



PROCTER POINT

Design Guidelines

*Revised March 2021*

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## **1.0 OUR VISION**

### **1.01. Lifestyle and Nature**

The vision is to build an outdoor lifestyle community and to preserve and protect the natural beauty of this spectacular property.

### **1.02. A Spirit of Community and Cooperation**

Procter Point is a community proud of its exceptional, architectural homes. While distinguished architectural design is encouraged at Procter Point, the Design Guidelines have emerged from a spirit of community, cooperation, and a shared commitment to the vision. Procter Point is not just about individual houses, it is about a collection of homes on many acres of pristine waterfront and forested lots. Buildings must respond to — and be inspired by — their surroundings, and not dominate their sites. Buildings should not stand-out, nor should they be ostentatious in scale, design or finish. Buildings that display tasteful restraint, integration, and harmony with their natural surroundings are encouraged.

### **1.03. Major Themes**

Privacy, views, preservation of Procter Point's natural beauty and a high standard of architectural design are the major themes that inform the guidelines herein.

## **2. PURPOSE AND GOAL OF THESE GUIDELINES**

### **2.01. Purpose of the Guidelines**

The Design Guidelines have been developed in order to:

- (i) Protect the value of lot owners' (each an "Owner") investment by ensuring consistency and quality of building practices on each lot (each a "Lot").
- (ii) Enhance privacy for Owners.
- (iii) Ensure building sizes, building materials, building placement and landscaping are responsive to and in harmony with the natural landscape. Building sizes will be proportionate to the setting.
- (iv) Minimize the visual impacts of development on the natural surroundings. The goal is that the development is natural looking rather than suburban.

### **2.02. Goal of the Guidelines**

Owners are encouraged to study these guidelines and shall provide this document to their architect or designer prior to commencing the design of their home. It is not the intent of these guidelines to restrict or limit creativity; rather, the goal is to guide the design of your home and site toward a project that is consistent with the vision and to uphold a cohesive order for the community's development.

### **2.03. Pre-Design (Know Your Site)**

Camping is permitted on each lot for up to four weeks each year. Owners are encouraged to spend at least three to four weeks in residence on their land (in a tent or trailer) and to have their architect or designer visit the site in person, prior to commencing their design

work. Repeat visits to the site throughout the design process and in different seasons are also strongly encouraged. This practice results in familiarity with a site's ground configuration, its micro-climate, sun and wind exposure, and views. Past experience at Procter Point has shown this practice to result in successful building projects that are consistent with the vision, appropriate to the community, and responsive to their sites.

It is highly recommended that Owners (and their designer/architect) review in advance with the RDCK the requirements for their Building Permit application, including items such as BC Energy Step Code, surveys, waste water certification letters and any/all requirements that pertain to building near a water body.

Site related items that require early consideration include but are not limited to: parking location and access, easements registered on title, setbacks with respect to high water mark (consult RDCK), survey pin locations on water side, environmental consultant and compliance review and reports, other RDCK required reporting and reviews.

See Section 8 regarding consultants and other useful contacts who have previously been involved with projects at Procter Point and who are familiar with the area.

### **3. THE PROCESS OF APPROVALS**

#### **3.01. Other Approvals**

These Design Guidelines shall be read in conjunction with the Disclosure Statements, municipal bylaws, provincial building codes and any other applicable rules or regulations that govern your Lot. In addition to the review process herein, each Owner must also submit plans to the Regional District of Central Kootenay for approval and obtain all appropriate permits, copies of which will be submitted to the strata.

#### **3.02. New Works Requiring Approvals**

A design and review process will assist Owners in meeting and benefiting from the Design Guidelines. Design review and approval is required for all:

- (i) New development.
- (ii) External renovation, alterations or modifications.
- (iii) Landscaping and other site modifications.

#### **3.03. Procter Point Approval Not Required**

Procter Point design review and approvals are not required for:

- (i) interior works.

#### **3.04. The Standard Design Review Process**

Owners shall contact the Strata Officer or consult the Procter Point website to obtain a copy of the most current Procter Point Design Review Process and Procedures. The standard design review process consists of:

- (i) Preliminary Design Review (per 4.03)
- (ii) Detailed Design Review (per 3.05 and 4.04)
- (iii) Post Permit Changes Review (per 4.05)
- (iv) Completed Works Site Meeting (per 4.06)

Additional periods of review or site meetings may be required on a case-by-case basis

or as outlined in the most current Procter Point Design Review Process and Procedures.

