

Exhibit "D"

Filed Statutory Building Scheme

KAMLOOPS LAND TITLE OFFICE

LAND TITLE ACT BRITISH COLUMBIA
FORM 17 CHARGE, NOTATION OR FILING May-31-2018 14:48:03.001
LAND TITLE AND SURVEY AUTHORITY

CA6835946

PAGE 1 OF 17 PAGES

- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application, and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
 - the supporting document is identified in the imaged copy of it attached to this electronic application;
 - the original of the supporting document is in your possession; and
 - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.

Owen Ronald de Vries I2HLPY	Digitally signed by Owen Ronald de Vries I2HLPY Date: 2018.05.31 14:46:46 -07'00'
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Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

1. APPLICANT: (Name, address, phone number of applicant, applicant's solicitor or agent)

Sager Legal Advisors LLP, Attention: Owen de Vries
1495 Marine Drive

File No. 164999-2
Ph: 604-922-8881
Fax: 604-922-8808

West Vancouver BC V7T 1B8
Document Fees: \$71.58

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [legal description]

SEE SCHEDULE

STC? YES

3. NATURE OF CHARGE, NOTATION, OR FILING: AFFECTED CHARGE OR NOTATION NO:

STATUTORY BUILDING SCHEME
ADDITIONAL INFORMATION:

NATURE OF CHARGE, NOTATION, OR FILING: AFFECTED CHARGE OR NOTATION NO:

ADDITIONAL INFORMATION:

4. PERSON TO BE REGISTERED AS CHARGE OWNER: (including occupation(s), postal address(es) and postal code(s))

TIYATA DEVELOPMENTS INC.

1495 MARINE DRIVE
WEST VANCOUVER

V7T 1B8

BRITISH COLUMBIA
CANADA

Incorporation No
BC1064845

FORM_E7_V14

**LAND TITLE ACT
FORM E**

SCHEDULE

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND

STC for each PID listed below? YES

[PID]	[LEGAL DESCRIPTION – must fit in a single text line]
030-433-690	STRATA LOT 1 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-703	STRATA LOT 2 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-711	STRATA LOT 3 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-720	STRATA LOT 4 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-738	STRATA LOT 5 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-746	STRATA LOT 6 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-754	STRATA LOT 7 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-762	STRATA LOT 8 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-771	STRATA LOT 9 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-789	STRATA LOT 10 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-797	STRATA LOT 11 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-801	STRATA LOT 12 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-819	STRATA LOT 13 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-827	STRATA LOT 14 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-835	STRATA LOT 15 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-843	STRATA LOT 16 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-851	STRATA LOT 17 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-860	STRATA LOT 18 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-433-878	STRATA LOT 19 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543
030-410-720	LOT C DL 203 LILLOOET DISTRICT PLAN EPP46258, EXCEPT PHASE ONE STRATA PLAN EPS4543

Land Title Act

FORM 35

(section 220(1))

DECLARATION OF BUILDING SCHEME

NATURE OF INTEREST: CHARGE: BUILDING SCHEME

FEE OF \$71.58

Address of company entitled to apply to register this building scheme:

TIYATA DEVELOPMENTS INC. (Inc. No. BC1064845)
1495 Marine Drive
West Vancouver, BC V7T 1B8

Full name, address, and telephone number of person presenting application:

SAGER LEGAL ADVISORS LLP, Attention: Owen de Vries
1495 Marine Drive
West Vancouver, BC V7T 1B8
File No. 164999-2
Ph: 604-922-8881
Fax: 604-922-8808



Owen de Vries

TIYATA DEVELOPMENTS INC. declares that:

1. TIYATA DEVELOPMENTS INC. is the registered owner of the following lands:

PID: 030-433-690
STRATA LOT 1 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543

PID: 030-433-703
STRATA LOT 2 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543

PID: 030-433-711
STRATA LOT 3 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN EPS4543

PID: 030-433-720
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PID: 030-433-789
STRATA LOT 10 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN
EPS4543

PID: 030-433-797
STRATA LOT 11 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN
EPS4543

PID: 030-433-801
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STRATA LOT 15 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN
EPS4543

PID: 030-433-843
STRATA LOT 16 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN
EPS4543

