



# REPORT

To: Chair and Directors

Report Number: DS-BRD-253

From: Ashley Murphey, RPP, MCIP, Planning Services Manager

Date: July 14, 2022

**Subject: Zoning Amendment Bylaw No. 2481, 2022, 3rd Reading, PRRD File No. 22-002 ZN**

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## **RECOMMENDATION: [Corporate Unweighted]**

That the Regional Board respectfully refuse 3<sup>rd</sup> Reading of Zoning Amendment Bylaw No. 2481, 2022; further; that the first two readings of Bylaw No. 2481, 2022 be rescinded and that Bylaw No. 2481, 2022 be abandoned and marked as never used.

## **BACKGROUND/RATIONALE:**

### **Proposal**

The applicant is proposing to rezone a ±30.8 ha portion of the subject property from Large Agricultural Holdings (A-2) Zone to Residential 5 (R-5) Zone and the remainder to Small Agricultural Holdings (A-1) Zone to facilitate a subdivision. Proposed Lot 1 will be ±6.8 ha, proposed Lots 2, 3, 4, 5, 6 and 7 will be ±4.0 ha each and the remainder will be ±31.9 ha.

### **File Details**

Owner: Marguerite Gladyz  
Area: Electoral Area C  
Location: Charlie Lake  
Legal: The South East 1/4 of Section 11 Township 84 Range 20 W6M PRD Except Parcel A (F2774)  
PID: 014-792-192  
Civic Address: 13392 Old Hope Road  
Lot Size: ±62.7 ha (154.9ac)

### **Rationale**

At the Public Hearing held on May 24, 2022, several members of the public were in attendance and spoke in opposition of the proposed zoning amendment, as noted in the attached Public Hearing Minutes. Other written comments were also received which were also in opposition to the proposal.

The Protective Services Department indicated a need for on-site fire suppression through the referral process, such as a water tank, to service the proposed 7 lots. The applicant has submitted correspondence indicating that they do not wish to provide fire suppression services for the proposed new lots, which is not consistent with the direction Area C is taking pursuant to the new Subdivision and Development Servicing Bylaw.

The applicant has indicated that they are not willing to construct an on-site fire suppression system for the proposed subdivision. They have requested that should the Regional Board not support the

proposed rezoning without the on-site fire suppression requirement, that the Board instead consider supporting the rezoning of proposed Lot 1 only, to allow for the creation of a home site for the owner. Staff have provided an alternative recommendation for the Board's consideration to that effect. It should be noted, however, that there is already an existing home site parcel that was previously subdivided from the remainder and has not yet been developed.

Staff are recommending refusal of the proposed application, as it is not supportive of the long-term sustainability of infrastructure for this area.

### **Background**

The applicant submitted an application for rezoning in February 2022. Staff sent out referrals to both external agencies and internal departments. The Protective Services Department responded and noted a need for on-site fire suppression services to support the proposed 7 new residential lots. This information was communicated to the applicant prior to the bylaw receiving first and second readings.

The Zoning Amendment Bylaw received 1<sup>st</sup> and 2<sup>nd</sup> Readings on March 31, 2022 and was authorized to proceed to public hearing. During this time staff have attempted to work with the applicant to enter into a suitably worded covenant which would restrict subdivision and development of the property until they satisfied the conditions, however it would have allowed the zoning to be finalized. This approach was proposed to give the applicants more time to design the on-site fire suppression system by deferring the requirement until time of subdivision or development of the lands. The applicant has submitted correspondence stating that they are not willing to provide on-site fire suppression services for the proposed development.

The requirement for on-site fire suppression is further supported by Subdivision and Development Servicing Bylaw No. 2474, 2022, which came into force on June 9, 2022. This bylaw now requires that all new development within Electoral Areas C and D ensure sufficient fire suppression services are available to service any new development.

As the actual subdivision application was submitted to the Ministry of Transportation and Infrastructure prior to the Subdivision and Development Servicing Bylaw being in effect, staff have been working with the applicant through the zoning amendment process to secure this requirement, knowing this was the direction the new bylaw was taking.

