

Building Scheme

SCHEDULE OF RESTRICTIONS

January 8 2009

Overview:

The Design Guideline for Western Rockies Estates Lots will reflect the architectural design of a Traditional Mountain Estate and Resort. The architectural theme will draw inspiration from the natural mountain setting, which may include logs, timber frame, post and beam, shingles and board siding in addition to the other natural wood and stone material available.

All of these design guidelines apply to all Auxiliary Buildings, as well as to the main Buildings.

This Schedule outlines the criteria to be addressed by the Owner in the design and construction of Buildings and any other Improvements on the Lots. This approach to planning the neighbourhood in which the Lots are located will ensure that each Building and Auxiliary Building fits in with and complements both previous and subsequent building projects so that development proceeds harmoniously and predictably. Western Rockies Estates Ltd. referred to as the Developer will consider conformance with this Schedule of Restrictions in the consideration of any Plan and Specification.

1. REGULATIONS FOR CONSTRUCTION

All buildings must meet British Columbia and Canada Building Codes or engineer certified standards in all respects at the time of construction.

1.1. Building Location

1.1.1 Proposed building site locations require approval from the Developer prior to construction.

1.1.2. A setback of 10 meters from all Lot boundaries applies to all buildings or permanent structures.

1.1.3. The Owner must consider the following when determining the proposed location of any Buildings:

- (a) topography and shape of the Lot;
- (b) geology and soil conditions;
- (c) designated septic field area;
- (d) hydrology and planned or existing drainage systems;
- (e) existing vegetation, tree retention and removal areas;
- (f) views into and out of the Lot – i.e. view corridors;

- (g) relationships to neighbouring properties, including minimizing overviews, shading, view blockage and landscape degradations on neighbouring properties;
- (h) parking and driveway locations; and
- (i) relationship between any buildings and any B.C. Hydro transformer kiosk to satisfy any B.C. Hydro requirements, standards and guidelines,

1.1.4. The Owner will provide the Developer with any information required by the Developer in connection with such items in any request for an Approval to Construct.

1.2. Building Design

1.2.1. All building plans must be approved by the Developer and designed by a BC registered architect.

1.2.2. The main floor of the dwelling, which can be split level, must be a minimum of 130 sq meters. The dwelling can be a maximum of 3 floors including the basement. The total height, including chimney, of the dwelling is not to exceed 15 m from above the Lot's natural grade.

1.2.3. One additional building is allowed to be constructed on each lot. The additional building can be a maximum of 102 sq meters which can be spread out over a maximum of 2 floors. This building could serve as a garage, boat storage, motor home storage, garden shed, guest house, workshop, studio, office etc. If this additional building is to be used as a workshop it must be soundproofed. The exterior of this building must match the exterior of the main dwelling.

1.2.4. The exterior of the main dwelling and the optional second building must include at least two natural materials; wood, stone, stucco or brick. Stucco and brick cannot exceed 40% of the total exterior surface. Precast materials are allowed.

1.2.5. Vinyl and aluminum siding are not acceptable exterior finish materials.

1.2.6. A building's exterior must be completed within 12 months of commencement of construction. After 12 months the Lot must not resemble a construction site. No accumulation or storage of debris will be allowed outside.

1.2.7. Prefabricated or modular homes are allowed as long as they follow the aesthetics set out in this building scheme. Mobile homes are not permitted.

1.2.8. Wood burning stoves, fireplaces, heaters and furnaces must meet the highest emission standards in place at the time of construction of the building.

1.3. Construction Debris and Trash Removal

1.3.1. Each construction site shall be kept neat and shall be policed properly to prevent it from becoming a public eyesore or nuisance and will be monitored by the Developer.

1.3.2. All trash and debris on the construction site shall be cleaned up and removed from the construction site on a regular basis. Garbage containers are recommended and encouraged for storage of construction debris.

1.3.3. Light weight material, packing and similar items shall be covered or weighed down to prevent wind from blowing such materials around and off the construction site.

1.3.4. Dirt, mud, concrete or other debris resulting from a construction site shall be removed promptly from public roads, open spaces, driveways and other visible portions of a Lot.

1.4. Lot Clearing for Construction

1.4.1. The Owner must indicate on the Plans and Specifications submitted to the Developer for approval any areas where the Owner proposes to remove or alter any tree or vegetation cover beyond the immediate site of the proposed Development.

1.4.2. Trees may be removed at the time of construction from within the Building Location Site approved by the Developer.

1.4.3. If any disturbed soil is suitable for landscaping it must be stored on the Lot and reused for landscaping the Lot.

1.4.4. Any trees or other vegetation removed or destroyed beyond the approved zone of clearing shall be replaced by the Owner forthwith, to the satisfaction of the Developer.

2. TREE AND VEGETATION REMOVAL

2.1 To preserve tree cover to the greatest degree no cutting or alteration of any tree or other vegetation is allowed from the natural verge of 3 m around the boundary of each property unless previously approved by the Developer. The Plans and Specifications submitted to the Developer must define the extent of clearing and provide an indication of the re-landscaping and re-vegetation to be completed by the Owner.

