



REQUEST FOR DECISION
Temporary Use Permit No. 51
(Rise & Shine Fundraiser – Mclvor/DeMerit),
Area C

Meeting Date: April 19, 2017

To: SLRD Board

Applicants: Ashleigh Mclvor DeMerit

Agent: Jay DeMerit

Location: Rural Pemberton, Electoral Area C

Legal Descriptions: PID: 009-810-374; Lot 10, District Lot 210 Lillooet District Plan 1241

OCP Designation: Agriculture (Area C OCP Bylaw No. 689, 1999)	Zoning: Agriculture (Area C Zoning Bylaw No. 765, 2002)	ALR Status: Portion of property in use outside ALR	Development Permit Areas: Riparian Area Regulation
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RECOMMENDATIONS:

1. THAT the Board approve Temporary Use Permit No. 51 to Ashleigh Mclvor DeMerit for a three-year term in order to allow for a one-day fundraiser event for the Rise & Shine Foundation, and that the permit be issued; and
2. THAT the Chief Administrative Officer or the Corporate Officer be authorized to execute Temporary Use Permit No. 51.

KEY INFORMATION:

The SLRD received a Temporary Use Permit (TUP) Application proposing a one-day fundraiser event for up to 300 people for a period of three years. The proposed fundraising event is in support of the Rise & Shine Foundation, which helps pay for deserving kids to join in on Jay DeMerit's soccer camps and other programming. A Special Event Permit (SEP) application will also be required, as 200 or more people will be in attendance.

SUBJECT PROPERTY	TUP LAND USE	TERM
PID: 009-810-374; Lot 10, District Lot 210 Lillooet District Plan 1241	The Subject Property shall be used for a one-day fundraiser event for up to 300 people with parking and camping.	3 years (2017, 2018, 2019)

Note that this TUP application is being brought directly to the Board due to time restraints (the SLRD received the application the week of March 27th and the proposed fundraiser event is scheduled for June 3, 2017).

Application:

Existing Land Use: The Subject Property is zoned Agriculture with a temporary residence. As assembly use is not permitted under this zoning, a TUP is required.

Proposed Land Use: The application states the community event would take place on Saturday June 3rd from 2pm to 11pm with out of town friends camping. Additionally, it will feature local food vendors, healthy activities for all ages and local DJ's playing dance music for all ages. The application is for a three year term as the intention is for the fundraiser to be an annual event. Note that the Subject Property is also covered by TUP 47 (Pemberton Music Festival), which permits camping and parking during the Pemberton Music Festival in July.

Site Plan: The site plan notes parking and camping areas on the Subject Property and confirms that only the portion of the Subject Property outside the Agricultural Land Reserve (ALR) will be used for the fundraiser event. For further details, see Appendix 1, Schedule 2.

SEP and TUP Regulations:

- The regulation of land use and the regulation of special events are separate, and both must be complied with in order for the event to comply with all of the Regional District's zoning bylaw.
- The SEP includes security and indemnification requirements so these have not been made conditions of the TUP.

TUP Conditions:

- Adherence to the Squamish-Lillooet Regional District Electoral Area C Noise Regulation Bylaw No. 1438-2015 is required. As such, noise is prohibited past 11 p.m.
- Garbage and other waste shall be managed in accordance with Bear Smart Guidelines.
- 30 metre Riparian Area Setbacks shall be maintained.
- The portion of the Subject Property within the ALR shall not be used for the fundraiser event uses. In addition to protecting the ALR, this creates a buffer for neighbours (there are only neighbours on the ALR side of the property, other than the Industrial Park)
- The TUP will apply for one weekend day only.
- **As insurance/indemnification and any security or bonding are addressed/undertaken through the Special Event Permit, a Special Event Permit for the fundraiser indicated in section 4 of this TUP will always be required as a condition of this TUP;** for clarity, a Special Event Permit will be required irrespective of attendance numbers (i.e. even if attendance numbers fall below 200 people).

