

Squamish –Lillooet Regional District

1350 Aster Street

Pemberton BC

RECEIVED

JUN 20 2016

SQUAMISH-LILLOOET
REGIONAL DISTRICT

Attn: Board Of Directors

Re Temporary Use Permit Application No 45 Macleod /Ayers Property

We are the owners of residential property directly adjacent to the applicants proposed parking area to be created should the application be approved. As such any activities on this property have both direct and indirect impact on both our quiet enjoyment and privacy, and potentially our property value.

When this property was cleared in late 2015/early 2016 it was indicated that it was for agricultural purposes . The nuisances and inconveniences experienced at that time were allowed under The Right to Farm Act as communicated to us by the owner. As we have always been aware that this was Class 1 Agricultural land we understood that at some point this property would be used in that manner .

The aggressive approach to clearing the land resulted in several issues being raised by a number of government agencies and others which are currently being investigated We are sure the SLRD is aware of these and they will play out as they will.

However a quick investigation on the internet at the time showed that the event producer was advertising both parking and camping on this property despite no application having been made nor discussion occurring with local government, the ALC, or those property owners who would be directly affected as a result of commercial use on this expansion of the foot print of the festival .

In addition the property owner has previously allowed a commercial use on the property (parking) without a TUP or the permission of the ALC . This illegal commercial use impacted our access to and from our home during the festival period (particularly on the 'load out day") and of course increased security risks for us and created a certain loss of privacy.

In light of these actions by both the event promoter and the property owner it is hard not to believe that the primary purpose in clearing the land was to take advantage of commercial opportunity on a piece of ALC land not originally considered as part of the festival footprint, and it was done with intent and without consultation, using the Right to Farm Act as a shield. This is not an opportunity that just fell into the property owners lap.

The applicants' strategy and timelines clearly indicate a strategy of asking for forgiveness not permission, leaving the application to the last minute to limit ~~to~~ avoid meaningful consultation, and use the supposed economic benefit of the festival as leverage .

We have reviewed various correspondence that has occurred between the proponent , the SLRD, the VOP , the ALC , local residents, environmental agencies, etc. The event promoter has reached out to try to come to some understanding regarding our concerns.

However we lack any confidence that the concerns of the 8-9 residents who are going to be directly impacted in any number of ways will receive the consideration that they should receive as taxpayers and neighbours. I also have no wish to be seen as the guy who 'stopped the festival' therefore we are resigned to the fact that SLRD will, in all likelihood, approve this application for this year despite the fact that the proper process has been abused and, in our opinion, manipulated by the property owner, and that the event promoter appears to wish to expand his physical footprint without proper and meaningful community consultation.

We believe you have received detailed correspondence from several of my neighbours regarding a variety of concerns re the use of the land and the process to date. As we support and would echo their concerns I will not cover them in detail again.

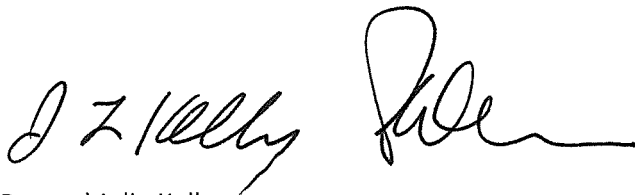
However we would ask that the following items be addressed in the TUP

- 1) The agent for the owner has indicated that the parking for up to 6000 cars will be on a load in and load out basis only. **Please confirm in the TUP how this number and the in/ out is to be monitored and insured** and how the traffic mgmt is to be handled (particularly on the day following the event). Property owners north of the property should not have their access to their jobs and community services compromised. **Also the TUP should clearly limit the allowed use to parking.** It is clear that the proponent has intentions to expand to other uses
- 2) The application is for three years; in light of the fact that insufficient discussion has occurred in regard to the 'festival creep' that is proposed, and that we have no way of knowing what the impacts of this expanded commercial footprint will be in reality ;**this application should be for one year only so that any problems that arise can be rectified effectively.** This ties in with ALC approvals which must be renewed and give all concerned the opportunity to consider the big picture properly.
- 3) Security; given the number of people who could potentially be accessing this property, **effective security by way of fencing and dedicated security staff needs to be in place to protect** the adjacent residential property owner's privacy and assets. Additionally what controls are in place for noise , ambient light, and fire safety?
- 4) **Clear unequivocal outline of consequences for non compliance** to both the terms of the TUP and contravention of any SLRD bylaws (particularly noise and nuisance) that apply as a result of the commercial use of the property. Also please insure proper liability insurance that will cover damages to neighbours is in place prior to issuance of the TUP

