



Forest Crowne – Phase 4 Residential Design Guidelines

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DEVELOPER & DESIGN REVIEW COORDINATOR

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DESIGN APPROVAL PROCESS

Intent and Scope

These design guidelines apply to any new construction or exterior renovations made to existing structures within the Forest Crowne (Phase 4) development and are intended to provide a set of criteria to be followed to ensure that the community is developed in a consistent manner of superior quality and character.

Design Guideline Amendments

The Design Review Coordinator (the “DRC”) may amend these design guidelines from time to time in its sole discretion.

Design Review Coordinator

Initially, the DRC will be the developer, TLH Log Homes Ltd. o/a Tyee Homes. As the community grows, some or all of the DRC responsibilities may be delegated to a committee of owners or other qualified persons selected by the developer.

Responsibility of the Design Review Coordinator

The DRC is responsible for reviewing and approving all residential development in Phase 4, which includes:

- (a) all new construction and site development;
- (b) revisions to previously approved plans; and
- (c) renovation, expansion, or revision to the exterior of any building or structure.

Responsibility of Owners

Owners and their design teams are responsible to comply with the procedures and other requirements as set out in these guidelines. Owners are also responsible for obtaining all required permits from the City of Kimberley and for compliance with applicable zoning bylaws.

Design Review Fees and Security Deposit

Owners must submit a non-refundable \$2,000.00 design review fee together with an \$8,000.00 refundable security deposit to the DRC prior to submission of any review applications. Cheque or money order should be made payable to TLH Log Homes Ltd.. The developer may delegate this responsibility to committee members of the DRC. In such event, security deposits will be transferred to and held in an account managed by the committee members. The security deposit will be held until final approval of construction and landscaping is issued by the DRC:

If owners are not in compliance with these design guidelines, without limiting any other remedy available to the DRC, the DRC may, in its sole discretion, use funds from the security deposit to remedy such non-compliance. In addition, the DRC may pay funds out of the security deposit for any of the following:

- (a) costs to clean up or repair any damage or mess caused by the owner or its contractors to the adjacent lots or roadway;

- (b) reimbursement for any expenses reasonably incurred by the DRC to enforce these design guidelines, including, without limitation, legal fees (on a solicitor and its own client basis) and disbursements incurred in relation to any action or proceeding commenced to compel compliance with the statutory building scheme registered against title; and
- (c) payment of administrative fees set out in these design guidelines.

Following final approval of the construction and landscaping, the \$8,000.00 security deposit will be refunded to the owner, less any amounts utilized as set out above. No interest is payable on the security deposit.

The DRC may, in the DRC's discretion, release the security deposit prior to final approval.

Application and Review Procedures

Submit Application for Preliminary Concept Plan Approval

The preliminary concept plan review stage ensures that the design being pursued is in general conformance with these design guidelines. It is not necessary, nor is it intended, to submit final drawings at this stage. The preliminary concept plan should however contain sufficient detail to allow the DRC to confirm adherence to these design guidelines, but still allow for revisions to the plans based on feedback from the DRC.

Owners must submit their preliminary concept plan to the DRC together with a completed application form as attached in ***Appendix A – Application for Preliminary Concept Plan Approval***.

Following review and approval of the preliminary concept plan submitted, the DRC will provide a letter outlining any issues with the design to date and recommendations regarding how to proceed with the final design.

Submit Application for Final Design Plan Approval

The application for final design plan approval must include all relevant information required for a complete review of adherence to these design guidelines and must clearly address any issues that may have been raised previously by the DRC during the preliminary concept plan review process. The DRC will not commence final review prior to submission of all required documentation.

Owners must submit an application as attached in ***Appendix B – Application for Final Design Plan Approval*** together with all required documents and plans listed in the application form.

If the final design plan is not approved due to deficiencies identified by the DRC, the DRC will provide the owner with a list of the deficiencies and the owner will have an opportunity to amend the final design plan and resubmit for approval.

Upon approval of the final design plan, the DRC will issue a letter to the applicant approving the plans submitted for approval. The approval may be issued conditionally upon the owner making certain amendments to the plans submitted or other specifications for the home or landscaping. It is the responsibility of the Owner to ensure that the conditions outlined in the approval letter are implemented prior to commencement of construction and are fully adhered to throughout construction of the home and landscaping.

Submit Application for Building Permit

Securing a building permit is the responsibility of the Owner. Upon receipt of your final approval from the DRC the owner may submit stamped approved drawings to the City of Kimberley for a building permit.

Final Approval of Construction and Landscaping

Following completion of the construction and landscaping, owners may request the DRC to complete a final review.

If there are deficiencies identified by the DRC, the DRC will provide the owner with a list of the deficiencies and the owner must adequately correct them prior to obtaining final approval. If approved, the DRC will issue a final approval notice to the owner and authorize the release of the security deposit, less any amounts utilized in accordance with these design guidelines.

Changes to Approved Plans

Any changes to approved plans must comply with these design guidelines and be submitted to and approved by the DRC prior to implementation.

Variances from these Design Guidelines

The DRC may, in its sole discretion, permit homes to be constructed that do not strictly adhere to these design guidelines. Variances may be permitted for certain homes based on superior design that, while maintaining the overall theme and character of the community, may not conform to one or more specific guidelines. Variances may also be provided due to situations that are not addressed in these design guidelines. Variances for each home will be considered on their own merits. Existing variances within the community shall not be considered precedent for other homes. Approval of a variance does not obligate the DRC to do grant the same or similar variances in the future.

