

SCHEDULE "C"

SUNSET HARBOUR DEVELOPMENTS LTD.

ARCHITECTURAL CONTROLS

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INTRODUCTION

Sunset Harbour Developments Ltd. is the pre-eminent recreational/residential community in western Canada. Your decision to purchase property in this development will be rewarded by an exceptional quality of life.

The intent of these Architectural Controls is to develop a "character" for Sunset Harbour that allows a range of variety and richness to develop on individual houses while at the same time create an underlying order and cohesiveness in the entire subdivision. Adherence to these controls will ensure that your investment is protected and that Sunset Harbour remains the pre-eminent recreational community in western Canada.

The simple North American house forms first built in the area and the brilliantly coloured prairie farm buildings in the area form the basic character for the houses of Sunset Harbour. These houses typically employed wood or log siding, often stained in intense saturated colours, with gable or hipped asphalt shingle roofs. Porches or enclosed sunrooms were also common as well as the small-paned traditional window of the period.

The colours used shall be deep greens, red, burgundies, blues and ochres. This is consistent with the earlier lake front houses and the painted prairie barns found in the region. The colour palette also complements the deep greens and blues of the water and surrounding foliage. All trim colours shall be white, again historically consistent with the area.

The water orientation of Sunset Harbour allows for the enriching of the architecture through references to nautical architecture, thereby the inclusion of "lighthouse" forms, porthole windows and references to the "widow's watch" set in larger roof forms.

The front porches, streets lined with trees and the park areas are intended to evoke feelings of the small towns of yesterday. The architecture of the individual houses should reflect this.

ARCHITECTURAL CONTROLS

The standards for development have been established by the County of Wetaskiwin Land Use Bylaw and these Architectural Controls as set out by Sunset Harbour Developments Inc. Specific reference should be made to the County of Wetaskiwin Bylaw requirements in all cases. Conformity with these Architectural Controls does not supercede the required Municipal approval process.

The Developer and his consultants assume no responsibility for the accuracy of the information herein provided, or for any losses or damages that may be attributed to the use of this document.

1.0 MODIFICATION OF GUIDELINES

Adherence to these guidelines is mandatory. However, in the pursuit of a high standard of design and a pleasing variety of housing styles, the Developer is prepared to relax specific guidelines to better achieve the above objectives. Since it shall be at the discretion of the Developer to determine whether an individual design offers sufficient quality to grant the relaxation of one or more of the guidelines, you are advised to consult the Developer prior to commencing detailed plans.

Notwithstanding any statement or drawings in this document, the Developer reserves the right of final approval of the exterior design and colour and site work of all homes in Sunset Harbour and to alter these Architectural Controls without notice.

2.0 THE LOT

The siting and size of the buildings shall conform to the requirements of the County of Wetaskiwin current Land Use Bylaw. The dwellings and open spaces on each lot shall be designed and constructed to achieve a pleasant streetscape, to protect the privacy of each dwelling and to take maximum advantage of the natural characteristics of the lot such as sun angles and the relationship to the lake, the harbour and the street. Siting and house layout should minimize overview and overshadowing of neighbours.

Building setbacks from the front, rear and side property lines as well as the maximum site coverage will conform to the requirements of the County of Wetaskiwin Land Use Bylaw. As of July, 2000, the front, side and rear yard setbacks are as follows:

<u>Front</u>	<u>Side</u>	<u>Rear</u>
6 m.	1.5 m.	8.5 m.

Currently the lots are designated as per the site layout. The Developer will provide building grades information to the Purchaser of each lot to assist him in the siting of his house.

2.1 LOT GRADING

Lot grading is to be consistent with the subdivision grading plan.

Retaining walls are to be avoided and replaced by slopes of landscaping. Railway or landscape ties are not permitted.

Exposed foundation walls shall not exceed the maximum height of 12 inches.

Particular attention should be paid to the provision of an adequate drainage system. No grading shall be done which causes water retention on the lot, or causes water to drain into neighbouring lots.

