

BOARD OF VARIANCE APPLICATION

Date of Application: 26/01/2022 VOP File Number: _____

APPLICANT INFORMATION:

Name: Bryant Cook Postal Address: _____
 Phone: _____ 1703 Wishbone CRT
 Fax: _____ Pemberton, V0N2L3
 Cel: [REDACTED] Email: [REDACTED]

REGISTERED OWNER INFORMATION:

Name: Bryant Cook & Ruth Weaver Postal Address: _____
 Phone: [REDACTED] 1703 Wishbone CRT
 Fax: _____ Pemberton, BC, V0N2L3
 Cel: _____ Email: [REDACTED]

PROPERTY INFORMATION:

Civic Address: _____ Legal Description: Strata Lot 56, District Lot 211
1775 Pinewood Street Zoning Designation: RS-1
Pemberton, BC Bylaw to be varied: 11.1.4
V0N 2L1 Maxium Building Height, Principal

DESCRIPTION OF VARIANCE REQUESTED:

To vary section 11.1.4 of the VOP Zoning Bylaw 832, 2018 to allow for a building height greater than 10.5m to a maximum of 10.93m.

APPLICATION CHECKLIST:

Certificate of Title	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Site Plan	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Application Fee	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Property Within Agricultural Land Reserve	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Authorization Form	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A	Property Subject to Riparian Area Regulations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Rationale for Variance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	Property Adjacent to Residential Properties	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

I, Bryant Cook hereby allow for the purposes of this application, any member(s) of the Board of Variance to [REDACTED] variance upon request.

For Office Use Only

Roll No.: _____	Prospero No.: _____
Related Files: _____	Fee Submitted: \$ _____ Receipt No.: _____

1775 Pinewood Avenue, Lot 56, The Plateau
Letter to the Board of Variance

Village of Pemberton
Box 100, 7400 Prospect Street
Pemberton, BC, V0N 2L0

Dear Board of Variance

The purpose of this letter is to outline the rationale for the request of a height variance to build our home at 1775 Pinewood Avenue.

Part 11.1.4 of the VOP Zoning Bylaw 832 restricts the maximum building height from grade to 10.5m

Great care was taken to design a home that has minimal impact on the landscape and enhance the natural features of the site while working within the building code and bylaw restrictions

VOP Hillside Development Vision is to develop an environmentally sensitive, functionally appropriate and aesthetically pleasing building. By minimising the building foundation of our home through the use of a cantilever, we have been able to reduce site excavation and disturbance causing minimal loss of existing natural geological features and flora present. At the same time we believe that by following the step contour of the site we have not only produced an aesthetically pleasing design but one that enhances this challenging site.

Unfortunately, due to a difference in the interpretation of the bylaw regarding how to determine natural grade height from which to measure maximal building height. The VOP believes that our design exceeds 10.5m and has suggested that we seek a variance.

Without the provision of a height variance, we would need to erect a large concrete retaining wall to raise the minimum average grade as interpreted by the VOP. This not only will have no effect on the finished height of the structure it will also be in contradiction to the Hillside Development Vision. Erection of a wall will cause major delays and cost obstructions towards getting our home built, with no engineering advantage or visual enhancement of the site.

For the above mentioned reasons we are seeking a variance to Bylaw 832 part 11.1.4 to increase the maximum allowable building height from 10.5m to 10.93m.

For the committee's reference, please see 2 photos of homes in the neighbourhood that are clearly above 10.5m if the bylaw is interpreted as the VOP suggests. The first home is the neighbouring house to our site.





PART 3: Definitions

Grade, Building means, in relation to a building, or building height, the lowest of the average levels of grade of the natural grade or finished grade adjoining each exterior wall of a building, excluding localised depressions such as for vehicle or pedestrian entrances.

4.4 Building and Structure Height

(b) Height shall be measured by a vertical line from the building grade to the point of the roof structure determined by the roof type as follows:

ii. For sloped, pitched, butterfly, or gambrel roofs, height shall be measured to the mid-point between the top of the exterior wall to the highest point of the roof structure.

11.1.4. Building Regulations

i) Maximum Building Height, Principal: 10.5 m

Thank you for your time and consideration,
Bryant and Ruth

celebration which is permitted as a non-farm use in the Agricultural Land Reserve in accordance with the regulations in section 7.12 of this Bylaw:

Golf Course

means the use of land for playing golf, consisting of a least nine holes, with each hole generally consisting of tees, greens, fairways and hazards, and the following accessory uses, buildings, and structures:

- i. Club house (licensed Restaurant),
- ii. Pro shop (retail sales of golf equipment),
- iii. Driving range,
- iv. Putting green,
- v. Mini putt area, and
- vi. Golf Schools.

Grade, Building

means, in relation to a building, or building height, the lowest of the average levels of grade of the natural grade or finished grade adjoining each exterior wall of a building, excluding localized depressions such as for vehicle or pedestrian entrances.

Grade, Finished

means, in relation to a building or structure, the elevation of the ground surface, or the angled plane of a sloped lot, after development.

Grade, Natural

means, in relation to a building or structure, the elevation of the ground surface, or the angled plane of a sloped lot, in its natural or semi-natural state, prior to any development.

Greenhouse

means a building or structure covered with translucent material and used for the purpose of agriculture and horticulture.

Height

means with respect to a building or structure, the vertical distance between the building grade, and the highest point of the structure of a flat roof, or the mid-point of a sloping roof, measured in accordance with section 4.4 of this Bylaw.

Highway

means a public street, road, trail, Lane, bridge, trestle, any other public way or any other land or improvement that becomes or has become a highway as per the British Columbia Transportation Act.

Home Occupation

(a) Where a zone or regulation establishes a maximum height for a building or structure, the building or structure shall be constructed no higher than the maximum height as determined by this Bylaw.

(b) Height shall be measured by a vertical line from the building grade to the point of the roof structure determined by the roof type as follows:

- i. For flat or domed roofs, height shall be measured to the highest point of the roof structure.
- ii. For sloped, pitched, butterfly, or gambrel roofs, height shall be measured to the mid-point between the top of the exterior wall to the highest point of the roof structure.
- iii. For roofs with dormers, height shall be measured to the mid-point between the top of the exterior wall forming the dormer and the highest point of the roof structure.

(c) For clarity:

- i. the maximum building height in a zone may vary according to the use of the building or structure, as specified in the zone;
- ii. where the regulation refers to a specific type of building or structure, the regulation shall be applied to that type of building or structure only.

(d) Despite the height regulations in any zone or regulation, the maximum building height may be exceeded for the following features, provided that portions of, or projections from, buildings or structures shall not exceed 18.0 m:

- i. Communication towers and antennas;
- ii. Architectural feature such as a clock tower, water tower, etc.;
- iii. Chimneys;
- iv. Flag poles;
- v. Elevator shafts;
- vi. Stair and hose towers;
- vii. Micro-wind turbines; and
- viii. Solar panels.

(e) Agricultural buildings and structures constructed on land zoned Agricultural (A-1) are exempt from the building height requirements.

4.5 Fence Height

(a) The height of a fence, wall or similar screen shall be determined by measurement from the ground level at the average natural grade level within 1.0 m of both sides of such fence, wall or similar screen.

4.6 Density Calculation with Land Dedication

(a) When calculation of density involves the dedication of land to any government agency for environmental, park, or other public purpose, the density calculation shall be based on the area of the lot before dedication.

PART 11: Residential Zones, Detached

11.1 Residential 1 (R-1)

The Residential 1 (R-1) Zone is intended to accommodate detached dwellings within residential neighbourhoods.

11.1.1 Permitted Principal Uses

(a) Dwelling, Detached

11.1.2 Permitted Accessory Uses

- (a) Bed and Breakfast
- (b) Home Occupation
- (c) Secondary Suite
- (d) Short-Term Vacation Rental

11.1.3 Lot Regulations

a) Minimum Lot Size:	700 m ²
b) Minimum Lot Width:	18 m

11.1.4 Building Regulations

a) Minimum Principal Building Width:	7.6 m
b) Minimum Front Setback:	6 m
c) Minimum Rear Setback:	5 m
d) Minimum Interior Side Setback (subject to Conditions of Use):	1.5 m
e) Minimum Exterior Side Setback:	4.6 m
f) Maximum Lot Coverage:	40%
g) Maximum Number of Principal Buildings:	1
h) Maximum Number of Accessory Buildings:	2
i) Maximum Building Height, Principal:	10.5 m
j) Maximum Building Height, Accessory:	4.6 m

11.1.5 Conditions of Use:

(a) The total of two interior lot lines setbacks shall not be less than 4.5 m with at least one of the interior lots line setbacks not being less than 1.5 m.

MAXIMUM BUILDING HEIGHT CALCULATION BASED ON THE NATURAL GRADE

• BUILDING GRADE AT AVERAGE LEVEL OF THE NATURAL GRADES AT EXTERIOR WALLS:

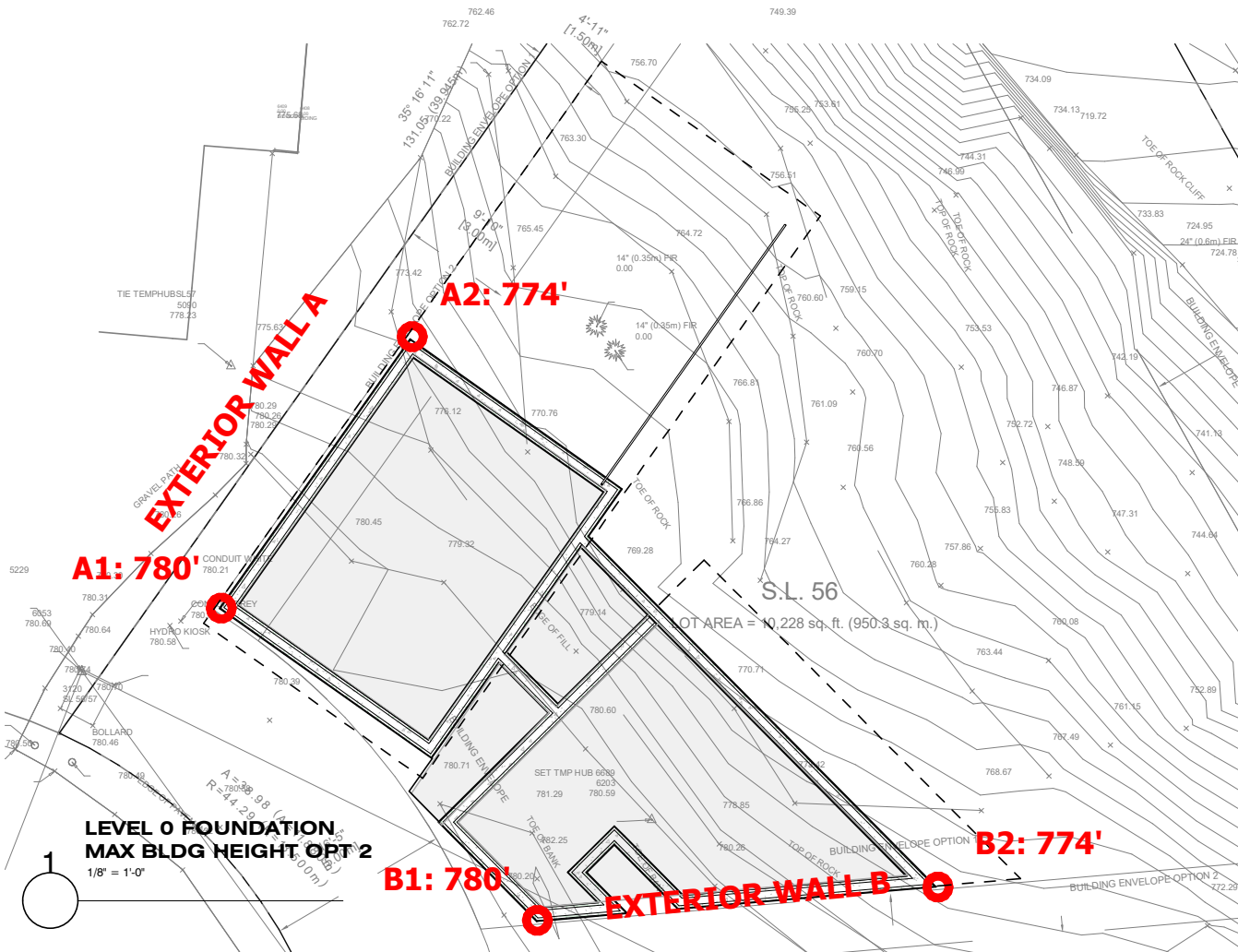
$$777' = (780' + 774') / 2$$

$$= (780' + 780' + 774' + 774') / 4$$

• MAXIMUM BUILDING HEIGHT:
811.45' = 777' + 34.45' (10.5m)

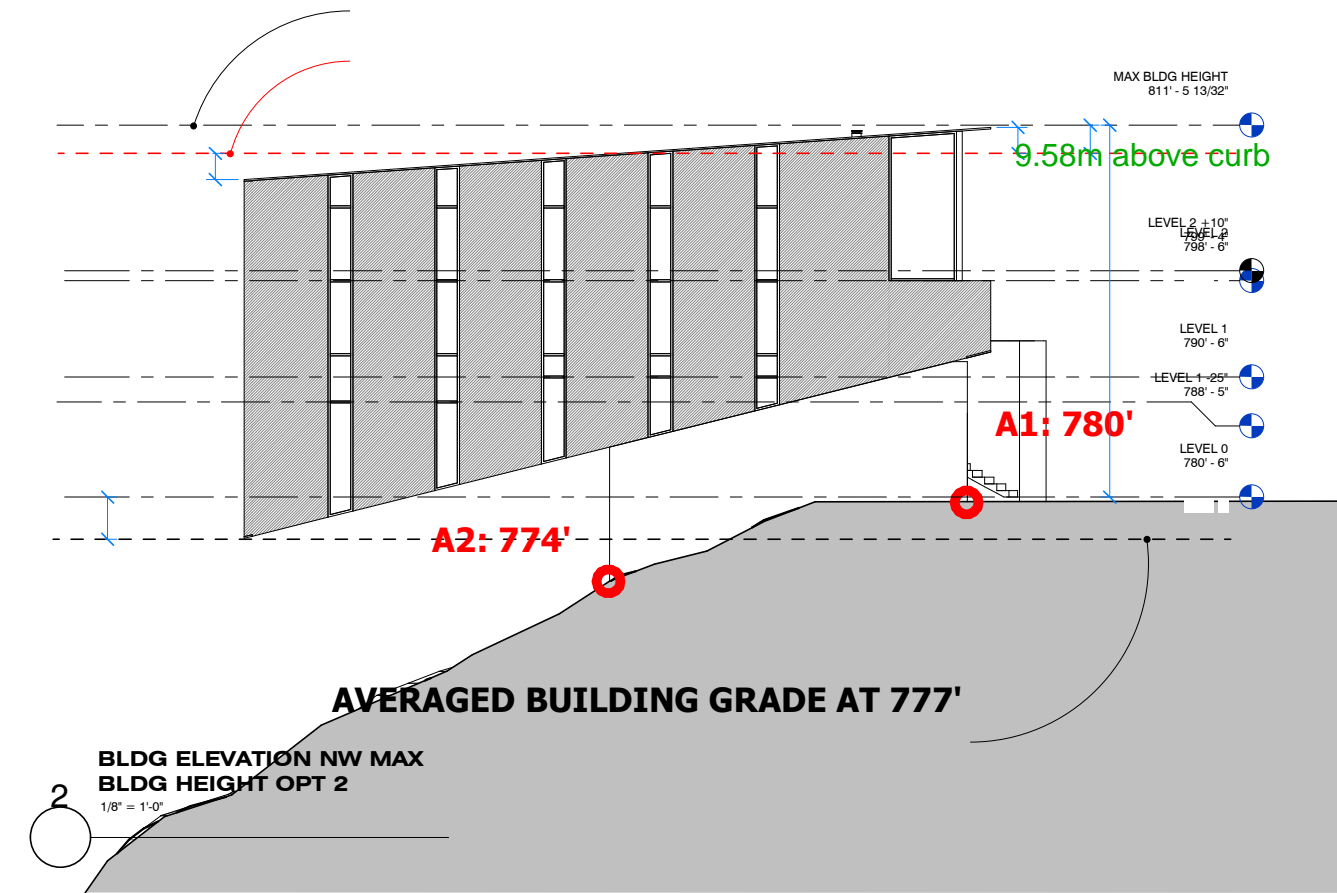
• DESIGNED BUILDING HEIGHT OR THE HEIGHT OF THE MIDDLE POINT OF THE SLOPED ROOF
809.10' < 811.45' 9.78m

