

## FRASER VALLEY REGIONAL DISTRICT

### Bylaw No. 0618, 2004

**A bylaw to establish the minimum size of a parcel that may be subdivided pursuant to Section 946 (subdivision to provide residence for a relative) of the *Local Government Act*.**

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**WHEREAS** the Fraser Valley Regional District was incorporated by letters patent effective December 12, 1995 and Article 12 of the letters patent provides for the dissolution of the Central Fraser Valley Regional District, Dewdney-Alouette Regional District and the Regional District of Fraser-Cheam effective as and from midnight, December 11, 1995 and Article 10 of the letters patent incorporating the FVRD provides that all bylaws of the former CFVRD, DARD and RDFC in force and effect at the time of the dissolution of the above named regional districts shall continue to apply to the area of the regional district to which they applied at the time of dissolution;

**AND WHEREAS** the Board of Directors of the DARD adopted, on November 28, 1990, the "Dewdney-Alouette Regional District Subdivision for a Relative Bylaw No. 540-1990" and the Board of Directors of the RDFC adopted, on April 18, 1990, the "Regional District of Fraser-Cheam Zoning Amendment Bylaw No. 897, 1989";

**AND WHEREAS** the Board of Directors of the FVRD wishes to, by bylaw, establish a minimum parcel size as well as different parcel sizes for different areas for a parcel that may be subdivided under section 946 of the *Local Government Act*;

**AND WHEREAS**, relating to subdivisions pursuant to section 946 of the *Local Government Act*, the Board of Directors of the FVRD has deemed it advisable to apply one regulation consistently throughout the applicable areas within the jurisdiction of the regional district; and to repeal obsolete bylaws or provisions of bylaws which are now obsolete.

**NOW THEREFORE** in open meeting assembled, the Board of Directors of the FVRD enacts as follows:

#### **I. CITATION**

This bylaw may be cited as the "FVRD Subdivision for a Relative Bylaw No. 0618, 2004."

#### **II. ENACTMENT**

##### **1. Definitions**

“**Parcel that may be subdivided**” refers to the original parcel owned by the person making the subdivision application. It does not refer to the parcel proposed to be created by the subdivision application or the remainder of the parcel that would result from the approval of the subdivision application.

2. The minimum size of a **parcel that may be subdivided** pursuant to section 946 of the *Local Government Act* shall be as follows:
  - a. Where an Official Settlement Plan, an Official Community Plan, or a Rural Land Use Bylaw exists and specifies a minimum parcel size, the minimum size of a **parcel that may be subdivided** shall be no less than 2.0 hectares or twice the minimum parcel size specified by the OSP, OCP or RLUB designation for that parcel, whichever is greater; or
  - b. Where an OSP, OCP or RLUB exists but does not specify a minimum parcel size and where a zoning bylaw exists that does specify a minimum parcel size, the minimum size of a **parcel that may be subdivided** shall be no less than 2.0 hectares or twice the minimum parcel size specified by the zoning bylaw, whichever is greater; or
  - c. In all other cases, the minimum size of a **parcel that may be subdivided** shall be no less than 16.0 hectares.

### III. AREA OF APPLICATION

1. This bylaw shall be applicable within the boundaries of the Fraser Valley Regional District except to:
  - a. land within an agricultural land reserve established under the *Agricultural Land Commission Act*, with the exception of land to which section 21(1) or 21(2) of that Act applies; and
  - b. land within a village, town, city or district municipality; and
  - c. land administered by the Cultus Lake Park Board under the *Cultus Lake Act*, S.G.C 1932, c.63; and
  - d. land within Electoral Area “B” known as Sunshine Valley, outlined on the map attached hereto as Map Schedule “A.”

### IV. BYLAWS REPEALED OR REVISED

This bylaw repeals the following bylaws in their entirety:

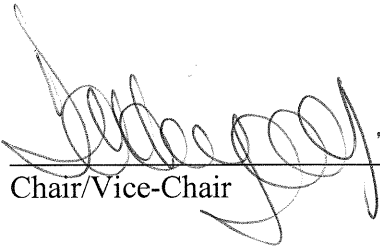
1. "Dewdney-Alouette Regional District Subdivision for a Relative Bylaw No. 540-1990;" and
2. "Regional District of Fraser-Cheam Zoning Amendment Bylaw No. 897, 1989."

**V. SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

**VI. READINGS AND ADOPTION**

READ A FIRST TIME THIS	22 <sup>nd</sup>	day of	June, 2004.
READ A SECOND TIME THIS	26th	day of	October, 2004.
READ A THIRD TIME THIS	26th	day of	October, 2004.
ADOPTED THIS	26th	day of	October, 2004.




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Chair/Vice-Chair



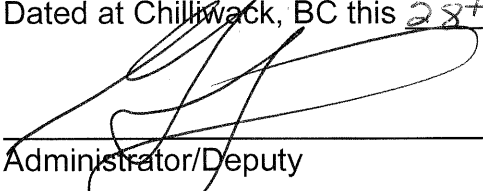

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Administrator/Deputy

**CERTIFICATION**

I hereby certify the foregoing to be a true and correct copy of "FVRD Subdivision for a Relative Bylaw No. 0618, 2004" as adopted by the Fraser Valley Regional District Board of Directors this 26th day of October, 2004.