### **Site Context**

The property is located in the Charlie Lake area, and has direct access from the Old Hope Road in the east. It is surrounded by Agricultural designated land in the west and south and Low Density Rural Residential in the north and east.

### **Summary of Procedure**

Zoning Amendment Bylaw No. 2481, 2022 was read for a first and second time on March 31, 2022. The following activities have occurred since then:

May 5, 2022	Public notification mailed to landowners within notification area.
May 12 & 19, 2022	Notice of public hearing advertised in the Alaska Highway News.
May 24, 2022	Public hearing held in Fort St. John.

**Comments Received from the Public**

A public hearing was held on May 24, 2022 in accordance with the *Local Government Act*. The Minutes are attached to this report.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board give Zoning Amendment Bylaw No. 2481, 2022, as amended, 3<sup>rd</sup> Reading, to rezone proposed Lot 1 only, from Large Agricultural Holdings (A-2) Zone, to Residential 5 (R-5) Zone and amend the Large Agricultural Holdings (A-2) Zone, by adding the remainder parcel as a permitted undersized parcel within the A-2 Zone.

2. That the Regional Board give Zoning Amendment Bylaw No. 2481, 2022, 3<sup>rd</sup> Reading; further

That final adoption be withheld until such time as the applicant has entered into a suitably worded covenant to provide on-site fire suppression services for the proposed development.

3. That the Regional Board provide further direction.

**STRATEGIC PLAN RELEVANCE:**

Not Applicable to Strategic Plan.

**FINANCIAL CONSIDERATION(S):**

Should the development be allowed to proceed without providing on-site fire suppression services, the cost of future fire suppression services to support the proposed development and others in the area would be borne by all tax payers within the Area C fire protection area.

**COMMUNICATIONS CONSIDERATION(S):**

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

**OTHER CONSIDERATION(S):**

None at this time.

**Attachments:**

1. Email from Applicant Re: Fire Suppression Requirements
2. Proposed Lots, PRRD File No. 22-002 ZN
3. Public Notice, PRRD File No. 22-002 ZN
4. Public Comments, PRRD File No. 22-002 ZN
5. Public Hearing Minutes, May 24, 2022, PRRD File No. 22-002 ZN
6. Zoning Amendment Bylaw No. 2481, 2022

**External Links:**

1. [Report –Zoning Amendment Bylaw No. 2481, 2022, PRRD File No. 22-002 ZN – March 31, 2022](#), see item 10.5
2. [Public Hearing Agenda – Zoning Amendment Bylaw No. 2481, 2022, PRRD File No. 22-002 ZN Minutes – May 24, 2022](#),

## Ashley Murphey

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**From:** Gladysz, James [REDACTED]  
**Sent:** Monday, May 30, 2022 10:17 AM  
**To:** Ashley Murphey  
**Cc:** [REDACTED]  
**Subject:** RE: Marguerite Gladysz Old Hope Road Subdivision - Submission from the Applicant

**CAUTION: This email originated from outside of the organization.**

Good morning Ashley,

As discussed at the public meeting please see the following submission from the Applicant.

### **Summary - Purpose of Application:**

1. To establish a separate 6.76 ha lot (Proposed Lot 1) for the existing home of the elderly applicant, Marguerite Gladysz, in preparation of a future move of Mrs. Gladysz vs needing to sell or rent the full quarter section. The applicant has already constructed a new driveway to allow the Lot 1 to have separate access vs passing through the existing Parcel A (F2774). This wasn't clear in the meeting as it was stated by a member of the public who lives in the area that there already was a home lot when in fact there is not.

If for some reason the application is not approved by the PRRD as submitted we would at a minimum request that Lot 1 be approved for re-zoning.

