



REPORT

To: Chair and Directors

Report Number: DS-BRD-394

From: Ashley Murphey, General Manager of Development Services

Date: April 4, 2024

Subject: Temporary Use Permit, No. 24-001

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board authorize the issuance of Temporary Use Permit No. 24-001 to hold the event “Extreme Mudfest” over a 4-day period, once a year, on the property identified as PID 003-588-165 for a 3-year term subject to the following conditions:

- 1) Provision of security to ensure all structures associated with the events are removed post-event; and
- 2) Confirmation from the Ministry of Transportation that all of their requirements have been satisfied.

BACKGROUND/RATIONALE:

Proposal

The applicant is seeking a Temporary Use Permit in order to hold a mud and music festival over a 4-day period, once a year. The festival is named “Extreme Mudfest”.

Rationale

Support is being recommended as the entire South Peace OCP area is designated as an area where temporary uses may be allowed. Staff note that while disturbances may be anticipated during the event such as an increase in population and traffic, the event is intended to be short in duration. There may also be an economic benefit to the surrounding areas and region as whole, based on information supplied by the applicant.

File Details

Owner: William Bryce
Agent: Billie Jo Aasen
Area: Electoral Area D
Location: Pouce Coupe
Legal: The SE 1/4 Of Section 25 T 77 R14 W6M PRD, Except Plans 25815 And 26456
PID: 003-588-165
Civic Address: 187 Riverside Road
Lot Size: 43.26 ha (109 ac)

Site Context

The property is about 6.2 km southeast of Pouce Coupe, 3 km northeast of the Old Edmonton Highway at its closest point, and 1.2 km from the Alberta border and is not within the ALR. Surrounding uses include Residential to the immediate east and south, and Agricultural to the north and west. The majority of properties in the area are used for agricultural purposes.

Official Community Plan (OCP)

Pursuant to the South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012, the property is designated AG (Agriculture). Land within this designation should be used for agriculture, residential, agri-tourism, and home-based businesses. The minimum parcel size should be 63 ha (155 ac). Although the proposed music festival is not consistent with the intent of the agricultural designation, pursuant to Section 13.1.2, the entire South Peace Fringe Area is designated as an area where temporary uses may be allowed, therefore, the proposal is consistent with the Official Community Plan.

Land Use Zoning

Pursuant to Zoning Bylaw No. 1343, 2001, the property is zoned A-2 (Large Agricultural Holdings Zone). Land within this zone may be used for agriculture, residential, and agri-tourism. The minimum parcel size is 63 ha (155 ac). Festivals are not a permitted use in the A-2 Zone; therefore, a Temporary Use Permit is required.

Impact Analysis

Context

The proposed use is inconsistent with the surrounding uses, as festivals may impact residential and agricultural areas.

Agricultural Land Reserve

The subject property is outside the Agricultural Land Reserve.

Population & Traffic

There will be a significant increase in the number of people and the amount of traffic in the area should this Temporary Use Permit be issued.

Sewage & Water

For sewage, temporary toilets and waste management is going to be brought onto the property. Water is going to be hauled in for the festival. Potable running water is going to be available for food trucks.

Site Features

Land

The property is mainly treed with some cleared sections on the west to southwest section of the property.

Structures

Currently, one residence exists on the subject property. The proposal for structures on the property for the festival would have bars, a stage, and the mud pits public seating on the west side of the property and a box office and general camping sites in the lower middle of property, as per the site plan submitted with the application.

Access

The property is proposed to be accessed by the driveway at the southwest corner of the property. There will be both an ingress only and egress only lane. There will be two emergency accesses as well; one coming from the southwest driveway, and the second from the northwest corner of the property.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as 5⁷T6³TP.

Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Class 6 soils are capable only of producing perennial forage crops and improvement practices are not feasible. Subclass T denotes topography as a limitation and subclass P denotes that the stoniness of the soil is a limitation.

