



ADVENTURE BAY DESIGN GUIDELINES

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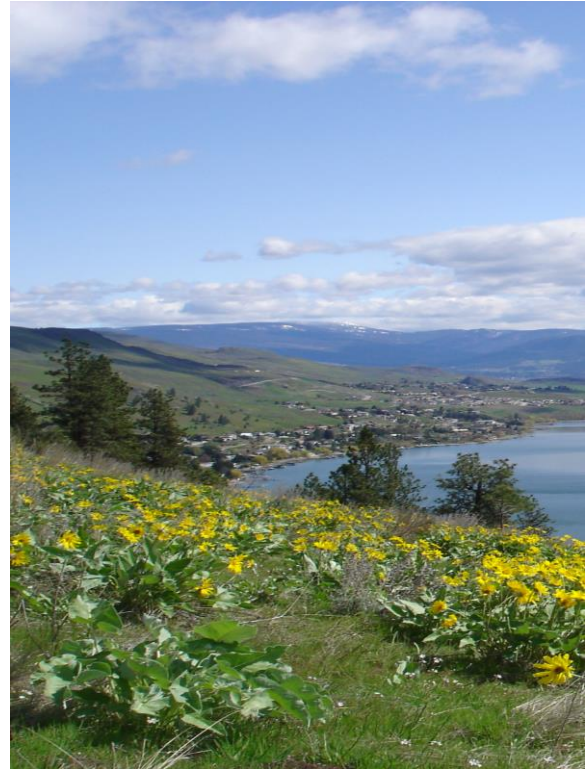
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I Adventure Bay Design Guidelines

I.1 AN INTRODUCTION TO ADVENTURE BAY

Adventure Bay is a planned residential community within the city limits of Vernon, British Columbia. The total land area is approximately 220 acres of predominantly south sloping meadows, coniferous forest, granite outcroppings and shoreline.

The Adventure Bay development lands occupy a magnificent promontory extending into Lake Okanagan and rising more than 350 meters from the shoreline to the summit of Mount Deborah. The terrain affords dramatic views of Lake Okanagan, the City of Vernon, golf courses, vineyards and u-pick orchards, Vernon Yacht Club, Silver Star Ski Resort, Ellison Provincial Park, Coldstream Valley farms and the distant snow capped Monashee Mountains. Adventure Bay takes its name from a turn of the century inn built for overnight travelers who arrived by steamboat at nearby Okanagan Landing.

Municipal water and sanitary sewer services have been extended to serve the project. Other utility services are provided by Telus, Shaw Cable, Fortis BC and BC Hydro.

The entrance to Adventure Bay is about eight kilometers from downtown Vernon shops, restaurants, entertainment and medical services. Tronson Road is the primary access route to the site. Tronson Road has been recently upgraded to improve vehicle and pedestrian safety, convenience, visibility, and storm water drainage.

Within Adventure Bay the City of Vernon will maintain the roads and municipal utilities, as well as areas within public rights of way, ensuring consistent maintenance at no direct cost to Homeowners.

Tavistock Properties Ltd. (“Tavistock” or “Developer”) is the project Developer. In addition to the 220 acres comprising the Adventure Bay project, Tavistock owns approximately 350 acres adjacent to Adventure Bay, commonly known as the Tronson

Properties. Much of this land will remain undeveloped open space. Part of the Tronson Properties will be developed in selected areas for housing and low impact recreational facilities. Access and utility services to the Tronson Properties will be through Adventure Bay.

Adventure Bay will be a mix of approximately 300 residences consisting of single family homes, townhouses, multi-family buildings and cottages. Residences will be situated to preserve views and promote privacy on adjacent Lots.

The Developer has retained Architects to design several home plans that meet the objectives set out in these Design Guidelines. Individual Homesite Owners may retain these or other Architects and Designers approved by the DRC to design unique custom homes, and to modify home plans in the Developer's portfolio. The Developer encourages Owners to review homes in the portfolio, and to modify the plans to suit personal preferences and the topography of particular Lots. The portfolio homes are purposely designed for hillside construction at estimated costs per square foot that are competitive in the Vernon area.

While sloping terrain affords an opportunity for outstanding views of Lake Okanagan and the surrounding countryside, slopes also pose considerable challenges to Architects and Designers. It is essential for Owners to design, locate and orient Homes suitable for the unique terrain of each Lot.