- 5) Water Quality/Environmental Concerns; staff has recommended that these either be removed or have made the conditions virtually impossible to meet (eg.most of our wells/sandpoints are 10 plus years old, VCH standards have changed and it would be impossible for us to meet that standard). As I understand it most of the residents are doing 3rd party baseline testing on their own of their water. I ask that **some form of overall baseline environmental report be done** and a remediation plan be put in place should a problem arise
- 6) Please make **all parties to the application jointly and severally responsible** for compliance and any associated costs (Huka , the agent, and all property owners.)

We are supporters of the festival in general; however as a tax payers we believe that the quiet enjoyment of our property, our privacy and our families direct and indirect personal safety is a right that should not be put at risk as a result of it . We rely on our local government to insure that that is the case.

Sincerely

The image shows two handwritten signatures in black ink. The signature on the left is 'Pat Kelly' and the signature on the right is 'Julie Kelly'. Both are written in a cursive, flowing style.

Pat and Julie Kelly

[REDACTED]
Sent: June 20, 2016 1:35 PM

To: Planning <planning@slrd.bc.ca>

Subject: TUPs #45 and 46

To the planning department,

I urge the SLRD to not issue TUPs #45 and #46 given that agricultural land (ALR) should be used for agriculture and not trashed as a parking lot or by campers.

It reflects poorly on the SLRD that the TUP notices were issued in advance of the regional ALC making its decision especially as elected officials have already clearly stated in public that they support these TUPs. No wonder voters have little faith in politicians when they seem willing to flaunt such important laws as the ALC Act. In addition, local politicians have dismissed concerns about potential well contamination of other local land owners, which is shocking following the high lead in Pemberton's drinking water.

Issuing these TUPs will set very bad precedents. While I have sympathy that the land owners now find themselves in a stressful position, they likely knew that a parking lot or camping site should not be set up on ALR land.

Best regards,

Louise Taylor

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Squamish Lillooet Regional District
Planning Office
1350 Aster Street
Pemberton, BC

20 June 2016

Re: Temporary Use Permit #45

Dear SLRD Board

I commend local residents capitalising on the Pemberton Festival, the economic opportunities are there to seize and should be seized. This is not a concern about who is making the application or where it is, this is a concern about what the application is and the associated implications.

As a local resident I'm concerned about the extra 6,000 parking spaces and resulting increase of 6,000 cars on the highway. Something we should be avoiding from an environmental perspective, but there are other impacts to take into consideration too.

Enabling festival patrons to drive in and out of the site increases the risk of accidents. We can all hope optimistically that each car will have a sober designated driver but there is the risk that those who drive will be under the influence, hungover, or just plain tired, increases the risk of accidents.

Monday morning post-festival last year illustrated the number of vehicles departing the festival were too many for the town's roads to handle. Many residents gave up trying to get to Whistler for work/camps/childcare because the traffic delays were so bad. It doesn't make sense to increase the number of cars on the road.

The shuttles of past years were a great idea and reduced the number of cars on the road. Instead of encouraging more cars on the highway can we not invest in more shuttles, including those with space for camping equipment, from increased destinations in the sea to sky corridor and lower mainland to improve safety and traffic flow and lessen the impact on the environment?

I appreciate you taking the time to read my concerns and hope you will take them into consideration when deciding how to proceed with the application.