2.2 LANDSCAPING

A landscape plan for all front, side and rear yards shall be submitted as part of the plan approval process. The landscape must be designed as an integral part of the house and must take into consideration the attributes of the lot, the house characteristics and the landscape and housing design of the adjoining properties.

As a minimum, the landscape plan will provide for the sodding of all yard areas and the planting of two trees, of at least 6 feet in height and 2 ½ inch caliper in the front yard. To allow maximum visibility of the harbour and lake a maximum of 2 trees may be planted in the rear yard. All other shrubs, bushes and flowers must be maintained or trimmed at a height not to exceed 3 feet.

2.3 HARBOUR FRONTAGE

The repair or replacement of the harbour frontage rockscape shall be done with product consistent with the original rockscape. Such repair or replacement shall be done at the sole expense of the Unit owner.

2.4 FENCES

Rear and side yards may be fenced, but no fencing will be allowed to extend into the front yard area.

To allow for maximum visibility of the harbour and lake all fences must be 3 foot chain link style, green in colour. The use of slats is not permitted.

The location of fences at the back of the Units, shall be consistent from Unit to Unit. Fences at the back of the Units shall be located on the rear property line of the Unit. Any future replacement of the fence shall be built in the same location as the original fence. No other fences at the back of the Units will be permitted.

2.5 DRIVEWAY AND SIDEWALKS

Each Unit shall include a driveway with a minimum width equal to the width of the garage and a minimum length measured from the edge of the street of 19 feet.

The driveway shall be constructed with concrete using an exposed aggregate finish. Sidewalks in the front yard shall match the finish of the driveway. Sidewalks in the side and back yard shall be poured concrete or exposed aggregate finish matching the driveway.

3.0 THE HOUSE

The design of the dwelling units should contain enough variety to create interest while at the same time achieving a balanced harmony of forms, colours and themes. Houses shall be a minimum of 1200 sq. ft. and of the so called "cape cod" style.

3.1 MASSING AND REPETITION

House forms, heights and facade details should be coordinated with neighbouring houses to ensure a gradual transition from one type of house to another.

Abrupt changes in the heights of eaves and fascias shall be avoided from house to house.

Two houses of the same plan and the same elevations shall be separated by at least two other houses. The same house plan may be situated next to a similar house provided extensive changes are made to the front and rear elevations. The decision as to whether the proposed changes are adequate shall be made by the Developer at his sole discretion. These changes are necessary in order to avoid monotony in the streetscape.

Houses of the same house body colour must be separated by at least one other house of a different colour.

Striking contrast between building sizes and shapes within a small area are not acceptable. The objective is to provide enough variety to create interest with a balanced unity of form, colour and themes.

3.2 EXTERIORS

Special attention to the exterior treatment of the house is necessary. Detailing which is important to the design's integrity is considered essential and should not be omitted.

3.2.1 ROOFS

The preferred primary roof slope is 12:12. Under no circumstances will any primary roof slope be allowed that is less than 8:12. The eave of this roof must come down to the first storey level on the street elevation, at least. This arrangement is also preferred for the other elevations, but alternative proposals will be considered.

All roofs shall be covered with CRC chateau forest green asphalt shingles, or equivalent.

The specific roof forms that are allowed include: gable, cottage (hipped, combination cottage and gable, dormers (with gable, bay or cottage roofs), mansard, bays and turret.

The following roof forms are not allowed: shed, low pitched with slope less than 8:12, flat and A-frame.

Second floor areas shall generally be set within roof forms. Second floor cantilevers are not permitted, except over porches.

Roof overhangs shall extend 2 feet from the building wall. Where the roof pitch design does not facilitate this amount of overhand, it may be reduced to 18 inches. Columns may come forward to the edge of the roof such that there is no overhang between this eave and the column line.

Soffits shall be of aluminum, white in colour.

Fascias shall be of aluminum, with a minimum size of 2" x 8" and white in colour.

Galvanized finish for roof stacks, flues, flashings, etc. are not allowed. These should be prefinished in a neutral colour or painted to match the roof colour. Gutters and rainwater leaders shall be white in colour. Care should be taken to achieve proper drainage away from the house and to minimize erosion at the termination of spouts by using splash pads or retractable spout extensions.