PID: 030-433-851
STRATA LOT 17 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN
EPS4543

PID: 030-433-860
STRATA LOT 18 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN
EPS4543

PID: 030-433-878
STRATA LOT 19 DISTRICT LOT 203 LILLOOET DISTRICT STRATA PLAN
EPS4543

PID: 030-410-720
LOT C DISTRICT LOT 203 LILLOOET DISTRICT PLAN EPP46258, EXCEPT PHASE
ONE STRATA PLAN EPS4543

(the "Lots")

2. TIYATA DEVELOPMENTS INC. hereby creates a building scheme relating to the Lots.
3. A sale of any of the Lots is subject to the restrictions enumerated in the schedule attached or annexed hereto.
4. The restrictions shall be for the benefit of all the Lots.

EXECUTION(S):

Officer Signature(s)



Owen de Vries
Barrister & Solicitor
Sager Legal Advisors LLP
1495 Marine Drive
West Vancouver, BC V7T 1B8
Telephone: 604 922 8881

Execution Date

Y	M	D
18	05	29

TIYATA DEVELOPMENTS
INC.

By its authorized signatory:



Bruce Van Mook

OFFICER CERTIFICATION

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

CONSENT AND PRIORITY AGREEMENT OF CHARGE HOLDERS

STAR DEVELOPMENTS LTD. (Inc. No. BC0345322), of Suite 2 - 5550 Hastings Street, Burnaby, British Columbia, V5B 1R3, the holder of the following registered charges, consents to the registration of the above Declaration of Building Scheme and agrees that it shall have priority over its respective charges.

Officer Signature(s)
CHRIS FERRONATO
BARRISTER + SOLICITOR
#1100 - 838 HASTINGS ST.
VANCOUVER, BC
V6C 0A6
604-416-0097

Execution Date		
Y	M	D
18	05	30

Charge Owner(s) Signature(s)
STAR DEVELOPMENTS LTD.
By its authorized signatory:

Mortgage CA6438426 and
Assignment of Rents
CA6438427
GINO FERRONATO

OFFICER CERTIFICATION

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

SCHEDULE OF RESTRICTIONS

1. Definitions. In this instrument,

“**Building Scheme**” means this statutory building scheme, including the Form 35 (*Land Title Act*) above, this Schedule of Restrictions, and the Guidelines attached as Schedule ‘A’ hereto;

“**Developer**” means Tiyata Developments Inc.;

“**DRC**” means the design review consultant appointed from time to time by the Developer hereunder;

“**Guidelines**” means the “Tiyata Architectural Design Guidelines” attached as Schedule ‘A’ hereto;

“**Lots**” means the “Lots” described in the Form 35 (*Land Title Act*) above and includes any lot or other legal parcel in which such lots may be subdivided, by subdivision plan, strata plan (including bare land strata plan) or otherwise, including without limitation the Strata Lots and the Remainder Lands and any lot or strata lots created within the Remainder Lands. For greater certainty, “**Lot**” means any one or more of the Lots, as the context may require;

“**Lot Owner**” means the registered owner or owners of any Lot;

“**Remainder Lands**” means the lands legally described as follows:

PID: 030-410-720

LOT C DISTRICT LOT 203 LILLOOET DISTRICT PLAN EPP46258,
EXCEPT PHASE ONE STRATA PLAN EPS4543

“**Strata Lot**” means a strata lot within the Strata Plan, including any strata lots created by the deposit of a Subsequent Phase;

“**Strata Plan**” means strata plan EPS4543;

“**Subsequent Phase**” means phases 2, 3, and/or 4 of the Strata Plan as described in the Form P Phased Strata Plan Declaration filed with the Land Title Office under no. CA6773436.

2. Appointment of DRC. The Developer shall appoint an individual with at least 15 years experience in residential design to act as DRC hereunder. The Developer may revoke the appointment of the DRC if, in the reasonable opinion of the Developer, the DRC is unqualified to act as DRC or has failed to diligently fulfill the role of DRC hereunder. If the DRC resigns or if the appointment of the DRC is revoked, the Developer may appoint a replacement DRC by notice in writing to the Lot Owners.