Yours sincerely,



Suki Cheyne

Squamish-Lillooet Regional District
Box 219, 1350 Aster Street
Pemberton, BC V0N 2L0
P:604 894 6371
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E: planning@slrd.bc.ca

June 21, 2016

To: SLRD Board

Re: Pemberton Music Festival

As we enter year three of the Pemberton Music Festival, we write this letter to request implementation of a communications plan and consultation to adjacent properties to the Pemberton Music Festival event site. Our home and business is located at 1901 Highway 99 which is adjacent to camping areas, access roads to site and along Highway 99 directly before the festival parking area in the industrial park. In the past three years we have not had a representative from the SLRD, the Village of Pemberton or Huka Entertainment approach us as a resident and business that is directly affected by the festival's activities. Our property is completely surrounded by camping, fencing, noise and substantial increase in traffic and accessibility to our business. In 2015, and again in 2016, we are closing our business operations on the Friday and Monday during the festival as our customers in Pemberton and Whistler cannot easily access our place of business due to the increase in traffic from Whistler through to Mount Currie. This is two days of lost revenue that not only are we not compensated for, but it is not even acknowledged as an issue by the SLRD, the Village of Pemberton or Huka Entertainment. And we are not the only business adjacent to the festival site that experiences an interruption in operations, nor are we the only residence adjacent to the festival site that experiences living behind a modoloc fence for a month pre/post festival and during the festival completely surrounded by people, noise and security concerns for our property and family.

To clarify, we are huge supporters of the festival and want it to succeed and continue to be a revenue generator for Pemberton as a whole. However, in order to gain and maintain the community support that is necessary for the festival to succeed and increase capacity there needs to be acknowledgement, transparency and consistent communication. This acknowledgement and communication has been completely absent in the past three years and our sincere hope is that this will change going forward.

We look forward to a response to our concerns.

Sincerely,

Tim Watt and Laura Fordyce



FIX AUTO PEMBERTON

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FIXAUTOPEMBERTON.COM



Dionysios Rossi
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Borden Ladner Gervais LLP
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F 604.687.1415
blg.com



File No. 561842/000001

June 14, 2016

Delivered by Email eammon.watson@gov.bc.ca

Provincial Agricultural Land Commission
133-4940 Canada Way
Burnaby, BC V5G 4K6

Attention: Eammon Watson, Planner

Dear Sirs/Mesdames:

**Re: ALC Application 55184 (Phare, McLeod, Ayers)
District Lot 213, Lillooet District, (Parcel Identifier 013-256-378)**

We are counsel to Marion Ayers and Brenda McLeod (the "Landowners"). We write in regard to the above-noted application (the "Application") presently before the Agricultural Land Commission (the "ALC") in respect of District Lot 213, Lillooet District (Parcel Identifier 013-256-378) (the "Lands") and further to your email correspondence of June 10, 2016 to Cam McIvor, agent to the Landowners. We confirm that Mrs. McLeod is the legal representative of her mother, Marion Ayers, as well as a lessee of the Lands.

We wish to clarify the position of the Landowners concerning a number of issues raised in the materials attached to your email correspondence of June 10, 2016.

PURPOSE OF THE CLEARING ACTIVITY

It bears emphasis that the primary reason that the Landowners have cleared the Lands is to make them available for farming activity. The Landowners are long-time cattle farmers in the Pemberton area and intend to use the Lands for future grazing and crop harvesting. To this end, the Landowners have already seeded the Lands with a mixture of oats and Helavang seed mix and intend to harvest one crop prior to any temporary use of the Lands in connection with the Pemberton Music Festival.

As the enclosed April 2016 professional Agrologist Report (the "Agrologist Report") completed by PGL Environmental Consultants ("PGL") confirms, the Lands are well suited for these intended agricultural activities. Accordingly, the clearing of the Lands has resulted in an additional approximately 54 acres of land within the Agricultural Land Reserve ("ALR") becoming available for active farming, which, the Landowners submit, is entirely consistent with the purpose of the ALR itself. Given this, the Landowners maintain that the ALC's decision

concerning the Application to use the Lands for a temporary non-farm use must be informed by this overall context.

To this end, we enclose correspondence from the Landowners for your review expressly confirming that the primary purpose of the clearing undertaken on the Lands was to render them suitable for agricultural use. In these circumstances, there is no evidentiary basis for any suggestion that the primary purpose of the clearing work completed on the Lands was for non-agricultural activities, and the Landowners categorically reject any and all such allegations.