Village of Pemberton Zoning Bylaw 832, 2018



Village of Pemberton Zoning Bylaw 832, 2018

Village of Pemberton Zoning Bylaw 832, 2018



PROJECT: COOK WEAVER RESIDENCE PEMBERTON

AAA PROJECT CODE: 21PEM

1775 PINWOOD DR., Pemberton, BC V0N 2L3, Canada

PETER ANDERSON
DESIGN CONSULTANT

T 415.243.9500
F 415.520.9522

PRELIMINARY
NOT FOR CONSTRUCTION

DATE: 06/15/21
PHASE: SD
PREPARED: Yafei Li
BY:

REVISION ISSUE DATE

TOTAL SF:
KEY PLAN:

MAX BLDG
HEIGHT OPT 2

A 1.0.4



VIEW FROM DOWNHILL
FROM EAST TO WEST



VIEW FROM STREET
WITH RETAINING WALL

PROJECT:
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PEMBERTON**

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PRELIMINARY
NOT FOR CONSTRUCTION

DATE: 12/21/2021
PHASE: CD
PREPARED BY: Author

#	REVISION ISSUE	DATE
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TOTAL SF:
KEY PLAN:

RENDERINGS
A 0.10.4



VIEW FROM STREET
FROM SOUTH TO NORTH



VIEW FROM STREET
FROM WEST TO EAST

PROJECT:
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PREPARED BY: Author

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TOTAL SF:
KEY PLAN:

RENDERINGS

A 0.10.3

PROJECT:
**COOK WEAVER
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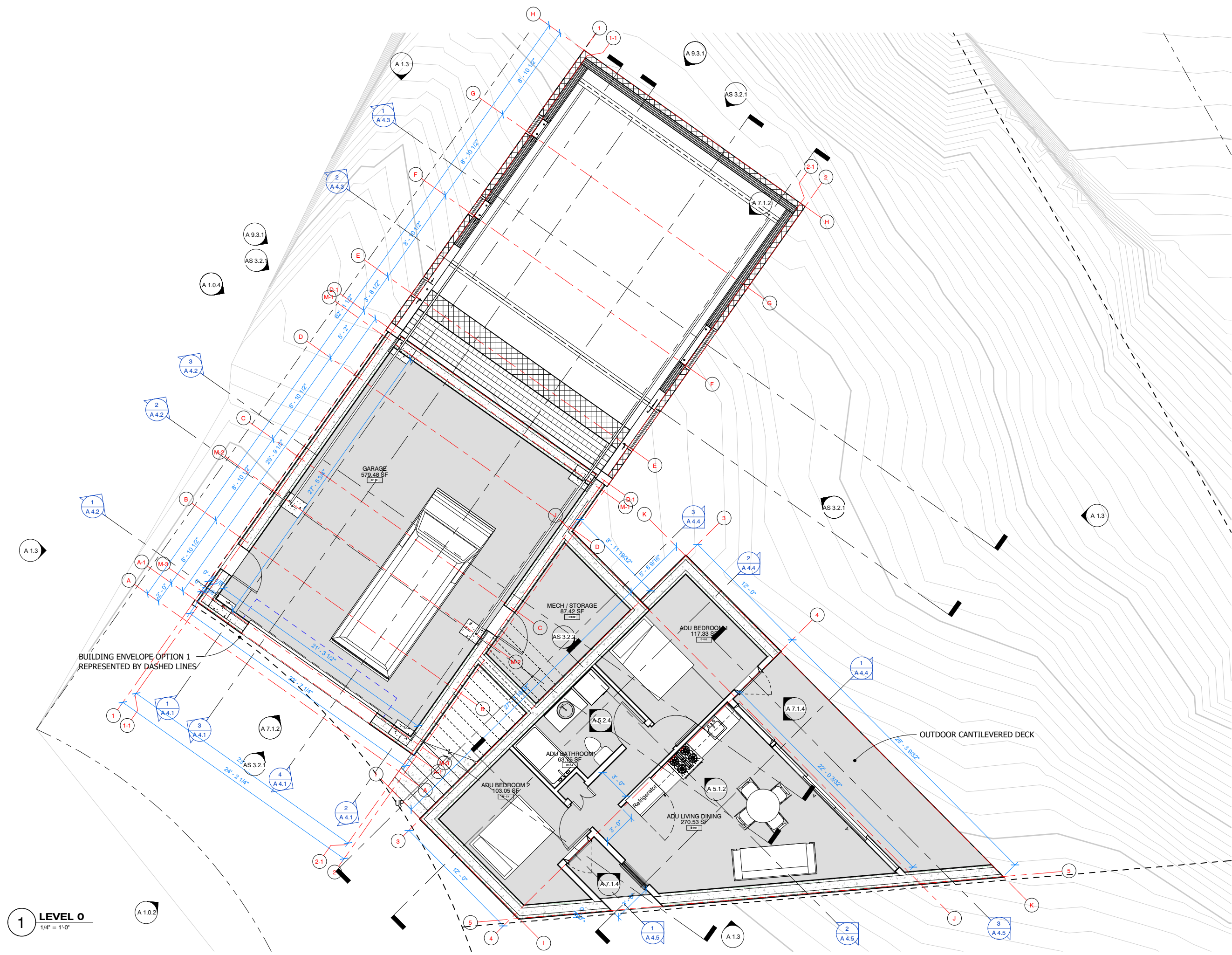
#	REVISION	ISSUE	DATE

TOTAL SF:
 KEY PLAN:



FLOOR PLAN
 LEVEL 0

A 2.1



1 LEVEL 0
 1/4" = 1'-0"

BUILDING ENVELOPE OPTION 1
 REPRESENTED BY DASHED LINES

OUTDOOR CANTILEVERED DECK

MECH / STORAGE
 87.42 SF

ADU BEDROOM 1
 117.33 SF

ADU BATHROOM
 63.76 SF

ADU BEDROOM 2
 103.05 SF

ADU LIVING DINING
 270.53 SF

GARAGE
 579.48 SF

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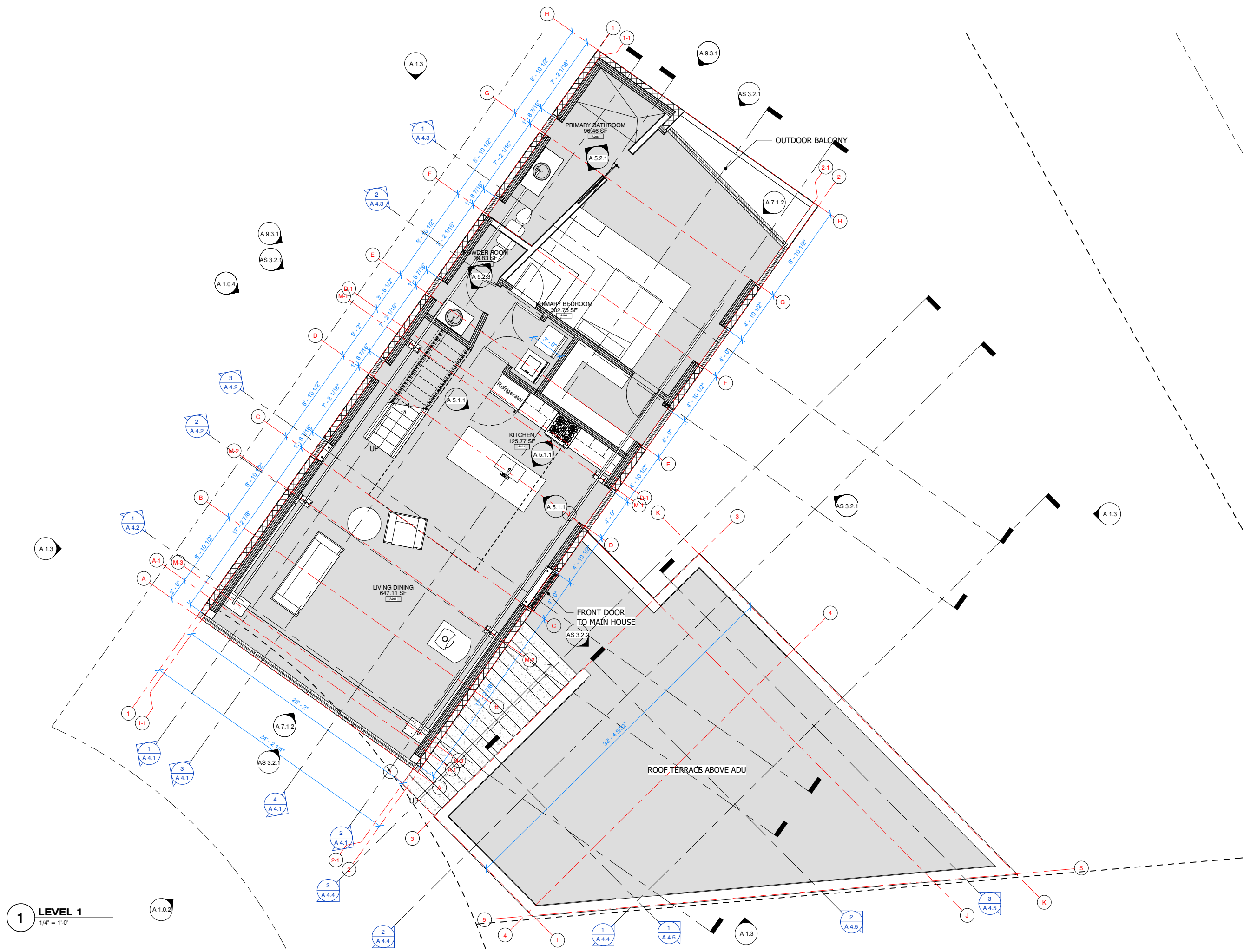
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 PHASE: CD
 PREPARED: Yafei Li
 BY:

#	REVISION	ISSUE	DATE

TOTAL SF:
 KEY PLAN:


**FLOOR PLAN
 LEVEL 1**
A 2.2

1 LEVEL 1
 1/4" = 1'-0"

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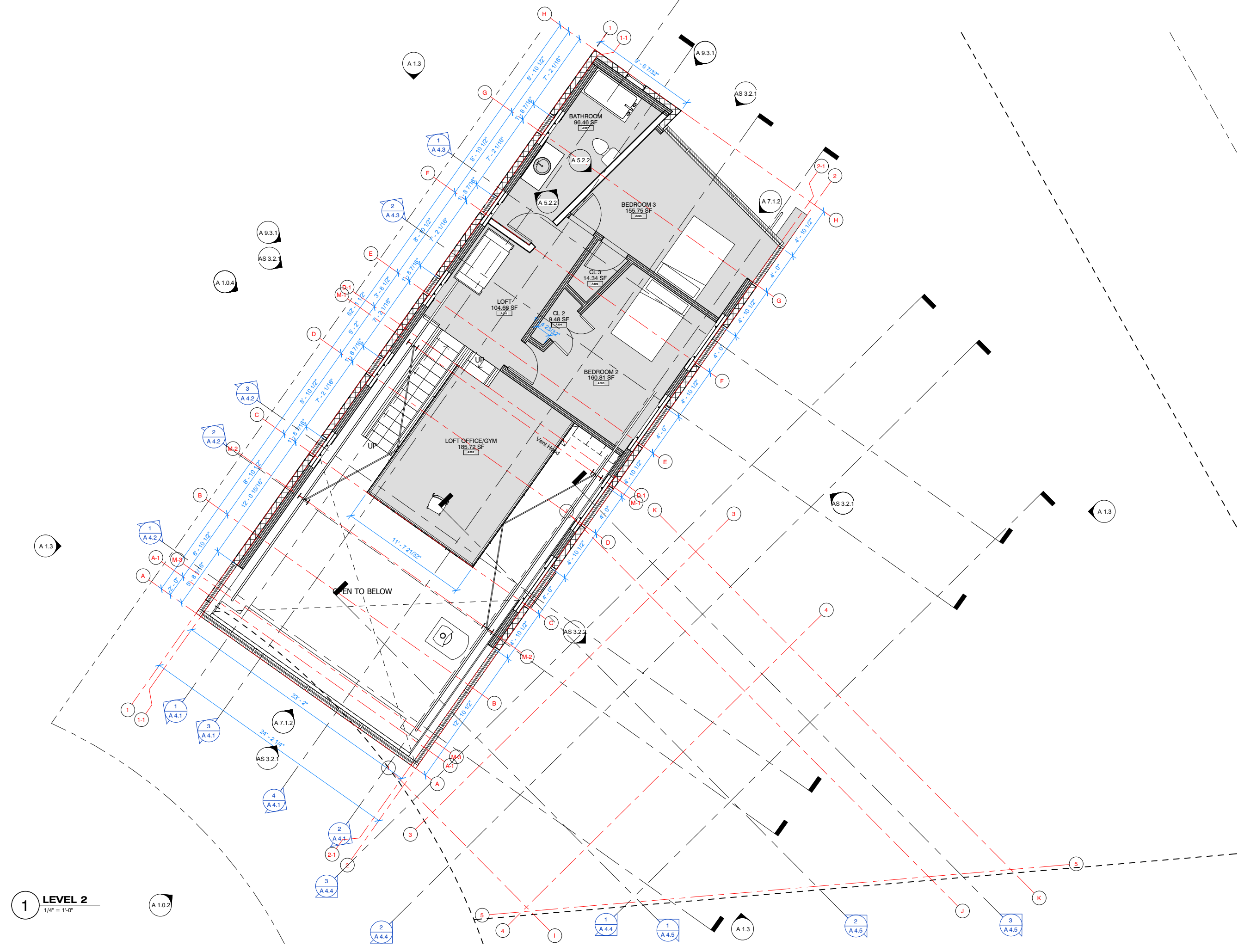
#	REVISION	ISSUE	DATE

TOTAL SF:
 KEY PLAN:



FLOOR PLAN
 LEVEL 2

A 2.3



1 LEVEL 2
 1/4" = 1'-0"

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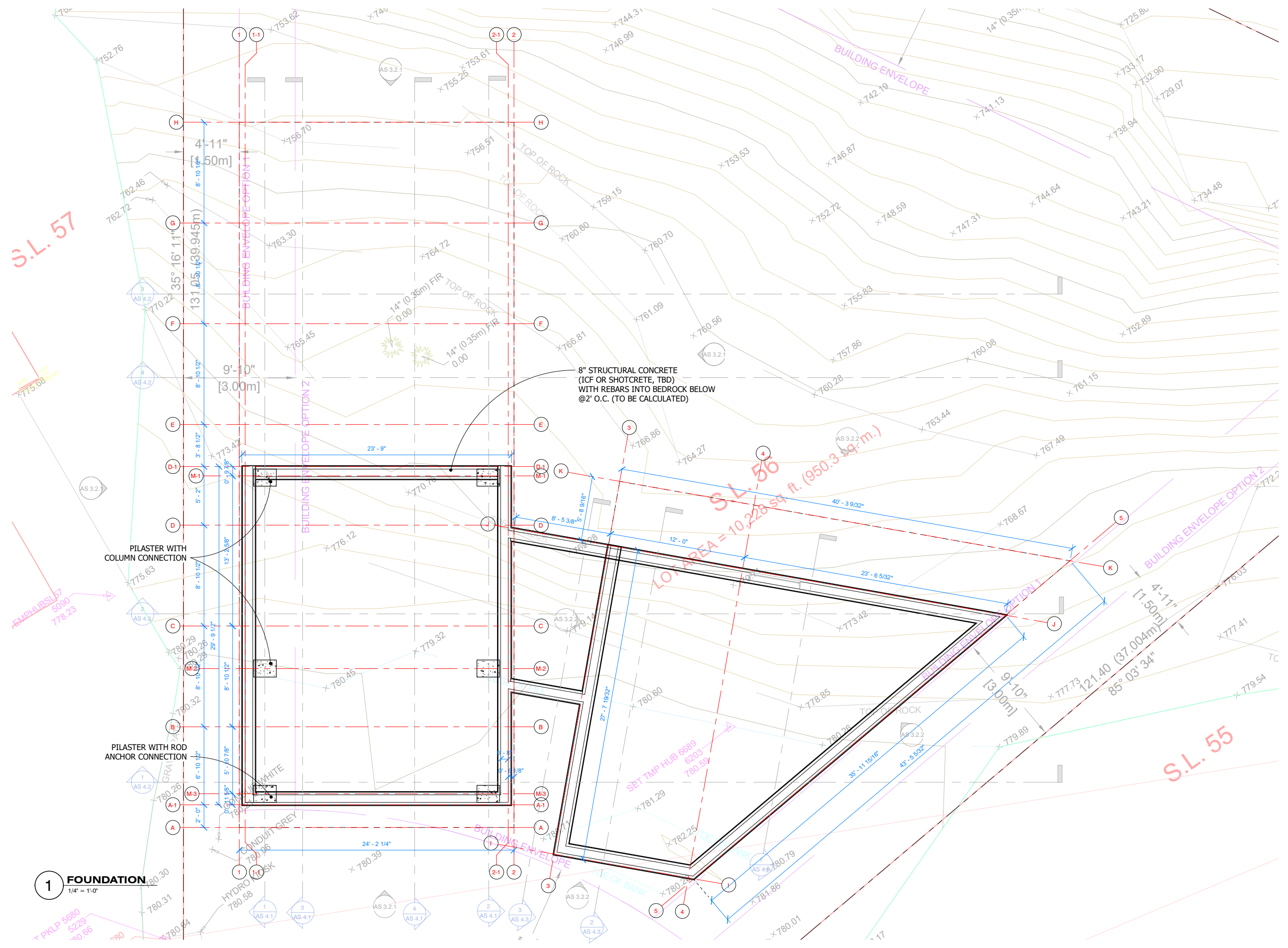
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DATE: 12/21/2021
 PHASE: CD
 PREPARED BY: Author

#	REVISION	ISSUE	DATE

TOTAL SF:
 KEY PLAN:

**STRUCT-
 FOUNDATION
 PLAN
 AS 2.0**



1 FOUNDATION
 1/4" = 1'-0"

8" STRUCTURAL CONCRETE
 (ICF OR SHOTCRETE, TBD)
 WITH REBARS INTO BEDROCK BELOW
 @2' O.C. (TO BE CALCULATED)

PILASTER WITH
 COLUMN CONNECTION

PILASTER WITH ROD
 ANCHOR CONNECTION

CONDUIT GREY
 HYDRO RESISTANT

LOT AREA = 10,228 sq. ft. (950.3 sq. m.)

S.L. 55

S.L. 57

S.L. 56

4'-11"
 [1.50m]

131.05 (39.945m)

9'-10"
 [3.00m]

3'-8 1/2"

5'-2"

29'-9 1/2"

8'-10 1/2"

6'-10 1/2"

2'-0"

24'-2 1/4"

27'-7 1/8"

27'-7 1/8"

27'-7 1/8"

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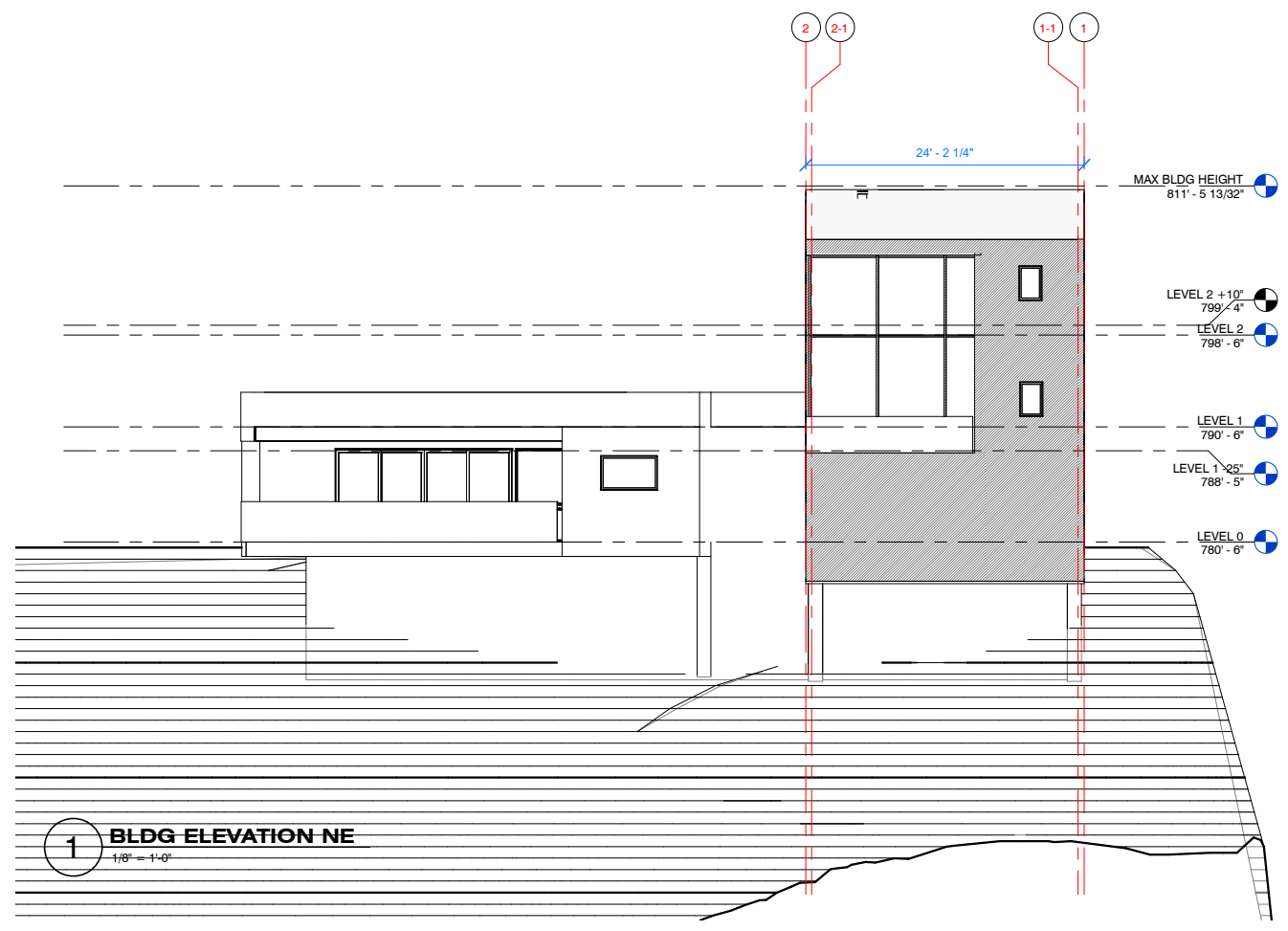
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 PREPARED: Yafei Li
 BY:

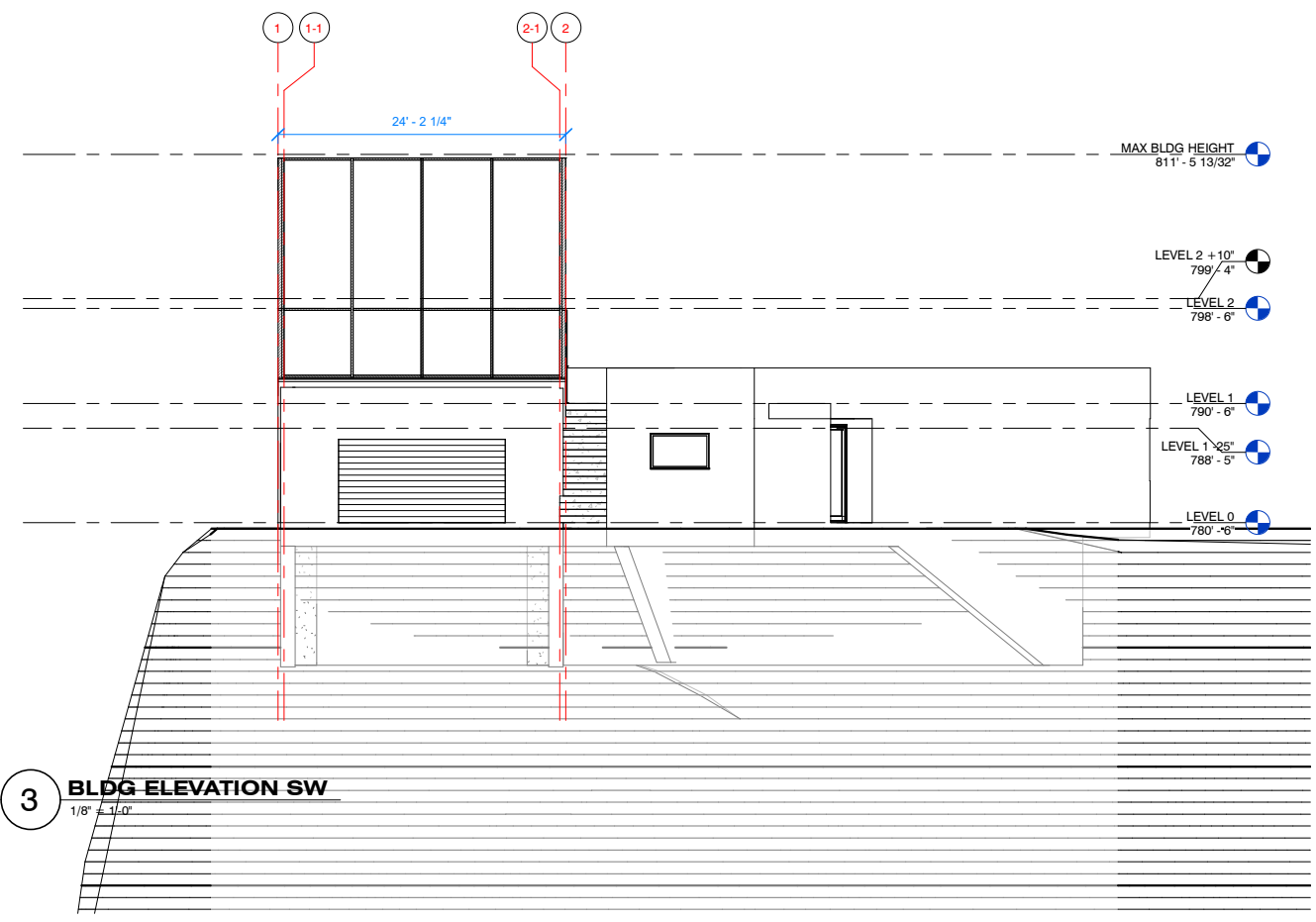
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TOTAL SF:
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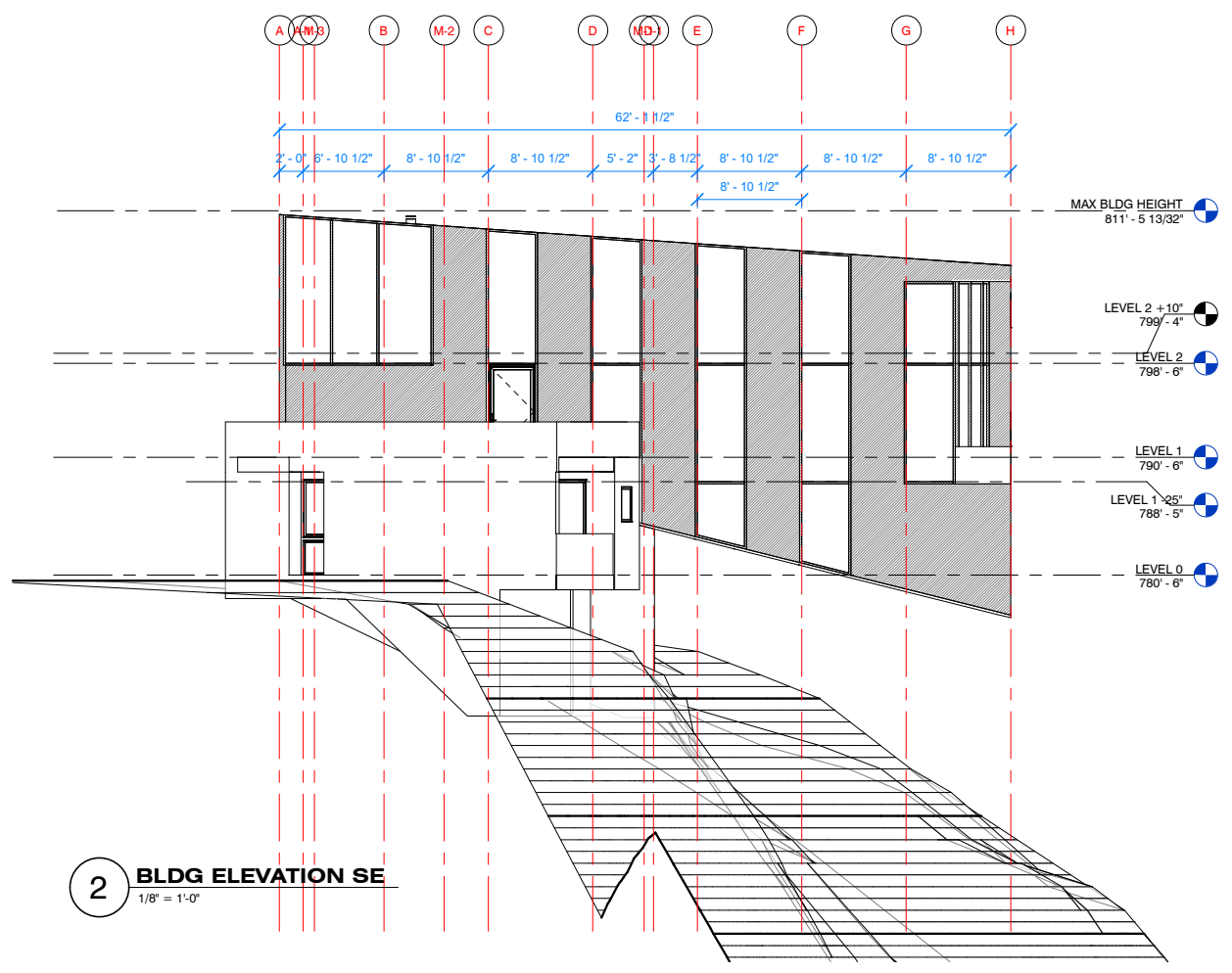
BLDG
 ELEVATIONS
A 3.1



