

THE PLATEAU
At Silver Creek
Mission, BC

DESIGN AND BUILDING GUIDELINES
PART 1 - SCHEDULE OF RESTRICTIONS

DEFINITIONS

"Developer" means the declarant of this Building Scheme being Kingma Pacific Developments Ltd.

"Improvement" means any and all buildings, residences, landscaping or other improvements; provided, however, that the definition of Improvement shall not refer to the residence currently located on Strata Lot 2 as of the date of registration of this Building Scheme, as the said residence is exempted from this Building Scheme.

"Applicants" in this agreement shall mean any owner, or agent appointed by the owner, of a Lot within ten years of the original purchase of the Lot, whether or not that person has purchased the Lot directly from the Developer.

"Lot" in this agreement shall mean any of Strata Lots 1 through 17.

RESTRICTIONS ON DEVELOPMENT

1.1 Design Approvals

There shall not be erected, constructed or made on the Lots, any residence, building or other improvements or additions thereto or alterations thereof unless and until the proposal to erect such building, or make such improvements, additions, or alterations and the proper exterior plans, elevations and specifications thereof, setting forth all materials to be used including specifications of colour or exterior finish and specifications of roofing material to be used with details as to the qualities of all materials, together with a plan showing the location of the proposed residence, building or other improvements, including terracing and retaining walls to be done in connection with such building, shall have first been submitted to the Developer or his designated Design Review Consultant, who shall have the right and power to approve and reject the same. Housing design will be in accordance with the guidelines established. The guidelines reflect the unique physical attributes of the Lots. In order to ensure compliance by an applicant with the restrictions herein set out, the Developer shall require placement of cash with the Developer as a condition of granting any approval. The Developer reserves the right to make changes to the design guidelines at their discretion and may exercise flexibility as it relates to the design guidelines when appropriate.

1.2 Damages and Tidiness

No person carrying out any works upon any Lot shall damage curbs, gas lines, telephone lines, sewers, electrical distribution equipment or other utilities ("services") and improvements abutting the Lot. If damage occurs the Developer may elect to perform such repairs and replacements by himself, his servants, agents or contractors, in which event such Applicant shall pay to the Developer the costs of such repairs and replacements forthwith upon receipt of an invoice for same unless such damage is caused by the Developer, his agents, servants or employees, or was acknowledged to exist by the Developer.

Special Note: A final lift of Asphalt has been laid. All machines to be kept off the street unless using blast pads provided. If the owner does not pay for the damage – the costs will be taken from their 30K compliance deposit.

The Applicant is responsible for keeping the streets and curbs in a neat and clean condition and the Developer reserves the right to clean up at the Applicant's expense any mess created by the Applicant or people hired by the Applicant.

1.3 Alterations or Modifications

No Improvement shall be altered or modified without the approval of the Developer or Design Review Consultant.

1.4 Building Development Commitment

No house construction shall remain uncompleted for a period exceeding two years of the commencement of construction.

1.5 Construction Time Frame

No house shall be occupied unless it is completed on the exterior, including driveways and walkways.

1.6 Landscaping Time Frame

Landscaping must be completed within six (6) months after completion of the house exterior. In the event the Purchaser does not intend to commence house construction within one year of the Lot being purchased from the Developer, the Applicant shall maintain the Lot in clean condition, and regularly mow any grass or weeds.

1.7 Repeating Homes or Plan Reversal

Homes with similar plans shall not be permitted within three (3) Lots of another or across the street. The Developer or Design Review Consultant shall, in its sole discretion, determine whether or not a proposed design is sufficiently different in order to construct within view of any other house. To be different means that there is sufficient change in features such as roof slopes, sizes and locations of windows and doors, colours and finish material. A change of material alone or reversing the plan is not sufficient.

1.8 Minimum Floor Areas

No house shall be constructed which shall have a total building area (not including garages and basements) less or more than those specified in the DESIGN AND BUILDING GUIDELINES PART II – SCHEDULE OF RESTRICTIONS.

