

# FAQ

**Note\*:** *The information in this fact sheet is the opinion of the writer only. It is incumbent upon any prospective purchasers to perform the necessary “Due Diligence” to determine the facts for themselves.*

**1. What is the present zoning of these lots, and what will be the zoning after a sale to a purchaser?**

*The present zoning for Partridge Hills Development is Rural Conservation (RC.) The entire development is currently under Private Managed Forest Land (PMFL.) The zoning will remain as RC after a sale, but the PMFL status may not be able to be maintained unless the property purchased is at least 25 hectares (62 acres) in size. It could be a single piece of property or as smaller contiguous properties. Properties across the road from each other would be considered contiguous.*

**2. What is the process for obtaining approval in order to construct a driveway, to construct a house (with a secondary suite) and auxiliary buildings, such as barns, sheds, garages, and to perform a PERC test for a septic system, etc?**

*Begin the process by approaching the Capital Regional District (CRD) in order to obtain development and building approvals (permits) regarding the building of a driveway, main house, secondary suite, accessory buildings, such as barns, garages, fences, and septic systems, etc.*

**3. There are a number of areas of Wetlands and Sensitive Eco Systems indicated on the CRD maps for this development. Are there any concerns or restrictions in regard to riparian areas and development? For example, are you restricted somehow in the use of wet areas? Can you create a pond or small stream (for landscaping purposes, irrigation water etc.)?**

*Yes, there are concerns. A bio-physical assessment and/or geotechnical survey may be required in order to answer any and all questions as to how to handle these areas on the property. There are restrictions for setbacks with regard to riparian areas. (\*See Riparian Area Regulation (RAR) Pamphlet information in Appendix A.)*

*The “Wetlands” (stars) and “Sensitive Eco Systems” (triangles) of the Partridge Hills Development are outlined on the map below. At a glance, it looks as though these specific areas can be avoided when planning for driveways and building sites.*

*If wetlands or riparian areas are to be used for ponds and landscaping, the CRD would need to be consulted.*

**4. Are there any restrictions on tree removal and pruning: e.g. can you remove, top, limb, prune for view, etc. as you please or are approvals needed?**

*Upon the purchase of one lot—not large enough to maintain PMFL status—the purchaser would need to discuss the issue of the removal of trees with the CRD, as there are riparian areas and sensitive eco system areas on the property. This could be done in conjunction with applying for a development permit to build a driveway and various buildings on the property through the CRD. A bio-physical assessment and/or a geotechnical survey would likely need to be done to confirm the ecologically sensitive areas. If timber is to be removed from the property, a **Timber Mark** needs to be obtained. Applications for a timber mark can be obtained from the Ministry of Forests, Lands and Natural Resource Operations. (\*See Timber Mark Pamphlet information in Appendix A.) The cutting of trees may not require a permit. The pruning or limbing of trees should not require a permit. **Note:** Arbutus and Oak trees are both protected species. Cutting of these trees should be avoided.*

**5. Are there any restrictions on site preparation you can do (e.g. grading, rock blasting, excavation, landscaping, etc.) or any approvals needed to do them?**

*Permits would have to be granted from the CRD in order to blast, excavate, grade, etc. This would be done at the time of the initial application for building a home on the lot.*

**6. Can a cottage/guesthouse be built on the property as well as a principal residence?**

*No. Current bylaws for RC zoning do not permit the building of a separate cottage or guesthouse. However, a secondary suite is permissible provided that there is a common wall between the main house and the suite, or covered breezeway. These facts should be confirmed with the CRD to insure conformity with current requirements.*

**7. Can you have more than one access road/approach into a lot?**

*Yes. Road access permits are required where a driveway intersects with a public road. (See Constructing Driveways – guidelines information in Appendix A.) Permits can be obtained from the Ministry of Transportation & Infrastructure (MOTI.) Contact is Ryan Evanoff, Chatterton office, Victoria—250-952-4495.*

**8. Is it possible to create a subdivision for a relative?**

*Yes. In order to create a subdivision for a relative in the Willis Point area under present RC zoning, the property size to be subdivided must be a minimum of 15 Hectares (37.07 acres) in size. The newly created lot must be at least 1 Hectare (2.47 acres) in size. The remaining piece cannot be any smaller than 12 hectares (29.65 acres.) The only lots in the Partridge Hills Development that meet this criteria are Lot A, Plan VIP77212 (37.63 acres) and Lot 2, Plan VIP77211 (42.41 acres.) This information was obtained from Bylaw 3720 and from June Klassen, CRD—Manager, Local Area Planning.*