3.2.2 WALLS

Siding on all elevations shall be James Hardie siding products, or equivalent. False front treatments and other embellishment of the front entrance is to be avoided.

Vinyl siding, aluminium siding, brick veneer and stucco will not be permitted.

Siding boards shall be a maximum size of 1x6. Larger sizes will not be permitted.

A base of approximately 1 metre in height above the main floor is preferred. The base materials shall be horizontal 1x6 bevelled siding.

Above the base, the siding shall be Hardie siding vertical or horizontal.

On gable roof forms, the end walls may use sunburst patterns or horizontal 1x6 bevelled siding or 1x6 vertical tongue and groove siding or a combination of these elements.

All corners, windows, doors, fascias, balustrades and lines of change of materials shall use 1x4 or 1x6 trim boards. It is a primary objective of the house designs that the trim detailing be significant, so that each house has a strong feeling of richness when viewed from the exterior. Porch balustrades, railings, window trim, wall trim, fascias, column, and sunburst patterns are all encouraged. All trim is to be coloured solid white.

ALL PREFABRICATED FIREPLACE FLUES ARE TO BE FRAMED AND CLAD WITH HARDIE SIDING. EXPOSED METAL FLUES ARE **NOT** ACCEPTABLE.

Masonry chimneys are allowed. The finish shall be riverstone, artificial stone brick (subject to being individually approved by the Developer), Hardie siding or a combination thereof that **is acceptable to the Developer**.

USING THE WALL AS A DECORATIVE ELEMENT IS ENCOURAGED.

3.2.3 WINDOWS AND DOORS

Windows and doors should be designed as an integral part of the house and rich detailing is particularly recommended. Generally symmetrical shaped circle, half-circle, square or vertically rectangular windows with traditional muntin bars are acceptable. Muntin bars may be wood or plastic inserts.

Asymmetrical window forms and horizontal windows may be permitted in certain designs at the discretion of the Developer.

Wood and insulated metal doors are to be painted white. Front doors with glass and muntin bars are encouraged.

3.2.4 PORCHES/DECKS

PORCHES SHOULD BE A DOMINANT ELEMENT ON BOTH THE STREET AND WATERFRONT ELEVATIONS. Porches encourage neighbourliness and they create a richness of detailing on the house facade.

Front and rear porches or decks may extend the entire width of the building or any lesser portion thereof, depending on individual design constraints.

The maximum depth which a deck may project into the rear yard setback area is 4.0 metres.

Various column types are also encouraged:

- Full or half height columns - round, square and tapered;
- Paired columns - round and square;
- Columns on round or square bases.

3.2.5 FOUNDATIONS

Concrete walls shall not be exposed more than 1 foot above finished grade.

All exposed concrete shall be parged with a textured finish.

No Basements will be allowed.

3.2.6 EXTERIOR LIGHTING

Recessed pot lights on front and rear porches are encouraged. In addition, if wall mounted fixtures are desired, "Lighttolier #3655 Bristol" is recommended, or equivalent.

3.3 GARAGES

All garages must be attached, be a maximum of 24 feet by 24 feet and have a door height not exceeding 7 feet. The Developer, in its sole discretion, may allow garages that exceed these size restrictions if the garage can be integrated into the house and lot design to maintain the "cape cod" design of the house. All house guidelines regarding form, colour and materials shall apply also to garages. The garage door wall may not extend more than 8 feet in front of the main front face of the house.

3.4 GARDEN SHEDS

Garden sheds are permitted to a maximum of one per Unit and to a maximum size of 12 feet by 12 feet. The garden shed must have an exterior finish matching the exterior of the home and be located no further than 10 feet from the rear of the home.

The Developer, in its sole discretion, may allow garden sheds that exceed these size and location restrictions if the garden shed can be integrated into the house and lot design to maintain the “cape cod” design of the house.

3.5 T.V. SATELLITE DISHES OR ANTENNAS

T.V. Satellite dishes not exceeding 18 inches in diameter are permitted to a maximum of 2 dishes per Unit. Any other form of antennas is not permitted.