RESTRICTIONS ON USE

2.1 No fencing shall be constructed or installed on any Lot without the approval of the Developer or Design Review Consultant and shall comply with the Design Guidelines. The Developer may, at his option, remove any fencing that has not been approved or constructed in accordance with the Design Guidelines; such removal shall be at the Purchaser's expense.

2.2 **No recreational vehicles, trailers, equipment, boats and commercial vehicles shall be stored in the front yard or driveway of any Lot between the front building line and the curb.**

2.3 No placard or advertising sign shall be permitted on any Lot except a sign advertising real estate for sale, provided the signage complies with the guidelines in section 6.2 of the DESIGN AND BUILDING GUIDELINES PART II – SCHEDULE OF RESTRICTIONS.

If a small home business is being operated out of any dwelling, a small sign, no large than 30 x 36 inches may be erected. It must be framed with 4x4 or similar and painted and maintained.

Any home occupation use on a site will have to comply with the City of Mission Zoning Bylaw for signage and other use regulations.

2.4 Should any part of this Building Scheme be declared invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect the remainder of this Building Scheme that shall continue in full force and effect and be construed as if this Building Scheme had been declared without such invalid or unenforceable part.

2.5 Nothing shall be deemed to be construed as an admission of responsibility for liability on the part of the Developer or Design Review Consultant to or for the benefit of any third party, whether an owner of a Lot or Lots in the area or otherwise, to enforce, oversee, peruse, maintain or otherwise control the activities of purchasers herein, with respect to the use of the Lot or Lots, and the enforcing of any conditions herein to be performed by the Purchaser, shall be at the sole discretion of the Developer, as he shall see fit from time to time.

2.6 Invalidation of these restrictions or provisions or part thereof by Judgment or Court Order shall in no way affect any of the restrictions herein set forth not invalidated by such Order and any restrictions not invalidated shall remain in full force and effect.

2.7 It is expressly agreed that the covenants, restrictions and provisions hereinbefore contained shall be null and void and of no further force and effect on or after the tenth (10th) anniversary of the date of execution hereof, except as to matters arising prior thereto.

2.9. PREFERRED BUILDERS

To maintain a high standard of construction, upon the purchase of a lot in the Plateau Development, buyers must choose from the list of Preferred Builders to be provided to them.

Buyers will agree to this condition as part of the Contract of Purchase and Sale “No house shall be constructed unless it is constructed by one of the Developer’s Preferred Builders”.

List of Preferred Builders:

1. Shelter Ridge Construction
2. Monarch Developments
3. Mesa Custom Homes
4. Copper Creek Construction
5. Brookbank Construction
6. Steele Construction

LIMITATION OF LIABILITY

3.1 Nothing contained in this schedule of restrictions shall be construed as imposing any liability on the Developer or his designated Design Review Consultant for any damage resulting from structural defects in any structure or Improvement erected on a Lot of the condition of any site selected for any structure or Improvement on the Lot with the Developer's approval. The Developer's approvals are for exterior appearance only.

END OF PART I

DESIGN AND BUILDING SCHEME

THE PLATEAU
At Silver Creek
Mission, BC

DESIGN & BUILDING GUIDELINES

PART II - SCHEDULE OF RESTRICTIONS

1. GENERAL CONSIDERATIONS

1.1 The DESIGN AND BUILDING GUIDELINES for the subdivision are clearly intended to ensure that a good standard of development is maintained within and throughout the project neighborhood.

The Developer intends to use this Design and Building Guideline to assist in guiding the architecture of The Plateau to have the look and feel of a traditional enclave of fine homes on large Lots. The Developer has committed to a "Suburban Feel". With this in mind the building of Traditional homes will not only be encouraged but mandatory. Modern Architecture or extremely large and boxy homes are discouraged. All homes at The Plateau should compliment the natural setting rather than dominate it. Compliance with this vision will result in lasting and growing value for every home.