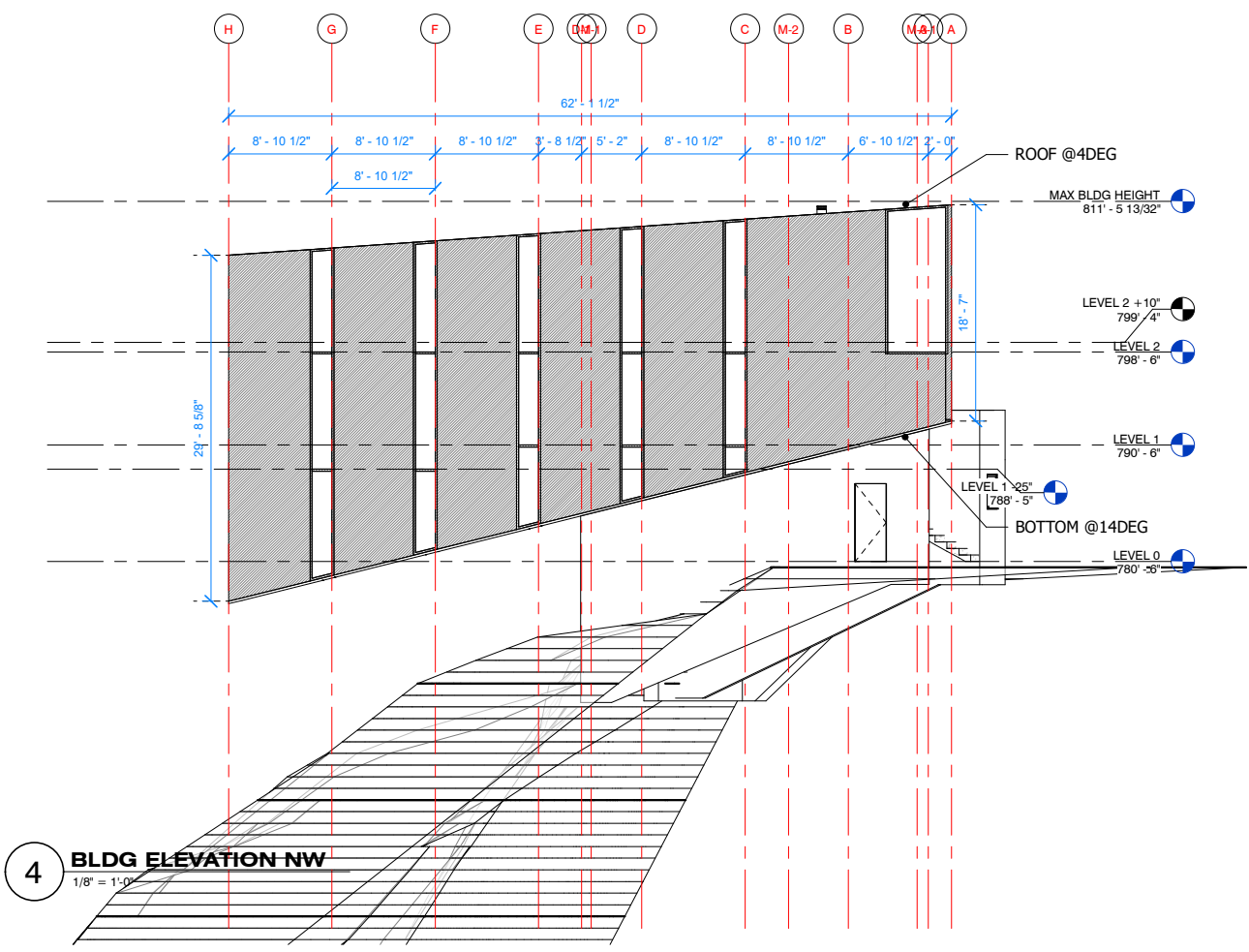
1 BLDG ELEVATION NE
 1/8" = 1'-0"



3 BLDG ELEVATION SW
 1/8" = 1'-0"



2 BLDG ELEVATION SE
 1/8" = 1'-0"



4 BLDG ELEVATION NW
 1/8" = 1'-0"

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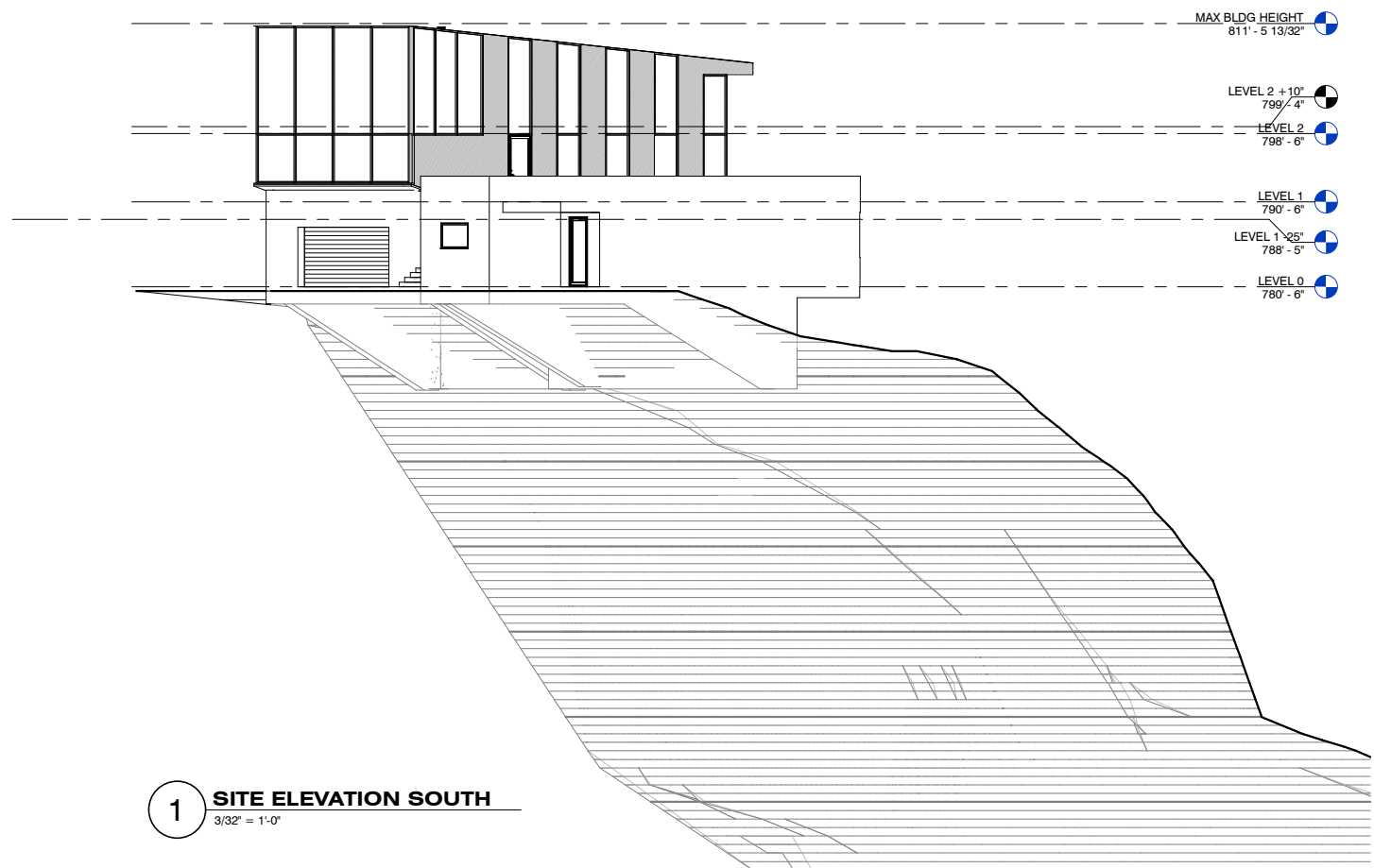
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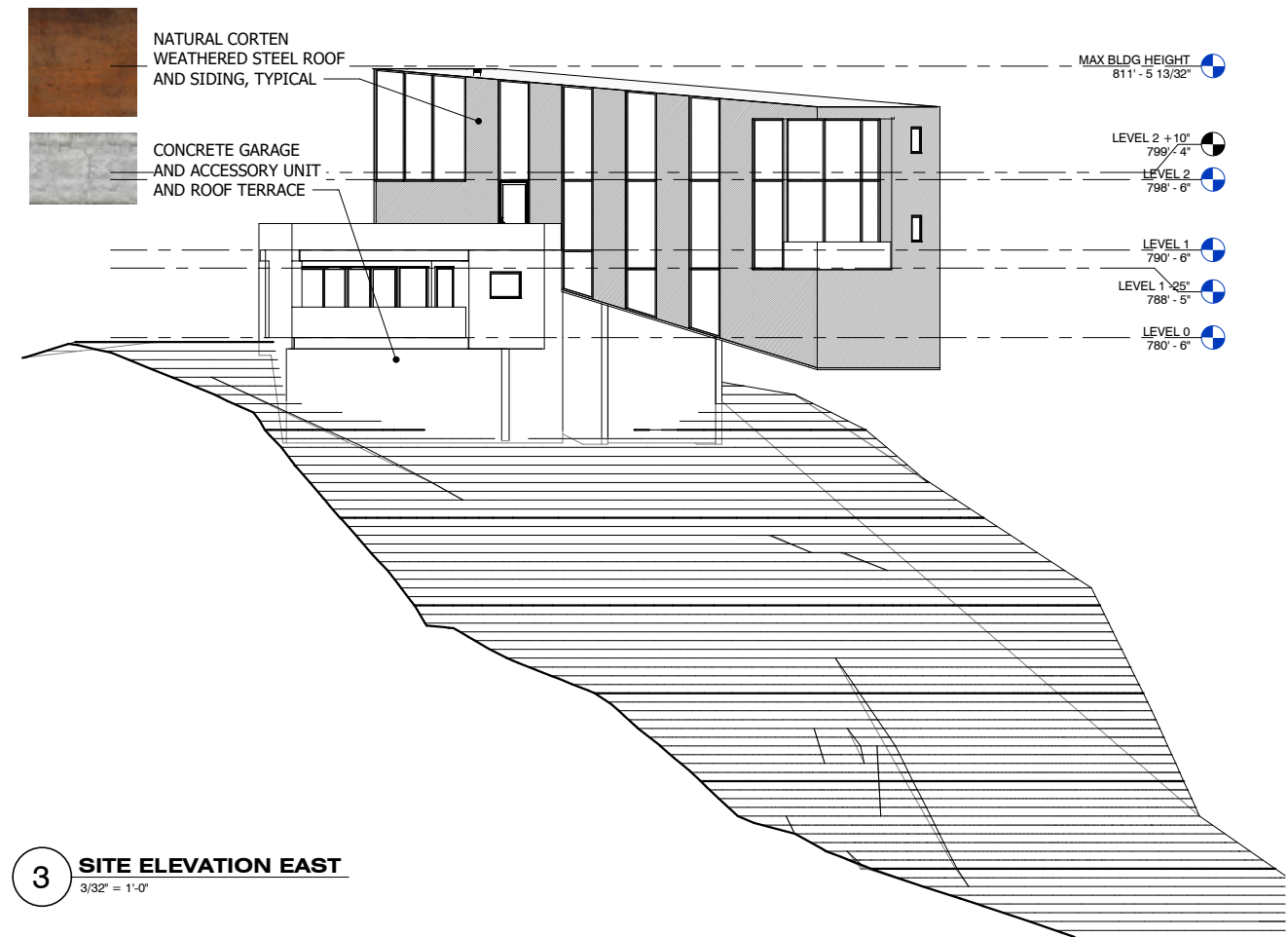
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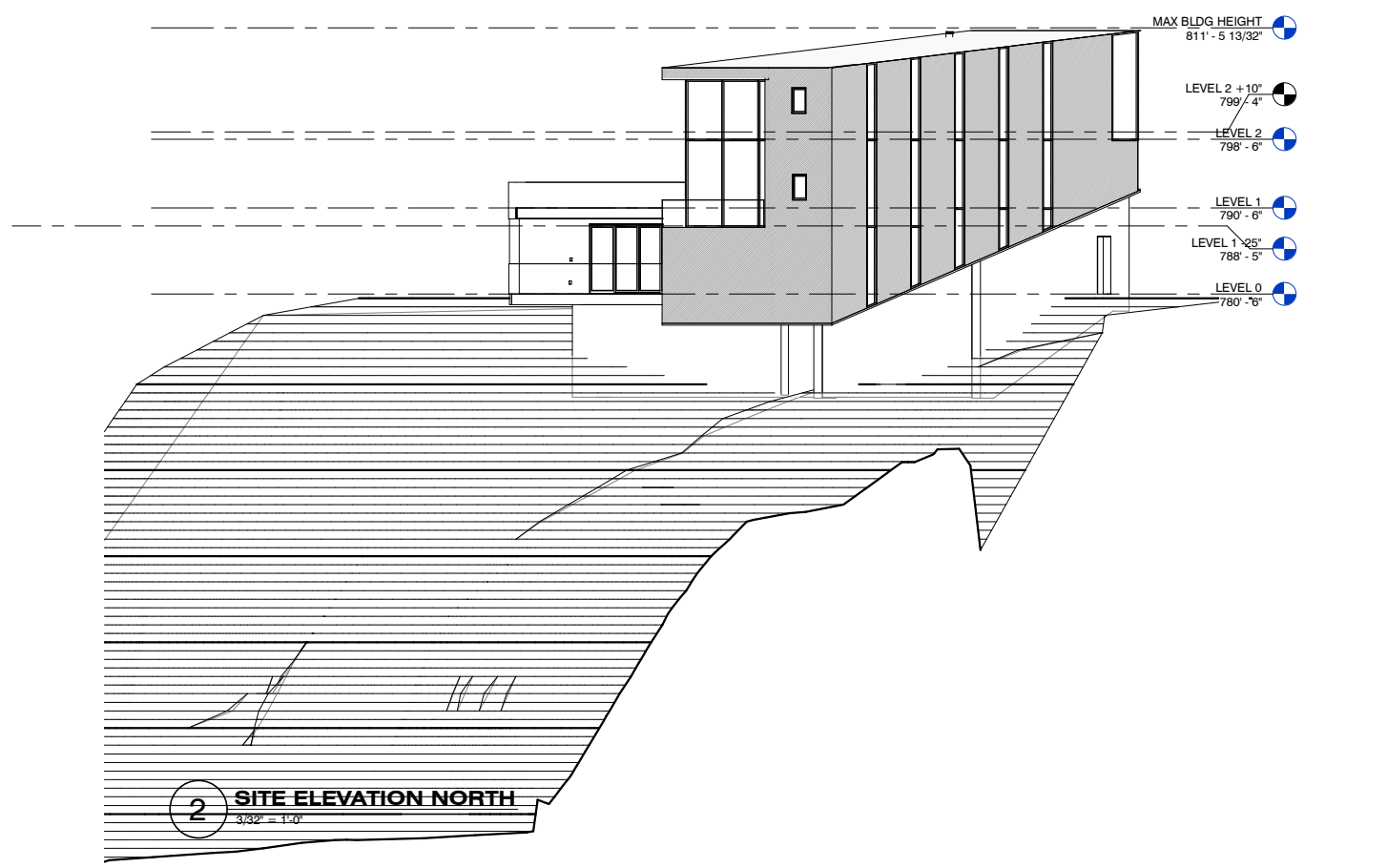
**SITE
 ELEVATIONS**
A 1.3