3.6 FIRE PITS

Outside fire pits to a maximum inside diameter of 24 inches and maximum height of 12 inches above grade are permitted to a maximum of 1 per Unit. Notwithstanding the above all fire pits must conform with county fire regulations.

3.7 PLUMBING/SEWAGE SYSTEM/PUMPS

To limit waste discharge all plumbing fixtures (i.e. toilets, showers, etc.) must comply with R2000 building standards.

The waste disposal system (pump, tank and accessories) shall comply with the specifications set by the Developer.

3.8 BOAT LANDINGS

Boat Landings to a maximum dimension of 16 feet in length and 6 feet in width may be constructed at the back of the lots backing onto the harbour or channel. The landing shall be located entirely within the boundaries of the Unit or the Privacy Area of a Unit and shall not extend into the harbour or channel. All landings shall be constructed to the specifications of the Developer.

4.0 UTILITY LINES

Utility Lines are to the Unit property line. Purchaser shall be responsible for the cost and completion of all utility connections to the specifications of the Developer.

5.1 APPROVAL PROCESS

In addition to the review and approval requirements of the County of Wetaskiwin, the Developer has established a prior supplementary design review process to ensure that the completed residence conforms with the Architectural Controls.

5.2 PRELIMINARY DESIGN REVIEW

It is recommended that the Purchaser submit a preliminary sketch of the proposed house (or modifications, as appropriate) to the Developer as early as possible in the process, so that the design may be checked for compatibility with the neighbouring houses.

A preliminary meeting with the Developer is strongly recommended. This meeting will provide the Purchaser with basic design information and site-specific requirements.

5.3 ARCHITECTURAL APPROVAL

The Purchaser must make application for Architectural Approval (the "Application") before submitting plans to the County of Wetaskiwin for a building permit.

In order to assist the Purchaser with the preparation of the house siting plan, the Developer will provide to the Purchaser the following building grades information:

- property lines,
- location of services,
- existing grades at property corners,
- lowest top of footing,
- suggested finished grade,
- sanitary service invert,
- required location of driveway.

To make the Application, the following documentation is to be submitted to the Developer:

- a) the Sunset Harbour Application for Architectural Approval form, fully completed and signed by the Purchaser.
- a) two copies of the house siting plan drawn at a 1:200 scale, which will identify the following.
 - finished grade elevations at the midpoint of the side property lines,
 - finished grade elevations at all house corners, garage corners, centre of the garage door and the main entry to the house,
 - surface drainage pattern including the location, size and depth of swales,
 - top of footing elevations,
 - elevation of basement and garage floor slabs,
 - elevation of finished main floor,
 - outside deck elevations,
 - all exterior dimensioning of the house and garage,
 - location of the house and garage from all property lines,
 - location and sizes of decks, patios, stairs and ramps,
 - slope of driveway;
- a) two sets of complete house construction drawings including plan views, elevations and sections drawn at either 1:50 scale or 1/4" scale;
- a) two copies of a landscaping plan showing the accurate locations of proposed trees, shrubs, fencing and other ornamental features (this plan will include a fencing elevation detail, if applicable);
- a) an exterior finish schedule listing the materials and colours on the elevations including siding, trim and corner boards, soffits, gutters, fascia boards, garage doors, roof, driveway and sidewalk.

The Application will be reviewed by the Developer to determine its adherence to the Architectural Controls. The Developer will issue an approval, rejection or list of required amendments within 5 working days. It will be a condition of the architectural approval that the Purchaser will execute the Builder's Security Deposit agreement with the Developer and to provide the Developer with certified funds in the amount of the Security Deposit as set out in paragraph 12 of the Purchase Agreement.

A marked-up set of plans shall be returned to the Purchaser by the Developer. The original application will be signed by the Purchaser at this time to certify that he has understood all requirements pertaining to his approval. The original application form and one set of marked-up plans will be kept by the Developer for future reference.

The Purchaser is reminded that in addition to complying with the requirements of these Architectural Controls, he must comply with all other regulations of regulatory bodies having jurisdiction. The Developer's approval is not to be used for construction purposes without the issuance of a building permit.