Administrative Fees

Owners must pay the following administrative fees in connection with design review and approval:

<u>Consideration of Changes to Approved Plans:</u>	\$85/hr (2 hour minimum)
<u>Consideration of Variance Application Request:</u>	\$85/hr (2 hour minimum)
<u>Resubmission of Deficient Application:</u>	\$85/hr (2 hour minimum)
<u>Notification of Non-Conformance:</u>	\$85/hr (2 hour minimum)

In addition to the above, the DRC may charge a reasonable amount based on the time and effort spent by the DRC to remedy or enforce any non-compliance with these design guidelines.

DESIGN GUIDELINES

Architectural Theme and Character

Buildings should complement and relate to the land, conform to natural grades, harmonize with the character of the surrounding landscape and reflect the styles of contemporary Rocky Mountain and Pacific West Coast style architecture. Single pitch, lower slope roof lines are encouraged. See below picture examples of encouraged home styles.

EXAMPLES OF CONTEMPORARY ROCKY MOUNTAIN & PACIFIC WEST COAST STYLE



Note: All images contained in these design guidelines are provided to demonstrate elements of contemporary mountain architecture. Not all elements of all homes illustrated would be acceptable in Phase 4. All homes in Phase 4 must meet with the requirements of these design guidelines as outlined herein.

Plan Approval

Owners must obtain approval from the DRC prior to construction in accordance with these design guidelines. Issuance of preliminary and final approvals are at the sole discretion of the DRC. In considering whether to approve plans, the DRC will consider these design guidelines. However, in certain circumstances the DRC may, in its sole discretion, approve plans which do not strictly comply with all requirements if in the opinion of the DRC the overall theme and character of the design is better served without strict compliance. Approval of a plan which does not strictly comply with these design guidelines does not obligate the DRC to approve other plans with the same or similar non-compliance.

Statutory Building Scheme

In addition to any requirements set out in these design guidelines, owners must comply with any statutory building scheme registered against title to the lands. A copy of the schedule of restrictions currently intended to be included in the statutory building scheme is attached as *Appendix C – Schedule of Restrictions in Statutory Building Scheme*.

Zoning Bylaws

It is the responsibility of owners to comply with City of Kimberley zoning bylaws. The DRC may withhold approval of plans or final construction if the owners do not comply with zoning bylaws. For reference, a copy of current zoning is attached as *Appendix D – City of Kimberley R9 Zoning*.

Wildfire Considerations

Forest Crowne is within an area subject to wildfire risk. Building materials which are fire resistant and less susceptible to wildfire propagation must be incorporated. Owners must comply with any covenants registered against title relating to wildfires. See attached *Appendix D – Section 219 Covenant – Wildfire Building Restrictions*.

Site Planning and Use

Siting

Siting of buildings and structures should be site specific and allow for sufficient spacing from lot line boundaries and incorporate the natural landscape. Consideration should be given for existing mature trees to minimize unnecessary tree removal. Siting should also be in conformity with the development of housing on adjacent lots to provide an aesthetic that is consistent with neighbouring houses. Sufficient buffer zones of undisturbed lands must remain in its natural state with no changes to the natural topography or removal of any natural ground cover, vegetation or trees, other than removal of dead trees, shrubs or as otherwise may be approved by the DRC.

Plans submitted must include a proposed “building envelope” area to be approved by the DRC within which development is permitted.

Grading and Drainage

Lot grading must be undertaken to ensure proper drainage and maintain pre-development stormwater flows. No lot grading that negatively affects the overall drainage scheme of the development or neighbouring lots is permitted. Dwellings may not be artificially elevated and must be constructed in accordance with “lowest top of footing” and “finish floor elevations” prescribed and/or approved by the DRC for the site.

Lot grading outside the building envelope area for a dwelling shall not be permitted unless approved by the DRC.

Owners are responsible to confirm actual sub-surface conditions prior to construction and to design dwellings to address any specific sub-surface conditions appropriately. This includes the responsibility to assess the need for weeping tile drainage of the proposed dwelling site and to design and install a system capable of providing suitable drainage as may be required.

Owners are responsible to accommodate all required drainage and outflow for any weeping tile system within the confines of the owner’s lot. The natural topography of some lots will permit for the down slope daylighting of a weeping tile system and facilitate discharge to natural drainage courses.

Drainage swales and retaining walls, where required and approved by the DRC, must be designed to enhance the natural character of the site, conform to the overall approved site grading and drainage plan in respect of the Development and be constructed in accordance with the requirements of these design guidelines.

Side Yard Setbacks

Side yard setbacks must be a minimum of 10 feet for all lots 1 through 41.

Driveways and Lot Access

Unless otherwise approved by the DRC, driveways must:

- (a) be fully within the building envelope area approved by the DRC, except as required for access to the frontage road;
- (b) be set back a minimum of 3.0 meters from the side yard lot line;
- (c) not exceed 6.0 meters in width; and
- (d) not exceed 6.0 meters in width at its connection point to the roadway.

Driveway surfacing must be approved by the DRC. Acceptable surfacing materials include:

- (a) adequately reinforced and textured concrete;
- (b) paving stone;
- (c) HDPE grass pavers;
- (d) asphalt; and

(e) any other surfacing approved by the DRC.

