



TEMPORARY USE PERMIT TUP NO. 45

ISSUED TO:

Brenda McLeod and Marion Ayers
PO Box 494
Pemberton, BC
V0N 2L0

(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 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 up to 6,000 weekend parking spaces (no in and out parking privileges once a vehicle is parked except in the case of emergency) for the Pemberton Music Festival taking place July 14-17, 2016 (the "Event") in substantial compliance with the Site Layout plans attached as **Schedule 2** and forming a part of this TUP.
4. Uses permitted under section 3 of this TUP shall be subject to the following conditions:
 - a) Agricultural Land Commission (ALC) approval of the related Non-Farm Use Application 55184. If the SLRD issues this TUP for the Subject Property prior to the ALC's decision in respect of the related Non-Farm Use Application 55184 (i.e. due to timing issues), this TUP will not actually come into effect unless and until the ALC subsequently approves Application 55184, due to the fact that it is a condition precedent of this TUP that the ALC approve the related Non-Farm Use Application 55184;
 - b) All conditions of the Agricultural Land Commission resolutions #327/2012, #395/2012, #259/2013 and "XXX"/2016 (this resolution to be identified if Non-Farm Use approval is granted for the Subject Property by the ALC under section 4a)) attached as **Schedule 3** and forming a part of this TUP, shall be met as a condition of this TUP;

- c) 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 4** attached hereto and forming a part of this TUP.
- d) The Permittees, or their designate, Pemberton Music Festival, LP shall engage a professional to take aerial photographs of the Subject Property on Saturday July 16, 2016 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 no later than July 25, 2016;
- e) The Permittees, or their designate, Pemberton Music Festival, LP, shall engage a Registered Professional Hydrogeologist to develop and conduct a well water testing program for wells located on those 6 properties adjoining the Subject Property (whose addresses are Pemberton Portage Road) for those wells that meet both of the following criteria:
 - 1. The well is located on the property owner's own parcel; and
 - 2. The well meets Vancouver Coastal Health Authority standards.

This program must include pre and post Event testing, and must be submitted to the SLRD for approval within 3 business days of issuance of the TUP. All pre-Event water testing must occur by July 4, 2016;

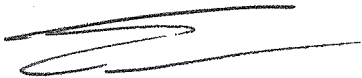
- f) All land areas used for temporary uses under this TUP shall be returned to their previous state (i.e. agricultural use), as applicable, within a reasonable time period after the last day of the Event;
- g) A report shall be prepared by a qualified professional as of the last day in July 2016 that 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, 2016;
- h) Where land clearing activity is proposed during the nesting period for the area (between March 12 and August 17, 2016), 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(g) and (h), 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 submitted to the SLRD Director of Utilities and Environmental Services within 3 days of TUP issuance. All guidelines of the Waste Management Plan must be met prior to, during and after the Event;

- 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 Event;
 - 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 Event; and
 - 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.
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 July 8, 2016, in a form acceptable to the SLRD and substantially similar to the document attached as **Schedule 5**.
 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, 2016 and July 31, 2016.
 10. This TUP may be renewed for a minimum of 1 year and a maximum of 3 years.
 11. Any application to amend this TUP shall be considered a new temporary use permit application.

AUTHORIZING RESOLUTION PASSED BY THE BOARD

THIS 22nd DAY OF JUNE 2016.

ISSUED THIS 22nd DAY OF JUNE 2016.



Lynda Flynn
Chief Administrative Officer