3. Restrictions on Construction. No construction shall be commenced and no buildings or other improvements of any nature or kind (including driveways, fences, outbuildings,

retaining walls, and landscaping elements) shall be constructed, placed, or erected on any Lot unless and until the plans and specifications for such buildings and/or improvements have been submitted by the Lot Owner to the DRC and approved in writing by the DRC.

4. Exercise of Discretion by DRC. Approval of plans and specifications will not be granted unless in the reasonable opinion of the DRC such plans and specifications meet the requirements and satisfy the objectives of the Guidelines. The DRC shall have the sole discretion to approve or reject any plans or specifications submitted for approval PROVIDED always that the DRC will act in good faith and will not act arbitrarily or with manifest unreasonableness.
5. Approval Conditional on Diligent and Continuous Construction. Any approval granted by the DRC is conditional upon the Lot Owner commencing construction within 12 months from the date of approval and thereafter diligently and continuously effecting the construction of the buildings and/or improvements described in the approved plans and specifications. If a Lot Owner fails to commence such construction work within 12 months from the date of approval or if a Lot Owner fails to diligently and continuously effect construction of the buildings and/or improvements described in the approved plans and specifications then the DRC may revoke the approval and the Lot Owner shall be in the same position as if no approval had been granted.
6. Restriction on Number of Dwelling Units for Strata Lots Only. No more than one dwelling unit shall be erected on any one Strata Lot within the Strata Plan. For greater certainty, this restriction applies only to Strata Lots now or hereafter within the Strata Plan. This restriction does not apply to the Remainder Lands or any part thereof unless and until such lands are added to the Strata Plan by deposit of a bare land strata plan for a Subsequent Phase.
7. Severability. If any part of this instrument is for any reason held to be invalid by the decision of a Court of competent jurisdiction, the invalid portion will be severed and the decision that it is invalid shall not affect the validity of the remainder of this instrument.
8. Discretion to Grant Exemption. The Developer reserves the right to exempt any Lot or Lots which have not been disposed of by the Developer at the time the exemption takes effect from all or any of the restrictions and benefits herein. Without limiting the generality of the foregoing, if the Developer elects not to proceed with a Subsequent Phase of the Strata Plan then, in respect of all those parts of the Remainder Lands not included within the Strata Plan at the time of such election (the "Non-Stratified Remainder Lands"), the Developer shall be deemed to have exercised its discretion hereunder to exempt such Non-Stratified Remainder Lands from all of the restrictions and benefits herein.
9. Notice. Any notice, demand or other communication to any Lot Owner in respect of this Building Scheme must be in writing and may be given to the Lot Owner at the Lot Owner's address shown on title to the Lot Owner's Lot according to Land Title Office Records. A written notice will be deemed to be received (i) when delivered, if delivered by hand, or (ii) five business days after the mailing thereof, if mailed by postage prepaid mail in a post office box in British Columbia.

Schedule 'A'

TIYATA ARCHITECTURAL DESIGN GUIDELINES

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 - 2.3 Plan Submission requirements.
 - 2.4 Fees & Costs.
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- 3. ZONING CONTROLS**
- 4. GENERAL FORM AND CHARACTER REQUIREMENTS**
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 - 4.2 Antennas and Satellite dishes
 - 4.3 Heat Pumps/Air Conditioning Units.
 - 4.4 Roofs
 - 4.5 Chimneys/Flues
 - 4.6 Walls, Windows, Garage Doors, Garages, and Driveways
 - 4.7 Colour Schemes
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 - 6.3 Building Exterior Finish Time Restriction.

1. INTERPRETATION & OBJECTIVES

1.1 Interpretation

These Design Guidelines are written to **supplement** the governing Village of Pemberton Zoning and Building Bylaws. In the event that these Design Guidelines conflict with the requirements of any applicable national, provincial, municipal statutes, bylaws, orders or regulations then this document is to be considered superseded by those requirements. Purchasers are strongly advised to review all relevant Village of Pemberton documents, including zoning and permitting requirements.

1.2 Objectives

The primary objective of the Architectural Design Guidelines is to ensure appropriate, quality building development of the subdivision. It is the intention of this document to allow and encourage creativity, excellence and originality in the design and implementation of green, compact home building on the development lots.