Building Materials

New Materials

All materials must be new materials, other than those incorporated into the improvement for decorative or aesthetic effect.

Reflective Materials

Non-reflective materials are to be used in the construction of any improvements, including non-reflective glazing.

Front Facades

Quality building materials shall be used consistently in the construction of any improvements. Variety in materials is permitted and encouraged throughout a dwelling/building, but shall not appear as if creating an extravagant street facade at the expense of other facades.

The use of “feature” finishes on the front facade of a dwelling/building and lesser quality finishes on the side and rear facades is not permitted. Unless otherwise approved by the DRC, all finishes must wrap a minimum of 6 feet around from the front of the dwelling/building on a Lot and must end at a logical transition point.

Wood

The use of low maintenance exterior materials is encouraged for exterior finishes. Although exterior wood accents (such as timber frame and log) are encouraged, all other exterior wood finish materials are not likely to be approved except for soffits.

Wall Finishing and Cladding

Dwellings must include at least two different wall cladding materials. Dwellings/buildings which, in opinion of the DRC, utilize too few or too many different cladding materials will not be permitted.

Materials for walls may be horizontal and board and batten fibre cement siding (ie. Allura or Hardie) natural stone and coloured, acrylic stucco. Certain brands of cementitious siding and metal cladding may not be permitted by the DRC.

Artificial stone that does not have the appearance of real stone is not permitted. Artificial stone that is manufactured for installation in ‘sheets’ or ‘panels’ is not permitted. Artificial stone manufactured from materials, other than concrete, is not permitted.

Unless approved by the DRC, coloured stucco may be utilized for no more than 30% of the area of a dwelling, and no more than 50% of any single facade. Stucco must be acrylic.

The use of metals as a cladding element requires specific prior approval from the DRC. Any approved metal surfaces must be non-glare and be similar to Westform Metals Prolok 16 profile.

Walls shall not be surfaced with concrete, brick, plywood, aluminum or plastic siding or any other material not approved as an exterior finish.

Door, Window, Soffit and Trim Materials

Exterior trims (ie. Fascia, window/door, garage door, horizontal belly bands, etc.) are to be a low maintenance product such as LP Smart trim or similar. Wood trims are generally not acceptable.

All doors must have exterior trim on three sides which is a minimum of 4” in width.

Flat panel doors with integral glass are encouraged. Wooden doors are not permitted.

Non-reflective materials are to be used, including non-reflective glazing.

All windows must be either exterior metal clad or fiberglass. Exterior vinyl or wood windows are not permitted.

The use of glass block on exteriors is not permitted.

Fascia shall be appropriately scaled to the overall design of the dwelling, but shall be a minimum of 8 inches in height.

Vinyl and aluminum fascia are not permitted.

Soffits on exposed gable ends must be wood. Soffits on low-visibility facades (i.e. not exposed to the street) may be wood or aluminum. Vinyl, Smart Trim, fibre cement board and other composite materials will not be permitted for soffits.

Eavestroughs

Eavestrough and associated rainware shall be prefinished metal to complement the overall colour scheme of a dwelling.

Roofing Materials

All roof penetrations must be grouped. All vents and other roof mounted appurtenances must be coloured to match the roof. Galvanized metals are not permitted.

Roofs may be finished with architectural asphalt shingles, standing seam metal or other materials complementary to the overall design of the dwelling or as approved by the DRC.

Tile roofs will not be permitted other than with the prior approval of the DRC.

Combustible materials, such as wood shingle or shake, are not permitted roofing materials.

Chimneys

Stone, shingle or other suitable materials are required to be utilized for the full height of any Chimney or exterior fireplace. All flues shall be contained in a chimney structure – exposed flues are not permitted except for direct-vent gas fireplaces. Flues for direct-vent gas fireplaces shall be located in an inconspicuous location.

Building Massing and Scale

Style and Theme

Massing and scale of structures must reflect the architectural themes of contemporary Rocky Mountain and Pacific West Coast styles. All accessory buildings or structures must be proportionate to the scale and character of the principal dwelling.

Roof Pitch and Overhang

Modern designs with single pitch and lower slopes is encouraged, although must not have a slope less than 1.5/12 unless otherwise approved by the DRC.

Roof overhangs should be a minimum of 24 inches.

Snow diverters or snow retainers must be designed as an integral part of the roof design. Domes, barrel vaults, gambrel and mansard roof forms are not permitted.

Building Height

Unless otherwise approved by the DRC, no primary dwelling shall exceed two storeys in height, not including the basement, and no accessory buildings may exceed one storey in height.

Building Size

Unless otherwise approved by the DRC:

- (a) all dwellings must have a minimum gross floor area of at least 1,200 square feet;
- (b) the main (ground) floor of any two-storey dwellings must have a minimum gross floor area of at least 1,000 square feet; and
- (c) basement footprints may not exceed the footprint of the main (ground) floor of a dwelling.

Gross floor area of a dwelling shall be calculated from the outside of all exterior walls and shall include all finished space, excluding garages, covered or uncovered porches, lower levels below grade or any unfinished space.

Doors and Windows

The front door of a dwelling must be visible from the frontage road and may not be obscured behind a garage or located on the side of the dwelling where it is not visible.