As the Agrologist Report further confirms, all of the available evidence establishes that the temporary use of the Lands as a parking area in connection with the Pemberton Music Festival will not negatively impact their subsequent viability as agricultural lands. There is no significant risk of any soil contamination, and in the unlikely event of a spill, any environmental impact will likely be minor and adequately addressed by excavation and backfilling of the affected area. Similarly, pre and post event soil mitigation strategies (including irrigation, the placement of straw in the event of heavy precipitation, and subsequent tilling) will minimize any potential surface erosion resulting from the temporary parking of vehicles. We note that, contrary to the suggestion in some of the materials enclosed with your email correspondence of June 10, 2016, no gravel will be used on the Lands in connection with temporary parking-related activities.

Finally, we note that the Squamish Lillooet Regional District (the “SLRD”) has supported the use of the Lands for temporary parking-related activities on the basis that the Lands will otherwise be used for agricultural purposes, and provided that appropriate mitigation strategies are adopted with respect to the Lands. The Landowners submit that the ALC should likewise approve the Application on this basis.

OTHER ALLEGED ENVIRONMENTAL RISKS

All of the available evidence likewise suggests that there will be no environmental impact on adjacent landowners arising from the temporary use of the Lands for parking-related activities. As the enclosed correspondence from PGL dated May 13, 2016 confirms, “in the absence of onsite bulk fuel or chemical storage or distribution [none of which will occur on the Lands] PGL has not identified any activities which would pose a significant risk to the underlying aquifer or offsite drinking water wells.” As PGL further confirms, the parking activities contemplated for the Lands are “low risk” and “groundwater is expected to flow away from the adjacent residential properties towards the Lillooet River. [Emphasis added].”

The Landowners are unaware of any professionally obtained empirical evidence to the contrary on this point. Given this, the Landowners submit that the evidence of PGL should be accepted by the ALC in deciding upon the Application.

In any event, we further note that despite PGL’s findings, the Landowners, in conjunction with Pemberton Music Festival LP, have committed to carrying out baseline and post-event well testing on adjacent properties in response to the concerns expressed by neighbouring landowners, in accordance with SLRD requirements.

Given the foregoing, the Landowners maintain that there is no empirical basis to support any additional requirements governing the use of the Lands for temporary parking activities.

ENVIRONMENTAL APPEAL BOARD PROCEEDINGS

Lastly, we refer to ongoing proceedings before the Environmental Appeal Board concerning the clearing work undertaken on the Lands. As indicated in the materials enclosed with your email correspondence of June 10, 2016, following a complaint, on or about March 22, 2016, the Landowners were served with a copy of an Order issued pursuant to Section 93 of the *Water Sustainability Act*, S.B.C. 2014 (the "Order"). As those materials indicate, the Landowners have since appealed that Order on a variety of grounds and maintain that there is no legal basis for the Order to have been issued.

We note that by letter dated April 29, 2016, counsel for the Ministry of Forests, Lands and Natural Resource Operations consented to a stay of the Order pending appeal, save and except for one provision relating to any further clearing work being conducted "in and about a stream" (i.e. the North Arm of the Lillooet River). We enclose a copy of this letter for your review, and confirm that none of the parking activities being contemplated in the Application will be carried out "in or about a stream" in accordance with this provision of the Order. Instead, all parking activities will take place at least 15 - 30 metres from the North Arm of the Lillooet River, in accordance with the Riparian Areas Regulation, B.C. Reg. 376/2004, as determined by Cascade Environmental Resource Group Ltd.

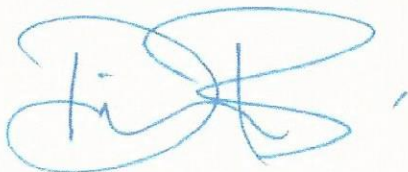
Given the foregoing, the Landowners maintain that the Environmental Appeal Board proceedings should have no bearing on the determination of the Application presently before the ALC. This is especially the case given PGL's findings that there are no significant environmental risks to the Lands – including areas adjacent to the North Arm Channel – associated with the temporary use of the Lands for parking-related activities.

We trust that this clarifies the position of the Landowners concerning the issues that have been raised in respect of the Application to date, and that the ALC will render its decision on the basis of the best available evidence.

Should you wish additional clarification on any of the above-noted issues, please contact the undersigned directly.