Public Process:

- As required by the *Local Government Act* (LGA), Notice (neighbour notifications and advertisement) has been provided for TUP No. 51.
- The Pemberton Valley Dyking District (PVDD) provided a response stating that it has infrastructure in the vicinity of the subject property and a condition of support from the PVDD is that the holder of the TUP add the PVDD as additional insured to an event insurance policy with no less than \$5,000,000 comprehensive general liability insurance.
- Any additional responses from the public will be presented to the Board at the April 19, 2017 meeting.

RELEVANT POLICIES:

Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002
Electoral Area C Official Community Plan Bylaw No. 689, 1999
Squamish-Lillooet Regional District Electoral Area C Noise Regulation Bylaw No. 1438-2015
Squamish-Lillooet Regional District Special Events Bylaw No. 1247-2012

REGIONAL IMPACT ANALYSIS:

TUP No. 51 is for a one-day fundraising event involving up to 300 people on private property. The regional impacts are negligible. Local impacts will be further managed through the Special Event Permit process.

OPTIONS:

Option 1 (Recommended Option)

Approve TUP No. 51 and issue the permit, and authorize the CAO to sign the TUP.

It is recommended that the subject TUP be issued, as the fundraiser event is in support of the Rise & Shine Foundation that helps to increase access to Soccer Camps for local kids. Impacts to neighbours will be mitigated through adherence to the SLRD Electoral Area C Noise Regulation Bylaw as well as the buffers created by the ALR portion of the land not being in use. Further, the proposed temporary use is for one day a year.

Option 2

Approve TUP No. 51 with additional conditions/change in term as determined by the Board.

Option 3

Do not approve TUP No. 51 and refer back to staff for more information.

Option 4

Reject the TUP No. 51 application.

Option 5

Any iteration of the above options.

PREFERRED OPTION: Option 1 or 2.

FOLLOW UP ACTION:

Any additional actions, as per Board direction.

ATTACHMENTS:

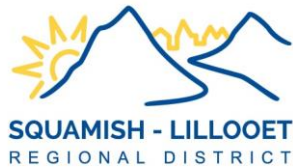
Appendix A: Draft Temporary Use Permit No. 51

Appendix B: Notification Response from Pemberton Valley Dyking District

Prepared by: C. Daniels, Planner

Reviewed by: K. Needham, Director of Planning and Development

Approved by: L. Flynn, Chief Administrative Officer



TEMPORARY USE PERMIT TUP NO. 51

ISSUED TO:

Ashleigh McIvor DeMerit
502-27 Alexander St.
Vancouver, BC
V6A 1B2
Agent: Jay DeMerit

(hereafter the Permittees)

1. This Temporary Use Permit ("TUP") is issued subject to compliance with all of the bylaws of the Squamish-Lillooet Regional District (SLRD) applicable thereto, except those specifically varied or supplemented by this TUP.
2. This TUP is not a building permit. All buildings and structures over 100 square feet require a building permit.
3. This TUP applies to those lands within the SLRD described below and any and all buildings, structures, and other development thereon (the "Subject Property"):

PID: 009-810-374; Lot 10, District Lot 210 Lillooet District Plan 1241

The Subject Property is identified on the Subject Property Map, attached as **Schedule 1** and forming a part of this TUP.

4. In addition to the existing provisions of Squamish-Lillooet Regional District Electoral Area C Zoning Bylaw No. 765, 2002 as amended from time to time ("Bylaw No. 765, 2002"), or any bylaw replacing Bylaw No. 765, 2002, the Subject Property shall be used for a one-day fundraiser event for up to 300 people with parking and camping, in substantial compliance with the Site Layout attached as **Schedule 2** and forming a part of this permit;
5. Uses permitted under section 4 of this TUP shall be subject to the following conditions:
 - a) the portion of the Subject Property within the Agricultural Land Reserve shall not be used for the fundraiser event uses;
 - b) no new development or disturbance of vegetation may take place within 30 metres of a stream as defined by the Riparian Area Regulations;
 - c) no significant cut and fills may be created;
 - d) disturbed sites shall be replanted with native species where possible;
 - e) Where land clearing activity is proposed during the nesting period for the area (between March 12 and August 17), a QEP shall conduct a breeding bird survey within seven days of the proposed clearing to assess the presence of breeding birds;