Although buildings will not be restricted to a certain style, house designs must express an architectural language that demonstrates an appropriate interpretation of the governing by-laws as well as compatibility with the surrounding areas and neighbouring homes.

2. PROCESS

2.1 Supply of Design Guidelines

The Developer shall supply one copy of these Architectural Design Guidelines to each purchaser of a single-family lot within the development.

2.2 Design Conformance

Home design, material use and landscaping plans must receive the approval of the Design Review Consultant (DRC) as appointed by the Developer and acknowledged by the Village of Pemberton. The DRC will be a person with at least 15 years experience in residential design who undertakes to review submitted plans for compliance with the intent of these guidelines in terms of initial site design, building design, and landscaping.

It is to be noted that all new homes and related landscaped areas shall positively address the public realm, thru appropriate design and selection of materials and planting.

It is the responsibility of the purchaser and their design team to ensure compatibility with existing Village of Pemberton zoning bylaws and other applicable regulations *prior* to submitting their designs to the DRC.

2.3 Plan Submission Requirements

All plans submitted for approvals, including architectural and landscaping plans, shall include:

- a. Site plan to a scale of 1:100 showing lot contours, placements of engineering services, driveway location, finished grades, vegetation retained, building location and set-backs. Neighbouring/adjacent home designs shall be provided (if available) for all abutting lots.
- b. Architectural drawings (scale at 1: 50, ¼" = 1 ft.) are to include but not be limited to; proposed floor plans and elevations, as well as a sample board indicating colours and materials to be used.
- c. A detailed landscape plan to include the entire parcel showing proposed plant material, trees and vegetation, details of all hard landscaped surfaces and fences. Refer also to the Village of Pemberton's Plant List as the basis for species selection.

The lot Owner, architect, consultant, landscape architect, designer, builder and others involved in the planning process should familiarize themselves with the details of the lot, including grades, servicing, building envelope, tree retention requirements, view, solar orientation, relationship to adjoining lots, flood-plain elevation requirements, snow-shedding and municipal zoning and building codes.

Building massing should include a variety of roof lines, stepping the building both vertically and horizontally.

The Owner must comply at all times with all requirements restricting vegetation size and location.

- Upon approval and payment of a compliance deposit, DRC will consider providing a letter of acceptance to the Developer following the completion of their review.
- No application required under these Guidelines may be submitted to the Village of Pemberton for building permit without the prior review from the DRC and approval of the Developer.
- The cost of the Design Compliance review process shall be borne by the applicant including the final inspection upon completion of the lot development.

2.4 Fees and Costs

The Purchaser shall be required to pay a fee of \$550.00 (plus applicable taxes), to the DRC at the time of submission that covers:

- One preliminary design submission to the DRC for initial review.
- One FINAL submission for DRC review and the Developer's Approval.

Any and all costs associated with any requested re-design by the DRC that is required for Design Approval shall be the sole responsibility of the Purchaser.

2.5 Compliance Deposit

The Purchaser is also required to pay a fully refundable \$2,500.00 (plus applicable taxes), compliance deposit that will be placed in an interest bearing trust account held by the designated lawyer representing the developer. When all on-site work (including landscaping) is complete and deemed in compliance with approved plans and specifications, as verified in writing to the Developer, by the Contractor, Home Designer and/or Architect (and Landscape Architect if applicable), the Design Compliance Deposit will be returned within ten (10) business days.

The Developer reserves the right to off-set against the Design Compliance Deposit any costs required to satisfy the Design Compliance with respect to the submitted plans signed by both the purchaser and reviewed by the DRC at time of submission.

3. ZONING CONTROLS

- Development at Tiyata Village is guided by zoning of the lands as well as the Village of Pemberton Official Community Plan. The master-plan zoning for the 22 acre site is Comprehensive Development 5 (CD 5), as amended.
- Allowable uses under the Zoning By-Law include Residential Single Family and Duplex.
- Applicable Zoning documents are appended to these Architectural Design Guidelines.

4. GENERAL FORM AND CHARACTER REQUIREMENTS

The developer intends for these Architectural Design Guidelines to supplement

existing guidelines provided by the Village of Pemberton. As such, purchasers are advised to review the following documents, and to consult with the Village of Pemberton Development Services Department and the applicable Development Permit Guidelines (as contained in the Official Community Plan) and the Developer to provide information on:

- a) Building Form.
- b) Approved Construction Materials.
- c) Landscaping Guidelines.