Yours truly,

Borden Ladner Gervais LLP



Dionysios Rossi

DKR:mec

Brenda McLeod
Box 4, 7402 Clover Road
Pemberton, BC V0N 2L0
Tel: 604-894-6885
Email: soovent@telus.net

June 14, 2016

Eammon Watson, Planner
Provincial Agricultural Land Commission
133-4940 Canada Way
Burnaby, BC V5G 4K6
eammon.watson@gov.bc.ca

Re: ALC Application 55184 (Phare, McLeod, Ayers)

Recently, I have received letters, emails, and pages of information as well as detailed newspaper articles containing sensationalized incorrect statements surrounding farm land clearing on DL 213. Please accept the following factual background information related to the clearing of DL 213 farmland.

I have farmed over 200 hundred acres of farmland with my family since the mid-1950s. After my parents retired I farmed with my husband, Geoff McLeod, from the 1990s until present. I am presently owner of DL 213 with my mother, Marion Ayers. My mother is 97 years old.

My husband and I manage approximately 240 acres of family farmland annually and have additionally leased 40-80 acres of farmland for hay. Our approximate 70 head cow/calf herd of purebred Charolais is complimented with other farm animals such as chickens, ducks, turkeys, etc. We hay approximately 100 acres each year which we feed to our cattle. We also presently purchase hay for feed each year.

My husband, Geoff, and I have both been members of the Farmers Institute and the Agricultural Advisory Council. I was Chairperson of the AAC for a number of years, and I dedicated many hours toward developing the Area Agricultural Plan for our area. Geoff and I believe in supporting and protecting the integrity of agriculture in our community and surrounding area. I and my husband are farmers.

Geoff and I have been working on improving and expanding hay fields whenever we have time or money. Geoff cleared portions of the south side of DL213 quite a number of years ago, but we were not able to continue as we were both working full time off farm to make a living to raise our children. Recently, about four years ago we started to clear for a fence line around DL 213 south side and we purchased the fencing materials needed. We were concerned about access and safety.

In 2014, we were approached by the Pemberton Music Festival organizer group to consider using DL 213 to assist them with traffic congestion management. As the Pemberton Music Festival was clearly being supported by our community and local governments we cooperated to also

support our community. The proposed plan would see traffic directed from the main highway (Sea to Sky Highway) through our farmland, on a historic road, to parking on IR lands adjacent to DL213 for the 3-5 festival days. We requested that any financial benefit that might be considered, for use of the land, be put back into the maintenance of the land. Our stipulations to the agreement were that a permanent safe access to DL213 south side be put in place and that there be no impact to the farm ability of the land. During the Pemberton Festival DL 213 provided a much needed traffic diversion from the highway without any impact to the farm ability of the land. There were no ill effects to the land at all.

We have always wanted to completely clear the land on the south side of DL 213 and when opportunity arose in the fall of 2015 with the possibility of considering a temporary future parking overflow area for the Pemberton Festival it finally became a financially viable farm project. Geoff and I were aware of the financial benefits that had been forthcoming to our community the previous years and we felt it important to support positive initiatives in our community. We discussed the details. It was imperative to myself and Geoff, as the farmers, that any clearing or improvements be completed to maintain the integrity of the farmland and improve farm ability of the land. The proposed plan included, clearing the land, putting all organic material back into the land, seeding with a cover crop and hay crop, and fencing. The timeline would be tight as there was a lot of work to do to get the field ready for spring planting.

My husband, Geoff, visited the residents adjacent to DL 213 to inform them of the farm land clearing activities planned, however some were not home. Neighbouring residents are separated from DL 213 by an expansive area known as the North Arm dry channel so we believed there would not likely be any inconveniences to the neighbours.

About a month into the farmland clearing I received an early morning call from a resident saying that the equipment were starting too early. I apologized and said I would speak with the workers to see if they could start a bit later, however, I explained to him that we would need to start as soon after daylight as possible due to shortened fall days. He also expressed concern about his well. Growing up in Pemberton I have had extensive experience with digging, and managing wells. I said to him it should not be a problem provided his well was deep enough. From our discussion I learned that the well was a shallow well. In recent discussions with the landowner my husband has offered to assist the land owner to dig a deeper well.