- f) In accordance with the federal Migratory Birds Convention Act and section 34 of the provincial Wildlife Act, which states that a protected bird or its egg, or the occupied nest of a protected bird or its egg, may not be destroyed, active nests shall be protected by a suitable buffer;
 - g) Notwithstanding sections 5(e) and (f), the nest of a, raptor, owl, or heron shall be provided with a suitable buffer of undisturbed vegetation whether occupied or not, in accordance with the provincial Guidelines for Raptor Conservation and Development with Care guidelines;
 - h) adherence to the Squamish-Lillooet Regional District Electoral Area C Noise Regulation Bylaw No. 1438-2015;
 - i) garbage and other waste shall be managed in accordance with Bear Smart guidelines;
 - j) The Permittees must receive all of the applicable permits from the Vancouver Coastal Health Authority with respect to the use of the Subject Property under this TUP.
6. As insurance/indemnification and any security or bonding are addressed/undertaken through the Special Event Permit, a Special Event Permit for the fundraiser indicated in section 4 of this TUP will always be required as a condition of this TUP; for clarity, a Special Event Permit will be required irrespective of attendance numbers (i.e. even if attendance numbers fall below 200 people).
7. Any costs incurred with respect to the requirements of this TUP will be at the sole cost of the Permittees.
8. The Subject Property described herein shall be developed in strict accordance with the terms and conditions and provisions of this TUP.
9. This TUP will apply for one weekend day in June, 2017, 2018 and 2019.
10. Any application to amend this TUP shall be considered a new temporary use permit application.
11. As per section 497(2) of the *Local Government Act*, this TUP may be renewed for a minimum of 1 year and a maximum of 3 years.