2. To allow for at least a portion of the land to be divided among the children and grandchildren vs selling full quarter sections to allow for either the option of a place to settle and build a home, or to sell to invest in a home at a different location.
3. The North Peace Fringe Area OCP includes the subject quarter section as currently designated for minimum 10 acre lots, and in fact an amendment has been drafted and is close to approval to reduce this same quarter section to 4.5 acre lots. This is based on facts such as the marginal capability of the Class 5 designation of the soils as per the bylaw amendment background details, and the fact that there is existing access and existing 10 acre lot development immediately to the east and north.
4. Sixty years ago the land that is immediately to the east of the subject quarter section was subdivided by the applicant's husband, and the desire to create parcels of land for the enjoyment of families still remains as a purpose of the family.

# **Summary of Feedback Regarding the Fire Suppression System Requirement:**

The Applicant has concerns with, and is not willing to construct a fire suppression system for the proposed 6 new lots, or to sign a covenant to construct the system, for the following reasons:

1. The application for the subdivision was filed August 13, 2021, so why is this requirement being asked of the applicant prior to any specific bylaw being passed even to the present day.
2. The requirement is new for small rural subdivisions, and the commitment to construct with only limited requirements stipulated is not acceptable, and too risky in regards to unknown costs and liabilities. This is more sustainable for a development corporation not an elderly woman with limited funds trying to divide land amongst children and grandchildren.
3. The requirement brings into question the current ability of the Charlie Lake Fire Dept. to adequately provide fire protection services to the existing homeowners beyond the proposed lots. For example, the relatively new Hall Ave subdivision has homes further from the fire station and there is no added fire suppression system in place for these lots, most already with homes. Why is the present 8 km fire protection zone deemed insufficient? If so, are the residents within this 8 km radius of the Charlie Lake Fire Station aware that they are presently at risk?
4. The requirement will add the burden of PRRD maintenance to multiple such fire suppression systems if this precedent becomes normal practice within the PRRD vs a more easily managed addition of increased support fire water from a tank truck filled with water and ready to be used anywhere within the fire protection area and limited maintenance.

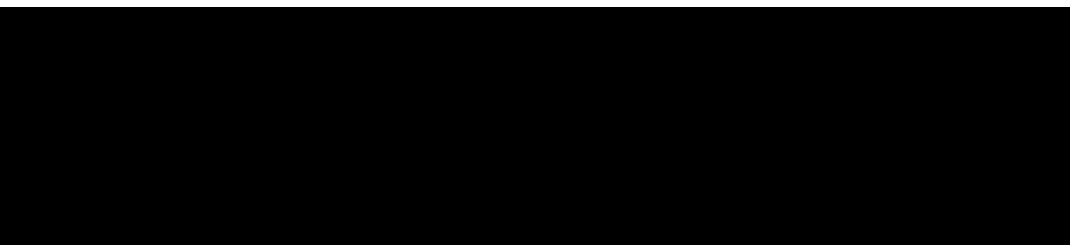
Thank you for your ongoing help in this process.