### **3.05. Timing of Building Permits**

Owners shall obtain written approval of their Detailed Design (see 3.04.(ii)) prior to applying for a Building Permit.

### **3.06. Case-by-Case Approvals**

In cases where these guidelines are unclear or inapplicable to a proposed work, approvals will commence on a case-by-case basis according to whether the improvement is compatible with the intent of Section 1, Our Vision. Proposed work of this nature must be supported by clear and concise drawings and documents that explain how it complies with Section 1.

### **3.07. Additional Drawings and Reviews**

Works that are not approved or that are approved with conditions will require additional drawing reviews and site meetings.

### **3.08. Review of Construction Process**

The strata reserve the right to review the construction process to ensure that the plans are being adhered to and that appropriate building practices are being followed. Owners will be notified in writing of any departures from the Design Guidelines and any such Owner will be responsible for making any necessary changes or alterations.

### **3.09. Precedents**

As the community grows and evolves, so will this set of guidelines. This edition of the guidelines applies to works proposed after the adoption of this document. It is recognized that there may be instances in the community where existing works (under prior approvals) may not comply with this edition of the guidelines. These works shall not be used as precedent for future non-compliance with these guidelines.

## **4. SUBMITTAL REQUIREMENTS**

### **4.01. Timely Manner**

Drawings and other materials submitted for review and approval shall be submitted in a timely manner. Owners should assume a minimum of two to three weeks for a response (approval, approval with conditions, or non-approval) to their submitted materials.

### **4.02. Appropriate Detail and Standards**

Submitted materials shall be appropriately detailed according to the phase of design. Drawings and sketches must be completed in accordance with common architectural and drafting standards. Drawings and submittals that are ambiguous, inaccurate, un-dimensioned or incomplete will not be accepted for review.

### **4.03. Preliminary Design Review**

For the Preliminary Design Review, the following are required:

- (i) A survey of the lot, prepared by a licensed BCLS, showing topography, major

vegetation and all other pertinent survey information.

(ii) Photographs of the site, views, and adjacent lots.

(iii) A diagrammatic Site Analysis that describes the site's environmental elements (such as sun, light, wind and water), close and distant views, influences of adjacent properties and buildings, landforms, and vegetation.

(iv) A Site Plan showing the 'Natural Area' (NA) and 'Buildable Area' (BA, see Section 5), proposed structures and their floor elevations, pathways, decks, driveways, parking areas and retaining walls. This Site Plan should clearly indicate how the proposed works respond to the conditions described in the Site Analysis and the requirements of Section 5.

(v) Floor plans and exterior elevations

(vi) A preliminary Landscape Plan

(vii) A Drainage Plan showing proper drainage control required to minimize erosion and negative impacts to the land.

(viii) Three-dimensional perspective drawings are strongly encouraged and may be required on a case-by-case basis.

#### **4.04. Detailed Design Review**

For the Detailed Design Review, the following are required:

(i) A Site Plan showing the 'Natural Area' (NA) and 'Buildable Area' (BA, see Section 5), proposed structures, pathways, decks, driveways, parking areas, retaining walls, proposed grading, septic and site servicing.

(ii) Floor plans and exterior elevations that fully describe the form of the building.

(iii) At least two building sections.

(iv) A detailed Landscaping Plan, including a list of plant species.

(v) A Drainage Plan showing proper drainage control required to minimize erosion and negative impacts to the land.

(vi) List of all exterior finishing materials and colour samples showing all selected colours and clearly indicating where they will be used.

(vii) Copies of septic and sewer approvals: Owners shall contact the Procter Water Utility and the RDCK and shall provide the Strata with a copy of all approvals for their septic and sewer systems.

(viii) Three-dimensional perspective drawings are strongly encouraged and may be required on a case-by-case basis.

#### **4.05. Post-Permit Change Review**

For the Post-Permit Change Review, the following are required:

(i) Prior to the start of construction, notify the Strata of any post-permit changes to the design that pertain to any aspect of the Design Guidelines herein. Post-permit changes to the design must be reviewed and approved by the Strata prior to the start of construction.

#### **4.06. Completed Works Site Meeting**

For the Completed Works Site Meeting, the following are required:

(i) A site meeting with the Strata Officer and/or its representative to confirm that the completed works substantially comply with the approved design documents. Owners will be notified in writing of any departures from the Design Guidelines and any such Owner will be responsible for making any necessary changes or alterations.