Comprehensive development planning, consistent architectural design, sensitive building strategies, and compatible occupancy and residential uses are intended to advance desirable and realistic environmental and community objectives at Adventure Bay as elaborated in these Design Guidelines. Roads and lanes meander along elevation contours to minimize unsightly hillside sculpting. Prominent topographic features and healthy existing vegetation should not be disturbed. Lot boundaries were drawn to take advantage of natural buffers, making each Homesite private and unique. Parking within each lot shall be adequate for the residential capacity of each home.

The goal of architectural harmony is to be achieved at Adventure Bay through the use of a controlled range of complimentary forms, materials and colours. Using these materials, a very wide range of architectural designs can be a comfortable part of an enhanced neighbourhood. While the intention is to maintain flexibility in design, several key architectural elements have been identified as

desirable and therefore encouraged as part of any home design. These elements include prominent front entries, pitched roofs, non-dominant garages and selected finish materials.

Certain architectural styles, while having a beauty of their own, are very closely associated with other times and other places that their use would distract from the harmony of the neighbourhood. Examples of such inappropriate styles are log, and Sante Fe and adobe styles. Similarly, experimental or radical building designs, although they may have many merits, are not in keeping with the quiet, more timeless than trendy character upon which the neighbourhood of Adventure Bay was conceived, and will not be approved.

It is not the intent of these guidelines to limit individual creativity and, recognizing the diversity of lots available, certain aspects of these architectural elements may not be appropriate. Owners are encouraged to clarify any specific guidelines concerns as early as possible in the review process. Several meeting opportunities have been incorporated into the design review process to allow Owners the opportunity to review various aspects of these guidelines in specific context to individual lot and home designs.

Flexible setbacks based on the topography of individual Lots, and other factors considered important to promote the objectives of these Design Guidelines, at the discretion of the Approving Authority, are intended to encourage Owners, Architects and Designers to connect Improvements with the hillside, and to accommodate and promote an acceptable streetscape and relationship among adjacent homes. Prior to undertaking detailed home design plans, each Lot owner must consult with and obtain approval for setbacks, which may be different from the official City of Vernon setbacks, at the sole discretion of the Approving Authority. Setbacks must also consider potential loss of views from homes at the same or higher elevations. Smaller setbacks make it difficult or impossible for side yard access to the lake side of the house, they create bottlenecks for placement of utilities and mechanical equipment, they position adjacent windows awkwardly close from one house to the next affecting privacy and noise transmission, they raise greater issues for adjacent neighbors with barbecues and smoking on decks, they pose greater fire hazard and may require reduced fenestration on the sides of homes, they reduce landscape options between adjacent homes, they limit line of sight corridors

from the sidewalk to the lake for pedestrians, and overhanging roofs pose aesthetic and fire issues. This sub-region of the Okanagan Valley contains some of the most extraordinarily rich and varied landscapes in British Columbia. Protecting and enhancing the site's existing geological features, habitat and biotic life forms, and defining an architectural style that enhances the natural setting and the neighborhood concept is the challenge now undertaken, and the foremost objective of these Adventure Bay Design Guidelines ("Design Guidelines").

The Developer of Adventure Bay has set as a high priority creation of a community wide architectural standard exemplifying consistent design elements among homes and landscape, creating a place where daily experiences and neighborly contacts contribute to a sense of belonging. The relaxed pace and tempo, abundant birdlife, natural vegetation, pathways through dedicated open space, accessible shoreline, spectacular vistas, amenities and high quality architecture collectively make this project distinctive. The success of Adventure Bay will come from identifying, protecting and enhancing the site's natural features, defining and adhering to a consistent architectural style that works in harmony within this setting, and establishing a community of seasonal and full time residents who appreciate and value this lifestyle and the investment potential.

1.2 PURPOSE AND APPLICABILITY

The Design Guidelines apply to all aspects of planning, location, occupancy, design and construction of Buildings and other Improvements, as well as alterations of existing Buildings and Improvements within the development.

The Design Guidelines have been prepared by the Developer in accordance with the registered Building Scheme. The Design Guidelines are subject to interpretation by the Developer and may be amended by the Developer at its sole discretion. As these Design Guidelines may be modified by the Developer from time to time, Owners are responsible for obtaining the latest version prior to submitting plans for approval. Modifications from plans originally approved by the DRC, to homes and improvements on Lots throughout the project, shall be subject to the updated Design Guidelines, Policies and Procedures currently in effect at the time application is made for such modifications and improvements.

The Design Guidelines are intended to elaborate upon provisions of the Building Scheme, but are not intended to supersede nor contradict any provisions of the Building Scheme. In the event of inconsistency between the Building Scheme and the Design Guidelines, the provisions of the Building Scheme shall take precedence.