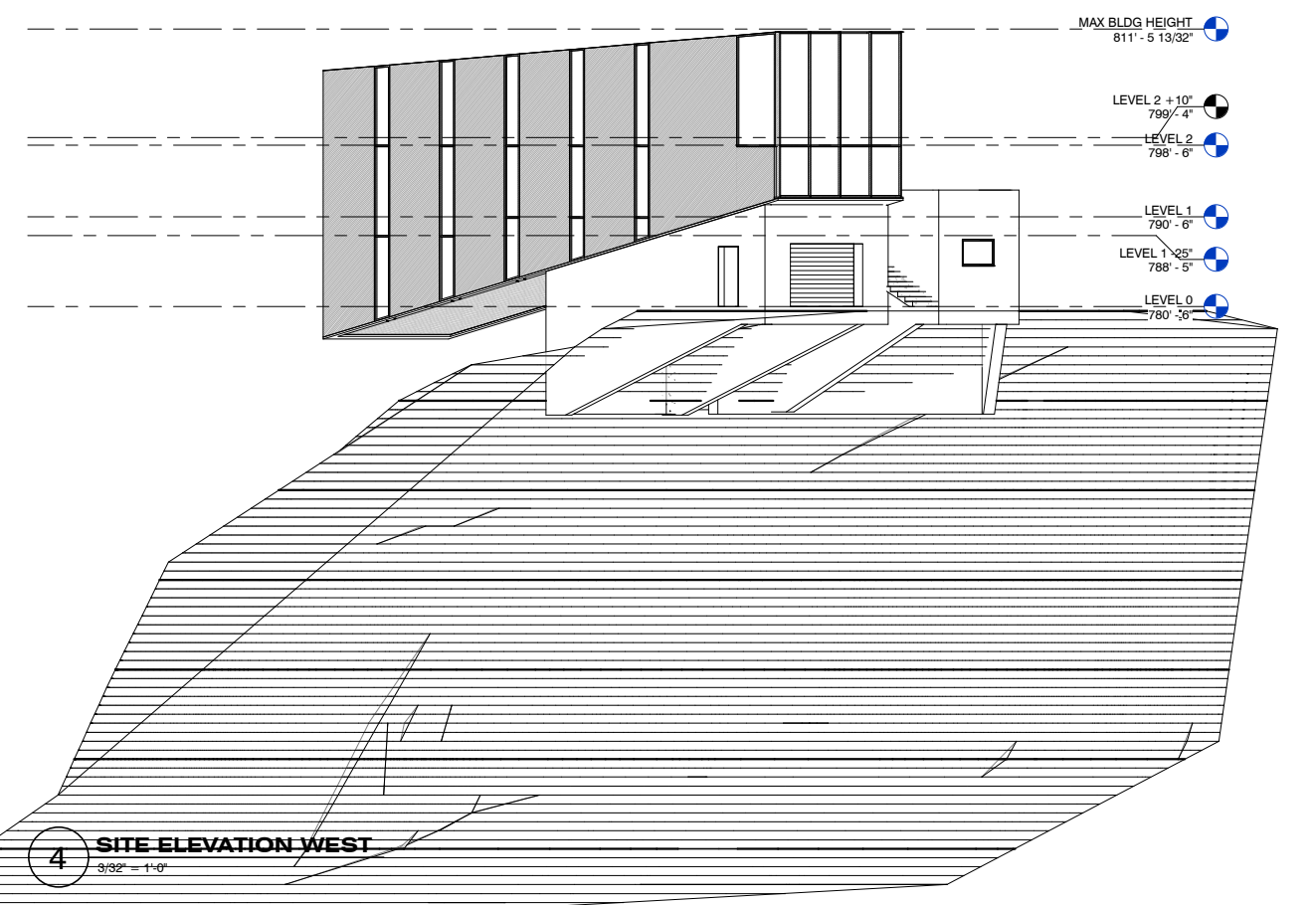
1 SITE ELEVATION SOUTH
 3/32" = 1'-0"



3 SITE ELEVATION EAST
 3/32" = 1'-0"



2 SITE ELEVATION NORTH
 3/32" = 1'-0"



4 SITE ELEVATION WEST
 3/32" = 1'-0"

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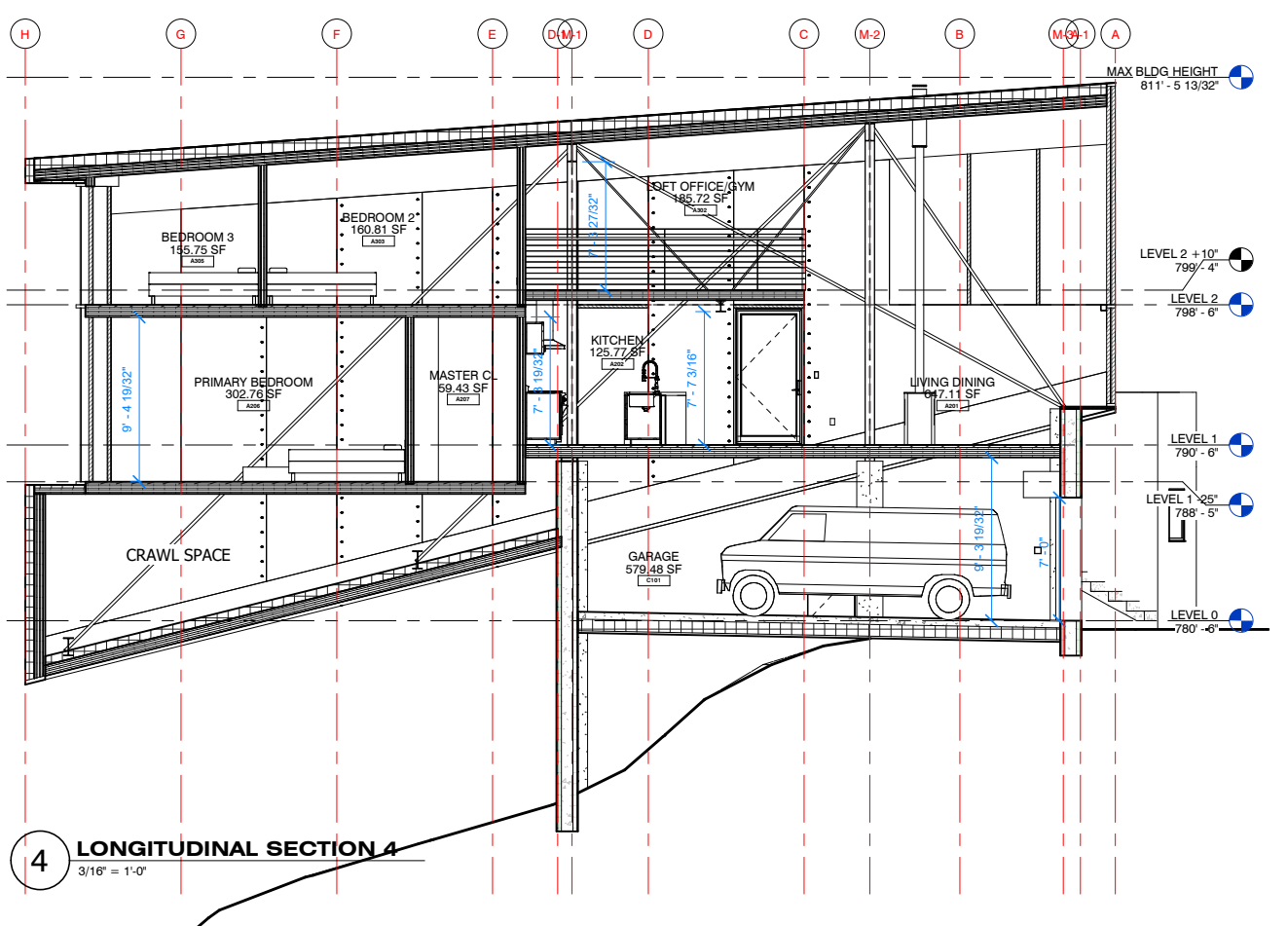
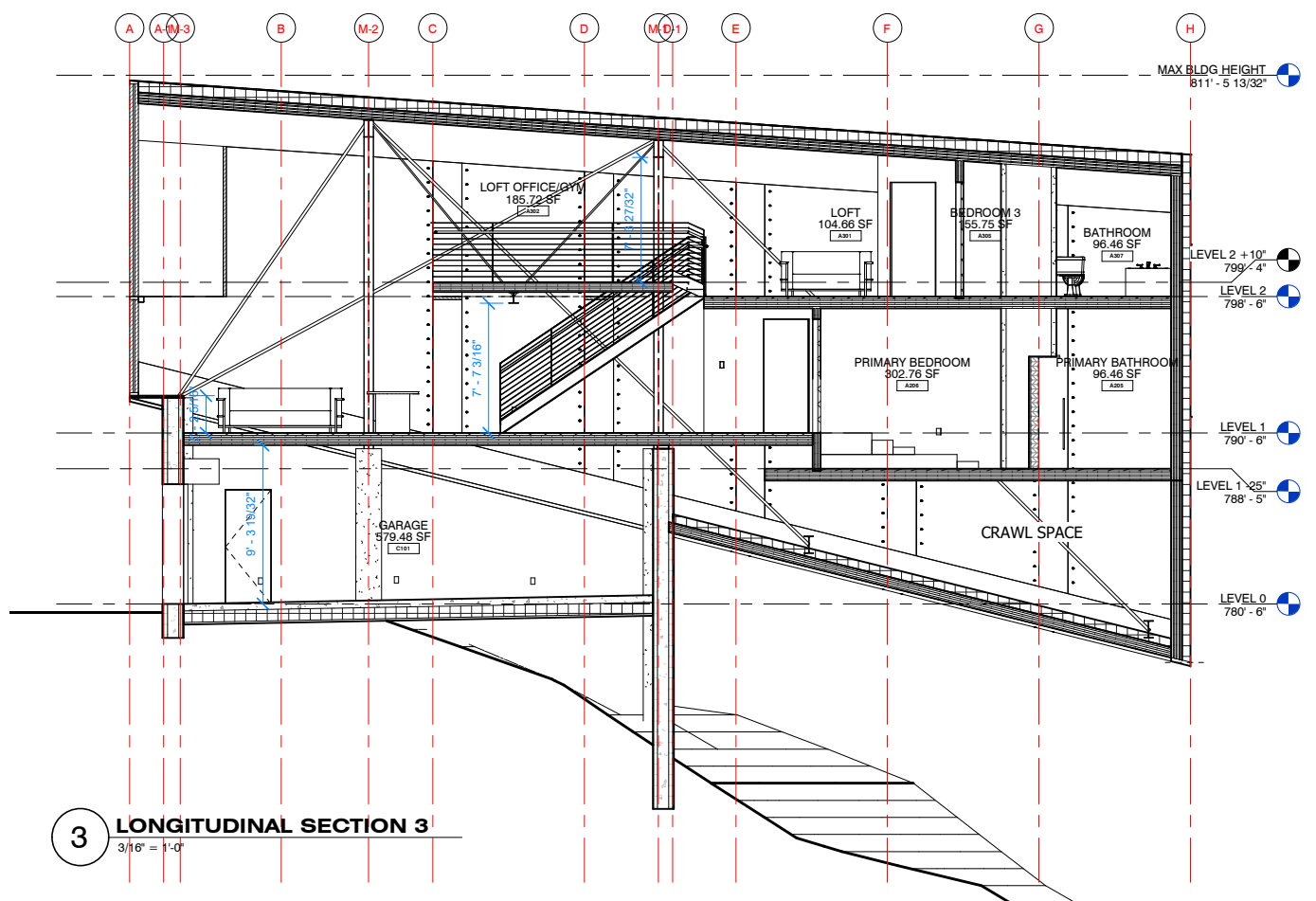
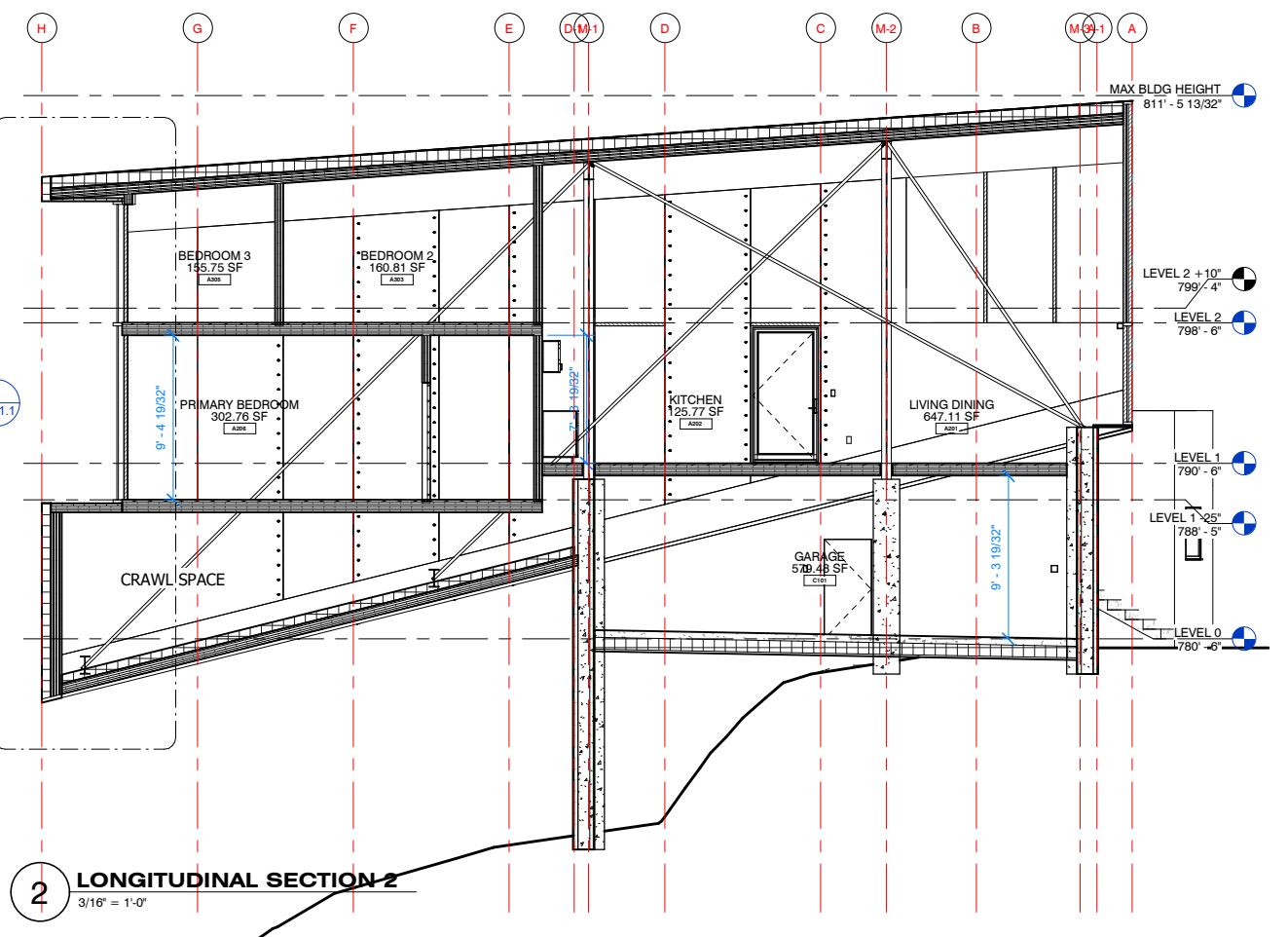
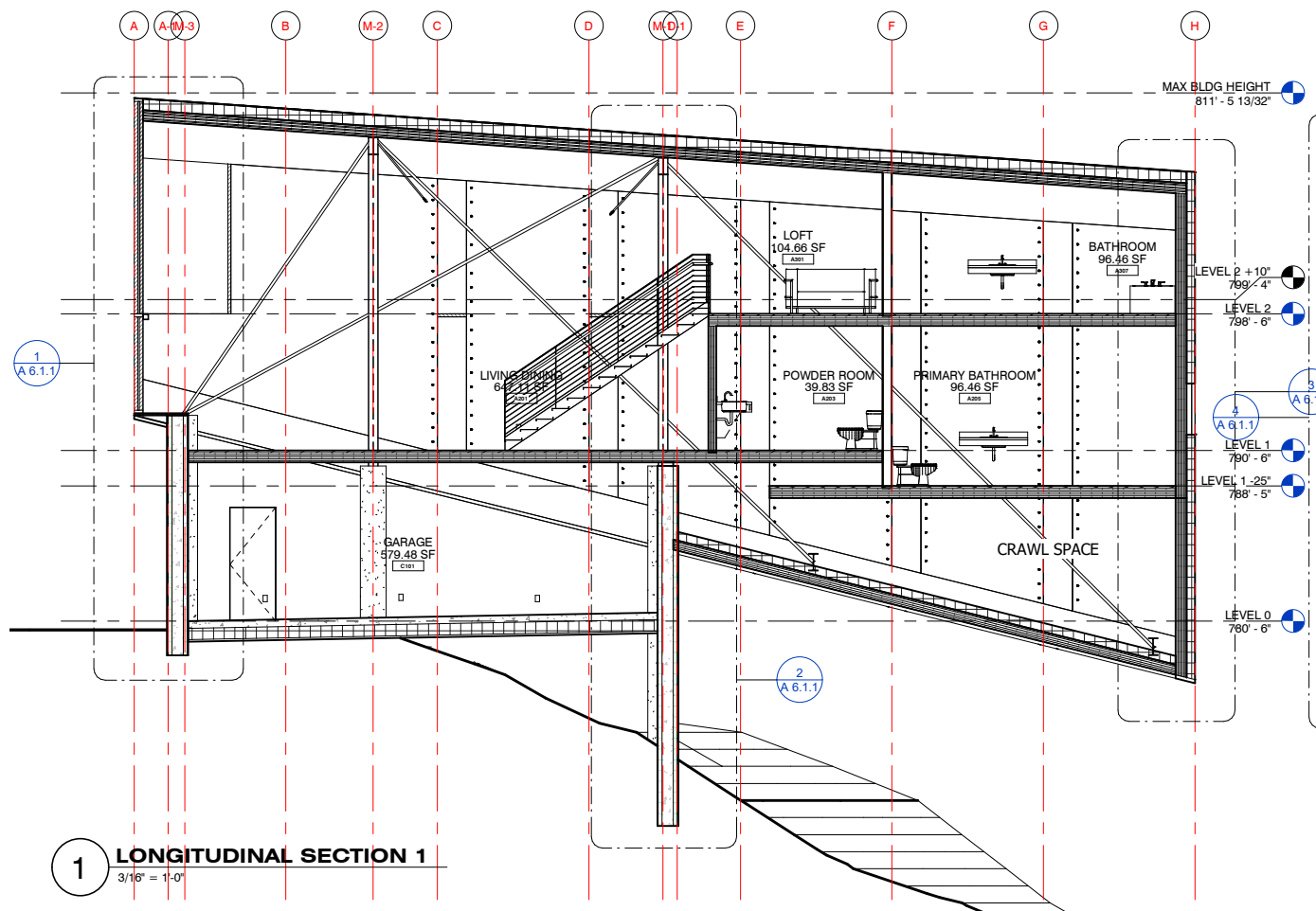
DATE: 12/21/2021
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 PREPARED: Yafei Li
 BY:

#	REVISION	ISSUE	DATE

TOTAL SF:
 KEY PLAN:

**LONGITUDINAL
 SECTIONS**

A 4.1



PROJECT:
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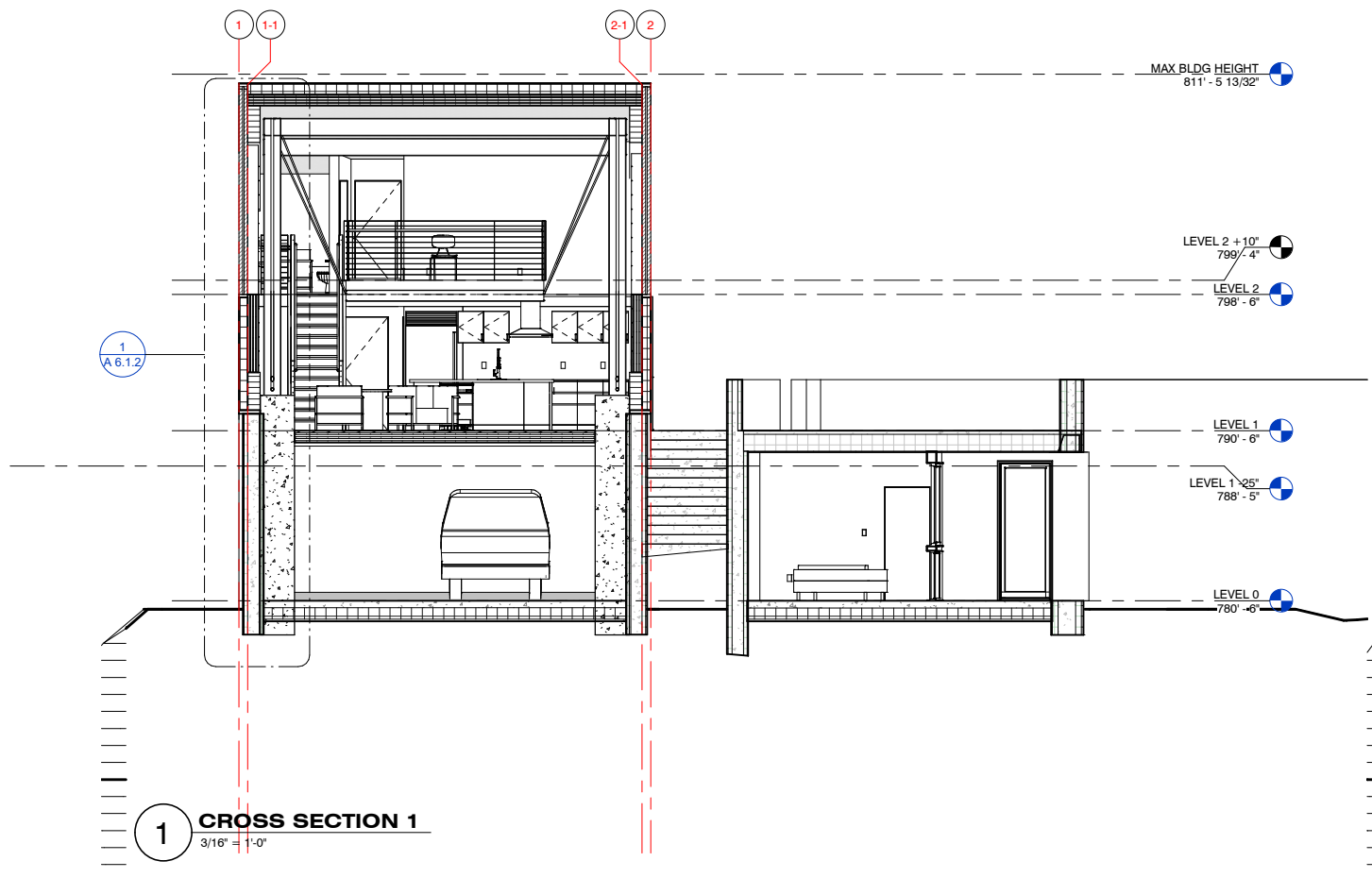
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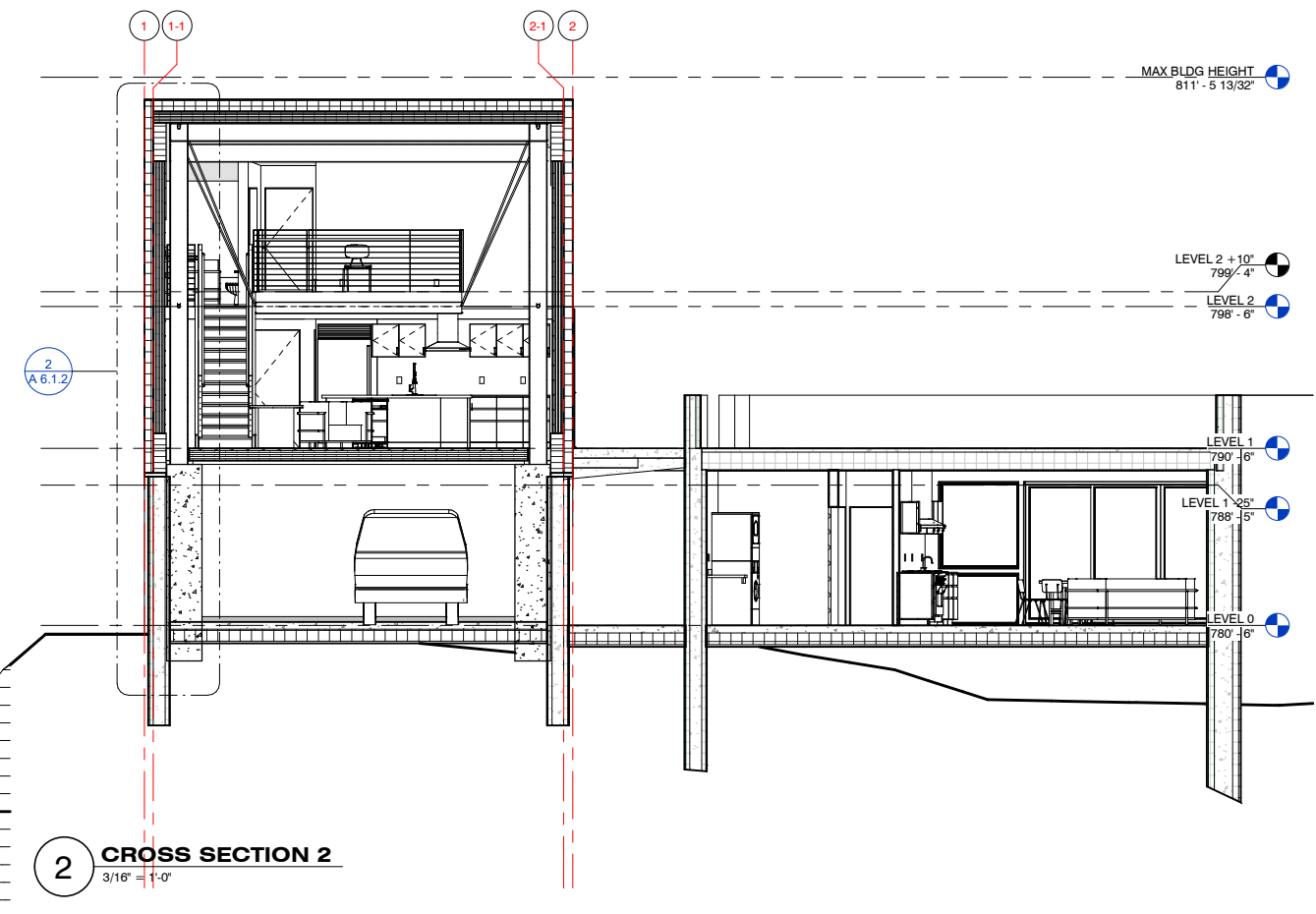
TOTAL SF:
 KEY PLAN:

CROSS SECTIONS

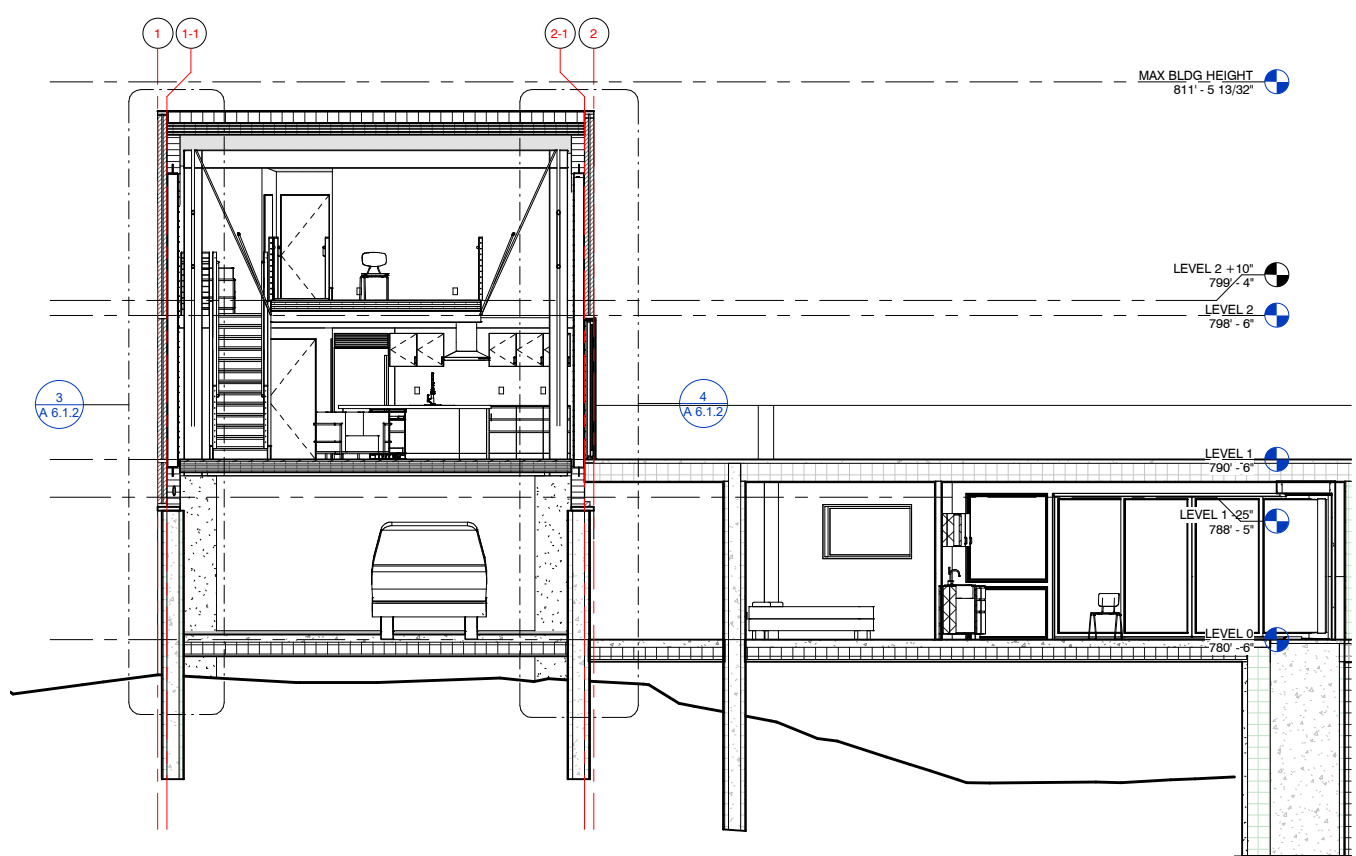
A 4.2



1 CROSS SECTION 1
 3/16" = 1'-0"



2 CROSS SECTION 2
 3/16" = 1'-0"



3 CROSS SECTION 3
 3/16" = 1'-0"

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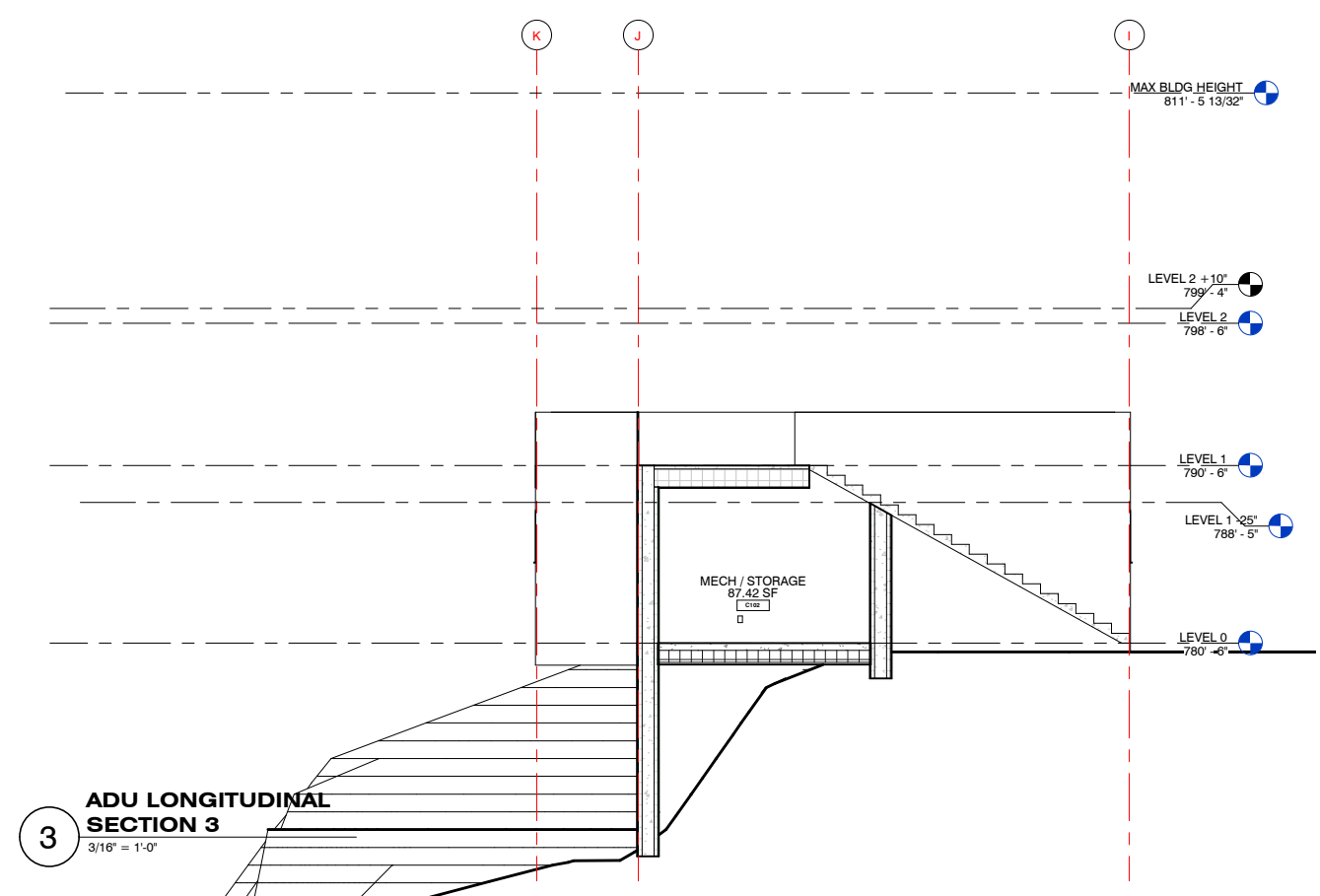
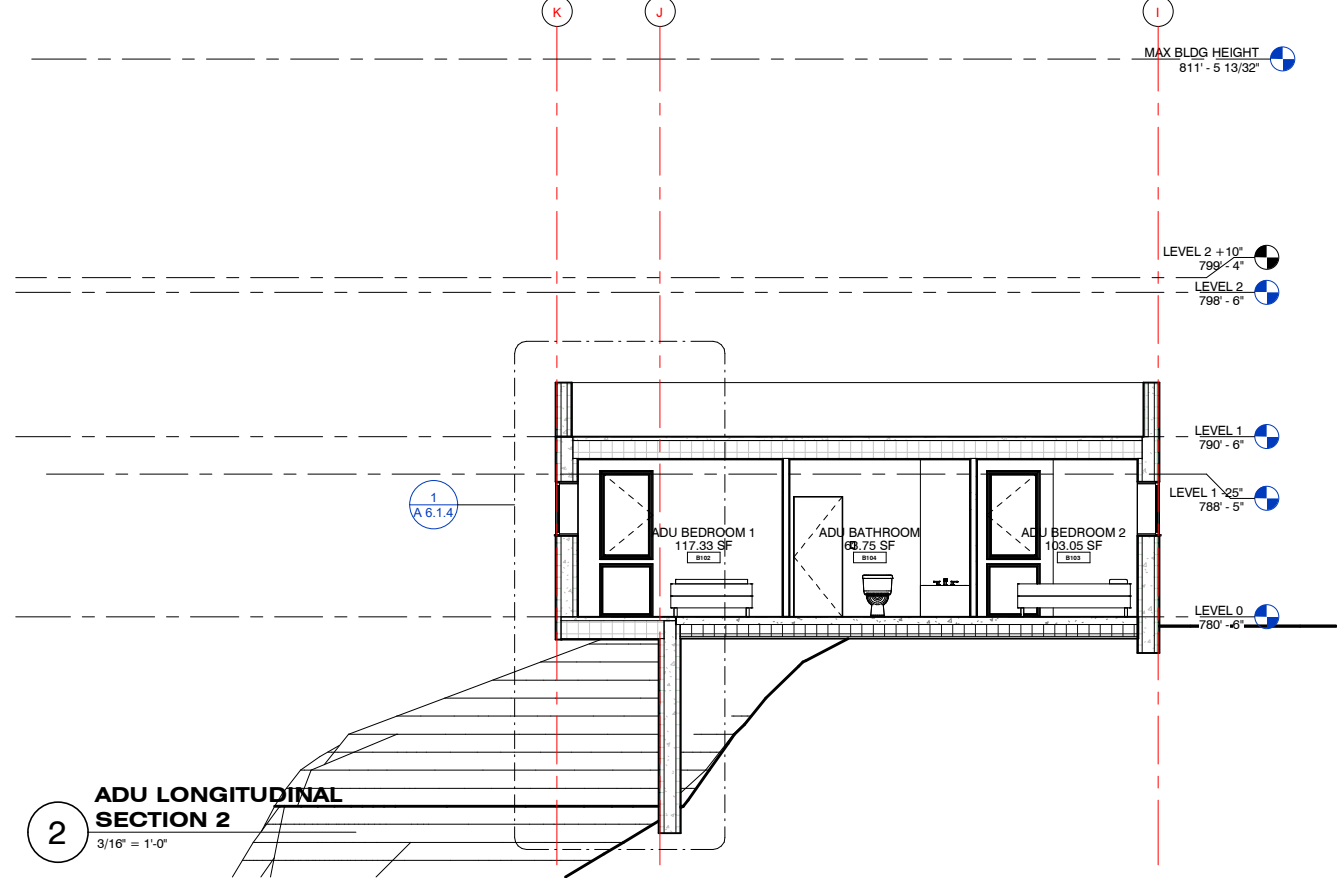
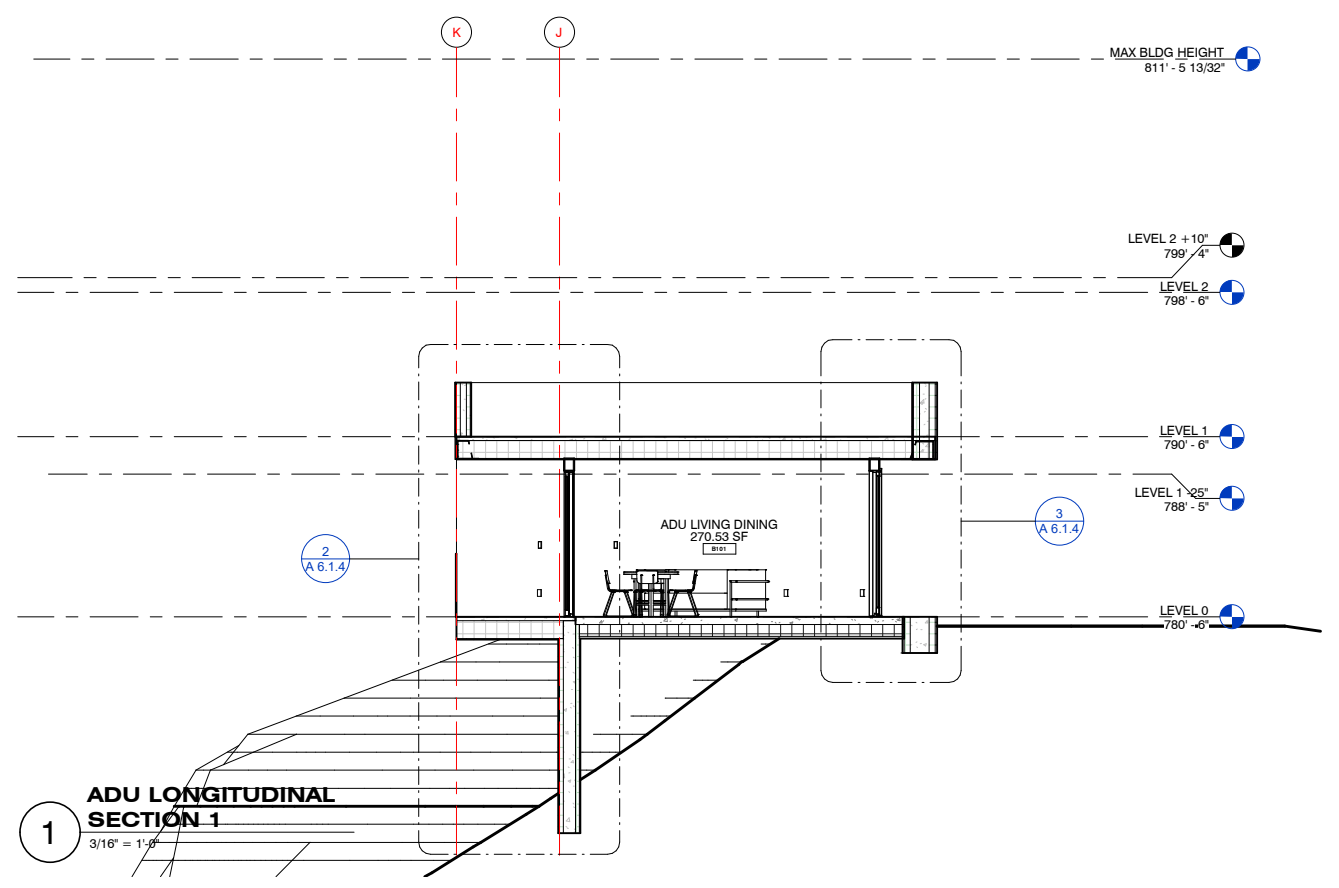
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 PREPARED BY: Author

