to mitigate impact on emergency services and will address any delays by emergency services.

The application was referred to the BC Wildfire Service with the Ministry of Forests. The Wildfire Service comments that there is minimal direct fire risk for this proposal as it includes a formalized off-road vehicle area located on a largely non-combustible surface. Any concerns regarding risk of unwanted wildfire would be attributed to the normal increased hazards of grouping people together for the purposes of camping and motorsports. The proposal does not constitute an unreasonable hazard on the landscape from a wildfire perspective. Mitigations that would be suggested would be the observance of compliant vehicles, such as functioning spark arrestors, and adherence to applicable fire restrictions.

The application was referred to the Ministry of Transportation and Infrastructure. The ministry notes that signage must not encroach onto Melrose Road or the Alberni Highway 4 dedication. All signage should be located entirely on private land. Landscaping and signage must not interfere with sight lines or clearzones. Any exceptions to this standard would require the Ministry's approval. The conditions of approval have been revised so that directional signage be located on the Crown land where the Licence of Occupation is located.