

## **Exhibit "D"**

### **Proposed Building Scheme**

# **TIYATA ARCHITECTURAL DESIGN GUIDELINES**

## **TABLE OF CONTENTS**

- 1. INTERPRETATION & OBJECTIVES**
  - 1.1 Interpretation.
  - 1.2 Objectives.
- 2. PROCESS**
  - 2.1 Supply of Design Guidelines.
  - 2.2 Design Conformance.
  - 2.3 Plan Submission requirements.
  - 2.4 Fees & Costs.
  - 2.5 Compliance Deposit.
- 3. ZONING CONTROLS**
- 4. GENERAL FORM AND CHARACTER REQUIREMENTS**
  - 4.1 Village of Pemberton Official Community Plan (OCP)
  - 4.2 Antennas and Satellite dishes
  - 4.3 Heat Pumps/Air Conditioning Units.
  - 4.4 Roofs
  - 4.5 Chimneys/Flues
  - 4.6 Walls, Windows, Garage Doors, Garages, and Driveways
  - 4.7 Colour Schemes
  - 4.8 Grading and Drainage
  - 4.9 Lighting and Privacy/Open Spaces
- 5. FENCES/LANDSCAPING**
- 6. CONSTRUCTION PROTOCOL**
  - 6.1 Construction Site Appearance.
  - 6.2 Storage or Construction Trailers.
  - 6.3 Building Exterior Finish Time Restriction.

## 1. INTERPRETATION & OBJECTIVES

### 1.1 Interpretation

These Design Guidelines are written to **supplement** the governing Village of Pemberton Zoning and Building Bylaws. In the event that these Design Guidelines conflict with the requirements of any applicable national, provincial, municipal statutes, bylaws, orders or regulations then this document is to be considered superseded by those requirements. Purchasers are strongly advised to review all relevant Village of Pemberton documents, including zoning and permitting requirements.

### 1.2 Objectives

The primary objective of the Architectural Design Guidelines is to ensure appropriate, quality building development of the subdivision. It is the intention of this document to allow and encourage creativity, excellence and originality in the design and implementation of green, compact home building on the development lots.

***Although buildings will not be restricted to a certain style, house designs must express an architectural language that demonstrates an appropriate interpretation of the governing by-laws as well as compatibility with the surrounding areas and neighbouring homes.***

## 2. PROCESS

### 2.1 Supply of Design Guidelines

The Developer shall supply one copy of these Architectural Design Guidelines to each purchaser of a single-family lot within the development.

### 2.2 Design Conformance

Home design, material use and landscaping plans must receive the approval of the Design Review Consultant (DRC) as appointed by the Developer and acknowledged by the Village of Pemberton. The DRC will be a person with at least 15 years experience in residential design who undertakes to review submitted plans for compliance with the intent of these guidelines in terms of initial site design, building design, and landscaping.

It is to be noted that all new homes and related landscaped areas shall positively address the public realm, thru appropriate design and selection of materials and planting.

It is the responsibility of the purchaser and their design team to ensure compatibility with existing Village of Pemberton zoning bylaws and other applicable regulations *prior* to submitting their designs to the DRC.

### **2.3 Plan Submission Requirements**

All plans submitted for approvals, including architectural and landscaping plans, shall include:

- a. Site plan to a scale of 1:100 showing lot contours, placements of engineering services, driveway location, finished grades, vegetation retained, building location and set-backs. Neighbouring/adjacent home designs shall be provided (if available) for all abutting lots.
- b. Architectural drawings (scale at 1: 50, ¼" = 1 ft.) are to include but not be limited to; proposed floor plans and elevations, as well as a sample board indicating colours and materials to be used.
- c. A detailed landscape plan to include the entire parcel showing proposed plant material, trees and vegetation, details of all hard landscaped surfaces and fences. Refer also to the Village of Pemberton's Plant List as the basis for species selection.

The lot Owner, architect, consultant, landscape architect, designer, builder and others involved in the planning process should familiarize themselves with the details of the lot, including grades, servicing, building envelope, tree retention requirements, view, solar orientation, relationship to adjoining lots, flood-plain elevation requirements, snow-shedding and municipal zoning and building codes.

Building massing should include a variety of roof lines, stepping the building both vertically and horizontally.

The Owner must comply at all times with all requirements restricting vegetation size and location.

- Upon approval and payment of a compliance deposit, DRC will consider providing a letter of acceptance to the Developer following the completion of their review.
- No application required under these Guidelines may be submitted to the Village of Pemberton for building permit without the prior review from the DRC and approval of the Developer.
- The cost of the Design Compliance review process shall be borne by the applicant including the final inspection upon completion of the lot development.

## **2.4 Fees and Costs**

The Purchaser shall be required to pay a fee of \$550.00 (plus applicable taxes), to the DRC at the time of submission that covers:

- One preliminary design submission to the DRC for initial review.
- One FINAL submission for DRC review and the Developer's Approval.