Comments & Considerations

Applicant

“Extreme Mudfest” is a great community event that draws a large amount of tourism, not only from the racers, but from the fans as well. The festival’s initial location in Cold Lake, Alberta, welcomes 70% of its attendees outside of a 50km radius. This is also a family friendly event that supports arts and motorsport.

Public Comments Received to Date

- Public Comment 1 from Dale Callahan received March 25, 2024 (see attached).
- Public Comment 2 from Kevin and Beverley McCleary received March 27, 2024 (see attached).

Fire Protection Area

The property is outside all fire protection areas.

Mandatory Building Permit Area

The property is outside the Mandatory Building Permit Area; however, Building Permits are still available on a voluntary basis.

Development Permit Area

The property is outside all Development Permit Areas.

Development Cost Charge Area

The property is outside the Development Cost Charge Area.

School District 60 School Site Acquisition Charge Area

The property is outside the School District 60 School Site Acquisition Charge Area.

Comments Received from Municipalities & Provincial Agencies

PRRD Bylaw Enforcement & GIS

Interests unaffected/No concerns.

Ministry of Transportation and Infrastructure

See attached.

BC Hydro

BC Hydro had the following comments:

1. For new construction, BC Hydro wishes to ensure that building permits do not get issued that allow for encroachment of buildings into the safety clearance zones required around existing bare utility conductors, including those utility works installed within road allowance adjacent to the property.
2. It is the responsibility of the Architect and Electrical Engineer of Record (EEOR) to ensure compliance with the Canadian Electrical Code (CEC), Canadian Safety Association (CSA) and WorkSafeBC

(WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working clearances (Limits of Approach).

3. Should the development require distribution service, changes to the property's service or the relocation of distribution lines, please contact BC Hydro's Electrical Service Coordination Centre (ESCC) at 1-877-520-1355.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse to issue Temporary Use Permit No. 24-001, to hold the event "Extreme Mudfest" over a 4-day period, once a year, on the subject property identified as PID 003-588-165, for a 3-year term.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- Not Applicable to Strategic Plan

FINANCIAL CONSIDERATION(S):

Remediation security will be required prior to permit issuance should the Board authorize this Temporary Use Permit.

COMMUNICATIONS CONSIDERATION(S):

The Regional Board's decision will be communicated to the applicant.

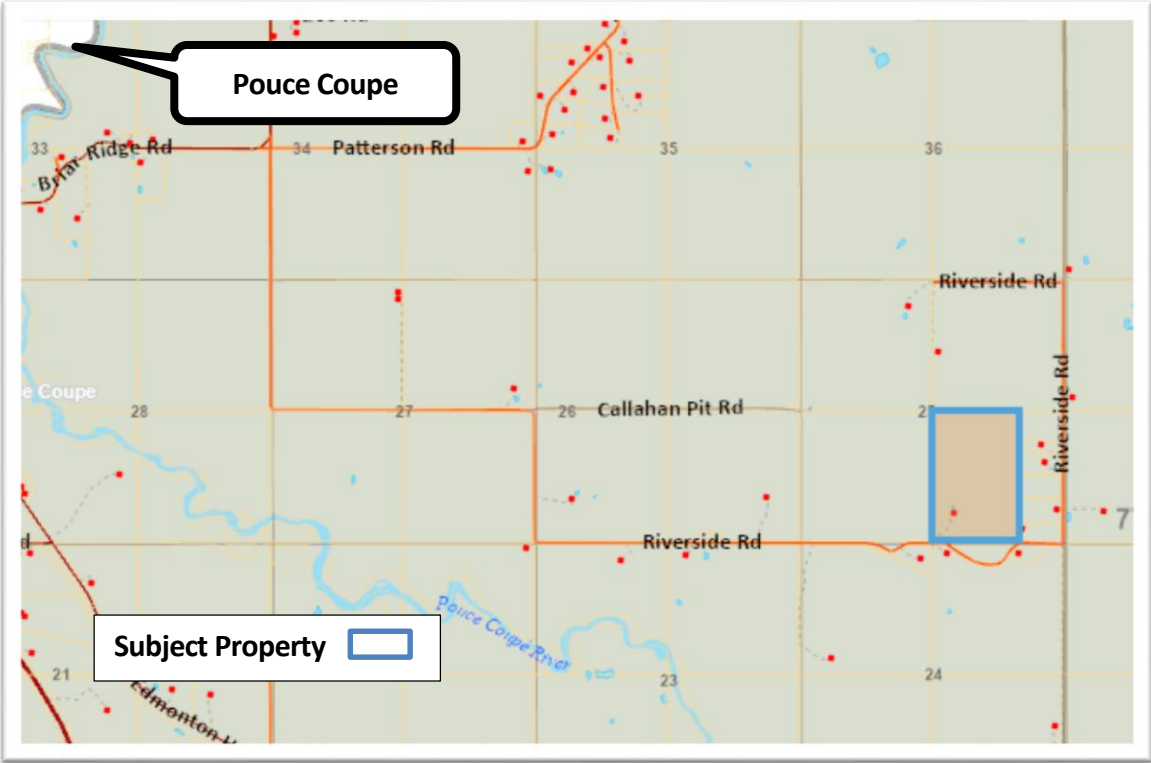
OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Maps, PRRD File No. 24-001 TUP
2. Application, PRRD File No. 24-001 TUP
3. Public Comment 1 from Dale Callahan, received March 25, 2024
4. Public Comment 2 from Kevin and Beverley McCleary, received March 27, 2024
5. Comments Received from Municipalities & Provincial Agencies