# 5. SITE and LANDSCAPE DESIGN GUIDELINES

Procter Point is distinguished by a commitment to development which is harmonious with the surrounding natural environment. *Our approach identifies landscape and topography, rather than the building, as the determinant factors for what is possible on each lot in terms of size and scope of development.* The relationship between the Natural Area (NA) and the Buildable Area (BA) forms the substance of our commitment.

## 5.01. The Buildable Area (BA) and Permitted Uses

**(i) Buildable Area:** The location and size of the BA on a lot is not prescribed. However, the total square footage available for a BA on any given lot is determined by first taking into account the amount of NA required to maintain a “green belt” of trees and other landscape sufficient to screen the buildings on one lot from those of the neighbouring lots, as well as lessen the visual impacts from the road and the foreshore. Additional considerations include any naturally occurring factors such as slopes or other limiting terrain, as well as rights-of-way and easements (if any). *This may require allowance for lot line setbacks greater than those mandated by regional or provincial building codes.* Since all buildings, decks, patios, resident and guest parking, accessory or other structures *must* be contained within the BA, the exercise of starting with the NA requirements makes it easier to determine the overall size and scope of development possible for any given lot.

**(ii) Lot Plan showing Buildable Area:** As a requirement of the Buildable Area process, the owner will provide a Lot Plan showing the BA, along with property lines, setback requirements, roads, rights-of-way and easements. The Lot Plan will also stipulate the maximum footprint of the principal residence *within* the BA as well as the minimum setback of the residence from the front of the BA.

**(iii) Permitted Uses within the Buildable Area:** The following uses are permitted in the BA

- single family dwelling unit
- secondary suite
- guest house
- garage
- boat house
- storage and garden sheds

## 5.02. The Natural Area (NA)

The natural area of your lot outside the BA is known as the Natural Area (NA). The intent of the NA guidelines herein is to ensure the continued preservation of the Natural Area and ‘green screens’ between homes. The NA must be treated as stipulated below:

- (i)** With regards to disturbances to the NA, the principle of No Net Loss of trees and vegetation will apply.
- (ii)** Owners may not remove trees in the NA without approval. Approval to cut down trees in the NA will only be granted where it is necessary to provide an access road, the space needed for the building construction, a parking area, site services and sanitary installations. Once the building is finished, the Owner may request to selectively cut trees in the NA to have a view and maintain this view through regular pruning.



- (iii) Large trees cut down in the NA must be replaced.
- (iv) Dead or dangerous trees should be taken down in a manner that creates the least amount of disturbance.
- (v) Screening vegetation in the NA may be removed at the owner's discretion; however, it must be replaced with equivalent screening vegetation and the Strata Council may request mitigation of any vegetation removal.
- (vi) It is particularly important to maintain trees and foliage between homes.
- (vii) A survey of the trees and vegetation to be removed from the NA shall form part of the Landscape Plan submitted for review and approval. The rehabilitation of the NA per these guidelines must also be clearly indicated in the Landscape Plan.
- (viii) Sensitive placed decks, planting, landscaping and indigenous stone-faced retaining walls and other garden improvements within the NA are allowed if these improvements are in the spirit of the Design Guidelines and are approved on a case-by-case basis.
- (ix) During the construction process, the Building Envelope must be temporarily fenced-off.
- (x) Compliance with 5.02 shall be supported by a report by a certified arborist and submitted to the Strata. See Section 8, Consultant Contacts and Useful Resources.

### **5.03. Topography and Steep Slopes**

Building form should relate to the existing terrain and follow the natural topography of the site. Grading should be minimized, and Owners should avoid displacing large quantities of earth to build their homes and driveways. Steep slopes must not be cleared of vegetation. In cases where grading is necessary, vegetation cover must be restored upon completion of construction or during the first period suitable for planting and seeding.

### **5.04. Driveways and Parking Areas**

Parking areas must be located within the prescribed BA. On all sites, driveways and parking areas must be resolved early in the design process and require approval prior to the start of any construction on site. On challenging sites, a well resolved access and parking area are critical to the overall success of a project and the community. In all instances, the house, driveway and parking areas should be located to minimize the impact to existing vegetation and natural grades on site.