Windows must be square or angular in shape. Round or oval windows are not permitted.

Garages

Unless otherwise approved by the DRC, garages are required on all lots.

Garages facing onto and perpendicular to the frontage road may be no greater than three cars in width. Garages greater than two cars in width must utilize at least 1 single-width garage door.

Garage doors may not exceed 10 feet in height. Garage doors over 8 feet in height may require additional design considerations to minimize the visual impact.

Carports and other open storage structures are not permitted unless approved by the DRC.

Articulation

Building walls exceeding 20 feet in length of an improvement must include suitable articulation to break-up the facade. Articulation may include steps in the building wall, use of windows and changes in building materials.

Decks, Patios, Porches and Balconies

Privacy Screens

Privacy screens are permitted for patios, court yards and hot tubs, provided they complement and are incorporated with the primary dwelling.

Decks

“Deck” as referred to in these design guidelines includes any outdoor roofless, floored structure, typically with a railing, that adjoins a dwelling and is elevated above the finished grade of the immediately adjoining landscape. All decks must be clearly illustrated on the plans submitted for design approval.

Decks must be located primarily in the rear of a dwelling which they adjoin (i.e., within the rear yard), although they may extend around the side of a dwelling if the deck does not overlook the neighbouring dwellings. All decks must be fully contained within the building envelope approved by the DRC.

The design and construction of a deck must be complementary to the design of the dwelling which it adjoins. The use of pressure treated lumber for exposed elements is not permitted (no pressure treated lumber elements may be visible on a completed deck). All elements of the deck must be sized to a scale appropriate to the design of the dwelling which it adjoins and to express the structural qualities of the various elements thereof (i.e., post and columns must be robust to define their role as structural elements).

Decks must not extend greater than 15 feet beyond the rear of a dwelling. Decks situated more than 4 feet above finished grade must have the underside of the deck finished with cladding such that the structural members are not visible.

Deck railings must be designed to be complementary to the design of the principal residence.

Balconies

“Balcony” as referred to in these design guidelines includes any outdoor, floored structure, located above the first floor of a dwelling. All balconies must be clearly illustrated on the plans submitted for design approval.

All balconies must be fully contained within the building envelope approved by the DRC. Balconies shall be located and designed in a manner that is considerate of neighbouring residences and their views. Balconies should be incorporated into the design of a dwelling and

will not be permitted as ‘add-on’ elements. Balconies will only be permitted where they do not overlook a neighbouring residence. All balconies must include elements to screen the bottom of the balconies from view.

Balconies may extend no more than 3 feet beyond the face of the dwelling of which they are a part. All balconies of a dwelling may not exceed an aggregate total greater than 64 square feet in area.

The design and construction of a balcony (including all railing elements) must be complementary to the design of the principal residence. Unfinished woods and metals are not permitted on balconies. The use of pressure treated lumber for exposed elements is likewise not permitted for balconies. All elements of the balcony must be sized to a scale appropriate to the design of the residence of which it is a part and to express the structural qualities of the various elements (i.e., post and columns must be robust to define their role as structural elements).

Patios

“Patio” as referred to in these design guidelines includes any at-grade outdoor space, with a hard surface, adjoining a dwelling and that is at the same finished grade of the immediately adjoining landscape. Patios shall be located and designed in a manner that is considerate of neighbouring residences and their views. Patios at the sides of a dwelling which they adjoin may not be permitted if it is deemed by the DRC to likely affect or impact the enjoyment of the neighbouring property. All patios must be clearly illustrated on the plans submitted for design approval.

All patios must be fully within the building envelope approved by the DRC. The design and construction of a patio must be complementary to the design of the principal residence which it adjoins. Patios must be paved with a hard surface such as concrete or pave stone. Any overhead elements associated with the patio must be designed and constructed to complement the residence which it adjoins. Unfinished woods and metals are not permitted for patio surfaces. The use of pressure treated lumber for exposed elements on patios is likewise not permitted.

All elements of a patio must be sized to a scale appropriate to the design of the residence which it adjoins and to express the structural qualities of its various elements (i.e., post and columns must be robust to define their role as structural elements).

Railings are not permitted on patios.

Porches

“Porch” as referred to in these design guidelines includes any outdoor covered platform, usually having a separate roof, at an entrance to a dwelling which may or may not be elevated above finished grade. Porches may or may not be enclosed with screen or other materials to extend their seasonal use. All porches must be clearly illustrated on the plans submitted for design approval.

Porches shall be located and designed in a manner that is considerate of neighbouring residences and their views. All porches related to a dwelling must be associated with an entrance to the dwelling.

The design and construction of a porch must be complementary to the design of the principal

residence. Porches, including all railing elements, must be designed and constructed to complement the residence. Unfinished woods and metals are not permitted for porches. The use of pressure treated lumber for exposed elements is likewise not permitted for porches. All elements of the porch must be sized to a scale appropriate to the design of the residence and to express the structural qualities of its various elements (i.e. post and columns must be robust to define their role as structural elements).

All porches associated with an entrance to a dwelling on a Lot must be fully contained within the building envelope approved by the DRC and may not extend more than 8 feet beyond the face of such dwelling. Porches situated less than 4 feet from finished grade must include skirting or other finishes around the base. All porches over 4 feet from finished grade must include elements to screen the bottom of such porches from view.