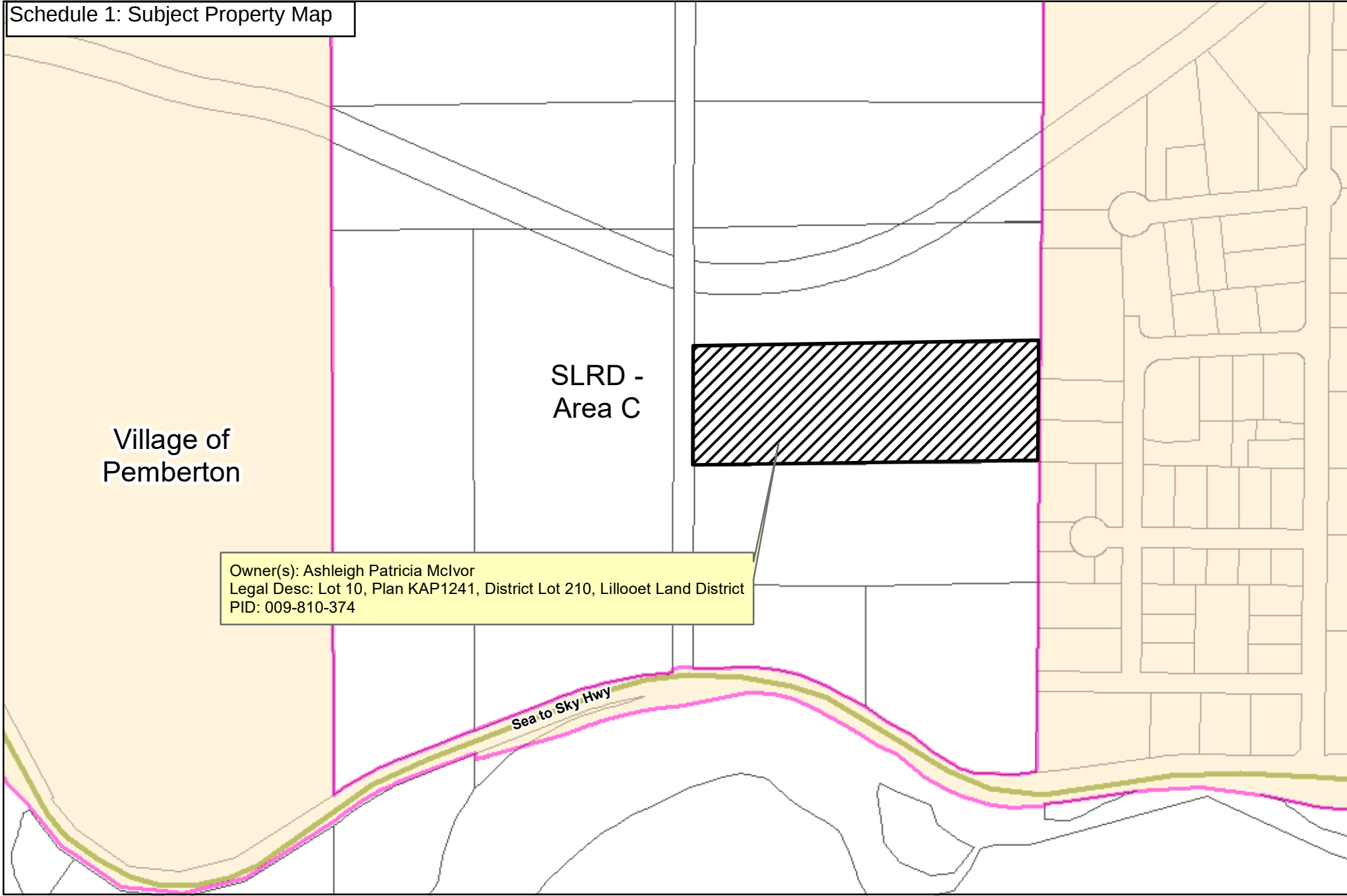
AUTHORIZING RESOLUTION PASSED BY THE BOARD

THIS 19th DAY OF APRIL, 2017.