The large size of the individual Lots combined with the undulating building sites affords an excellent opportunity for attractive landscaping finish and for a variety of housing styles.

All homes are to be designed to contain fully enclosed, two to three car garages. Such garage may be attached or free standing or connected to the main dwelling by way of a breezeway.

Subdivision design policy places special importance on the front or street-visible wall areas of the homes. The basic design, detailing and finish standards set out in the DESIGN AND BUILDING GUIDELINES are increased for street-visible building faces. Applicants should carefully study the following sections of the guidelines where these requirements are set out in detail.

Applicants should note specifically that, for Lots with flanking sides onto side streets (or common strata roads), the faces or sides of dwellings on these Lots are considered to be street-visible.

1.2 The guidelines are intended to protect the integrity of the development by regulating the design, siting, finishes and landscaping of the residences thereby ensuring a relatively consistent high quality throughout the project.

To accomplish this to the benefit of all who have an interest in the development, strict adherence to the DESIGN AND BUILDING GUIDELINES is required and will be enforced. Numerous basic design alternatives are available for all models of homes where the positive objective is to fully meet the requirements and policy of the DESIGN AND BUILDING GUIDELINES. Home design alternatives and intentions must be made known by applicants at an early stage to ensure the full benefit of a cooperative consideration of plan and design concepts before work is taken to the detail and expense of finished plans.

1.3 Applicants can anticipate that design approval cannot be given where the DESIGN AND BUILDING GUIDELINES have been pointedly disregarded; where the building and siting plans fail to show a proper standard of exterior finishing detail; or where nothing but the minimum standard of the British Columbia Building Code has been used as a basis for design and finishing.

1.4 Applicants are encouraged to take a custom approach to the design of homes and make use of quality plan services and good professional design assistance in developing their plans. The opportunity

for good design, the values related to the subdivision and the policy and requirements of the DESIGN AND BUILDING GUIDELINES makes such an approach most appropriate and will facilitate the approval process.

1.5 Please be advised that applicant approval is conditional upon meeting requirements of the DESIGN AND BUILDING GUIDELINES for the subdivision. Any approval is for exterior appearance only without reference of any kind to building material performance in use, to workmanship standards, to interior design, to structural foundation design and workmanship, and to structural framing design and workmanship, all of which matters and subjects are beyond the scope of the DESIGN AND BUILDING GUIDELINES and come within the jurisdiction of the Building Department of the City of Mission.

2. DWELLING TYPES (For Main Dwelling only)

NOTE: The Developer is aware that Secondary Dwellings are allowed in this zone and will deal with them separately in section 8. Secondary Dwellings include Secondary Suite, or Coach House, or Garden Cottage as defined by the City of Mission Zoning Bylaw 5949-2020.

2.1 One-floor ranch type homes (with one level below the road grade), one-and-one half floor designs, two-story (with one level below grade) and split-level dwelling types are permitted based on the suitability of the Lot grades. Basement entry homes are permitted as long as the garage is not under the house but separate or to the side of the main house.

Notes:

No home shall be more than 2 stories high in total. 2.5 stories will be permitted as long as the top floor is built into the roof structure and is lighted by dormers in the roof or windows on the side gables.

A third story is only allowed as a basement under a 2-story home, below grade on sloping Lots. Whether a basement will be allowed is in the control of the City of Mission.

The choice of any dwelling type must be reviewed with the Design Review Consultant early and approved before any detailed design is undertaken to ensure that a choice of dwelling type will fit with the street appearance and with adjoining or adjacent buildings.

GENERAL DESIGN (Main dwelling)

Developer will only approve traditional/suburban designs that fit into the following architectural design categories:

Colonial

Farm House

Early American

Craftsman

Whistler Style (Generous use of Timber elements and natural materials. Owner to ensure such materials comply with the City of Mission Area H - Fire Interface Development Permit Area Guidelines)

2.2 Minimum and Maximum Sizes of Dwelling Types

For all dwelling types the DESIGN AND BUILDING GUIDELINES require construction of minimum and Maximum habitable areas not including areas of basements and fully enclosed garages as follows;

Rancher: Minimum 1800 sq. ft. on the main floor. No maximum

Two Story: Minimum 1200 sq. ft. on main. Total above ground square footage not to be less than 2500 sq. ft. Maximum 4500 square feet above ground.