Colours, Lighting and Building Accessories

Colour

Colours that do not complement the mountain environment will not be permitted. This includes colours that could be found in nature but which are not normally considered “earth tone” colours and that do not blend with the mountain backdrop in which the development is located.

- (a) All colour schemes to be approved by the DRC.
- (b) Typically, white or very light colours will not be acceptable unless proposed to the DRC as an overall colour scheme that will be complimentary to the neighboring houses and the development.

Doors must be painted a colour that complements the overall colour scheme of the dwelling or be clad similar to the windows.

Window frames shall be natural in colour or coloured to complement the dwelling. White window frames are not likely to be approved.

Wood soffit colours shall be natural in colour or stained or painted in an acceptable earth-toned colour. Metal soffits shall be natural dark earth tones.

Fascia shall be natural in colour or stained or painted in an acceptable earth-toned colour.

Garage doors shall be finished to complement the overall colour scheme for the dwelling. Modern style garage doors such as Steelcraft Esteem series are encouraged.

Fireplaces, mechanical and exhaust venting and other mechanical equipment which are part of a dwelling must be coloured to match the exterior of the dwelling. Unfinished (galvanized or white) venting and equipment is not permitted.

Lighting

Low intensity non-glare fixtures to provide adequate illumination for safety and aesthetic enhancement are permitted. All exterior light fixtures are to be night sky compliant (i.e., full cut-off style that direct light downward and shield the light source from view).

The number of exterior light fixtures shall be limited to those required to provide adequate

illumination and shall not be superfluous. Pot lights are not permitted to be located in soffits at gable ends.

Only lighting of areas within the building envelope is permitted. White light fixtures are not permitted.

Solar Panels

Owners must have approval from the DRC for the installation of any solar panels.

Awnings

Fixed awnings are not permitted. Retractable awnings may be permitted if approved by the DRC.

Hot Tubs and Water Features

Hot tubs must be located in the rear yard and situated in a manner that does not affect or impact neighbouring views or impede a neighbour's use and enjoyment of their lot.

Swimming pools may be permitted only with prior approval from the DRC.

Water features are permitted only with the prior approval of the DRC and must recycle water and operated only when the dwelling is being occupied. The DRC may limit the size of a water feature to restrict water use.

Retaining Walls

Retaining walls must blend into the natural landscape and be constructed of native rock or heavy timber.

Retaining walls of pressure treated timber or railway ties are not permitted.

Retaining walls required for slope retention along the side of a dwelling shall not extend beyond the side property line and shall be designed to ensure that the lot and neighbouring lots are not compromised by the retaining wall.

The exposed height of a retaining wall system shall be a maximum of 1.5 metres.

Walls over 900 millimetres in height shall be stepped and a minimum 600 millimetres horizontal separation shall be provided between each step.

Fire Pits

Fire pits are only permitted in the rear yard.

Recreational Equipment and Facilities

All recreational equipment (i.e. trampolines, swing sets, playground structures, etc.) must be in the rear yard only and located within the building envelope approved by the DRC.

Tennis courts and other hard sport surfaces are not permitted.

Accessory Buildings or Structures

Gazebos, storage buildings and other accessory buildings and structures must be designed to complement the primary residence and be constructed of matching colours and materials.

Fencing

No fencing of any type is permitted in the front yard of a lot. Fences must either be custom wood fencing or black chain link. Fences must not exceed 5 feet. Wood fencing design should be of a type that is open enough to minimize disruption of sight lines.

Landscaping

Front yards must be fully landscaped to the edge of the frontage road.

Formalized plantings, such as hedges or tightly pruned shrubs, are not permitted. All planting shall be naturalistic in style.

Coniferous trees shall be a minimum of 2.4 metres in height when planted. A deciduous tree shall be a minimum of 50 millimetres caliper when planted.

The use of stone or wood mulches shall be limited to planting beds only. These materials are not appropriate as landscaping in lieu of lawn or shrub planting. Stone may be utilized within the drip edge of the dwelling on a lot.

All plant materials must be bear smart. Planting of fruit-bearing trees and shrubs is not permitted.

LIST OF ATTACHMENTS

Appendix A – Application for Preliminary Concept Plan Approval

Appendix B – Application for Final Design Plan Approval

Appendix C – Schedule of Restrictions in Statutory Building Scheme

Appendix D – City of Kimberley R9 Zoning

Appendix E – Section 219 Covenant – Wildfire Building Restrictions

Appendix A – Application for Preliminary Concept Plan Approval

APPLICATION FOR PRELIMINARY CONCEPT PLAN APPROVAL

Lot Number: _____

Lot Owner Name(s): _____

Mailing Address: _____

Phone: _____

Cellular: _____

Email: _____

Applicant:

(if other than Owner)

Applicant Mailing Address (if different than above):

Phone: _____

Cellular: _____

Email: _____

The owner acknowledges and agrees that design review committee members assume no responsibility for the accuracy of the information provided, or for any losses or damages resulting from use thereof. This plan review does not guarantee approval for building permit by the City of Kimberley, nor does City of Kimberley approval for building permit guarantee approval from the design review coordinator.

Non-Refundable Design Review Fee: \$2,000 Payable to TLH Log Homes Ltd.

Security Deposit: \$8,000 Payable to TLH Log Homes Ltd.