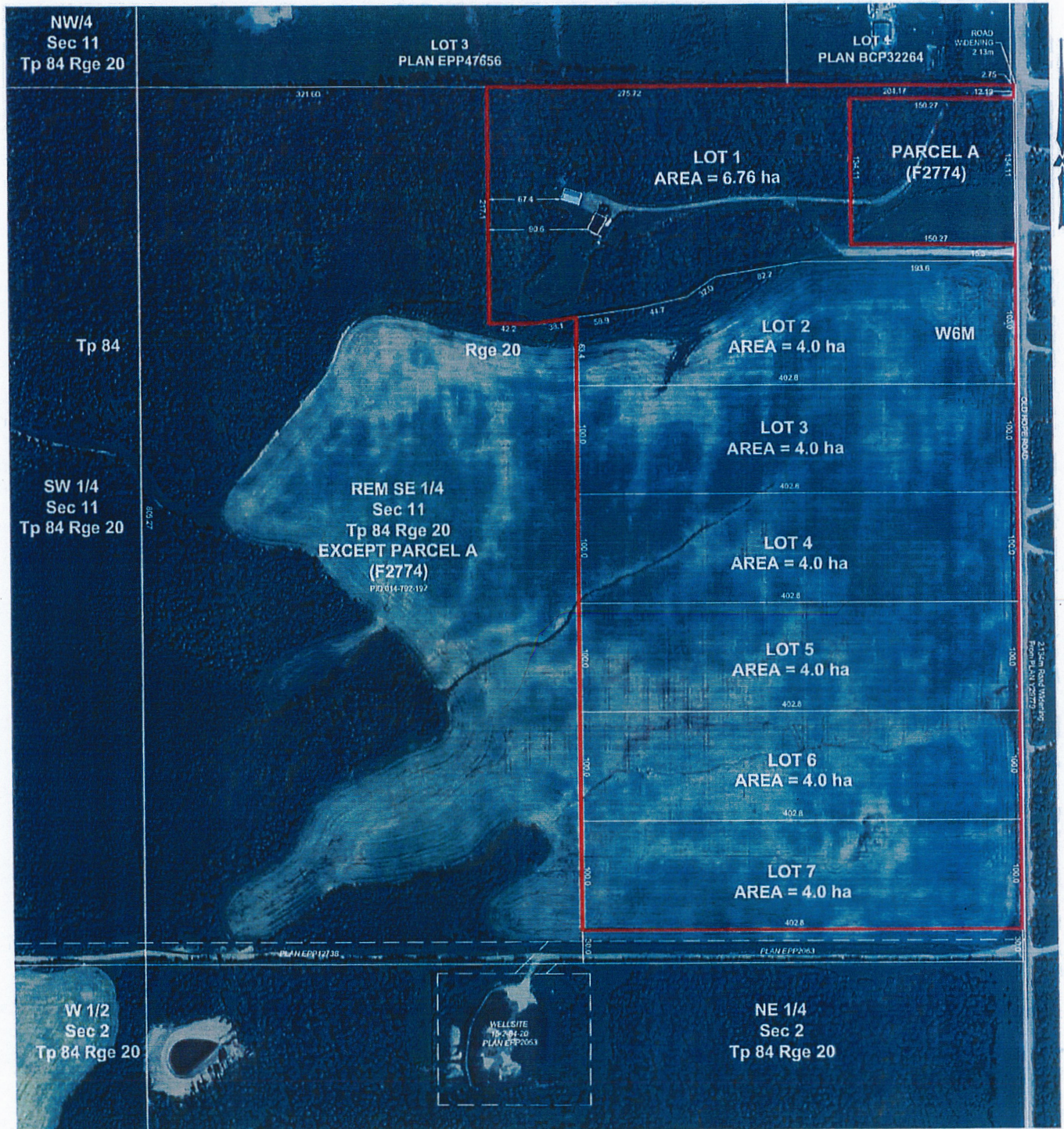
Kind regards,

Marguerite Gladysz

Robert Gladysz

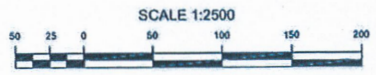
James Gladysz





**NOTES:**  
All dimensions are in metres and decimals thereof.

REV.	REVISIONS	DDMM/YY	PC	CAD	CHKD
0	Original Plan Prepared	24/06/21		YZ	SDP



SKETCH PLAN SHOWING PROPOSED SUBDIVISION OF PART OF SE 1/4 SECTION 11 TP 84 RGE 20 W6M PEACE RIVER DISTRICT

BCGS: 94A . 025  
SHEET: 1 OF 1  
PLAN ID: 31112691500SKH001

McElhanney Associates  
Land Surveying Ltd.  
8508 - Northern Lights Drive Fort St. John, BC  
Phone: (250)787-0356

McElhanney

REVISION
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# Notice of Public Hearing

## ZONING AMENDMENT BYLAW NO. 2481, 2022

FILE NO. 22-002 ZN

### When:

May 24, 2022 |  
6:00 pm

### Where:

1st Floor Meeting  
Room

Pomeroy Sports  
Centre

9324 96 St.