2 level basement entry: Minimum 1600 sq. ft on main floor. Maximum not to exceed 4000 square feet on both floors.

NOTE: Other styles that are rarer, such as split-level homes will be reviewed on an individual basis for general suitability and fit into the overall design of the community.

2.3 Maximum Height

The City of Mission Zoning Bylaw regulates the maximum height of structures.

2.4 Garages

All dwellings are to have a fully enclosed, attached or free standing, double or triple garage, designed and planned in character with the parent dwelling. The garage door and surrounding finish must be fully detailed on the plan and will be given special attention in the approval process.

3. STREETSCAPE

3.1 Repetition of Plans

Plans may not be repeated within 3 Lots of each other unless there are changes to the exterior that make them look unique from each other. Also, same plans will not be allowed across the street from each other.

4. SITING AND GRADING

4.1 Setbacks

Applicants must carefully study the layout and survey plan of the subdivision with special attention to building envelopes (based on zoning) and building footprints, which show the desired location of dwellings on the Lots. The Developer or the Design Review Consultant may require minor alterations to proposed setbacks at plan review stage to create variety and interest and to maximize privacy and enable desired visual relationships and separations between homes.

4.2 Building Grades

Grading must take into account the final grade planned on adjacent Lots. A smooth transition from Lot to Lot is important. Excess soil from excavations must be trucked off site at the applicant's expense at the time of excavation.

Over-Burden and Excavated soil cannot be placed on any adjacent Lot, roadway or walkway in the subdivision without the approval of the owner of that Lot.

4.3 Storm Water Management

Each owner and builder is required to ensure that storm water is managed on their own property. Storm water run-off is not to enter a neighbour's property in such a way as to cause erosion, damage or other problems.

4.4 Driveways

The driveway location shall conform to the site plan approved by the Design Review Consultant. Front yards must be a minimum 40% grass and landscaping. Paving or placing of gravel on the entire front yard will not be allowed, either at time of approval or at any time after final occupancy has been granted.

Please note that the City of Mission also has driveway standards which will need to be adhered to.

4.5 Geotechnical / Foundations

Should the City of Mission require it, the Applicant, after excavation and prior to adding granular material and footing construction must, at the Applicant's expense, have the approval of a Geotechnical and structural engineer prior to footing design and construction. In such case the Geotechnical and Structural engineer shall review and certify the footing and foundation design.

5. **LANDSCAPING REQUIREMENTS**

5.1 Landscaping Guidelines.

NOTE: Some aspects of the landscaping are affected by the City of Mission Area H - Fire Interface Development Permit Area Guidelines.

A landscape plan or compliance deposit is not required. However, the following guidelines are provided to assure general pleasing appearance to the entire community.

- (i). Lawn to cover complete Lot; front and sides and to curb, (excluding area covered by buildings, driveways, sidewalks, patios, flowerbeds and vegetable gardens).
- (ii). Tree and shrub planting in front yards must be designed to compliment the individual home and streetscape.

- (iii). NO FENCES ARE PERMITTED IN FRONT YARDS except picket fencing no higher than 30 inches. Some ornamental wood fencing will also be allowed such as split rail cedar, no higher than 36 inches. Rear Yard Fencing is optional. If installed, fencing is only to be BLACK CHAIN LINK - 4 – 6 feet high. All posts must be set in concrete. A continuous cedar hedge may be planted along one side of the fence. This hedging is optional and is for privacy at the discretion of the homeowner.

EXCEPTION: The existing home on Strata Lot 2 may be fenced with chain link.