Owner Signature: _____ **Date:** _____

Owner Signature: _____ **Date:** _____

Appendix B – Application for Final Design Plan Approval

APPLICATION FOR FINAL DESIGN PLAN APPROVAL

This Plan Approval Application must be completed by the Owner or Applicant and submitted with all other required materials for Design Review.

Lot Number: _____

Lot Owner: _____

Mailing Address: _____

Phone: _____

Cellular: _____

Email: _____

Applicant:

(if other than Owner)

Applicant Mailing Address (if different than above):

Phone: _____

Cellular: _____

Email: _____

Submission Requirements

All drawings submitted for review must be clear, legible and to scale. It is recommended that all drawings be prepared by a professional.

Applications (with plans and other documentation required for submission) may be submitted as hard copy or by email as PDF documents (JPEG, TIFF and other file formats are not acceptable).

Applications for Final Design Plan Approval must include each of the following:

Plan Approval Application | Complete Appendix B and submit with your application

Site Plan | The site plan must illustrate the location of the building envelope; proposed building (and all other structures); driveway; walkways; parking areas; patios; retaining walls; and locations of all proposed services; site grading; and, existing trees and major shrubs to be retained and/or removed.

Floor Plans and Roof Plan | Floor plans should clearly define the foundation location; any bay or other projections; wall sections; split levels or second storey configurations; fireplace chimney; and exterior door and window sizes. Roof plan must indicate roof slope and all roof mounted mechanical systems or other appurtenances

Exterior Building Elevations and Sections | Exterior elevations of all sides of the building, and sections, drawn through the entire lot, front to back and side-to-side. These shall be at the same scale as the floor plans, with both existing and proposed grade lines shown. All exterior materials and colours must be clearly indicated on the elevations.

Landscape Plan | Landscape Plan at the same scale as the site plan. Landscape plan shall indicate the locations and sizes of all existing trees, as well as all proposed landscape planting. It shall also indicate all retaining wall locations(s), material(s) and section(s); surface treatments; decorative features such as pools or imported rocks; site furnishings; and landscape structures.

Site Drainage Plan | A site drainage plan is required that indicates the locations of all roof drainage and indicates how all site drainage is being addressed to ensure that pre-development flows are maintained.

Exterior Lighting Plan | A plan indicating the locations of all exterior lighting (on buildings and within landscape). Include fixture schedule with catalogue clips for site and building exterior lighting fixtures and street identification.

Colour Board | Colour/Samples mounted on an 24" x 24" (max.) colour sample board, identified with the manufacturer's name, colour and/or number, of all exterior materials and colours including window manufacturer and glass specification. Colour board shall be clearly marked with the owner's name, filing date, and Lot number. Manufacturer's catalogue cuts of all exterior lighting fixtures are to be provided as part of the colour sample board. Building Summary

Dimensions

Ground Floor Area (gross floor area): _____ m² _____ ft²

Second Floor Area (gross floor area): _____ m² _____ ft²

Basement Floor Area (gross floor area): _____ m² _____ ft²

Garage Floor Area (gross floor area): _____ m² _____ ft²

Gross floor area shall include all finished living space measured from the outside of exterior walls. Do not include garage floor area in other areas.

Building Heigh: _____ m _____ ft

Roof Pitch (ie. 6:12): _____ Pitch of primary roof only

Building height shall be measured in accordance with the City of Kimberley Zoning Bylaw.

Building Siting

Setback from Property Lines	m	ft
Front Yard _____	_____	_____
Rear Yard _____	_____	_____
Side Yard (left) _____	_____	_____
Side Yard (Right) _____	_____	_____

Indicate distance from property line to edge of foundation wall.

Building Materials

List all proposed exterior cladding materials. Provide material type, manufacturer and colour.

Description of Item	Material (<i>Description / Manufacturer</i>)	Colour
Foundation Cladding	_____	_____
Walls – Primary Cladding	_____	_____
Walls – Other Cladding	_____	_____
Walls – Other Cladding	_____	_____
Walls – Other Cladding	_____	_____
Roof	_____	_____
Gable Ends	_____	_____
Soffit	_____	_____
Fascia	_____	_____
Eavestrough	_____	_____
Window and Door Trim	_____	_____
Windows	_____	_____
Front Entrance Door	_____	_____
Other Doors	_____	_____
Garage Door	_____	_____
Chimney	_____	_____
Porch & Deck Railings	_____	_____
Other	_____	_____

Landscape Materials

List all proposed landscape materials. Provide material type, manufacturer and colour.

Description of Item	Material (<i>Description / Manufacturer</i>)	Colour
Driveway	_____	_____
Front Walkway	_____	_____
Other Walkways	_____	_____
Patio / Porch	_____	_____
Retaining Walls	_____	_____

RELEASE AND INDEMNITY AGREEMENT

The undersigned owner(s) acknowledges and agrees:

1. that neither TLH Log Homes Ltd. or any committee member of the DRC or any person engaged by either of them (collectively, the “Releasees”) has made any representation or warranty whatsoever for any omissions, inaccuracies or mistakes in respect of these design guidelines or the implementation of them;
2. to release, hold harmless and indemnify the Releasees as and against any claim, action, liability, loss, damage, expense or cost relating to these Design Guidelines or the implementation of them due to any cause whatsoever, including, without limitation, the failure of the Releasees to properly administer or implement these design guidelines, negligence, breach of contract or breach of any statutory or other duty of care; and
3. not to sue or assert a claim against the Releasees in relation to any matter relating to these Design Guidelines or the implementation of them or any other person who could bring a third party claim against the Releasees.