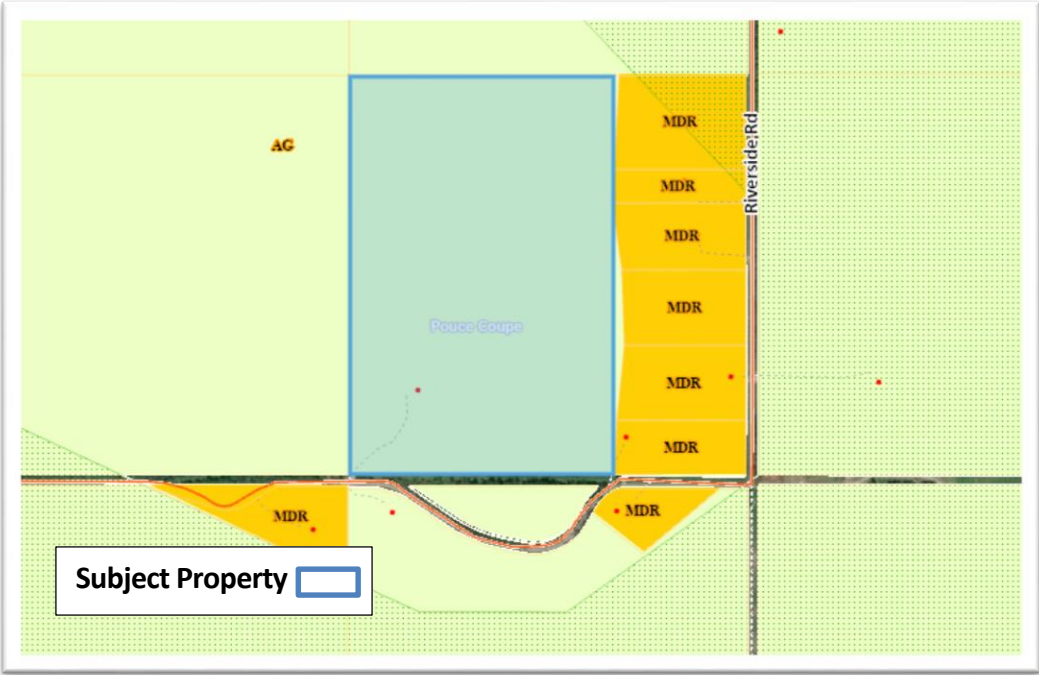
Location: Pouce Coupe area



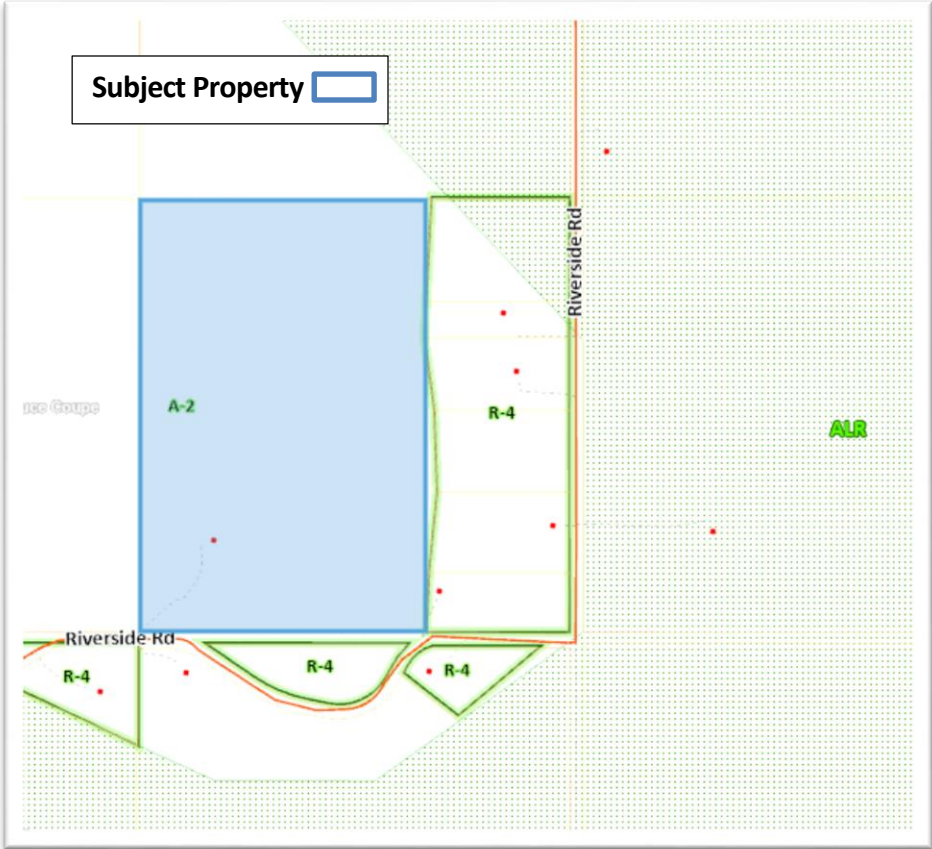
Aerial imagery



PRRD South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012: Agriculture



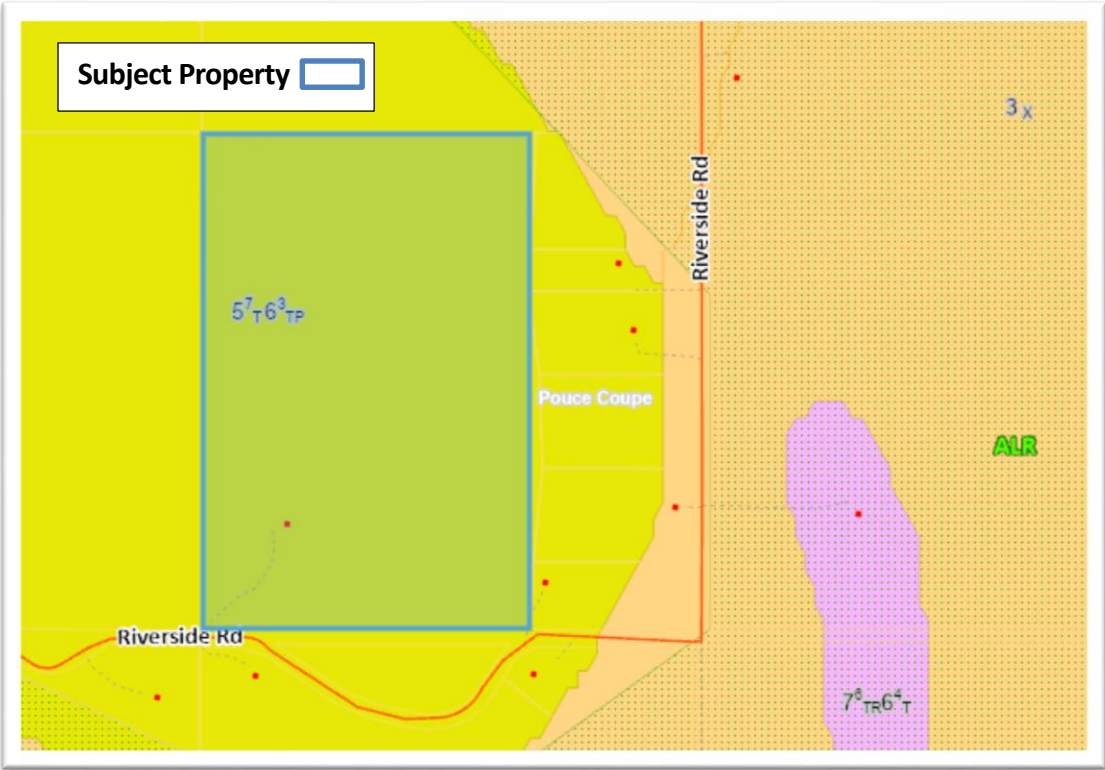
PRRD Zoning Bylaw No. 1343, 2001: Large Agricultural Holdings Zone (A-2)



Agricultural Land Reserve: Outside



CLI Soil Classification: 5⁷T6³TP





For Office Use:
Receipt # _____
Date Received _____
File No. _____
Sign Issued: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

Application for Development

1. TYPE OF APPLICATION

	FEE
<input type="checkbox"/> Official Community Plan Bylaw Amendment*	\$ 1,150.00
