



TEMPORARY USE PERMIT TUP NO. 48

ISSUED TO:

Brenda McLeod and Marion Ayers
PO Box 4
Pemberton, BC
V0N 2L0
Acting Agent: Cam McIvor Owners have authorized <i>Cam McIvor and or a representative of Festival Land Company Ltd.</i>

(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 applies to those lands within the SLRD described below and any and all buildings, structures, and other development thereon (the "Subject Property"):

PID: 013-256-378; DL 213, LLD, Except Plan 35687

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

3. In addition to the existing provisions of:
 - 1) 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; and
 - 2) Temporary Use Permit No. 47, which allows for up to 6,000 weekend parking spaces:

the Subject Property shall be used for weekend parking spaces (no in and out parking privileges once a vehicle is parked except in the case of emergency) to the capacity of the Subject Property, adhering to a 30 metre riparian setback.
4. Uses permitted under section 3 of this TUP shall be subject to the following conditions:
 - a) This TUP, as it applies to properties within the Agricultural Land Reserve, is issued subject to the continued approval from the Agricultural Land Commission for the related Non-Farm Uses, recorded as resolutions #327/2012, #395/2012, #259/2013 and #241/2016, and compliance with the conditions therein. For greater clarity, for the years 2018 and 2019 the Agricultural Land Commission has not granted approval for related Non-Farm Uses and therefore, for the years 2018 and 2019, this TUP is issued subject to the securing of an extension from the Agricultural Land Commission for related Non-Farm Uses, as per resolutions #327/2012 and

- #395/2012. If such Agricultural Land Commission extension is not secured by the applicants, then this TUP is not in effect for the years 2018 and 2019.
- b) All conditions of the Agricultural Land Commission resolutions #327/2012, #395/2012, #259/2013 and #241/2016 attached as **Schedule 2** and forming a part of this TUP, are required to be met as a condition of this TUP;
 - c) Any additional requirements or conditions of the Agricultural Land Commission regarding the Pemberton Music Festival with respect to the Subject Property are required to be met as a condition of TUP No. 48.
 - d) The Permittees, or their designate, Pemberton Music Festival, LP, shall comply with the recommended measures of Cascade Environmental Consultants as specified in their memorandum of June 2, 2016, identified on **Schedule 3** attached hereto and forming a part of this TUP;
 - e) The Permittees, or their designate, Pemberton Music Festival, LP shall engage a professional to take aerial photographs of the Subject Property on the Saturday the festival is underway, in 2017, 2018 and 2019, between 3 pm and 4 pm. Such photos should show the property to a level of detail that it is possible to count the number of parked vehicles. Aerial photographs must be submitted to the SLRD within 14 days after each of the 2017, 2018, and 2019 events;
 - f) All land areas used for temporary uses under this TUP shall be returned to their previous state (i.e. agricultural use), as applicable, within a reasonable time period after the last day of the 2017, 2018, and 2019 events;
 - g) A report shall be prepared by a qualified professional as of the last day in July 2017, July 2018, and July 2019, that the Subject Property has been used as described under this TUP, to verify that the temporary use area under this TUP is free of fuel or hazardous materials contamination and refuse, and restored as reasonably as possible to the same condition as it was on the commencement date of the TUP. This report must be submitted no later than August 31, 2017, August 31, 2018, and August 31, 2019.
 - h) Where land clearing activity is proposed during the nesting period for the area (between March 12 and August 17, 2017, 2018 and/or 2019), a QEP shall conduct a breeding bird survey within seven days of the proposed clearing to assess the presence of breeding birds;
 - i) 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;
 - j) Notwithstanding sections 4(h) and (i), 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 Develop with Care guidelines;
 - k) A Waste Management Plan must be approved by the SLRD Director of Utilities and Environmental Services at least (3) months prior to the start of the 2017 event, as a condition of this permit. At least three (3) months prior to the 2018 and 2019 events, the Permittees or Pemberton Music Festival, LP, must submit an updated Waste Management Plan to the satisfaction of the SLRD Director of Utilities and

Environmental Services; All guidelines of the Waste Management Plan must be met prior to, during and after the 2017, 2018 and 2019 events;

- l) The Permittees or their designate, Pemberton Music Festival, LP, 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 for the 2017, 2018, and 2019 events;
 - m) The Permittees or their designate, Pemberton Music Festival, LP, must receive all of the applicable permits from the Ministry of Transportation and Infrastructure with respect to the use of the Subject Property under this TUP for the 2017, 2018, and 2019 events;
 - n) The SLRD shall receive confirmation in writing from Pemberton Music Festival, LP that they will submit a monitoring report on the event addressing any significant issues and/or challenges that were realized prior, during and following the event. The report should also include recommended mitigation of such issues for improvement for future festivals; and
 - o) Should the Permittees or their designate, Pemberton Music Festival, LP request to change the date of the 2017, 2018 and/or 2019 events, the festival dates will not vary more than 2 weeks from the 2014 event dates.
- 5. Any costs incurred with respect to the requirements of this TUP will be at the sole cost of the Permittees.
 - 6. The Permittees shall provide the SLRD with a legal indemnification and release in respect of this TUP, on or before May 1, 2017, in a form acceptable to the SLRD and substantially similar to the document attached as **Schedule 4**.
 - 7. The Permittees or their designate, Pemberton Music Festival, LP, shall provide coverage in the amount of \$5 million for general commercial and environmental liability with respect to activities of this Temporary Use Permit (TUP) via an insurance policy (or extension of an existing policy), with the Squamish-Lillooet Regional District (SLRD) added as an additional insured on such policy, or at the discretion of the SLRD Chief Administrative Officer (and provided such \$5 million coverage is maintained) via an irrevocable letter of credit or a bond.
 - 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 between July 1, 2017 and July 31, 2017 and between July 1, 2018 and July 31, 2018 and between July 1, 2019 and July 31, 2019, subject to section 4 o).
 - 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 15th DAY OF March 2017.

ISSUED THIS 15th DAY OF March 2017.

Lynda Flynn
Chief Administrative Officer