I fully understand the above and with my signature agree to all above terms:

Owner Name: _____ Owner Name: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

Appendix C – Schedule of Restrictions in Statutory Building Scheme

SCHEDULE OF RESTRICTIONS

No improvement shall be constructed on any Lot unless such improvement complied with the design guidelines designated by the nominee of TLH Log Homes Ltd. (the “Developer”), and, without limiting the generality of the foregoing, the following restrictions shall apply:

General Restrictions on Use of Lots

1. No camping or any other form of temporary occupation in a tent or temporary structure shall be permitted on any Lot.
2. No overnight accommodations are permitted in a trailer or recreational vehicle for more than 7 consecutive days or 28 days in a calendar year.
3. No inter-modal containers (sea-cans) or any similar type of unit or storage container shall be placed or kept on any Lot.
4. No owner, tenant or occupant of a Lot shall store or permit to be stored any household refuse or garbage outside the dwelling unit of such owner, tenant or occupant on the Lot.
5. No pole, mast, antenna or aerial structure shall be installed or maintained on any Lot.
6. No wind chimes shall be permitted on a Lot.
7. No used structure shall be relocated to or placed upon any Lot.
8. No power, telephone, water, sewer, television or other utility lines may be installed in or on a Lot unless they are installed underground.
9. No living tree outside of 10ft of the building envelope may be cut or removed or caused to die on a Lot without the written approval of the Developer or its nominee.
10. No window or thru-wall air conditioning units are permitted in any dwelling on a Lot.
11. Car tents, portable garages or other similar structures are not permitted on any Lot.

Materials

12. Improvements on any Lot may not be constructed with any materials other than new materials, except for used materials incorporated into the improvements for decorative or aesthetic effect or as otherwise approved by the Developer or its nominee.
13. No mechanical equipment or utilities may be located outside of the dwelling on a Lot unless it is located within the building envelope area approved by the Developer or its nominee, fully screened from view and located to minimize impact on neighbouring Lots.

Fencing and Privacy Screens

14. No fencing of any type is permitted in the front yard of the dwelling on any Lot.
15. No fence may be erected or constructed on a Lot that exceeds 5 feet from finished grade to the top of the fence.
16. No fence may be erected or constructed on any portion of a Lot other than black chain link fencing or custom designed wood fencing.
17. No solid panel fencing shall be permitted.
18. Privacy screens shall not be greater than 12 feet in length in any one direction and shall not exceed 26 feet in total length or exceed 6 feet in height.
19. Use of chain-link is not permitted for screen fences.

Driveways and Lot Access

20. A Lot may not have more than one driveway connection to the frontage road.
21. Gravel driveways abutting the frontage road are not permitted.

Signs and Lighting

22. No billboards, placards, advertising or signage of any kind which is visible from the exterior of a Lot shall be permitted, except for a standard “for sale” sign for the sale of the Lot or signage installed in connection with the marketing and sale of the overall development, including the sales center, show home and preferred builder signage.

Appendix D – City of Kimberley R9 Zoning

Single Family Residential Zone: R-9

(1) Intent

The intent of this zone is to create a subdivision for Phase 3 of Forest Crowne which will allow single family dwellings and modular homes.

(2) Permitted Uses

Within the R-9 zone, the following uses only are permitted:

(a) single family dwelling which shall be subject to Section 7.03 of this Bylaw

(b) modular home

(c) public utility use

(d) park

(3) Accessory Uses

(a) home-based business (classification 1)

(b) buildings and structures accessory to a permitted use.

(4) Parcel Area and Dimensions

(a) No parcel shall be created in the R-9 zone which is less than 557 m² (6,000 sq. ft.) in area

(b) No parcel shall be created in the R-9 zone which has a front parcel line less than 18.2m (60') in length

except that in the bulb of a cul-de-sac, the front parcel line shall be not less than 9.1m (30') in length

(5) Density

No person shall construct or permit construction of more than one (1) single family dwelling on a parcel in the R-9 zone

(6) Siting

(a) No person shall site a principal building in the R-9 zone which has:

(i) a front yard less than 6.0m (19.6') Variance through Council possible

(ii) a rear yard less than 6.0m (19.6') Variance through Council possible

(iii) an interior side yard less than 1.5m (5') and in the case of irregular parcels at no point shall the distance between the interior side yard line and the outermost projection of the building be less than 1.5m (5')

(iv)an exterior side yard less than 3.0m (9.9')

(b)No person shall site an accessory building or structure in the R-9 zone which has:

(i)a front yard less than 6.0m (19.6')

(ii)a rear yard less than 1.5m (5')

and in the case where no developed rear lane exists, the rear yard shall be not less than 0.9m (3')

(iii)an interior side yard less than 0.9m (3')

(iv)an exterior side yard less than 3.0m (9.9')

(7)Size and Dimensions of Buildings and Structures

(a)No person shall construct or permit construction of a dwelling unit in the R-9 zone which has a gross floor area less than the minimum standards set forth in the current edition of the B.C. Building Code, as amended from time to time.

(b)No person shall construct or permit construction of a principal building in the R-9 zone which exceeds a height of 10m (32.8').