### **5.05. Modifications to Common Property**

The Strata Act requires any Common Property modifications to be approved by Special Resolution (75%). The unused portion of the road right-of-way can be used for the exclusive benefit of the adjacent lot, but such use may not interfere with the road and utilities. Use of the unused road right-of-way does not require approval through Special Resolution, so long as it can be demonstrated (with a Site Plan and in a site meeting) that there will be no interference to the existing road or utilities. The intent of this Guideline is to minimize site disturbance by allowing easier access and parking for sites where grades pose significant challenges.

### **5.06. Damage to Common Property**

Financial bonding may be required as surety against any damage to the common property during home construction.

### **5.07. Views and Privacy**

Significant efforts should be made to conceal views into the private spaces of a home from

the road and foreshore. Owners shall respect their neighbours' privacy, and enhance their own, by carefully designing the views into and out of their homes. Owners shall consider any negative impact their project may have on current and future neighbours by limiting intrusive elements that might impact views from neighbouring properties. Factors that impact views and privacy include trees and screening foliage, the location and size of a home on its site, the placement of parking areas and driveways, floor elevations as compared with roads and neighbouring homes, window placement and size, sensitively designed decks and other outdoor areas for gathering. For waterfront lots, parking garages and parking areas should be located so cars cannot be seen from the waterfront.

### **5.08. Plants and Landscaping**

It is strongly recommended that Owners engage the services of a qualified professional for their landscape design. Owners are encouraged to contact the Strata for a list of qualified professionals having previously completed projects at Procter Point (See Section 8). The intent is that new landscaping looks natural and not suburban. Extensive grassy lawn, where it does not naturally occur, should be avoided. Property boundaries should not be emphasized and symmetrical plantings, such as hedges, are discouraged. Landscaping and new plants should help to connect the home to its site, without great contrast to the existing character of the surrounding vegetation. New plants should be species that are native to the Kootenay region. The Landscape Plan submitted for review and approval must include a planting list.

### **5.09. Irrigation**

Irrigation water is provided by the utility company and owners should discuss with the utility company as applicable (see resource page).

### **5.10. Landscape Elements**

Landscape elements include fences, retaining walls, patios, surface paving, guardrails, site stairs, and the like. These should be considered in the overall vision of a project and will be approved according to the Guidelines herein.

**(i) Retaining Walls:** Retaining walls are to be designed and finished using natural stone native to the area. Restrictions on height of retaining walls may apply and any construction of retaining walls must be approved on a case-by-case basis.

**(ii) Fences:** Fences along property lines are generally discouraged as they contribute to a suburban aesthetic that is not consistent with our vision. However, fences are often required for privacy, views and deer control. In these cases, fences must be constructed of either wood or stone. Fences must be no greater than 2 meters high and must be approved as part of the Landscape Plan.

### **5.11. Sewer Systems**

Sewer services are provided by the utility company and owners should discuss with the utility company and the RDCK as applicable (See Section 8, Consultant Contacts and Useful Resources).

## **6. BUILDING DESIGN GUIDELINES**

Building Design Guidelines are designed and implemented to guide proposed works toward a successful building that is consistent with our vision.

### **6.01. Building-to-Building Relationships**

As Procter Point grows and the density of homes increases, consideration shall be given to the “building-to-building” relationships that are created between any new homes and existing neighbouring structures. This is particularly important when considering the size and location of your home within the prescribed BA. Is the building-to-building relationship between your new home and your neighbour’s home consistent with our vision? If the answer is “no”, then an alternate design or location of the home should be investigated.

### **6.02. Building Size**

Maximum building size is site specific. The Lot Plan may specify the maximum footprint allowed for the home. If larger homes are desired, then additional floors should create that space, rather than sprawling main floors or large bungalow homes. This type of design integrates well within the tall forest landscape and allows for more space and more privacy between homes.

### **6.03. Building Height**

A maximum of 2.5 stories is permitted. While there is not a prescribed height maximum (in feet and inches), the actual height of the home will be considered in the context of the other guidelines herein (i.e., views of the home, building-to-building relationships, response to the site’s topography, privacy, aesthetics, etc.).

### **6.04. Exterior Materials**

When viewed from the lake or the forest, homes should blend in with nature. To achieve this, building materials should be inspired by the native foliage, rocks and surroundings. Wood, stone, masonry stucco, glass, metals integrate well with the forest at Procter Point. Vinyl siding is not permitted. Material authenticity is required. Finishes and textures shall be authentic to the material used and shall not imitate a finish or texture of other materials. From time to time, Owners have proposed cladding materials not specifically mentioned herein and/or creative solutions that meet the intent of the Guidelines while allowing for some individual expression of materials. In these instances, materials are considered on a case-by-case basis (see 3.06).