NO WOOD FENCING WILL BE ALLOWED IN THE BACK YARDS AT TIME OF LANDSCAPING OR ANY TIME IN THE FUTURE, ANYWHERE IN THE DEVELOPMENT. THIS WILL BE ENFORCED AS PART OF THE BUILDING DESIGN APPROVAL AND COMPLAINEE.

5.2 Finished Surfaces — Driveways

Driveways may be either concrete, asphalt or pavers. Loose gravel is not allowed for the main driveway but may be used elsewhere for RV and other parking. Again, Driveways are not to exceed 60 % of the Lot frontage.

5.3 Retaining Walls

It is the responsibility of the owner on the high side Lot to retain their soil. Owners are not allowed to undermine existing grades on adjacent properties.

All retaining walls must be blast rock, decorative concrete retaining wall block such as Allen Block, or poured in place concrete with a decoratively finished surface such as on surface design elements or exposed aggregate. Any use of treated timber must comply with the City of Mission Area H - Fire Interface Development Permit Area Guidelines. No landscape ties are to be used for retaining walls.

Any retaining walls over 4 feet high must be engineered at the Applicant's expense. Any building permits required are the responsibility of the Applicant.

5.4 Slopes

It is the responsibility of the applicant to ensure that finished slopes are stable.

5.5 Trees

The developer will be including 2 trees per Lot. One signature tree and one that can be chosen from the City of Mission Tree Management Bylaw 3872-2006 Schedule B.

Placement of evergreens near the house is restricted by the City of Mission Area H - Fire Interface Development Permit Area Guidelines.

6. APPEARANCE DURING CONSTRUCTION

6.1 Appearance

Applicants must keep the Lots and abutting streets clean and orderly during construction and marketing. No material or debris shall be stored on property adjacent to a job site.

6.2 Signs

If properties, either bare Lots or new homes on Lots, are to be resold to a third party, all signage must comply with the subdivision standard.

All parties are to be advertised on one sign. The builder on top, The Plateau logo and name under that, "For Sale" below that, a space for an artist's rendering of the house to be built with the Lot number on the top right corner and finally the realtor or seller's information on the bottom.

Signage must conform to specifications provided.

No other realtor or builder signage will be allowed unless specifically approved by the Developer.

7. **ARCHITECTURAL REQUIREMENT AND GUIDELINES FOR EXTERIOR FINISH**

Please note that all architectural requirements must meet the City of Mission Area H – Fire Interface Development Permit Area Guidelines. Where there is disagreement between this Building Scheme and the City of Mission Area H – Fire Interface Development Permit Area Guidelines, the latter shall prevail.

7.1 Colour Schemes

A colour scheme for all exterior house finishes must be submitted to the Design Review Consultant with final plans for approval. To identify colours, colour samples must be submitted and upon approval, a signed copy of the colour scheme samples will be retained for the Developer's file.

The colour of the gutters must be the same as the colour of the fascia boards.

7.2 Roofs

All roof styles are acceptable except flat roofs. Sun rooms, bay windows and other protrusions can be flat but the main house is to have a sloped roof.

Full 2 x 10 or 2 X 8 fascia board treatment is required with all gable roof elements. Facia must be wrapped in fireproof material to comply with the City of Mission Area H - Fire Interface Development Permit Area Guidelines.

7.3 Roof Slopes and Finish

The main roof minimum roof slope is 4 to 12. Front porches and sunrooms may be lower.

Asphalt and metal are acceptable.

If asphalt/fiberglass shingles are to be used they must be 30 years or better warranty. Colour to be approved by the Developer. Only black, brown and grey colours will be accepted. In the case of metal roofs, other colours may be accepted upon approval.

7.4 Overhangs, Soffits, Gutter and Fascia

Full overhangs (as permitted by the code).

Soffits: Wood, aluminum or vinyl soffit is acceptable.

Fascia boards must be minimum 2" x 8" in size. Concealed gutters are allowed.