ISSUED THIS 19th DAY OF APRIL, 2017

Lynda Flynn
Chief Administrative Officer

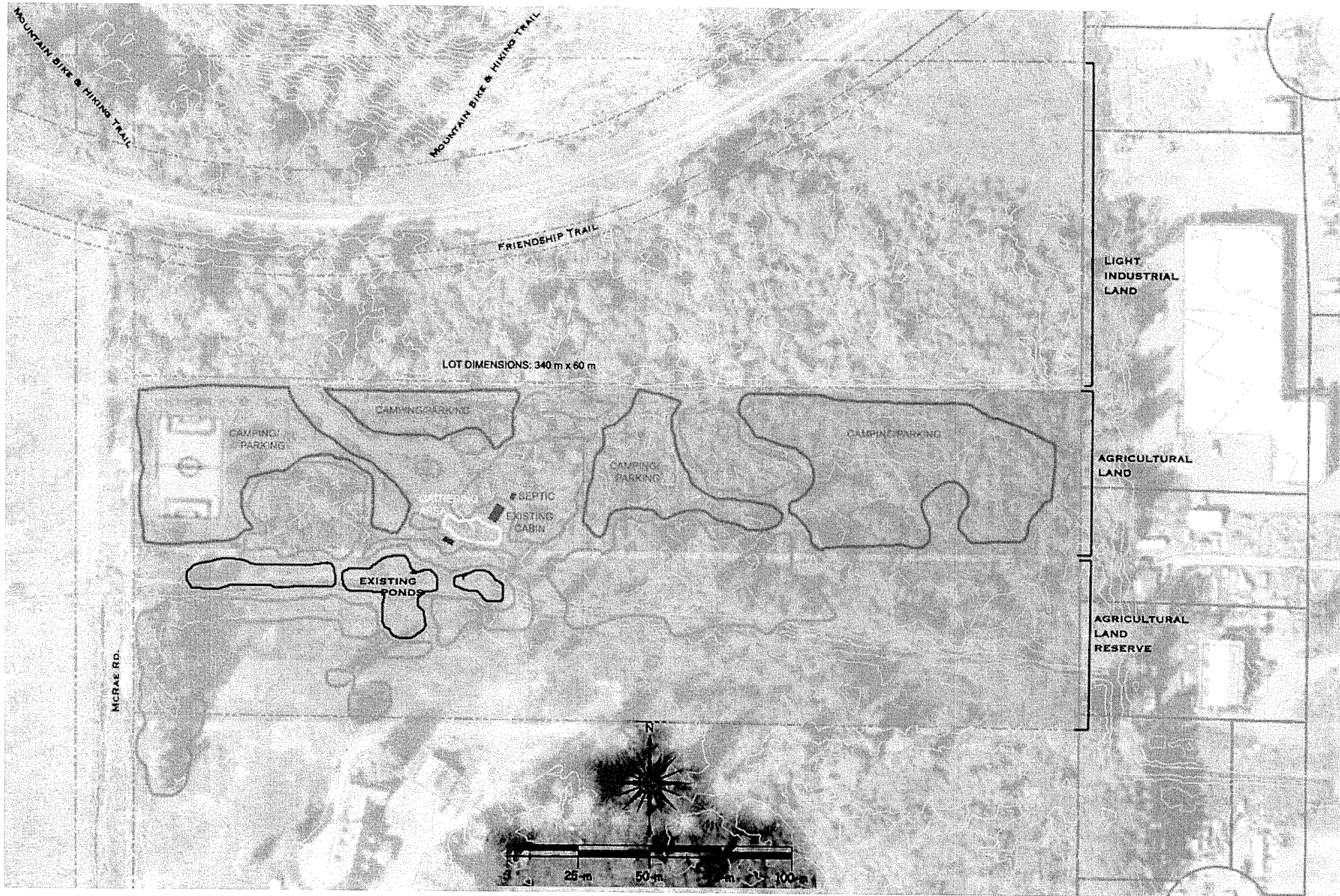
Schedule 1: Subject Property Map



 1:5,000 0 50 100 200 Meters	TUP Subject Property	Cadastral
	Municipalities	Street Centreline
	Electoral Areas	

TUP# 51
Schedule 1

Schedule 2: Site Layout Plan



April 13, 2017

Squamish-Lillooet Regional District
PO Box 219
1350 Aster St.
Pemberton BC
VON 2L0

Attention: – Claire Daniels, MCIP, RPP - Planner

Re: Temporary Use Permit Application – TUP No. 51

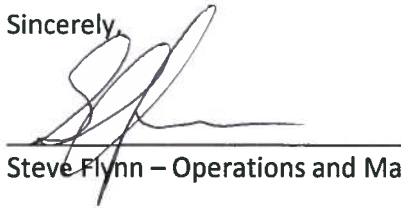
The Pemberton Valley Dyking District (PVDD) would like to thank the Squamish-Lillooet Regional District for the opportunity to comment on TUP 51.

The condition of support from the PVDD regarding this referral package includes:

1. **Insurance.** As the PVDD has dyking and drainage infrastructure in the vicinity of Lot 10 the PVDD requests that the holder of the TUP add the Pemberton Valley Dyking District as additionally insured to event insurance policy with no less than \$5,000,000 comprehensive general liability insurance. The additionally insured document must be submitted to the PVDD for approval no later than 30 days prior to the event taking place.

If the condition of support included above is addressed the PVDD can then support the TUP 51.

Sincerely,



Steve Flynn – Operations and Maintenance Manager



PO BOX 235 1381 Aster St, Pemberton, BC VON 2L0

phone: (604) 894-6632 fax: (604) 894-5271 www.pvdd.ca

PEMBERTON VALLEY DYKING DISTRICT