Any and all costs associated with any requested re-design by the DRC that is required for Design Approval shall be the sole responsibility of the Purchaser.

## **2.5 Compliance Deposit**

The Purchaser is also required to pay a fully refundable \$2,500.00 (plus applicable taxes), compliance deposit that will be placed in an interest bearing trust account held by the designated lawyer representing the developer. When all on-site work (including landscaping) is complete and deemed in compliance with approved plans and specifications, **as verified in writing to the Developer, by the Contractor, Home Designer and/or Architect (and Landscape Architect if applicable)**, the Design Compliance Deposit will be returned within ten (10) business days.

The Developer reserves the right to off-set against the Design Compliance Deposit any costs required to satisfy the Design Compliance with respect to the submitted plans signed by both the purchaser and reviewed by the DRC at time of submission.

## **3. ZONING CONTROLS**

- Development at Tiyata Village is guided by zoning of the lands as well as the Village of Pemberton Official Community Plan. The master-plan zoning for the 22 acre site is Comprehensive Development 5 (CD 5), as amended.
- Allowable uses under the Zoning By-Law include Residential Single Family and Duplex.
- Applicable Zoning documents are appended to these Architectural Design Guidelines.

## **4. GENERAL FORM AND CHARACTER REQUIREMENTS**

The developer intends for these Architectural Design Guidelines to supplement

existing guidelines provided by the Village of Pemberton. As such, purchasers are advised to review the following documents, and to consult with the Village of Pemberton Development Services Department and the applicable Development Permit Guidelines (as contained in the Official Community Plan) and the Developer to provide information on:

- a) Building Form.
- b) Approved Construction Materials.
- c) Landscaping Guidelines.

#### **4.1 Village Of Pemberton Official Community Plan**

**It is recommended that builders review the Village of Pemberton Official Community Plan, notably section 7.4.1 to 7.4.1.2 a) through h). This section of the OCP assists builders identify requirements specific to form and character of development.**

#### **4.2 Antennas and Satellite Dishes**

Antennas and satellite dishes are allowed under the condition that they are mounted to the building in an area not visible from the street frontage, and with respect to satellite dishes, are not larger than 72 centimeters in diameter.

#### **4.3 Heat Pumps/Air Conditioning Units**

Heat pumps and air conditioning units shall be placed at the rear of the home and in a manner so as to reduce noise audible to neighbours. These devices are also regulated in the Village of Pemberton Zoning Bylaw No. 466, 2001.

#### **4.4 Roofs**

Mansard and false mansard roof types are not permitted. Roofing materials should complement the natural settings and treed nature of the surrounding environment. Allowed materials are high quality textured asphalt shingles, slate or dark-coloured tiles, or other high quality materials designed to provide a high degree of fire resistance. Metal roofs may be considered but only in muted tones and the profile and seam pattern must be approved as part of the review process. Wood roofing materials are not permitted.

Architectural interest is encouraged in the roof structures, elements such as dormers, clearstories, skylights, chimneys, gables and creative eave details can create an enhanced roof-scape and are encouraged.

Snow shedding is to be considered when designing roof structures, particular attention shall be placed on personal safety as well as potential property damage. Roof peaks are to run perpendicular to the lot lines to ensure snow shedding within the lot.

Mechanical roof appurtenances including vents and flashing should be pre-finished in a colour to match the roofing material. Solar collectors must match the slope of the roof and are not be located in areas visible from the street or other public places.

Vinyl and aluminum soffits are not permitted.

#### **4.5 Chimneys/Flues**

Chimneys must be compatible with the house colours and roof materials. A direct wall vent for a gas fireplace must be screened from public view and treated in such a way as to avoid discoloration of the wall in which it is placed. All chimneys must have spark arrestors.

Visible metal chimneys are permitted if the finish is matte or satin. Highly reflective flues are not permitted.

#### **4.6 Walls, Windows, Garage Doors, Garages and Driveways**

- Acceptable wall materials are:
  1. Wood siding
  2. Wood shingles
  3. Rock or other stone facing but not man-made stone
  4. Cementitious siding (such as Hardiplank)
  5. Board and batten
  6. Metal siding (profile to be part of review submission)
  7. Timberwork with high quality stone infill
- Walls should be strongly articulated to avoid large areas of unbroken wall.
- Window glazing may be clear or solar tinted, stained, etched or frosted. Reflective glazing is not permitted.
- Exterior doors should be solid core wood or insulated metal coloured to complement the house.
- Garage doors can be wood sectional, fully or partially glazed (stained or painted) or plain metal doors painted to complement the building. Manufacturers' white garage doors are not acceptable. Garage entries should be well articulated. If a double garage is facing the street it should include a full width glazing panel introduced at eye level. Double garages may be up to 6.6 metres wide on lots over 13 metres in width, but are limited to 6 metres in width on all lots from 12 to 13 metres in width.
- Open carports are permitted only if their design blends with the character of the main building and includes design elements of high quality, e.g. visible timberwork, decorative brackets, architectural overhangs. Screening to

neighbouring properties will be required for both side-walls.