Going forward with the farmland clearing project we began to experience more unsubstantiated claims/complaints. A lot of finger pointing was being directed our way and as long-time residents committed to supporting our community we became quite upset at the disrespect we were, and are still experiencing. All this time no one has bothered to call or contact us to speak with us about any concerns or to ask the facts.

Geoff and I are now excited to now to be able to have another large field to graze cattle on and grow hay/grain on into the future. We will no longer need to purchase additional hay (approximately 200 round bales) for our cattle in the winter. We will also be able to refurbish our present rotational grazing areas.

We have mostly heard positive dialogue regarding the Pemberton Music Festival. The Village of Pemberton has offered community grants for local activities and groups from funds received from last year's Pemberton Music Festival. Have local governments and the people of our community changed their minds about the Pemberton Music Festival and will this be its last year?

If Pemberton wishes we will support the use of our farmland for the week of the Pemberton Festival each year to assist with traffic congestion management and temporary parking. We will continue to insure that the health and wellbeing of our farmland is maintained.

Yours truly,

A handwritten signature in cursive script, appearing to read "B. McLeod".

Brenda McLeod

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File No. 561842/000001

June 16, 2016

Delivered by Email eammon.watson@gov.bc.ca

Provincial Agricultural Land Commission
133-4940 Canada Way
Burnaby, BC V5G 4K6

Attention: Eammon Watson, Planner

Dear Sirs/Mesdames:

**Re: ALC Application 55184 (Phare, McLeod, Ayers)
District Lot 213, Lillooet District, (Parcel Identifier 013-256-378)**

We are counsel to Brenda McLeod and Marion Ayers. We write in regard to the above-noted matter, and further to your email correspondence to Cam McIvor dated June 16, 2016, concerning the civil proceeding that has been commenced in *Ayers v. McLeod*, British Columbia Supreme Court Action No. S-164689 (Vancouver Registry) (the "BCSC Action"). For the purposes of this correspondence, we adopt the defined terms set out in our correspondence of June 14, 2016, concerning this matter.

Generally speaking, the Landowners' position is that the BCSC Action should have no bearing whatsoever on the ALC's determination of the Application presently before it concerning the Lands. While the defendants were only recently served with a copy of the Notice of Civil Claim in the BCSC Action and thus have not yet filed a defence, it bears emphasis that the allegations contained in the claim are both entirely unproven and vigorously denied by Brenda and Geoff McLeod. Accordingly, these allegations ought not to have any bearing on the Application presently before the ALC.

All of the available evidence presently before the ALC confirms that Brenda McLeod has full legal authority to deal with the Lands on behalf of both herself and her mother, Marion Ayers, who, we note, are the only legal owners of the Lands.

Specifically, the Application materials provided to the ALC include a valid power of attorney document legally empowering Brenda McLeod to deal with the Lands on behalf of her mother, Marion Ayers, which remains in force. Importantly, nowhere in the Notice of Civil Claim in the BCSC Action is the validity of this power of attorney document challenged. In fact, the Notice of Civil Claim makes no mention of the power of attorney document at all.

Moreover, we note that Brenda and Geoff McLeod also have the legal authority to deal with the Lands in their capacity as lessees of the Lands, pursuant to the enclosed lease agreement dated

September 12, 2002, which remains in effect. Again, the Notice of Civil Claim in the BCSC Action does not challenge the validity of this lease, and makes no mention of it at all.

Taken together, the foregoing evidence conclusively establishes the legal authority of Brenda McLeod to deal with the Lands for the purpose of the Application.

With respect to the allegations actually made in the Notice of Civil Claim, the Landowners maintain that the claimants do not have legal standing to enforce the bare trust agreement naming Brenda McLeod as the trustee of the Lands, which she is complying with, and to which the claimants (her brothers) are not parties. The claimants do not gain legal standing simply by virtue of being the beneficiaries of Marion Ayers' 2013 will, as they appear to allege. To this end, we note that any rights the claimants may enjoy in their capacity as beneficiaries of their mother's will only arise upon the death of Marion Ayers, if she has not changed the terms of her will before her death, and if the claimants survive her. None of those events have occurred.