7.5 Exterior Wall Finish

Exterior wall finish may consist of:

- (i) Hardi siding is encouraged. Either horizontal or vertical Board and Batten;
- (ii) Masonry or stone veneer wall finishes;
- (iii) Stucco, heavy dash, fine textured or sand finished surface (California stucco) in combination with FIRE PROOF trim boards and standard dimension brick facing (at street-visible or front walls).

Hardi shingles, or such shingles used in feature wall areas. To be stained to compliment the overall colour scheme.

Note: NO VINYL SIDING IS PERMITTED.

7.6 Masonry:

Cultured stone and brick or natural stone and brick is allowed

7.7 Trim to Exterior Finishes and Around Openings

Window trim may be flush-mounted with exterior finish in a weather-tight detail. Paint to compliment the overall colour scheme.

Windows must be trimmed on all sides of the house. All trim to comply with the City of Mission Area H - Fire Interface Development Permit Area Guidelines.

Where stucco finishes are used, all openings must be finished with a detail that simulates the relief of at least 1-inch by 4-inch trim boards.

Applicant plans should be complete with a clear indication of all required trim detail.

7.8 Windows and Doors

Decorative window muntin bars may be used.

Shutters will be allowed where certain period-type designs are proposed.

Not all front doors are acceptable. Doors to be good quality and attractive. Special attention will be given to front doors by the Design Review Consultant.

NO double front doors.

Doors to comply with the City of Mission Area H - Fire Interface Development Permit Area Guidelines.

7.9 Overhead Garage Door

Not all garage doors are acceptable. Doors to be good quality and attractive. Special attention will be given to garage doors by the Design Review Consultant. Windows are allowed in the panels. Garage doors to comply with the City of Mission Area H - Fire Interface Development Permit Area Guidelines.

7.10 Chimney and Vent Chases

Wood frame vent chases must be completed with trim equal to that used with siding.

7.11 Entry Porch Feature

The Applicant is at liberty to use a variety of porch shapes and dimensions.

If masonry post bases are used, they are not to stop at the porch decking level but must continue down to grade.

7.12 Rear of Homes

- (i) Rears of homes must be visually pleasing.
- (ii) No home shall be constructed in such a manner that the rear 3 floors are all on the same plane. Care must be taken at time of design to break up the vertical elevation with roofs, decks, cantilevers and other design elements.
- (iii) Two unbroken exterior walls must be broken up by a box joist band of at least 2 x 10 material.

8. SECONDARY DWELLING UNITS AND OTHER BUILDINGS

8.1 Secondary Dwelling Units (Secondary Suite, or Coach House, or Garden Cottage) are allowed to be built in The Plateau. Square footage and all other specifications are to comply with the Bylaws of the City of Mission and inspected by them.

8.2 Secondary Dwelling Units (Secondary Suite, or Coach House, or Garden Cottage) are to be built to the same standard of exterior finish as the main house. However, they can be a different colour or style from the main house as long as they are architecturally pleasing and compatible.

8.3 Secondary Dwelling Unit (Secondary Suite, or Coach House, or Garden Cottage) plans may be repeated on adjacent Lots.

Garden Homes are not to be set on the Lot so as to appear to be the primary dwelling.

8.4 Separate Garages and Shops: Separate garages and shops are also allowed and must comply with the City of Mission's bylaws and Area H – Fire Interface Development Permit Area Guidelines.

They should be finished to the same standard of exterior as the main dwelling but again, may be a different but complimentary architectural style.

8.5 Approval

Plans and specifications for these buildings must be submitted along with the main dwelling approval package. Also, samples of exterior finishes must be submitted at the same time.

8.6 Application for Approval

A separate APPLICATION FOR APPROVAL (Attached as Attachment (A)) must be submitted for each building, along with building plans. The dwelling to be approved must be clearly indicated on the APPLICATION.

8.7 Site Plan

Secondary buildings must be clearly indicated on the main Site Plan, along with setbacks from property boundaries and distances to other buildings. All setbacks must comply with local bylaws.