2.2 Notwithstanding section 2.1 the Owner may cut or permit the cutting of any tree within his or her Lot which is diseased, dead or damaged or other process of nature such that, in the opinion of the Owner, the tree poses an immediate threat or danger to persons or property, provided that where such a tree is cut down pursuant to this section the Owner will promptly give the Developer written notice of such cutting and shall complete all such cutting and re-vegetation as may reasonably be required by the Developer.

- 2.3 The adult height of any planted trees must not exceed 5 m in areas that currently have no tree coverage.
- 2.4 Notwithstanding section 2.3 each Lot must be landscaped so that new trees and vegetation appear to be integral to the existing landscape. New planting must be trees and vegetation that are indigenous to the area as much as possible.

3. LANDSCAPING

- 3.1. Any garden sculpture seen from the road or in any neighbours' view must complement the natural surroundings.
- 3.2. Rainwater storage tanks must be unseen from the road and in keeping with the colour tones of the dwelling. Any such tanks must be covered and no larger than 1.2 meters height by 0.6 meters wide. There shall be not more than three tanks on a Lot. Well water storage tanks must be indoor or underground.
- 3.3. Retaining walls shall be rock or heavy timber. Lock block and concrete retaining walls are not permitted. Should heights exceed 1.5 m the retaining wall shall be terraced and landscaped to minimize visual impact.
- 3.4. Attractively finished wooden fencing of a maximum height of 1.5 meters is permitted. No other forms of fencing are permitted.

4. EXTERIOR LIGHTING

- 4.1 Exterior lighting shall not be installed except where necessary to provide safety or convenience and not for display. Such lighting must be kept to the minimum number of fixtures required and may not be high intensity lighting (100 watt bulb maximum). Floodlights are not permitted. The use of muted architectural lighting, such as soffit lighting, is acceptable.
- 4.2 All lighting should be diffused, shielded, directional and concealed from neighbouring Lots and the street. All light emanating from any Lot must be directed so as to stay within the lot line of the Lot to the extent reasonably possible.
- 4.3 Light fixtures must be appropriate to the overall theme of the neighbourhood.
- 4.4 If motion detectors are used, the timer must be set so that the light does not remain on longer than 15 minutes.
- 4.5 Holiday outdoor lights are allowed.

5. LAND USE RULES AND RESTRICTIONS

- 5.1 The lots may be used only for one single family residence
- 5.2 The lots may not be used for commercial or non-residential purposes except as set out here.
- 5.3 Owners may run a homebased business from either of the two allowed buildings. A home-based business must be one or more of the following only:
 - (a) Artist;
 - (b) Bed and Breakfast;
 - (c) Computer Technician;
 - (d) Professional Office; or
 - (e) Semi-professional Office.
- 5.4 Owners may not run businesses that fall within the following criteria:
 - (a) equipment and vehicle storage;
 - (b) kennel;
 - (c) operation, installation or maintenance of heavy machinery;
 - (d) storage or collection of scrap or junk;
 - (e) vehicle or equipment repair shop; or
 - (f) welding shop.
- 5.5 The home based business can display one sign advertising the business. The sign will be professional in appearance and may include Business Name, address and telephone number and not be greater than 1' x 2' in size.
- 5.6 Realtor signage is allowed.
- 5.7 Satellite dishes must be less than 0.76 meter in diameter.
- 5.8 No outside accumulation or storage of junk, debris or other eyesores of any nature shall be permitted on any lot.
- 5.9 Laundry drying lines must be unseen from the road, retractable and no longer than 3 m.
- 5.10 Propane tanks must be unseen from the road and all neighbours' views by positioning, fencing or landscaping or any combination of positioning, fencing or landscaping.
- 5.11 Residents will keep noise at an appropriate level keeping in mind the proximity to neighbouring properties.

6. PETS AND FARM ANIMALS

- 6.1 Owners may have not more than 2 dogs, 2 cats, and smaller house pets. No horses, poultry, swine, cattle, sheep or any other farm animals are allowed on the lot.

6.2 Animals must be kept under control at all times and not interfere with wildlife. Noise from dogs or other small animals must be controlled. Animals must not be allowed to wander from their home lot. Animal waste is not allowed to accumulate on any property at any time.

6.3 Animals can be taken to the Western Rockies Estate Private Park but must be kept under control at all times and any waste must be removed and disposed of in an appropriate manner.

7. VEHICLES

7.1 No more than four automobiles are allowed per lot. Each lot must have a minimum of two fully enclosed garage spaces and two additional parking spaces.

7.2 Vehicles without valid insurance must be stored within an enclosed building .

7.3 All recreational vehicles, motor homes, boats, travel trailers, snow machines, ATV's, motorbikes or other motorized equipment must be stored in a fully enclosed building when not in use.

7.4 No mobile homes may be parked, stored or maintained on a Lot.

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