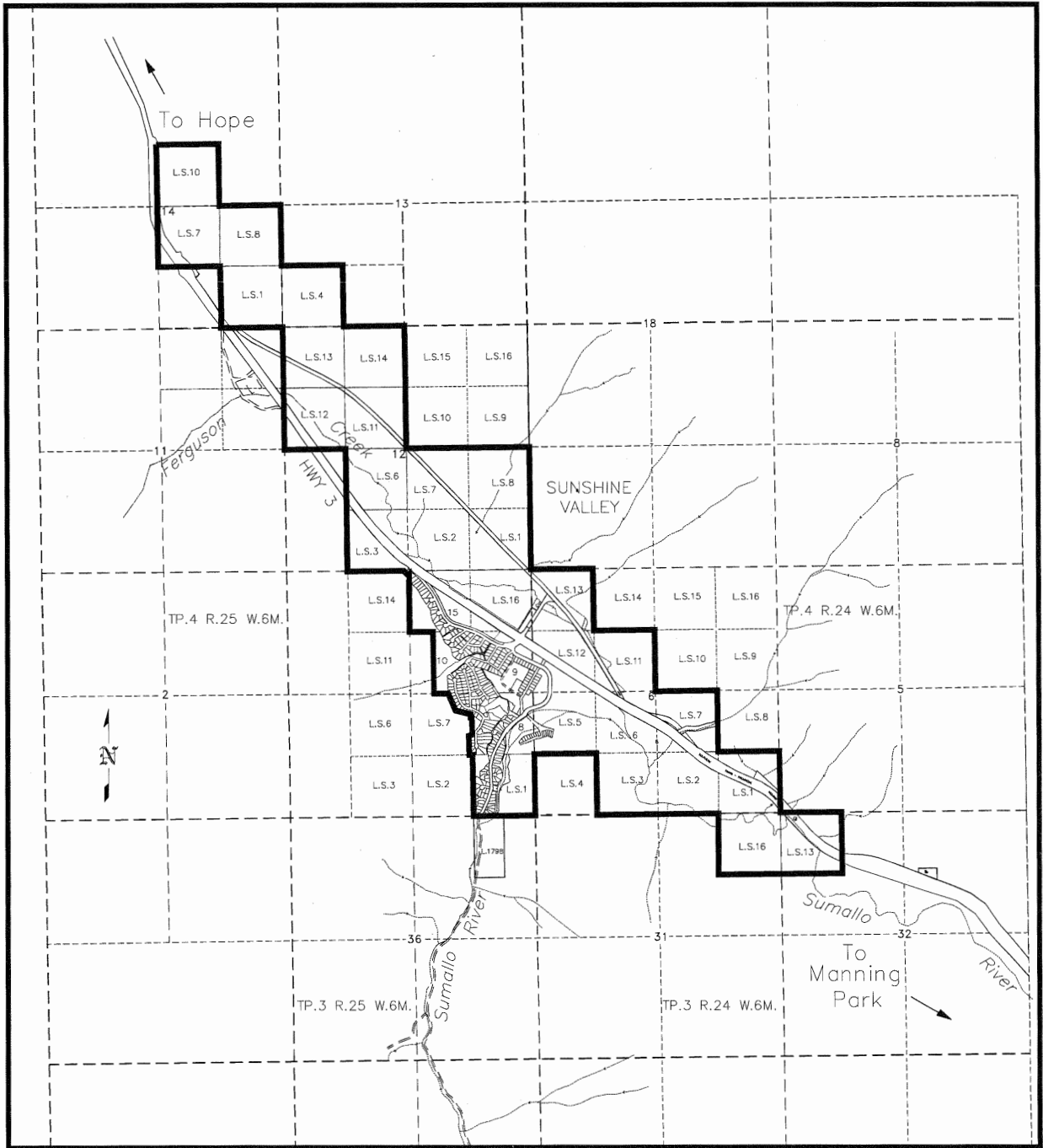
Dated at Chilliwack, BC this 28<sup>th</sup> day of October, 2004.





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Administrator/Deputy

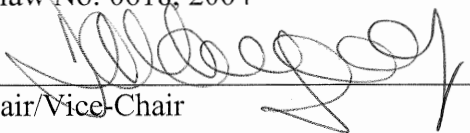
**FRASER VALLEY REGIONAL DISTRICT**  
**Bylaw 0618, 2004**  
**Map Schedule "A"**



Not to Scale

 Those lands in Electoral Area "B" known as "Sunshine Valley"

This is the map referred to as Map Schedule "A" in the "FVRD Subdivision for a Relative Bylaw No. 0618, 2004"

  
 Chair/Vice-Chair

  
 Administrator/Deputy