- Driveway, garage and carport locations shall be as per the master site plan.
- Driveways, parking areas and garages should appear as minor components of the lot when viewed from the street.

#### **4.7 Colour Schemes**

- A colour and sample board must be submitted for review before a colour scheme can be approved.
- No more than three colour shades shall be used on a building (excluding the colour of the roofing material or entry door.)
- Proposed colour schemes shall harmonize with the natural setting of Pemberton and complement neighbouring buildings. Acceptable wood siding colour applications can include solid and or semi-transparent stains.
- Rich and deeper hued colours may be used to highlight building features such as doors, exterior window casing and trim, fascia boards, soffits, shutters and railings. Compatibility to neighbouring properties should be considered, particularly when using strong, deep colours as accents.

#### **4.8 Grading and Drainage**

- All re-grading, tree removal, re-vegetation, and other site disturbance shall be shown on the site grading plan which must be submitted to the Village of Pemberton and the Developer before any site work is initiated.
- All re-grading shall be contained within the lot and integrated into the natural topography where possible. All drainage must meet Village of Pemberton requirements.
- Cuts and fills shall be minimized to avoid undue disturbance of natural vegetation.
- Retaining structures for homes and parking areas shall not exceed a height of 2.0 ft. (0.6 m) and shall be constructed of rock. Retained driveway areas should include planting between the structure and the parking area so that these areas remain partially hidden. Geotechnical input is required on all retaining wall designs above 0.6 metres (2 feet)..
- The slope of cuts or fills must be determined to ensure stability and encourage re-vegetation.
- All site work shall follow the Village of Pemberton low impact development



techniques as appropriate and where necessary.

- Purchasers of Lots 1 – 6 should refer to the Riparian Areas Regulation requirements registered on title by covenant.

#### **4.9 Lighting and Privacy/Open Space**

- All lot lighting shall respect the lighting restrictions outlined in the Village of Pemberton OCP and other guidelines. No lot shall be disturbed through lighting overspill from adjacent lot areas. Indirect lighting sources are preferred.
- All lot site designs shall be compatible one to the other in terms of privacy and use of outdoor open space such as patios, gardens and lawns
- Flood lights are not permissible.

### **5. FENCES/LANDSCAPING**

Generally, fencing is to be made of durable wood, or similar material designed as fencing materials. Fences should positively contribute to the attractiveness of the neighborhood.

Lots backing to Pemberton Creek are required to build fences as per the Pemberton Valley Dyking District and Riparian Areas Regulation criteria if built within the set-back of the covenant area within the back of the lot and adjoining the dyke. These lots will require approval from the PVDD of placement and material for fencing within the Right of Way.

Criteria:

For lots adjacent to Pemberton Creek, these lots will require approval from the PVDD of placement and material for fencing within the Right of Way.

A simple round pole fence such as what is used for farm purposes and set back 2m from the toe of dike fence posts shall not penetrate the ground more than 3 feet. A fence which would require excavation for a concrete foundation would be a major concern for the PVDD and would likely not be approved to be built within the 7.5m right of way.

All other fences will comply with the Village of Pemberton criteria, and be made of wood products or similar approved product and stained per 4.7.

Landscaping:

The following applies to all proposed lot planting:

- Front yard plants shall be limited to those species identified in the Village of Pemberton guidelines. Plants shall be chosen to not exceed a height of 5 m (16') when fully mature.

- No planting shall be located within 1.2 m (4') of the front property line
- View preservation shall be maintained through "selective pruning" or "windowing" such that valued views from each lot are preserved.
- Planting shall not overshadow or reduce access to sunlight from one lot to another.
- Hedges are encouraged between private driveways.
- The Strata may elect to plant "street trees" in selected areas, along with hedge planting between driveways.
- All planting in the rear yards shall be deciduous with maximum mature height of 7.5 m (25'). Evergreen plants such as rhododendrons shall not exceed 3.6 m (12') when fully mature.

## **6. CONSTRUCTION PROTOCOL**

**Construction site protocol is specified within the Village of Pemberton applicable by-laws, however, the following are meant to supplement these.**

### **6.1 Construction Site Appearance**

The Building Contractor/Owner shall keep the construction site in a clean and orderly state at all times. Accumulation of garbage and debris will not be permitted. Burning of debris will not be permitted. The site shall be maintained in a clean and safe manner during construction. Construction works shall not encroach upon adjacent properties.

Work start and end times are per the applicable Village of Pemberton bylaws. No amplified music or similar noise will be tolerated. All efforts are to be made so as to mitigate and minimize disturbance to neighbours.

### **6.2 Storage or Construction Trailers**

Construction or storage trailers shall only be permitted if in accordance with the Village of Pemberton bylaws.

### **6.3 Building Exterior Finish Time Restriction**

Exterior finishing of the home, garage and all building areas, including hard and soft landscaping must be completed within one year from the date of the start of construction.