*Provision for creating a subdivision for a relative is found in the Local Government Act—Section 946(4). (See website in Appendix A.)*

**9. Can an owner put a trailer on the lot while the main house is being built?**

*This should not be a problem, but a permit would need to be obtained through CRD, with the understanding that the trailer be removed prior to taking occupancy of the house.*

**10. Can you sell lumber or use it yourself, if you clear trees, and what are the requirements if any?**

*Yes, but a timber mark from the Ministry of Forests and Lands Operations needs to be in place in order to remove the trees from the property. You may be able to mill the lumber yourself on your property using a portable mill without the necessity of a timber mark.*

**11. Have there been any percolation (PERC) tests done for septic disposal fields on these lots?**

*Yes. Before a subdivision can be carried out, PERC testing must be done on all prospective lots. PERC testing was done in the 1990's when the subdivision was applied for. At that time sites were identified for each lot and testing was done with passing results. It is not known where the sites were located for each lot, but multiple sites would be easy to identify as much of the ground is gravelly and sandy and well drained. Likely new PERC testing would need to be done near the proposed building sites that have been selected.*

**12. Was there an approval granted for the wells on these lots, and if so can we get a copy of that approval?**

*There is a Summary of Well Data fact sheet at the end of this document showing the "Well Depth in feet", "Driller's Estimated Yield gpm", etc. of all 12 original lots. This is the report by the driller at the time.*

**13. Are these lots in the ALR?**

*No. They are not in the ALR!*

**14. Is it possible to have these lots rezoned and, subsequently, subdivided?**

*In the future it may be possible for these lots to be rezoned as building lots become scarce in the Greater Victoria area and the population increases, however, it is recommended that contact be made to the CRD Planning Department (contact information below) for further information.*

**15. Are there any archaeological sites on these lots?**

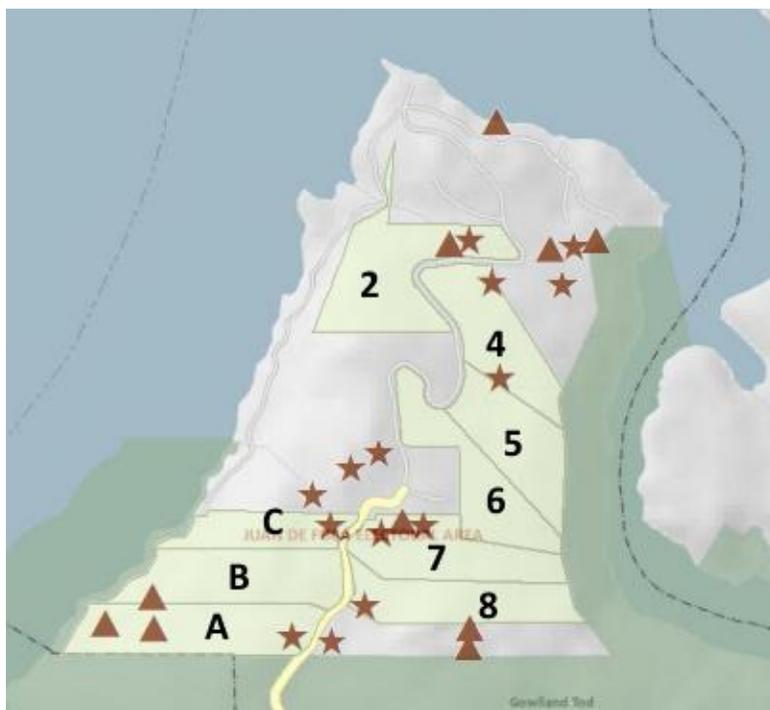
*There are no archeological sites known on the property.*

**16. Who would be good contacts to speak with at the CRD in regard to use and development of these lots?**

*June Klassen, CRD—Manager, Local Area Planning, Sooke office—250-642-8101*

*Robert Gutierrez, CRD—Building Inspector, 625 Fisgard St. office—250-360-3230*

**Map of Partridge Hills Development with lot numbers identified.**



(Taken from CRD.bc.ca website. Lot numbers added.)

**Wetlands are identified by (star.) Sensitive Eco Systems are identified by (triangle.)**

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**Drilled Well Data:**

Table 1. Summary of well data, Fama wells at Willis Point.

