

Schedule of Restrictions

Construction Requirements

1. Plan Approval

- a. There shall not be constructed, placed, erected or maintained on any Lot, any house, dwelling, building, shop, garage, or other improvements (hereinafter referred to as "House") unless and until plans and specifications showing compliance in all respects with these restrictions and showing:
 - i. a preliminary site plan (minimum scale 1:100) that includes the proposed roof plans and driveway location for the House;
 - ii. the corresponding construction envelope that outlines any tree protection or steep slope setbacks on the Lot;
 - iii. elevations of the proposed House, drawn in conjunction with the existing Lot to show the overall context;
 - iv. colour scheme for the House; and
 - v. such other information as may be requested by 1168315 B.C. Ltd. (the "Developer");

have been submitted (in duplicate) to and approved in writing by the Developer who shall have the right and power to approve or arbitrarily reject such plans and specifications;

- b. Before preparing and submitting plans and specifications for approval by the Developer, the registered owner of the Lot and the owner's approved builder shall both meet with the Developer to review existing site factors on the Lot, including:
 - i. grade and drainage patterns and the Lot grading plan;
 - ii. vegetation and other unique natural features on the Lot, including trees and vegetation to be preserved;
 - iii. type and style of proposed House to be built on the Lot;
 - iv. the Lot orientation and viewing opportunities; and
 - v. utility, steep slope or vegetation setbacks, easements or covenants;

- c. No House may be erected within 55 metres (180 feet) of any structure of a similar exterior design.

2. Construction

- a. No construction of a House may be commenced until a start-up inspection has been conducted by the Developer to ensure the construction envelope, access, excavation stockpile areas and pertinent setbacks are clearly defined,
- b. No House shall be constructed except in strict compliance with:
 - i. the restrictions contained herein;
 - ii. the Approved Plans and Specifications;
- c. without restricting the generality of any other sections contained herein, no House shall be constructed on any of the Lots which has a total building area (not including garages or basements) of less than 1,200 square feet in the case of a one storey house, and 1,000 square feet in the case of a house with more than one storey.
- d. No excavation material from a Lot shall be disposed of by the owner of the Lot except in accordance with the Developer's direction.
- e. Construction of the House shall be proceeded with diligently and continuously; and no construction on any Lot shall remain in an uncompleted state (whether or not construction is proceeding) beyond the period ending on the date that is nine months from the date of the approval of the Approved Plans and Specifications for that Lot by the Developer or the Developer's authorized agent.

Site Requirements

3. Parking

- a. No driveways shall be constructed of materials other than exposed aggregate, concrete, stamped concrete or interlocking brick.
- b. No garage or driveway shall be constructed unless and until its location and design are approved by the Developer to ensure compatibility with adjacent houses.

4. Lot Grading

- a. Except during the construction period for a House on a Lot, no Lot shall have Lot grading or ground conditions that do not comply with the applicable Lot grading plan which may be obtained from the Developer. Owners of Lots shall consult the Lot grading plan to ensure that their House elevations and landscaping conform to the prescribed levels shown on that plan. There shall be a smooth finished grade or ground level transition from Lot to Lot.
- b. The owner is responsible to ensure that foundation excavations are filled back and that excess soil is removed from the site to an approved disposal area after construction and that landscaping and other site changes do not interrupt the drainage pattern.
- c. Retaining walls shall not exceed 1.2 metres in height above the finished grade, and shall not be constructed of materials other than architectural concrete finished in stone or brick or other materials approved by the Developer.
- d. Exposed concrete foundation walls of any house shall not exceed an average of 0.5 metres in height above finished grade. No exposed concrete foundation walls shall be constructed unless the exposed concrete is parged and finished.

5. Landscaping

No front yard, nor any side yard along a flanking street (from front yard to rear Lot line), shall remain unlandscaped for a period exceeding six months following substantial completion of the House construction.

6. Fencing

No fence or wall more than six feet in height shall be erected on any Lot, measured from the ground level and no such fence or wall shall be erected beyond the front line of the house on that Lot or along any road or street unless such fence or wall shall be, in the sole opinion of the Developer, of a suitable material and design as to be complimentary to the Lot and any House thereon and which will, in the sole opinion of the Developer, enhance the Lot, and in any event, the Developer shall have given approval in writing to the plans and design of such wall or fence. No fence or wall shall be constructed that does not comply with the plans and design approved by the Developer. Pre-approved fence types may be obtained from the Developer.

7. Tree Removal Restrictions

No trees situated within any setback area prescribed by a covenant registered against a Lot shall be cut down or otherwise removed from any Lot at any time without the prior written consent of the Developer, which consent may be withheld by the Developer for any reason it sees fit.

8. Garden Sheds and Greenhouses

In addition to any other restriction contained herein, no garden shed and no greenhouse shall be erected on any Lot:

- a. having a floor area of more than 100 square feet; nor
- b. having an exterior height above ground level of more than 8 feet; nor
- c. beyond the front line of the House on the Lot.

Architectural Requirements

9. House Design and Roof Pitch

- a. Regardless of compliance with the other criteria set out in this building scheme, no House shall be constructed unless the architectural design is in strict compliance with the Approved Plans and Specifications and any other requirements of the Developer.
- b. No House shall be constructed on any Lot with a roof that, in the opinion of the Developer, lacks architectural interest or contains sudden and dramatic changes in roof pitch.

10. Exterior Materials

- a. No exterior face of any House shall be finished in any material or combination of materials other than vinyl or aluminum siding, cedar, stucco, brick or stone, where "cedar" means cedar siding that is finished with a solid or semi-transparent stain, and "stucco" means stucco that is sand float finished and properly sealed to prevent discolouration.
- b. No House shall be constructed with any exterior materials that have not been approved in writing by the Developer.

11. Exterior Colours

No House shall be constructed with an exterior colour scheme that has not been approved in writing by the Developer. Heritage colour schemes (subdued pastel colours with contrasting trim colour) shall be encouraged, subject to the discretion of the Developer in each case taking into account the overall architectural design of the House and the architectural continuity and contrasts along the streetscape.

12. General Requirements

- a. No mobile home, trailer, modular home or manufactured home of any kind whatsoever shall be permitted on a Lot.
- b. No house shall be occupied by any person unless and until that house, including the exterior, is substantially finished.
- c. No owner or occupier of any Lot shall cause, commit, suffer, authorize or permit any act of nuisance to originate or emanate from his or her Lot.
- d. There shall not be stored, kept nor permitted to be kept or stored on any Lot or on any road or street adjoining any Lot, any junk or wrecked or partially wrecked motor vehicles, or any salvage materials, or goods intended for commercial use or sale, nor shall any waste or refuse be kept or stored on any Lot.
- e. Satellite receiving dishes shall not be mounted on rooftops or in any yard area fronting or flanking onto a street. Television aerials shall not be erected anywhere on or about any Lot.
- f. No travel trailers, boats, commercial vehicles, recreational equipment or similar property shall be stored on a Lot unless stored inside the House or the garage or appropriately screened off from public view by screening shrubbery or approved fencing.

13. Miscellaneous

- a. If any part of this building scheme be declared invalid or unenforceable by a court for any reason, such invalidity or unenforceability shall not affect the remainder of this building scheme which shall continue in full force and effect and be construed as if this building scheme had been declared without such invalid or unenforceable part.