Fort St. John, B.C

### For More Information:

#### Contact:

Development  
Services

250-784-3200

#### Toll Free:

1-800-670-7773

#### Email:

planning@prrd.bc.ca

[www.prrd.bc.ca](http://www.prrd.bc.ca)

[Peace River Regional  
District Official Page](https://www.facebook.com/prrdistrict)

[@prrdistrict](https://twitter.com/prrdistrict)

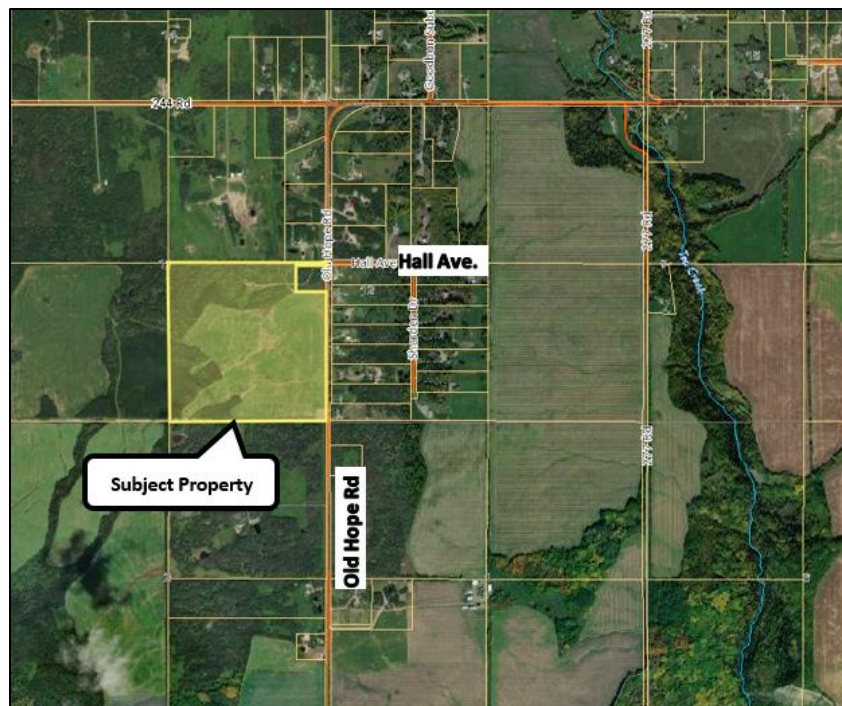
### Charlie Lake Area

The South East 1/4 of Section 11 Township 84 Range 20 West of the 6th Meridian Peace River District Except Parcel A (F2774)

**Address:** 13392 Old Hope Rd.

The Peace River Regional District is hosting a meeting to discuss the proposed Zoning Amendment.

**Proposal:** To rezone a ±30.8 ha portion of the subject property from Large Agricultural Holdings (A-2) Zone to Residential 5 (R-5) Zone and the remainder to Small Agricultural Holdings (A-1) Zone to facilitate a subdivision.



Written comments or concerns accepted until 4.00 pm May 24, 2022. Documents may be viewed Monday-Friday, 8:30 am - 4:30 pm at 1981 Alaska Avenue, Dawson Creek, BC, V1G 4H8.

This public hearing has been delegated to the Director of Electoral Area C.

diverse. vast. abundant.



March 26/2022

Attention:  
Chair and Members of PRRD Board  
9505 100<sup>th</sup> St  
Fort St John, BC  
V1J 4N4

Dear Chair and Members of the Board,

Just recently, an application for a Bylaw Amendment was posted on the PRRD website regarding Zoning for a particular agricultural piece of property- File Number 22-002 ZN

For the record, I am a resident of the Old Hope Road as well and have particular concern for this amendment application being put forward. The owner of this property is requesting to have their productive agricultural parcel (SE ¼ Sect 11 Township 84 Range 20 W6H) change from A2 (Large Agricultural Holdings) to LDR (Low Density Rural Residential). This would allow for six 10 acre parcels be created directly on the frontage road, the Old Hope Rd.