Site	Lot Number	Well Depth feet	Driller's Estimated Yield - gpm	Depth of Water-bearing Fracture Zones Feet	Water level when constructed in May 2004 feet below ground	Water level October 29, 2004 metres below ground (feet)	Specific Conductance $\mu$ S	Total Iron (mg/L)	Comments
Sold	1	Lot 9	225	3	121 206 - 210	5.67	0.988 (3.27)	141	Not measured T= 10.6°C
Plan 77212 →	2	Lot A	225	6	150 188 - 175	25.58	7.778 (25.52)	503	Not measured 9 mg/L Chloride T= 9.9°C
Plan 34699 →	3	Lot 8 (A)	225	20	48 115 - 150 195 - 225	4.0	1.107 (3.63)	282	1 to 2 T= 11.1°C
	4	Lot B	225	6+	75 90 - 100 202 - 210	8.0	2.264 (7.43)	241	2 T= 11.4°C
	5	Lot 7	470	2	360 - 375 450 - 470	Flowing	Flowing	184	2 T= 9.5°C
Sold	6	Lot C	300	8	274 - 278 280 - 283	21.75	6.516 (18.10)	251	3 to 4 T= 10.6°C
Sold	7	Lot 1	500	2	160 - 215 472	54.0	22.838 (74.27)	Not measured	Not measured
Sold	8	Lot 8	300	2	138 268 - 270	41.0	11.475 (37.65)	704	0 13 mg/L Chloride T= 9.4°C
	9	Lot 5	225	4	85 - 67 195 - 198	30.5	7.16 (23.49)	547	1 T= 9.8°C
	10	Lot 4	300	2	212 240 - 280	17.17	4.897 (16.07) Nov. 9/04	Not measured	Not measured
	11	Lot 2	450	10	164 - 165 200 - 400 410 - 412 420 - 422	27.5	8.908 (29.23)	319	3 T= 9.9°C
Sold	12	Lot 3	200	12	115 - 125 152 178	20.0	0.421 (1.381)	215	3 to 4 T= 11.0°C

Please Note: Lots 8 and 9 (Plan VIP77211) have been altered and are now Lots A and B (Plan EPP34699), respectively.

## Appendix A

### **Riparian Area Regulation (RAR) Pamphlet:**

[http://www.env.gov.bc.ca/habitat/fish\\_protection\\_act/riparian/documents/RAR\\_Pamphlet.pdf](http://www.env.gov.bc.ca/habitat/fish_protection_act/riparian/documents/RAR_Pamphlet.pdf)

### **Timber Marks for Private Lands Pamphlet:**

<http://www.for.gov.bc.ca/ftp/HTH/external!/publish/web/timber-tenures/private-timber-marks/brochure-jan-10-2013.pdf>

### **Constructing Driveways (guidelines from Ministry of Transportation & Infrastructure {MOTI}):**

[http://www.th.gov.bc.ca/Development\\_Approvals/driveways.htm](http://www.th.gov.bc.ca/Development_Approvals/driveways.htm)

### **Comprehensive Community Plan for Willis Point—CRD Bylaw 3027:**

**Schedule A of the Bylaw deals with Official Community Planning**

**Schedule B of the Bylaw deals with Land Use Zoning**

<https://www.crd.bc.ca/docs/default-source/crd-document-library/bylaws/juandefucaelectoralarea/3027---comprehensive-community-plan-for-willis-point-bylaw-no-1-2002B.pdf?sfvrsn=2>

### **Private Managed Forest Lands Act:**

[http://www.bclaws.ca/civix/document/id/complete/statreg/03080\\_01](http://www.bclaws.ca/civix/document/id/complete/statreg/03080_01)

### **Subdivision for a Relative Bylaw – Administrative Report**

[http://www.rdosmaps.bc.ca/min\\_bylaws/contract\\_reports/CorpBd/2009/03Feb12/9\\_2\\_1SubdivisionRelativeBylaw280109.pdf](http://www.rdosmaps.bc.ca/min_bylaws/contract_reports/CorpBd/2009/03Feb12/9_2_1SubdivisionRelativeBylaw280109.pdf)

### **Local Government Act**

[http://www.bclaws.ca/Recon/document/ID/freeside/96323\\_00](http://www.bclaws.ca/Recon/document/ID/freeside/96323_00)