<input type="checkbox"/> Zoning Bylaw Amendment* #	\$ 800.00
<input type="checkbox"/> Official Community Plan / Zoning Bylaw Amendment combined* #	\$ 1,200.00
<input type="checkbox"/> Temporary Use Permit*	\$ 500.00
<input type="checkbox"/> Temporary Use Permit Renewal	\$ 350.00
<input type="checkbox"/> Development Permit #	\$ 165.00
<input type="checkbox"/> Development Variance Permit	\$ 165.00

* Sign is required for this application type.

Sign provided by the PRRD and posted pursuant to Section 6 of Bylaw No. 2449, 2021, attached.

Contaminated Site Declaration Form required for this application type.

<input type="checkbox"/> Exclusion from the Agricultural Land Reserve	\$ 1,500.00
(Applicant responsible for additional costs associated with the advertisements, signage, and facility rental, if applicable)	

2. PLEASE PRINT

Property Owner's Name	Authorized Agent of Owner (if applicable)
Address of Owner [REDACTED]	Address of Agent [REDACTED]
City/Town/Village: [REDACTED]	City/Town/Village: [REDACTED]
Postal Code: [REDACTED]	Postal Code: [REDACTED]
Telephone Number: [REDACTED]	Telephone Number: [REDACTED]
E-mail: [REDACTED]	E-mail: [REDACTED]

Notice of collection of personal information:

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.