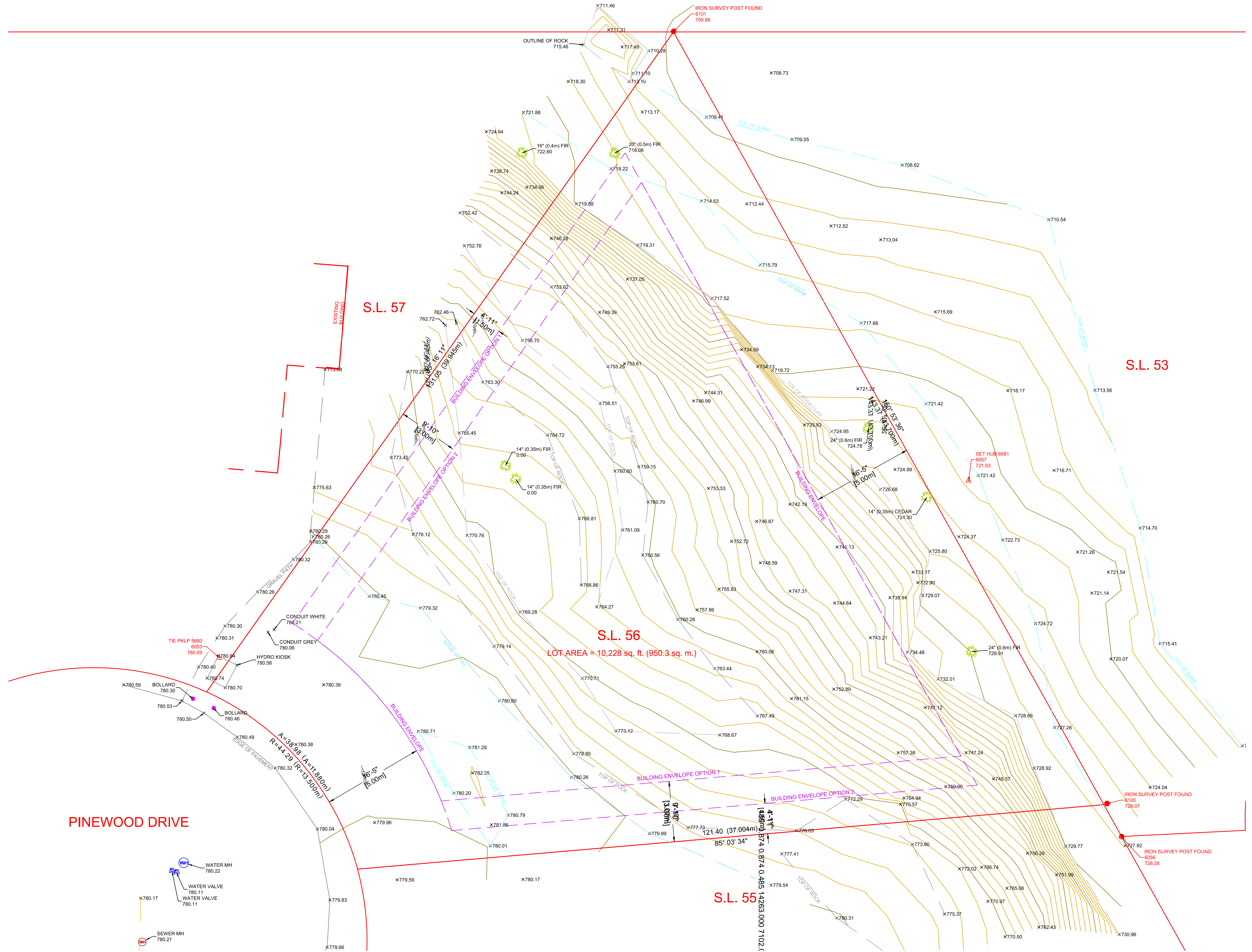
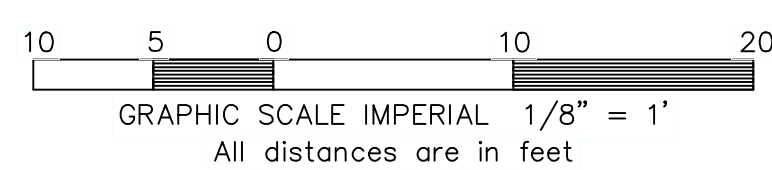
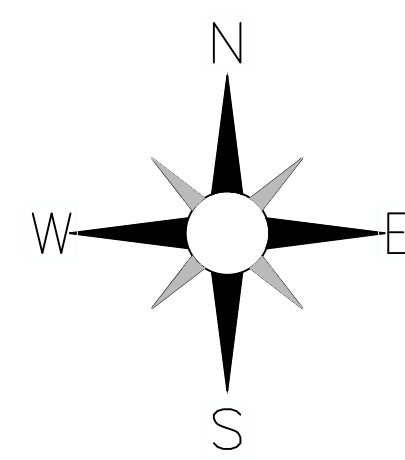
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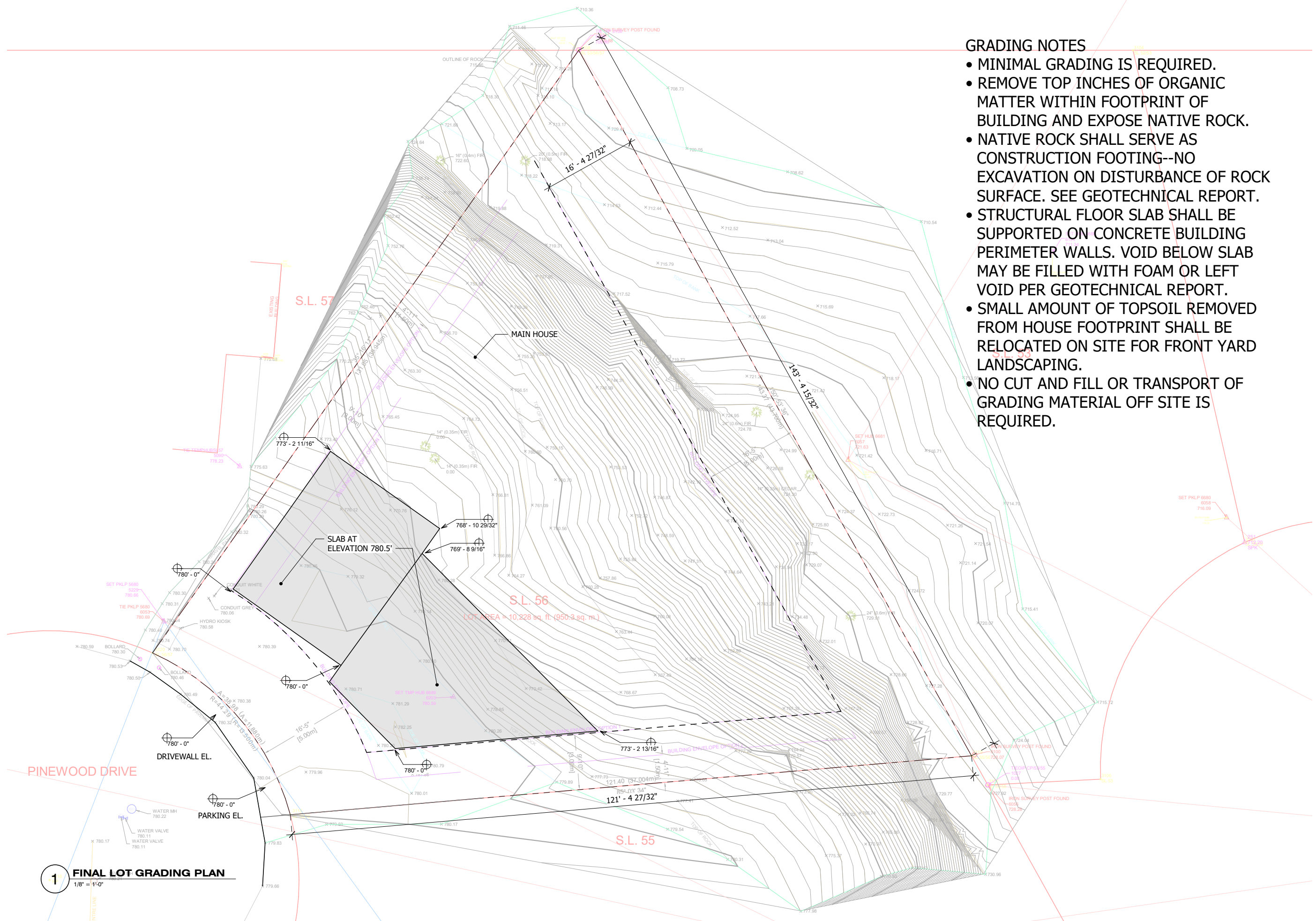
TOTAL SF:
 KEY PLAN:

**ADU
 LONGITUDINAL
 SECTIONS
 A 4.4**



Lot Size: 10288 ft/sq
 Allowable Coverage 40%
 Building Footprint 1554 ft/sq
 Proposed Coverage 15%





GRADING NOTES

- MINIMAL GRADING IS REQUIRED.
- REMOVE TOP INCHES OF ORGANIC MATTER WITHIN FOOTPRINT OF BUILDING AND EXPOSE NATIVE ROCK.
- NATIVE ROCK SHALL SERVE AS CONSTRUCTION FOOTING--NO EXCAVATION ON DISTURBANCE OF ROCK SURFACE. SEE GEOTECHNICAL REPORT.
- STRUCTURAL FLOOR SLAB SHALL BE SUPPORTED ON CONCRETE BUILDING PERIMETER WALLS. VOID BELOW SLAB MAY BE FILLED WITH FOAM OR LEFT VOID PER GEOTECHNICAL REPORT.
- SMALL AMOUNT OF TOPSOIL REMOVED FROM HOUSE FOOTPRINT SHALL BE RELOCATED ON SITE FOR FRONT YARD LANDSCAPING.
- NO CUT AND FILL OR TRANSPORT OF GRADING MATERIAL OFF SITE IS REQUIRED.

PROJECT:
**COOK WEAVER
RESIDENCE
PEMBERTON**

AAA PROJECT CODE: **21PEM**

1775 PINEWOOD DRIVE, Pemberton,
BC V0N 2L3, Canada

PETER ANDERSON
DESIGN CONSULTANT

T 415.243.9500
F 415.520.9522

PRELIMINARY
NOT FOR CONSTRUCTION

DATE: 12/21/2021
PHASE: CD
PREPARED BY: Author

#	REVISION	ISSUE	DATE

TOTAL SF:
KEY PLAN:

**FINAL LOT
GRADING PLAN**
A 1.2.2

1 FINAL LOT GRADING PLAN
1/8" = 1'-0"

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 PREPARED: Yafei Li
 BY:

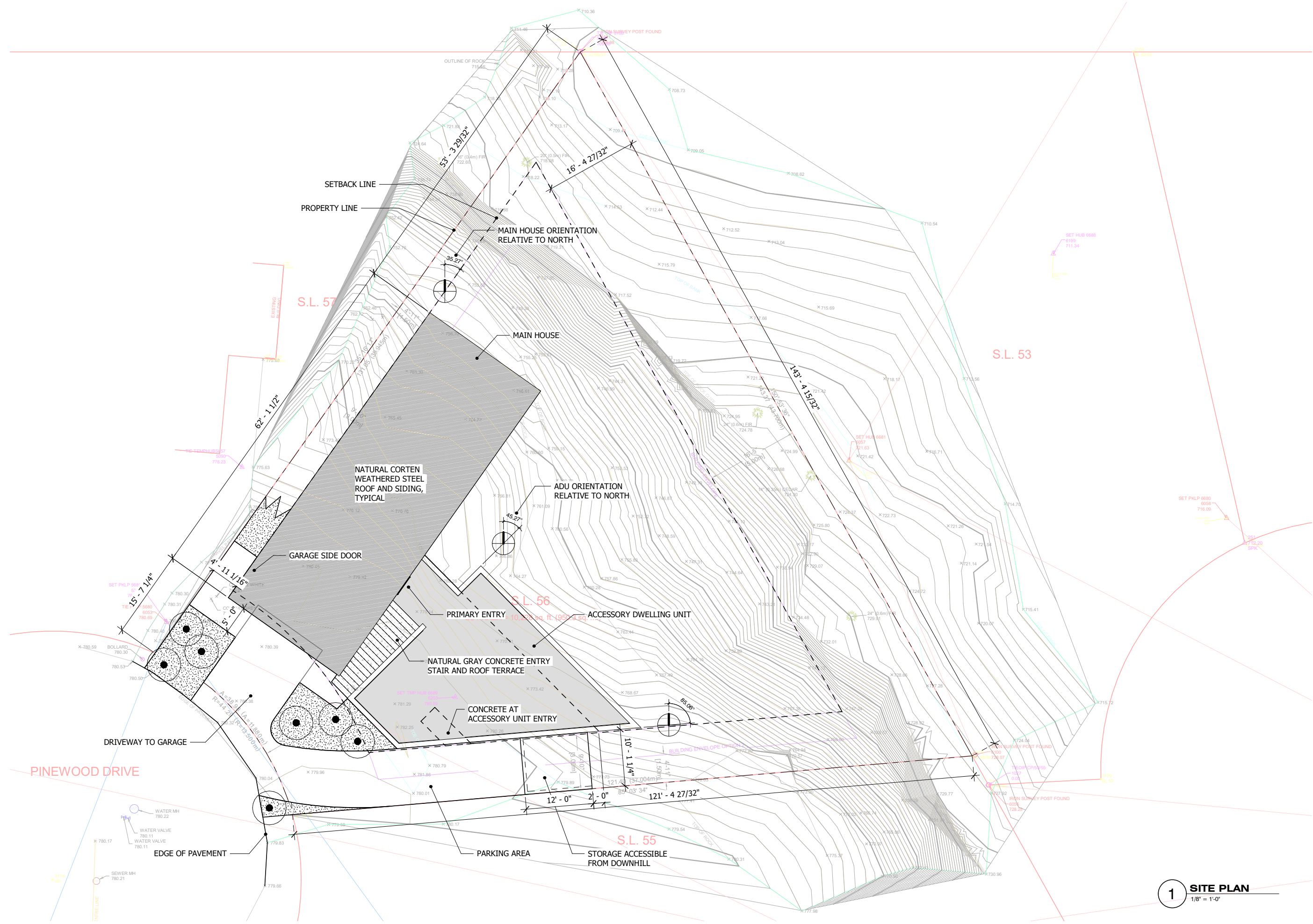
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TOTAL SF:
 KEY PLAN:

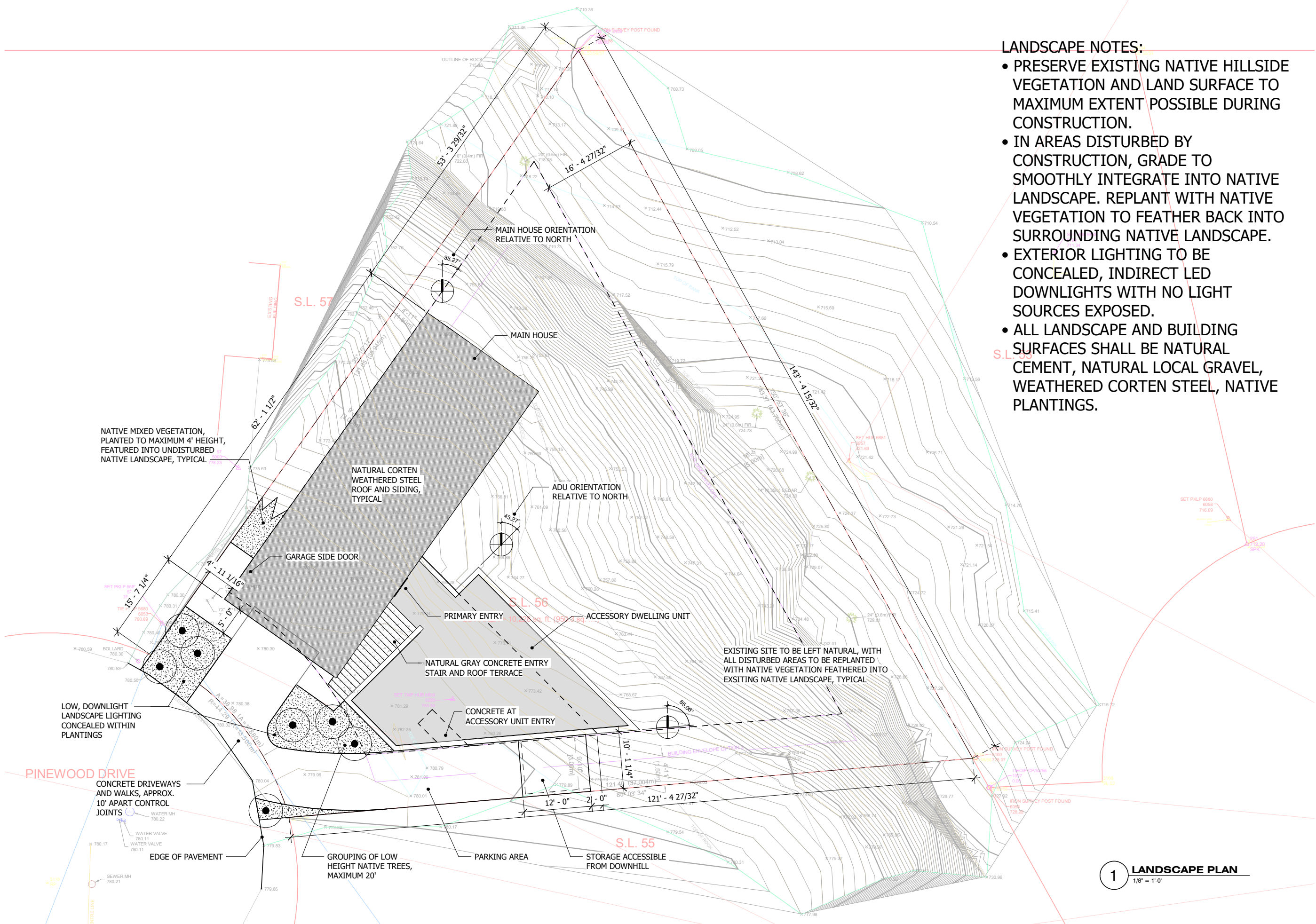


SITE PLAN

A 1.2



1 SITE PLAN
 1/8" = 1'-0"



- LANDSCAPE NOTES:**
- PRESERVE EXISTING NATIVE HILLSIDE VEGETATION AND LAND SURFACE TO MAXIMUM EXTENT POSSIBLE DURING CONSTRUCTION.
 - IN AREAS DISTURBED BY CONSTRUCTION, GRADE TO SMOOTHLY INTEGRATE INTO NATIVE LANDSCAPE. REPLANT WITH NATIVE VEGETATION TO FEATHER BACK INTO SURROUNDING NATIVE LANDSCAPE.
 - EXTERIOR LIGHTING TO BE CONCEALED, INDIRECT LED DOWNLIGHTS WITH NO LIGHT SOURCES EXPOSED.
 - ALL LANDSCAPE AND BUILDING SURFACES SHALL BE NATURAL CEMENT, NATURAL LOCAL GRAVEL, WEATHERED CORTEN STEEL, NATIVE PLANTINGS.

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1 LANDSCAPE PLAN
 1/8" = 1'-0"