### **6.05. Exterior Colours**

When viewed from the lake or the forest, homes should blend in with nature. To achieve this, building colours shall be inspired by the native foliage, rocks and surroundings. Colours should be subdued and not bright or saturated. From time to time, Owners have proposed creative solutions that meet the intent of the guidelines while allowing for some individual expression of colours. In these instances, colours are considered on a case-by-case basis (see 3.06).

### **6.06. Roofing**

The roof shall be considered as a ‘facade ’of the home and should be designed accordingly. Neutral or dark colours are required and shall comply with 6.05, Exterior Colours. If the roof surface in view is flat, it must have a dark membrane, be a vegetated roof or employ local pebbles from the beach as ballast. In selecting the shape of the roof, it is important that your designer consider the building-to-building relationships of adjacent structures.

### **6.07. Windows**

Windows should be located to provide views of the natural surroundings yet restrict views

toward neighbouring buildings. See 5.07, Views and Privacy. Exterior window frame colours shall comply with Section 6.05, Exterior Colours.

### **6.08. Accessory Structures**

All accessory buildings of 100 square feet or more shall comply with the guidelines herein. The materials, colours, and general massing of accessory buildings shall be consistent with the materials, colours, and general massing of the primary home. Accessory structures will be reviewed and approved on a case-by-case basis (see 3.06) and may include:

**(i) Guest Houses**

**(ii) Garages:** Wherever possible, garages should not dominate the view of the home or site as they typically do in suburban developments. Owners should endeavour to screen parking garages and parking areas so cars cannot be seen from the waterfront. Garages should accommodate no more than two cars.

**(iii) Garden and Storage Sheds:** shall be concealed from view and be appropriately sized.

**(iv) Boat Houses:** Boathouses and boat rails require approval from the relevant Provincial bodies and RDCK. See Resources.

### **6.09. Equipment**

**(i) Antennae:** No antennae are permitted; however, satellite dishes may be used but must not be greater than 24 inches in diameter.

**(ii) Mechanical and Electrical Equipment:** Any mechanical and electrical equipment exterior to the home shall be screened from view in a manner consistent with these guidelines.

**(iii) Solar Panels:** Roof-mounted solar panels shall be integrated into the design of the roof and shall be reviewed per the requirements of sections 6.04, 6.05 and 6.06. Solar panels not mounted to the building (i.e., 'ground mounted' solar panels) shall be screened from view in a manner consistent with these guidelines.

## **7. BC ENERGY STEP CODE & SUSTAINABLE DESIGN GUIDELINES**

### **7.01. BC Energy Step Code:**

The RDCK has adopted the BC Energy Step Code. Procter Point strongly encourages Owners and their architects to contact the RDCK early in the design process to confirm the current targets and requirements for the BC Energy Step Code.

### **7.02. Sustainable Design Practices**

The strata strongly encourage Owners to incorporate sustainable practices in the building design. Sustainable practices include but are not limited to:

**(i)** Energy efficient building design, materials, appliances and heating systems.

**(ii)** Water-saving appliances.

**(iii)** Geothermal heating and cooling systems.

**(iv)** Eco-certified building materials.

**(v)** Using locally supplied products and labour sources.

**(vi)** Rainwater collection and irrigation systems.

**(vii)** Solar powered systems.

**(viii)** Household recycling centres.

**(ix)** Underground rainwater collection system for the purpose of garden irrigation.

### **7.03. Sustainable Design Resources and Certification Programs:**

There are number of certification programs that can provide an Owner and their architect with a framework for their sustainable design strategies. Procter Point strongly encourages Owners and their architects to explore the sustainable design strategies detailed in the BC Energy Step Code, CHBA-BC Net Zero certification, LEED for Homes, Passive House, Built Green, Energy Star, R-2000, and the Living Building Challenge.

## **8. CONSULTANT CONTACTS & USEFUL RESOURCES:**

**8.01. List of Consultant Contacts and Other Useful Contacts:** Owners are encouraged to contact the Strata Officer to obtain a current list of consultants and other useful contacts who have previously been involved with projects at Procter Point. The list includes: (1) Architects and designers, (2) BCLS land surveyors, (3) ROWP's, (4) Environmental consultants, (5) Energy advisors, (6) Landscape professionals and arborists, and (7) contact information for various provincial and municipal regulators.

**END**