3. PROPERTY DESCRIPTION

Full legal description and PID of each property under application	Area of each lot
	ha./acres
	ha./acres
	ha./acres
	TOTAL AREA ha./acres

4. Civic Address or location of property: 187 Riverside Rd, Pouce Coupe _____

5. PARTICULARS OF PROPOSED AMENDMENT

Please check the box(es) that apply to your application type:

Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: _____

Proposed OCP designation: _____

Text amendment: _____

Zoning Bylaw amendment:

Existing zone: _____

Proposed zone: _____

Text amendment: _____

Development Variance Permit – describe proposed variance request:

Temporary Use Permit – describe proposed use:

Development Permit: Bylaw No. _____ Section No. _____

6. Describe the existing use and buildings on the subject property:

7. Describe the existing land use and buildings on all lots adjacent to and surrounding the subject property:

(a) North _____

(b) East _____

(c) South _____

(d) West _____

8. Describe your proposal. Attach a separate sheet if necessary:

9. Reasons and comments in support of the application. Attach a separate sheet if necessary:

10. Describe the proposed and/or existing means of sewage disposal for the property:

11. Describe the proposed and/or existing means of water supply for the property:

THE FOLLOWING INFORMATION IS REQUIRED DEPENDING ON THE PROPOSAL/APPLICATION:

- 12. Proof of ownership of the subject property or properties. (For example: Certificate of State of Title, BC Land Title Office Property Title Search or recent Property Tax Notice.)
- 13. A Sketch Plan of the subject property or properties, showing the following:
 - (a) the legal boundaries and dimensions of the subject property;
 - (b) boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - (c) the location and size of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location and size of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - (e) the location of any existing sewage disposal systems;
 - (f) the location of any existing or proposed water source.

ADDITIONAL OR MORE DETAILED INFORMATION MAY BE REQUESTED BY THE PEACE RIVER REGIONAL DISTRICT FOLLOWING REVIEW OF YOUR APPLICATION.

If it is necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a survey plan prepared by a British Columbia Land Surveyor may be required.

15. I / We the undersigned hereby declare that the information provided in this application is complete and is, to the best of my / our knowledge, a true statement of the facts related to this application.



Signature of Owner

FEB 16 / 24

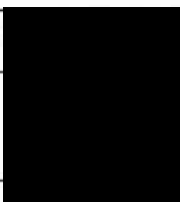
Date signed

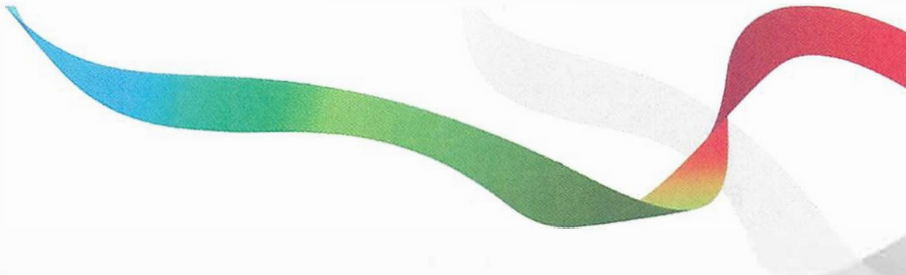
Signature of Owner

Date signed

16. **AGENT'S AUTHORIZATION**

If you have an agent act on your behalf in submission of this application, the following authorization **MUST** be signed by **ALL** property owners.

I / We <u>Bill Bryce</u> and _____ hereby authorize	
(name of landowner) (name of landowner)	
<u>Billie-Jo Aasen</u> to act on my/our behalf regarding this application.	
(name of)	
Signature of Owner: 	Date: <u>02.23.24</u>
Signature of Owner:	Date:



CONTAMINATED SITE DECLARATION FORM

I, William Bryce, hereby acknowledge that the *Environmental Management Act*, 2003, as amended, is effective as of February 1, 2021.

Legal Description(s):

Please check only one:

I have read [Schedule 2](#) and based on my personal knowledge of the property in question, I do not believe that it is or has been used for any of the industrial or commercial purposes and activities specified in [Schedule 2](#) of the regulations. Accordingly, I elect not to complete and submit a 'site disclosure statement', as outlined in Section 40.(1) of the Act.

I have read [Schedule 2](#) and one or more of the identified purposes or activities is or has occurred on the land(s) legally described above.

*Please contact staff to submit a "site disclosure statement" at planning@prrd.bc.ca

I further acknowledge that this declaration does not remove any liability, which may otherwise be applicable under the legislation.