As the foregoing clearly demonstrates, the ALC is not the proper forum in which these issues should be considered or adjudicated. They have nothing to do with the purpose of the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36, the establishment of the Agricultural Land Reserve, or the temporary use of agricultural lands for a non-farm purpose. For these reasons, they are not germane to the Application presently before the ALC. It is evident that none of the activities that will be authorized by the granting of a temporary non-farm use permit in respect of Pemberton Music Festival parking will cause harm to the Lands or permanently affect the Lands in any way that could prejudice the alleged legal interests of the claimants in the BCSC Action (which the McLeods deny exist). Accordingly, any claims advanced by the claimants in connection with the use of the Lands by Brenda McLeod and Marion Ayers during the Pemberton Music Festival can be subsequently (and properly) addressed by the British Columbia Supreme Court, on the basis of a full evidentiary record.

All of the available evidence before the ALC at the present time confirms that Brenda McLeod has the legal authority to deal with the Lands on behalf of both herself and Marion Ayers: 1) in her capacity as a legal owner of the Lands; 2) who has a power of attorney over the affairs of Marion Ayers; and 3) as a lessee of the Lands. Given this, it is not within the purview of the ALC to look beyond the evidence presently before it for the purpose of investigating issues which have no bearing on whether or not the Application should be granted.

We trust that this clarifies the position of the Landowners with respect to the issues raised in your email correspondence of June 16, 2016.

Yours truly,

Borden Ladner Gervais LLP

A handwritten signature in black ink, appearing to read 'Dionysios Rossi', is written over a circular stamp or seal.

Dionysios Rossi

DKR:mec

BC Assessment

FARM CLASSIFICATION LEASE FORM

Please print clearly.

Assessment Roll Number(s)

08-748-01635000

08-748-13305000

Start Date continuing (day/month/year) Term of Lease 10 years

Expiry Date August 31 (day/month/year)

Lease Fee \$ Family Farm - \$1.00

Use of Land: ☒ Pasture ☒ Crop ☒ Other (specify) Hay & trees

Please indicate if any of the following are included in the lease:

☒ Land ☐ Farm Building(s) ☐ House

Area(s) Leased 185 acres (or) _____ hectares (please complete a site plan or attach a sketch of the area leased)

Marion D. Ayers
Lessor's name (owner)

1691 Seato Sky Hwy.
Box 142
Address

Pemberton BC
City

Postal Code

604-894-6460
Telephone number

Marion D. Ayers
Signature

Date

George Benda Head
Lessee's name (tenant/farmer)

7402 Main Rd.
Box 4
Address

Pemberton BC
City

Postal Code

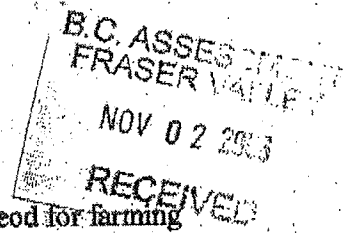
604-844-6885
Telephone number

George Benda Head
Signature

Date

The information requested on this form is collected under the authority of the Assessment Act and is subject to the Freedom of Information and Protection of Privacy Act. If you have any questions about the collection, use or disclosure of this information, please contact the Policy Analyst (Information Disclosure and Privacy Protection), Legal Services and Government Relations, BC Assessment, by mail (400 - 3450 Uptown Blvd., Victoria BC V8Z 0B9) or telephone (250) 595-8211 in Victoria or toll-free through Enquiry BC at 1 800 663-7867 and ask to be redirected to BC Assessment).

Property Lease



I agree to lease the following properties to Geoff and Brenda McLeod for farming purposes:

DL 5547 Except Plan 35687 & RP 36085
Folio number: 03305.000
DL 213 Except Plan 35687 & RP 36085
Folio number: 01635.000

38.76
20 acres M.D.A.
165 acres B.M.

Lease Commencement Date: September 12, 2002 (Verbal Agreement before this date)
Duration of Lease: 10 years
Intended use of leased land: pasture/crops
Consideration of lease: Family agreement - Taxes/ improvements

Marion D. Ayers
Lessor(owner) Marion D. Ayers

Signed: Sept 12/02

Geoff McLeod
Lessor (farmers) Geoff McLeod
Brenda McLeod

Signed: Sept 12/02