



# 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 5<sup>7</sup>T6<sup>3</sup>TP.

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