_____ 16 | 2 | 24
Ow [REDACTED] dd mm yyyy

_____ | |
Owner/Agent dd mm yyyy

Excerpt from "Development Application Procedures, Fees and Delegation Bylaw No. 2449, 2021."

Section 6 – Public Notice Sign Requirements

1. A development application sign shall be posted on the subject property for any parcel that is that are subject to an application for:
 - a) Amendment to an Official Community Plan and / or Zoning bylaw; or
 - b) Temporary Use Permit.

2. The Peace River Regional District shall provide the applicant with a development application sign which shall be posted by the applicant on the subject property as outlined below:
 - a) The sign must be placed at the driveway entrance or midpoint of the property fronting the main service road, providing the most effective legibility and visibility for passersby from the road;
 - b) The sign shall be erected on the property at a minimum of fourteen (14) days prior to the Regional Board considering the application, and the applicant must submit to the Regional District a photograph clearly showing the sign posted on the property;
 - c) The sign shall be placed in a manner that does not interfere with pedestrian or vehicle traffic flow, or create a potential hazard by obstructing visibility from a highway, road or lane;
 - d) The sign shall be installed in a safe, sturdy manner, capable of withstanding typical wind and other weather conditions;
 - e) The sign shall remain in place continuously until the conclusion of the Public Hearing or issuance of the permit, as the case may be, and shall be removed within fourteen (14) days after the decision(s) of the Regional Board on the said application. Applicants are encouraged to dispose of the signs by recycling them.
 - f) Failure to post and keep the sign in accordance with this bylaw may result in a delay or postponement of the Public Hearing and / or Board decision process;
 - g) Any additional notification costs incurred by the Regional District as a result of the applicant failing to post the required sign shall be payable by the applicant prior to advertising of the Public Hearing or delivering public notification;
 - h) Where a sign required by this bylaw is removed, destroyed or altered due to vandalism or the actions of unknown persons, the validity of any bylaw that is the subject of the relevant application and Public Hearing shall not be impacted;
 - i) If a land owner receives any written comments regarding the land use application, those comments must be delivered to the Peace River Regional District office as soon as they are received so that this information may be considered with the subject application.



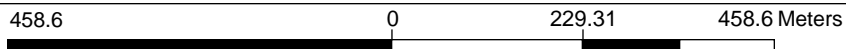
Peace River Regional District



Legend

- Evacuation Orders Currently Is
- Alert
 - Order
 - Regional District Boundary
 - Hwy Mile Marker
 - Rural Community
 - 911 Civic Address Rural
 - 911 Civic Address Municipal
 - Parcels
 - PRRD Electrical Utility
 - PRRD Sewer Utility
 - Sewer Line
 - Storm Water Drainage
 - PRRD Water Utility
 - Highway
 - Municipal Road
 - Hard Surface
 - Gravel
 - Rural Road >1:250k
 - Hard Surface
 - Gravel
 - Seasonal
 - Driveway
 - Rivers/Creeks
 - Regional Park
 - Locality
 - Other Jurisdictional Boundary
 - Municipal
 - First Nation

1: 9,028



WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Peace River Regional District
PO Box 810
1981 Alaska Avenue
Dawson Creek, BC V1G 4H8

Attention: Adam Morton, Planner 2

The Ministry of Transportation and Infrastructure has received and reviewed your referral of February 23, 2024 for a Temporary Use Permit for a four (4) day festival known as Extreme Mudfest, proposed to be within the SOUTHEAST ¼ of SECTION 25 TOWNSHIP 77 RANGE 14 WEST OF THE 5TH MERIDIAN PEACE RIVER DISTRICT.