5.4 PRE-CONSTRUCTION LOT INSPECTION

Prior to proceeding with any site work or construction activities, the Purchaser is to contact the Developer and request an initial lot inspection. Any damage or deficiencies to subdivision improvements will be noted. The Purchaser will not be held responsible for these items. An initial lot inspection report will be issued and a copy of this should be given by the Purchaser to his builder prior to proceeding with site work.

The Purchaser will be fully responsible for the costs of any repair work for damage not listed on the initial lot inspection report.

5.5 UNFORESEEN PROBLEMS AND DISCREPANCIES

If any potential site development problem is recognized and is related to issues concerning any of the Developer's approvals, the Developer will take no responsibility for providing an alternative solution unless notified by the Purchaser prior the any site construction work commencement.

Neither the Developer nor his consultants will be responsible for any site discrepancies. Should lot remedial work be required either before or after construction is complete, responsibility for costs, design and construction lies with the Purchaser.

5.6 INTERIM BUILDING REVIEW

The Developer will carry out on-site inspections during construction to ensure compliance with approved plans. Changes to the approved design must be made in writing. **Changes without approval will result in a loss of a portion or all of the purchaser's security deposit.**

Changes required by the municipality during construction must be submitted to the Developer, who may require further amendments in order to allow for municipally required changes without detriment to the overall development.

5.7 FINAL BUILDING APPROVAL

Upon completion of the house and all required landscaping, the Purchaser shall request a final inspection by the Developer.

The purchaser's security deposit shall be released if everything is in compliance with the approved drawings, or the Purchaser will receive a list of the deficiencies to be completed before any portion of the security deposit is released.

6.1 OTHER IMPORTANT GUIDELINES

6.2 SIGNAGE

Both temporary and permanent signage will be coordinated and must be approved by the Developer.

7.0 APPEARANCE DURING CONSTRUCTION

The Purchaser is required to keep his lot clean and orderly during construction. There will be no burning of garbage. Purchasers (or their Builders) who fail to keep the lot clean and orderly will be back charged for cleanup carried out by the Developer.

No trees, shrubbery, lawns, fencing, building or other site improvements shall be allowed to deteriorate to the detriment of the subdivision.

7.1 CONSTRUCTION PROCEDURES

The following instructions and regulations apply to all Purchasers of lots in Sunset Harbour, their contractors, agents or anyone acting on their behalf. This section is intended to clarify the responsibilities with regard to the prevention and repair of damage to the works installed in the subdivision. Any deviation from these procedures must be authorized in writing by the Developer.

7.2 SURVEY

Iron survey pins have been installed by an Alberta Land Surveyor as required by the Land Titles Act. If it is necessary to replace a lost or damaged iron pin, it must be done by an Alberta Land Surveyor. The cost of such replacement shall be the responsibility of the Purchaser.

7.3 DISPOSAL OF SURPLUS MATERIAL FROM EXCAVATIONS

Purchasers are requested to remove from the subdivision or to keep excavated materials within the confines of the lot or lots in their possession. Surplus materials shall not be dumped or disposed of within the subdivision. The Purchaser shall be responsible for the removal of any spillage or materials from any area outside of the confines of the lot.

7.4 OTHER CONSTRUCTION WASTE

Packaging material and other waste materials from the construction site must be disposed of in the proper manner at an authorized landfill site outside of the subdivision area. Purchasers shall be held liable for the cost of removal of any waste materials which are found dumped within the subdivision.

7.5 PREVENTION OF DAMAGE AND REPAIR OF DAMAGED WORKS

Lot Purchasers and/or their Builders shall be expected to take normal precautions to prevent damage to installed services. In particular, they shall:

- a) Protect sidewalks, curbs, gutters, etc. when it is necessary for vehicles to drive across them. A simple and effective means is to construct a crossing using a sufficient depth of loose earth with 3/4" plywood over to absorb shock and distribute pressure.
- b) Keep the road in front of their lot broom-clean during construction and keep any catch basin in front of the lot clear of debris and in working order at all times. Purchasers are reminded that repair of damaged services will be at their cost.