(c)No person shall construct or permit construction of a accessory building or structure in the R-9 zone which exceeds a height of 4.5m (15').

(d)The site coverage shall not excess 0.4

(8)Other regulations

(a)No person shall use or permit the use of any portion of a parcel in the R-9 zone for the repair of vehicles or for the storage of more than one (1) derelict vehicle.

(b)All persons carrying out a use permitted in the R-9 zone shall comply with the relevant provisions of Sections 4 (General Regulations), Section 5 (Parcel Area Requirements) and Section 6 (Parking and Loading Regulations) of this Bylaw.

Appendix E – Section 219 Covenant – Wildfire Building Restrictions

CAUTION – THE BELOW WILDFIRE RELATED BUILDING RESTRICTIONS REPRESENT WHAT IS ANTICIPATED THAT THE CITY OF KIMBERLEY WILL REQUIRE TO BE REGISTERED ON TITLE BASED ON NEIGHBOURING DEVELOPMENTS. THERE CAN BE NO ASSURANCE GIVEN THAT THESE WILL BE THE FINAL RESTRICTIONS DETERMINED BY THE CITY OF KIMBERLEY. THESE RESTRICTIONS MAY BE SUBJECT TO CHANGE AND OWNERS ARE STONGLY ADVISED TO SEEK APPROVAL FROM THE CITY OF KIMBERLEY PRIOR TO ORDERING MATERIALS OR PROCEEDING WITH BUILDING PLANS..

No building on the Lands and no building to be constructed on the Lands may be constructed, used or occupied unless the building is constructed and the Lands and the building are maintained in accordance with FireSmart guidelines and the following:

- (a) Roofing – All roof coverings shall conform to Class A fire resistance rating as defined in the BC Building Code. Wood shingles or shakes are highly combustible and must never be used. All roofs and gutters shall be kept clear of all overhanging branches and buildup of any leaves, needles or other combustible debris.
- (b) Chimneys – All chimneys shall have spark arrestors made of 12 gauge, or better, welded or woven wire mesh openings of less than 12 millimetres. Chimney openings must be 0.6 metres higher than any part of the roof that is within 3 metres. No vegetation shall be located or allowed to grow within 3 metres of a chimney opening.
- (c) Exterior Wall Coverings – Any material used for exterior wall coverings must be non-combustible or ignition resistant and not susceptible to melting such as fibre-cement, stucco, metal siding, brick, cement shingles, concrete block, poured concrete, rocks, and logs or heavy timber as defined in the BC Building Code. Other materials may be utilized for trim but only ignition resistant or non-combustible materials must be used within 15 centimetres of the ground or other surfaces where embers may accumulate.
- (d) Eaves, Vents and Other Openings – All eaves, attic and under floor openings shall be screened with corrosion resistant 3 millimetre non-combustible wire mesh or other ASTM fire rated material.
- (e) Overhanging Projections - Balconies, decks and porches and similar overhangs shall be constructed of non-combustible material or heavy timber as defined in the BC Building Code, or with 1-hour fire resistant rated assemblies or non-combustible construction as defined by the BC Building Code; or equivalent alternative as approved by the City of Kimberley Building Inspector.
- (f) Landscaping and Ground-surface Maintenance
 - i. Priority Zone 1a (zero to 1.5 metres from structures) - A non-combustible surface should extend for 1.5 metres around the house and any attachments, such as decks, to reduce the chance for wind-blown embers igniting materials near or on the structure. Only non-combustible landscaping materials, such as gravel, brick or concrete, should be used in this critical area adjacent to the structure. Woody shrubs, trees or branches should be removed from this zone. Regularly remove accumulations of leaves, needles or other combustible debris.
 - ii. Priority Zone 1 (1.5 to 10 metres from structures and within property boundary) – Landscaping within this area should only include a low density of fire resistant deciduous trees, shrubs and plants. No limbs or branches shall be within 3 metres of a building or attachments such as decks or balconies. Any grass-covered areas should be regularly watered and mowed to maximum 10 centimetres in height. Coniferous trees and shrubs, such as junipers, mugo pines, or coniferous hedges, should be removed from this area. Some natural coniferous trees may be retained if thinned and pruned to reduce hazard in accordance with FireSmart guidelines and approved by the City of Kimberley Fire Chief. Regularly remove potential surface fuels such as accumulations of branches, dry grass, leaves, needles or other combustible debris.

- iii. Priority Zone 2 (10 to 30 metres from structures and within property boundary) – Selectively remove coniferous trees to create at least 3 metres of horizontal space between the single or grouped tree crowns (meaning the tips of the branches of a tree are no closer than 3 metres to the tips of the branches of another). Remove all branches to a height of 3 metres vertical clearance from the ground on remaining coniferous trees. Remove all trees or shrubs that may act as ladder fuels. Where appropriate, select Western larch and Ponderosa pine for retention other coniferous species and retain fire resistant deciduous trees where possible. Regularly remove potential surface fuels such as accumulations of branches, dry grass, leaves, needles or other combustible debris.
- iv. Priority Zone 3 (30 to 100m from structures and within property boundary) – Thin trees to increase crown spacing of 3 to 6 metres and remove branches to maintain a 3 metre vertical clearance from the ground. Remove trees or shrubs that may act as ladder fuels. Remove potential surface fuels such as accumulations of branches, dry grass, leaves, needles or other combustible debris.