More information is required to provide a determination on this referral, concerns are as follows:

- **Expected Attendance:** We require information on the anticipated number of attendees for the event.
- **Traffic Control Plans** Detailed plans for traffic control, including attendee management, parking arrangements, and measures to prevent parking on Riverside Road or any other roads, are necessary. Please provide a comprehensive mitigation plan in the event that cars are found parked in unauthorized areas.
- **Emergency Response Plan:** Clarification is needed regarding how Emergency Response Plan Access #2 will be accessed, particularly considering the absence of roads or allowances for accessing the Northern part of the property. If access through neighboring properties is intended, proof of permission will be required.
- **Signage Plans:** Confirm signage plans and placement for directing traffic, including what the signs will be made of and how they will be installed. Temporary signage may require the applicant to apply for a Temporary Sign Permit. The owner is required to apply to MOTI for a temporary sign permit here: [Highway Use Permit - Signs - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/transport/infrastructure/highways/permits/signs)
- **No Commercial Access on file:** MOTI has no record of an access permit issued to this property for industrial/commercial activity. The owner is required to apply to MOTI for an access permit online here: [Highway Use Permits - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/transport/infrastructure/highways/permits)

Additional information that will be required to be submitted with Access application:

- a. Authorized agent letter granting permission to act as agent for landowner.
- b. Proof of Insurance.
- c. Proof of Liquor License for duration of event.



Ministry of
Transportation
and Infrastructure

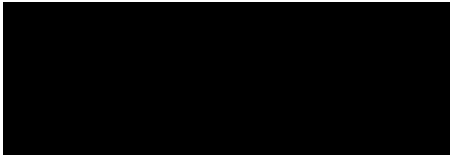
Our file: 2024-00968

Your file: 24-001 TUP

Date: March 7, 2024

Thank you for the opportunity to comment. If you or the proponent have any questions or concerns, please contact Krista Smith at (250) 795-4107 or by email at krista.smith@gov.bc.ca.

Sincerely,



Krista Smith, Development Services Officer

Active Development Permit Applications - Submit a Comment

File No. / Applicant:

24-001 TUP Billie Jo Aasen as agent for William Bryce

Comments or Concerns:

We object to this temporary proposal for mudfest for the following reasons:

We are very concerned because of the drought situation. Water for the mud bog itself will have to be hauled or accessed in some way. Our limited water supply would be better used to provide water for farming etc. there is also a very real threat from forest fires if the drought situation continues. This road by the mudfest property is the only access for residents to get out of the valley in an emergency situation.

We also struggle with the consumption of alcohol as we already have difficulty with drivers on this road being impaired. The ability to have RCMP officers attend the event in case of overindulgence would be slim to nil as their resources are already stretched to the limit.

We are concerned over neighbouring properties being affected by the noise and activity in this residential/farming area. The level of noise and activity will be very stressful for immediate neighbours, their farm animals and domestic pets.

Name:

Dale Callahan

Date:

03/25/2024

Address:

73 Riverside Road
Pouce Coupé, BC

Email (optional):**Phone Number (optional):**

Jacqueline Burton

From: [REDACTED]
Sent: Wednesday, March 27, 2024 10:16 AM
To: Planning Department
Subject: Temp Use Permit NO. 24-001, 2024

Dear PRRD

We wish to provide the following written response to the proposed Temporary Use Permit NO. 24-001, 2024

We live a short distance from the site of the proposed event on Riverside Rd. The described event will have the following negative impacts:

Late night noise and partying will be disruptive to our quiet rural lifestyle.

Increased traffic with resulting noise, dust, and disruption will have negative impacts. Riverside Road as it approaches the festival site is narrow, and twisting around blind curves which present safety concerns.

It is a concern to gather large groups of people at a site within 400m of the Emergency Planning Zone (EPZ) of a sour gas wellsite facility. The only viable route of egress from the festival site to town is directly through the EPZ. If a well failure were to reoccur at this Ovintiv facility, the potential danger to the public would be problematic, if not catastrophic.

The extreme drought conditions which currently exist in our area make it irresponsible to host an event which uses substantial amounts of water to create mud for an entertainment event.

We McClearys oppose the approval of the temporary use permit.

Kevin and Beverley McCleary
March 27, 2024