Clearly, the advantage of simply having these six new parcels directly adjoining the Old Hope Rd. means significantly reduced costs for the present owner with far fewer invested requirements such as new road construction, access to utilities, etc.

The problem with this Feb. 10,2022 owner proposed rezoning for residential housing is in the details. This present Large Agricultural Holdings has a remarkably productive history for close to 60 years. According to the folks holding the present farming lease, the land has been successfully farmed and cultivated, growing significant bushels/ acre of wheat, cannola, and oat crops for many years now.

I was personally involved in the 2006-2009 OCP (Official Community Plan) for the "North Peace Fringe Area" including both Areas B and C. During my tenure as a volunteer member of the committee, we quite literally spent hundreds and hundreds of hours deliberating on the best options for significant zoning by law changes of concern within the Fringe area.

One of those key parcels of concern happened to be that particular piece of agricultural property (SE1/4, 5-11-84-20).

On a spring day in May of 2009, members of our OCP committee, along with Larry Houley, Jim Collins, and Arthur Hadland, parked ourselves in front of this property for a long while and had a discussion about its future: the outcome was UNANIMOUS by all aboard the bus.

(next page)

**This productive 108 acre portion of the quarter section needs to stay as agricultural, without question. NO allowances should be made to change its status.**

I am not entirely sure the above statement was written into the minutes. The bus trip we embarked on that day was more casual in that respect.

Fast forward to 2009 and the end of the 2006 OCP, the various drafts went through a number of revisions. By the time the "final" revision happened, there were many tired and weary folks who were quite finished with the process.

Sadly, an unfortunate "error" happened during one of the many drafts that were updated and changed, including one key mistake... the agricultural parcel in question became labelled as "Low Density Rural Residential". (Schedule B, Bylaw No. 1870,2009 MAP 3)  
Somehow, this "redesignation" happened without any one of us catching the error, nor any notification to any of our committee members, and therefore remained unnoticed, throughout the various readings.

As I have just stated, this was an error, either intentional or not, but the point is now moot.

In 2014, the owner of the parcel pursued the first step in the quest to rezone by applying to the Agricultural Land Commission to have this parcel removed from the ALR. The application was successful. As a result, this seemed to clear the way for the inevitable to happen: to begin the process to rezone the parcel through the PRRD, and ultimately apply to Min. of Highways for the appropriate subdivision plan.

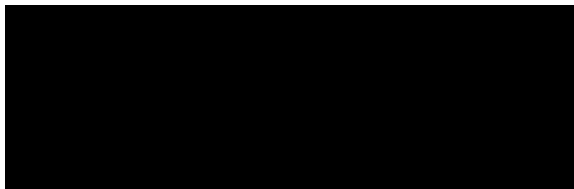
We seem to be at a crossroad once again. The application to request a zoning bylaw change from Large Ag Holdings to the LDR (Low Density Rural) status is the slippery slope that the our 2009 OCP committee had clearly wanted to avoid for this parcel.

In conclusion, I am adamantly opposed to having a change in the By law at this time. I feel that the 2009 OCP tried to make that point but sadly erred in the final draft.

I would ask you as a Board to keep the integrity of intent of the 2009 OCP North Fringe by not granting a change in Zoning status.

Sincerely,

Rick Koechl  
Area C resident



AAA. PRRD

May 10/22

Reg. zoning amendment bylaw no 2481, 2022  
charlie Lake Area

SE 1/4 of sec. 11 twp 84 Range 20 W6M PRRD  
(13392 OLD HOPE ROAD)

Public hearing Tues May 24/22 Pomeroy SC.

This property has been farmed commercially for 45+ years. Farmland is at a premium in this area as there is no more land that can be put in production (Farmland was already removed for sites)

This proposal will leave the remaining 1/4 of land unfeasible to farm. Presently 92 acres are being farmed, take 50 acres away there's not much access for big equipment! (The rest being the home place + bush)

It is right to take the home place out as acreage as it does not effect the farmland aspect, but to take 50 acres along the old hope road to make "easy" acreages because its "easy" seems wrong. The old hope road is also in need of some major work!