4.1 Village Of Pemberton Official Community Plan

It is recommended that builders review the Village of Pemberton Official Community Plan, notably section 7.4.1 to 7.4.1.2 a) through h). This section of the OCP assists builders identify requirements specific to form and character of development.

4.2 Antennas and Satellite Dishes

Antennas and satellite dishes are allowed under the condition that they are mounted to the building in an area not visible from the street frontage, and with respect to satellite dishes, are not larger than 72 centimeters in diameter.

4.3 Heat Pumps/Air Conditioning Units

Heat pumps and air conditioning units shall be placed at the rear of the home and in a manner so as to reduce noise audible to neighbours. These devices are also regulated in the Village of Pemberton Zoning Bylaw No. 466, 2001.

4.4 Roofs

Mansard and false mansard roof types are not permitted. Roofing materials should complement the natural settings and treed nature of the surrounding environment. Allowed materials are high quality textured asphalt shingles, slate or dark-coloured tiles, or other high quality materials designed to provide a high degree of fire resistance. Metal roofs may be considered but only in muted tones and the profile and seam pattern must be approved as part of the review process. Wood roofing materials are not permitted.

Architectural interest is encouraged in the roof structures, elements such as dormers, clearstories, skylights, chimneys, gables and creative eave details can create an enhanced roof-scape and are encouraged.

Snow shedding is to be considered when designing roof structures, particular attention shall be placed on personal safety as well as potential property damage. Roof peaks are to run perpendicular to the lot lines to ensure snow shedding within the lot.

Mechanical roof appurtenances including vents and flashing should be pre-finished in a colour to match the roofing material. Solar collectors must match the slope of the roof and are not be located in areas visible from the street or other public places.

Vinyl and aluminum soffits are not permitted.

4.5 Chimneys/Flues

Chimneys must be compatible with the house colours and roof materials. A direct wall vent for a gas fireplace must be screened from public view and treated in such a way as to avoid discoloration of the wall in which it is placed. All chimneys must have spark arrestors.

Visible metal chimneys are permitted if the finish is matte or satin. Highly reflective flues are not permitted.

4.6 Walls, Windows, Garage Doors, Garages and Driveways

- Acceptable wall materials are:
 1. Wood siding
 2. Wood shingles
 3. Rock or other stone facing but not man-made stone
 4. Cementitious siding (such as Hardiplank)
 5. Board and batten
 6. Metal siding (profile to be part of review submission)
 7. Timberwork with high quality stone infill
- Walls should be strongly articulated to avoid large areas of unbroken wall.
- Window glazing may be clear or solar tinted, stained, etched or frosted. Reflective glazing is not permitted.
- Exterior doors should be solid core wood or insulated metal coloured to complement the house.
- Garage doors can be wood sectional, fully or partially glazed (stained or painted) or plain metal doors painted to complement the building. Manufacturers' white garage doors are not acceptable. Garage entries should be well articulated. If a double garage is facing the street it should include a full width glazing panel introduced at eye level. Double garages may be up to 6.6 metres wide on lots over 13 metres in width, but are limited to 6 metres in width on all lots from 12 to 13 metres in width.
- Open carports are permitted only if their design blends with the character of the main building and includes design elements of high quality, e.g. visible timberwork, decorative brackets, architectural overhangs. Screening to

neighbouring properties will be required for both side-walls.

- Driveway, garage and carport locations shall be as per the master site plan.
- Driveways, parking areas and garages should appear as minor components of the lot when viewed from the street.

4.7 Colour Schemes

- A colour and sample board must be submitted for review before a colour scheme can be approved.
- No more than three colour shades shall be used on a building (excluding the colour of the roofing material or entry door.)
- Proposed colour schemes shall harmonize with the natural setting of Pemberton and complement neighbouring buildings. Acceptable wood siding colour applications can include solid and or semi-transparent stains.
- Rich and deeper hued colours may be used to highlight building features such as doors, exterior window casing and trim, fascia boards, soffits, shutters and railings. Compatibility to neighbouring properties should be considered, particularly when using strong, deep colours as accents.