8.8 Design Approval Fee

A Design Approval Fee of \$250.00 must be paid for each extra building at the same time as the same fee for the main dwelling.

8.9 Security Deposit

There will be no increase to the \$30,000 security deposit for secondary buildings and dwellings. The deposit will be used to cover all buildings on the Lot.

9. PLANS

9.1 Pre-Approval

Before purchasing plans, Applicants are encouraged to have preliminary designs prepared. Designs are to be submitted as preliminary drawings of the proposed design with colours and finish details to the Design Review Consultant to check compatibility with neighbours, driveway location and general conformity with the DESIGN AND BUILDING GUIDELINES. There is no fee for this submission and review and no commitments are made until the final plan review.

9.2 Plan Approval

No permit application, construction or other improvements whatsoever can take place on any Lot until the Plan Approval Process takes place. This process consists of:

- (i) Proof of payment of security deposit.
- (ii) Payment of Design Control Fee of \$ 1,500.00 (see below) to the Design Review Consultant. Completion of agreement of adherence to the design guidelines.
- (iii) Completion of Application of Plan Approval.
- (iv) Three sets of plans (2 to be returned to Applicant) with elevations, section and floor plans. A site plan must accompany each set and must show; the foundation in solid line, the roof plan dotted,
- (v) A site plan showing all setbacks and easements, driveway location and fencing.

Plans must be accompanied by samples, pictures or brochures of the exterior finish materials, including stone or brick, all in the proposed colours. This includes gutter type and colour and trim colour samples.

Response to submissions shall be within 7 days.

9.3 Incomplete Applications and Plan Rejection

Incomplete applications will be returned to the Applicant. Re-submissions may be subject to additional fees and charges by the Design Review Consultant.

The Developer or the Design Review Consultant reserves the right to approve or reject any plan.

9.4 Design Control Fee

The Applicant will be required to pay a Design Control Fee of \$1,500 to the Design Review Consultant.

Re-submitting completely different plans after the design review or requesting extensive revisions will be at the cost of the Applicant, the amount set by the Design Review Consultant.

Design control fee is payable to the Design Review Consultant.

The Design Review Consultant for the Developer is:

Stephan Kingma
Cell phone: 1-604-819-5735
Email: stephan.kingma@gmail.com

9.5 Liability of the Developer

The Applicant acknowledges that the plan review is provided as a service and the Developer and the Design Review Consultant assume no responsibility for the accuracy of the information provided or any losses or damages resulting from the use thereof.

Nothing herein shall be or be deemed to be construed as an admission of responsibility of liability on the part of the Developer or the Design Review Consultant to or for the benefit of any third party whether an owner of the lands in the area or otherwise, to enforce, oversee, peruse maintain or otherwise control activities of the Applicant herein with respect to the use of the lands and enforcing of any conditions herein to be performed by the Applicant shall be at the sole discretion of the Developer as it shall see fit from time to time.

No explicit or implied review or approval is given to the drawings other than in the terms identified in the DESIGN AND BUILDING GUIDELINES. Liability on all other matters including but not limited to structural adequacy, soils and foundation conditions and performance, performance standards of materials approved, methods of construction or any building permit review are not the responsibility of the Developer or the Design Review Consultant and the signatory of this document or subsequent purchasers will not hold the Developer or the Design Review Consultant liable for any problems that may arise.

10. SECURITY DEPOSIT

10.1 To ensure the design guidelines, including the buildings, retaining walls, driveway and fencing, are adhered to the Developer will require the Applicant prior to plan approval pay a refundable **\$ 30,000 deposit direct to the developer at the time of completion of the sale**. The cost of rectifying any damage to streets, curbs, sidewalks or services damaged by the applicant/builder or any contractor, or supplier hired by them will also be deducted from the deposit prior to release.

The deposit will be returned to the Applicant without interest providing all requirements of the guidelines have been met within 30 days following completion of construction and landscaping. Opinion of completion rests solely with the Developer. The deposit will not be returned if all requirements of the guidelines have not been completed within 24 months of commencement of construction (foundation excavation).