Its falling apart in spots.

There are plenty of properties not being farmed that lie closer to the center of the official Comunit~~es~~ Plan that makes more scense to develop before this particular 1/4.

This proposal is not a good fit to the area!

Thank you

Janet AL Norman

[Redacted signature block]



P.S. Farmland is important, especially actively farmed land - we must treat it as important  
- Not everything is about profit

OK, 50/1

*Zoning amendment Bylaw # 2481 2022  
Charlie Lake area*

Re: Subdivision of S/E ¼, S11, T84, R20, W6

May 11/2022

This particular quarter has 92 cultivated acres. We know it well as we have farmed it for close to half a century. When I say we I mean Gladysz Farms Ltd. and later branching out and known as Tea Creek Farms Ltd. (But still owned by members of the original family that homesteaded here from 1939 up to the present date and still going strong with a third generation now involved.

This parcel of land has a south slope which ripens crops nicely and allows for excellent drainage. Subdivisions also cause excess water problems for adjacent farmers from lagoons, dugouts etc.

We do not recall a crop failure on these 92 acres, some were not as good as others but still put enough money in the bank to continue grain farming as well as providing a food source for many.

Allowing this quarter to be subdivided is going totally against what the ALR was designed to accomplish.

There is much land in the area that is not suitable for farming, and we think that is where the subdivisions should be located.

We are totally against allowing this farming quarter being made into lots and taken out of production.

Subdivisions on this quarter would also interfere with other cultivated lands surrounding this property.

The road leading to this area is gravel and hardly accommodates the traffic that is on it at the present time.

Sincerely,

The Gladysz Families



**Jacqueline Burton**

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**From:** Planning Department  
**Subject:** FW: File#22-002zn

**From:** Meg Samson [REDACTED]  
**Sent:** May 25, 2022 5:09 PM  
**To:** prrd dc <[prrd.dc@prrd.bc.ca](mailto:prrd.dc@prrd.bc.ca)>  
**Subject:** File#22-002zn

**CAUTION: This email originated from outside of the organization.**

My name Is Merlin Sampson.of [REDACTED]..across the road from subject property. I am opposed to the rezoning of the property

# Active Development Permit Applications - Submit a Comment

**File No. / Applicant:**

22-002 ZN Marguerite Gladysz

**Comments or Concerns:**

We are opposed to the zoning amendment; we live directly across from the proposed lot and it is prime agricultural land. It would be a crime to turn it into a subdivision.

**Name:**

Cody & Deanna Lawrence

**Date:**

05/18/2022

**Address:**

[REDACTED]

**Email (optional):**

[REDACTED]

**Phone Number (optional):**

[REDACTED]



**PEACE RIVER REGIONAL DISTRICT**

**PUBLIC HEARING – MINUTES**

**Proposed Zoning Amendment Bylaw No. 2481, 2022**

May 24, 2022 @ 7:00 PM

Pomeroy Sports Centre/9324 96 Street Fort St. John, BC

**ATTENDANCE:**

Peace River Regional District: Brad Sperling, Director of Electoral Area C (Chair)  
Ashley Murphey, Peace Land Use Planner (Moderator)  
Erin Powers, Planner 1 (recorder)  
Anastasia Zehetmeier, Planner 1 (recorder)

Applicant/Owner: Marguerite Gladysz, James Gladysz, Rob Gladysz

Public: Nine additional members of the public including the applicant

**1. CALL TO ORDER**

The Chair called the meeting to order at 7:06 pm for proposed Zoning Amendment Bylaw No. 2481, 2022

**2. STATEMENT OF PUBLIC HEARING**

The Chair stated the procedural rules in place to govern the conduct of the public hearing as written in the agenda.

**3. INTRODUCTION TO PROPOSAL**

Staff provided those in attendance with a summary of proposed Zoning Amendment Bylaw No. 2481, 2022 for the property legally described as the South East 1/4 of Section 11 Township 84 Range 20 West of the 6th Meridian Peace River District Except Parcel A (F2774)

**4. SUMMARY OF APPLICATION PROCEDURE**

Staff provided a summary of the application procedures and timeline as outlined in the agenda for those in attendance at the hearing.