4.8 Grading and Drainage

- All re-grading, tree removal, re-vegetation, and other site disturbance shall be shown on the site grading plan which must be submitted to the Village of Pemberton and the Developer before any site work is initiated.
- All re-grading shall be contained within the lot and integrated into the natural topography where possible. All drainage must meet Village of Pemberton requirements.
- Cuts and fills shall be minimized to avoid undue disturbance of natural vegetation.
- Retaining structures for homes and parking areas shall not exceed a height of 2.0 ft. (0.6 m) and shall be constructed of rock. Retained driveway areas should include planting between the structure and the parking area so that these areas remain partially hidden. Geotechnical input is required on all retaining wall designs above 0.6 metres (2 feet)..
- The slope of cuts or fills must be determined to ensure stability and encourage re-vegetation.
- All site work shall follow the Village of Pemberton low impact development

techniques as appropriate and where necessary.

- Purchasers of Lots 1 – 6 should refer to the Riparian Areas Regulation requirements registered on title by covenant.

4.9 Lighting and Privacy/Open Space

- All lot lighting shall respect the lighting restrictions outlined in the Village of Pemberton OCP and other guidelines. No lot shall be disturbed through lighting overspill from adjacent lot areas. Indirect lighting sources are preferred.
- All lot site designs shall be compatible one to the other in terms of privacy and use of outdoor open space such as patios, gardens and lawns
- Flood lights are not permissible.

5. FENCES/LANDSCAPING

Generally, fencing is to be made of durable wood, or similar material designed as fencing materials. Fences should positively contribute to the attractiveness of the neighborhood.

Lots backing to Pemberton Creek are required to build fences as per the Pemberton Valley Dyking District and Riparian Areas Regulation criteria if built within the set-back of the covenant area within the back of the lot and adjoining the dyke. These lots will require approval from the PVDD of placement and material for fencing within the Right of Way.

Criteria:

For lots adjacent to Pemberton Creek, these lots will require approval from the PVDD of placement and material for fencing within the Right of Way.

A simple round pole fence such as what is used for farm purposes and set back 2m from the toe of dike fence posts shall not penetrate the ground more than 3 feet. A fence which would require excavation for a concrete foundation would be a major concern for the PVDD and would likely not be approved to be built within the 7.5m right of way.

All other fences will comply with the Village of Pemberton criteria, and be made of wood products or similar approved product and stained per 4.7.

Landscaping:

The following applies to all proposed lot planting:

- Front yard plants shall be limited to those species identified in the Village of Pemberton guidelines. Plants shall be chosen to not exceed a height of 5 m (16') when fully mature.

- No planting shall be located within 1.2 m (4') of the front property line
- View preservation shall be maintained through "selective pruning" or "windowing" such that valued views from each lot are preserved.
- Planting shall not overshadow or reduce access to sunlight from one lot to another.
- Hedges are encouraged between private driveways.
- The Strata may elect to plant "street trees" in selected areas, along with hedge planting between driveways.
- All planting in the rear yards shall be deciduous with maximum mature height of 7.5 m (25'). Evergreen plants such as rhododendrons shall not exceed 3.6 m (12') when fully mature.

6. CONSTRUCTION PROTOCOL

Construction site protocol is specified within the Village of Pemberton applicable by-laws, however, the following are meant to supplement these.

6.1 Construction Site Appearance

The Building Contractor/Owner shall keep the construction site in a clean and orderly state at all times. Accumulation of garbage and debris will not be permitted. Burning of debris will not be permitted. The site shall be maintained in a clean and safe manner during construction. Construction works shall not encroach upon adjacent properties.

Work start and end times are per the applicable Village of Pemberton bylaws. No amplified music or similar noise will be tolerated. All efforts are to be made so as to mitigate and minimize disturbance to neighbours.

6.2 Storage or Construction Trailers

Construction or storage trailers shall only be permitted if in accordance with the Village of Pemberton bylaws.

6.3 Building Exterior Finish Time Restriction

Exterior finishing of the home, garage and all building areas, including hard and soft landscaping must be completed within one year from the date of the start of construction.