The deposit will not be returned to the Applicant in the event of a sale of the property to a third party where construction has not commenced or is not complete and approved by the Developer unless the Applicant has made arrangements with the new purchaser to deposit the \$ 30,000.00 and comply with these guidelines. If a Lot is resold to a third party before construction has commenced on a dwelling, it is incumbent upon the seller to inform the buyer of this Building Scheme and all of its conditions including the payment of a \$ 30,000 Security Deposit.

10.2 Security Deposit Release Procedure

The Applicant must contact the Developer or the Design Review Consultant to arrange for a final field review. This field review will be scheduled within 7 working days of the request and the Applicant should arrange to be present. If the Developer or the Design Review Consultant recommends approval the deposit will be released by the Developer within 10 working days of the Design Review Consultant's report.

If deficiencies are noted at the time of the field review the Developer or the Design Review Consultant shall forward a list to the Applicant of the outstanding items. The Applicant will immediately rectify all

deficiencies and request a second field review. The second and subsequent field reviews will be carried out within 10 working days of request.

11. OBLIGATION OF APPLICANT AND DEVELOPER

11.1 The Applicant acknowledges that upon final acceptance by the Developer of the construction of the home pursuant to the guidelines and the release of the deposit of such part thereof as is not required by the Developer to complete such construction and landscaping, the obligations of the Developer to maintain architectural control in respect of the Lot or Lots shall terminate.

The Applicant further acknowledges and agrees that the Applicant shall have no right or privilege to enforce the guidelines or to cause the Developer to take any action in respect of enforcement of the guidelines for any other Lot or Lots within this development.

I hereby acknowledge receipt of a copy of these design guidelines of THE PLATEAU at Silver Creek and I agree to abide by them. If I fail to do so the Developer shall be entitled to retain the \$30,000.00 deposit absolutely, and further, if the Developer elects they may correct any deficiencies and recover the costs from me.

Lot #: _____

Signature of Applicant: _____

Print Name of Applicant: _____

Date: _____

Witness & Occupation: _____

ATTACHMENT (A)
 APPLICATION FOR APPROVAL
 THE PLATEAU at Silver Creek Mission, B.C.

Applicant Name: _____
 Applicant Address: _____
 Phone: _____ Lot Number in The Plateau _____

Designer: _____
 Main Dwelling _____ Secondary Dwelling _____ Shop or Detached Garage _____ If
 Application is For Main House or Garden Home:
 Two Storey _____ Rancher _____ 1 ½ Storey _____ Other _____
 Finished 1st Floor Area: _____ Finished 2nd Floor Area: _____
 Basement Yes or No. _____ Crawl Space Yes or No _____
 Total Finished Floor Area of Top 1 or 2 floors _____
 Front Setback: _____ Rear Setback: _____
 Left Side Yard: _____ Right Side Yard: _____

	Finish Material	Colour	Sample Required
Wall Material:	_____	_____	Yes
Gutter Material:	_____	_____	No
Fascia Material:	_____	_____	No
Soffit Material:	_____	_____	Yes
Trim Material:	_____	_____	Specify Size
Garage Door:	_____	_____	Picture or Brochure
Brick or Stone:	_____	_____	Picture of material
Driveway Material:	_____	_____	Picture if Pavers
Chimney Material:	_____	_____	Picture if Brick
			Colour if Metal
Roof Material:	_____	_____	or Fibreglass
Front Door:	_____	_____	Picture or Brochure

USE OF DESIGN APPROVAL SERVICES

The Applicant acknowledges that the house plan approval service is provided as a service and that the Developer and the Design Review Consultant assume no responsibility for the accuracy of the information provided or for any losses or damages resulting from the use thereof. The applicant further acknowledges that he will hold the Developer and the Design Review Consultant harmless from action resulting from the use of this information.

Applicant Signature _____ Design Approval Consultant upon Approval

Date _____ Signature _____ Date _____