**5. COMMENTS FROM AGENCIES AND MUNICIPALITIES RECEIVED**

Comments received from agencies and municipalities were noted as being included in the agenda package.

**6. WRITTEN COMMENTS RECEIVED FROM PUBLIC**

Staff stated that as of 4:00 pm on the Peace River Regional District had received two written comments from the public, as attached in the agenda package. These were read for those in attendance of the hearing.

**7. COMMENTS FROM APPLICANT(S)**

The Chair called for comments from the applicant.

Speaking on behalf of the applicant/landowner:

- James Gladysz said: We understand the history of the property, we are preparing for when our aging mother wants to sell her place. We don't want to sell the entire ¼ section. Subdividing it would also give space for our children and grandchildren in a fair manner. We were not involved with the OCP process. We only later saw the current land designated on the property, thought about it, and then decided to take this approach. We thought that its current designation in the OCP must have been discussed, approved, and therefore not be an issue. The property was removed from the ALR years ago.
- Rob Gladysz said: 60 years ago, the adjacent quarter was subdivided within the family. We want to carry on with the same process. This area has had slow & steady growth, it has good access to paved roads, and it should be developed.

## 8. COMMENTS FROM PUBLIC

The Chair called for comments from the public.

- Rick Koechel said: I joined the NPFA OCP committee, it was a 4 year long process and the key purpose was to maintain the farmland and preserve it from projects like Site C and from the infringement of oil and gas. The second key importance was to encourage rural residency to have peace from industry. It's vital we encourage residential growth with residential, not industrial. Back then, a big problem was the integration between the two. We visited the subject property and considered having it rezoned to Low Density Residential. After discussing the history, everyone agreed that zoning it to LDR was not even remotely an option. We agreed it must stay Ag-2. Then the NPFA OCP was completed and it got passed us, and was now LDR. I don't know why
- Al said: We are strongly opposed to agriculture land being used for any other purpose. We have the best land in BC, it very productive and high quality land. The accident should be corrected and agricultural land should be taken more seriously.
- Director Sperling said: The regional board and province approved the designation, even if it was a mistake.
- Mike said: I own five ¼ sections in the same area that are very productive and high quality. Strongly opposed to the land being used for anything other than agriculture.
- Jason Gladysz said: Currently is farming the land and has just put in a canola crop. Not against subdivisions, but farming small portions of land is not effective as a farmer. We farm on a property that's been subdivided to the east. Ever since that subdivision, we deal with drainage from the east across the road. Farmers should have a say and be involved in subdivisions.
- Mike said: There is an aquifer. It's not very deep and the sewage and other residential activities may damage it.
- Wendy Gladysz said; the corridor already has a subdivision with Marguerite's house on it.

The Chair asked a second time if the members of the public in attendance had any comments related to the proposed bylaws. None were offered.

The Chair asked a final time if the members of the public in attendance had any comments related to the proposed bylaws. None were offered.

## 9. FINAL COMMENTS FROM APPLICANT(S)

The Chair asked for final comments from the applicant.

- James Gladysz said: We respect your feedback and agree landowners should be involved in the process. We weren't a part of the NPFA OCP process. We just saw the land designation and continued. Asked about fire suppression requirements if the zoning were to proceed.
- Director Sperling responded that fire suppression will not be discussed at a Zoning Amendment hearing with only 1 board director present.

#### **10. TERMINATION OF PUBLIC HEARING**

The Chair terminated the Public Hearing at 7:43 pm.

Certified to be a fair and accurate summary of the nature of the representations respecting proposed OCP and Zoning Amendment Bylaw No. 2481, 2022, held on May 24, 2022

Original signed by:

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Ashley Murphey, Planning Services Manager

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Director Brad Sperling, Chair



Peace River Regional District  
**SCHEDULE "A"**  
 Zoning Amendment  
 Bylaw No. 2481, 2022