The Developer shall establish a Design Review Committee ("DRC") to ensure the ongoing relevance and applicability of the Design Guidelines. The DRC shall make recommendations to the Approving Authority from time to time for amendments to the Design Guidelines.

The DRC shall review all Homeowner submissions for compliance with the Design Guidelines currently in effect. No work shall be performed in the Development by an Owner prior to receiving written approval from the DRC.

Initially the Developer, represented by the Approving Authority, shall be fully empowered to make any and all final decisions regarding these Design Guidelines, and to add or remove members to or from the Design Review Committee from time to time. No later than December 31, 2050, the Developer shall relinquish this authority to an Association of Homeowners.

Neither the Design Guidelines nor the Declaration(s) of Building Scheme registered pursuant to the Land Title Act ("Building Scheme") is intended to supersede or contradict the current Building Code adopted by the City of Vernon ("City"). Any requests for exceptions or variances to the bylaws, regulations or standards adopted by the City, the North Okanagan Regional District ("RDNO"), or the Province of British Columbia, must be submitted to the appropriate agency of the City, RDNO or the Province according to their procedures for granting exceptions or variances. Notwithstanding, the Approving Authority and/or the DRC may limit the scope and applicability of City of Vernon zoning bylaws to promote objectives of these Design Guidelines.

None of the members of the DRC, the Approving Authority, the Association, the Board of Directors nor the Developer assume responsibility through plan review to check for compliance with local building codes or ordinances.

Owners who select a plan from the portfolio of Home plans provided by the Developer must follow all of the approval procedures set out in the Design Guidelines. Certain plans illustrated in the portfolio may not be appropriate for particular Lots. Plans may

require modification to suit exceptional topographic conditions or project objectives described herein.

Plan review is meant to ensure that the plans conform to the objectives of the Design Guidelines. The Design Guidelines are intended to provide information and guidance to Owners, Architects, Designers and Approved Building Contractors who are planning, designing and constructing Buildings and Improvements, including alterations to existing Homes and Improvements.

These Design Guidelines promote planning flexibility and design creativity within the context of other project objectives. The Design Guidelines encourage architectural creativity while ensuring design continuity. Each Home design should complement the design of dwellings on neighboring Lots and the surrounding landscape. In this regard, particular attention should be directed to reducing unbroken massing of the rear elevations of all Homes. These design concepts will contribute to a visually appealing living environment within a consistent architectural framework, and uphold land values throughout the project. Setbacks greater than the minimum setbacks currently required by the City of Vernon Zoning Ordinance, may be required by the Approving Authority upon review of preliminary house and site plans submitted by owners for review and approval.

Except upon specific written request to the DRC by a Lot owner prior to submission of a DRC approved original building permit plans to the City of Vernon, and written approval of the DRC acting at its sole discretion, no home shall include a secondary living unit (sometimes referred to as a mother-in-law suite), notwithstanding provisions of any City of Vernon zoning bylaw permitting such secondary living units. This limitation shall be for the benefit of adjacent and all other homeowners at Adventure Bay, in furtherance of maintaining the broad and specific objectives of these Design Guidelines. For further details and elaboration, refer to Paragraph 3.35.

The Design Guidelines contain both general and site specific information. Owners are encouraged to seek and obtain feedback on specific matters from the DRC at frequent stages of their planning, design and construction process. The DRC has flexibility to interpret and implement these Design Guidelines to accommodate unique circumstances. The DRC has authority to limit the range of selections provided in these Design Guidelines throughout the project, or in particular areas or along certain roads where, in the opinion of the DRC in its absolute discretion, such

limits will enhance the neighborhood character for the benefit of the project as a whole.

1.3 THE NEIGHBORHOOD PLAN

The overall layout of Homesites within Adventure Bay responds to the variations in landform across the expansive site, paying special attention to prominent views and significant landscape features. Roads have been designed and built to Hillside Standards established by the City to assure reduced blasting and sculpting of hillsides, minimal damage to vegetation and wildlife habitat, lessened visual impact from afar, and pedestrian friendly linkages along narrowed roads and interconnecting trails. Figure 1 at the end of this section illustrates the original development plan for Adventure Bay, subject to subsequent modifications.

Some Lots at Adventure Bay are located at the intersection of roadways or in other prominent places. These Lots will require particular attention to house design and architectural detail, with application of unique custom design criteria, as well as appropriate landscaping, since their higher visibility is important for defining the neighborhood's image.

Trails at Adventure Bay are a signature element of the neighborhood plan. These trails traverse wonderfully varied terrain. They invite owners and guests to explore the biotic and geologic realms of Adventure Bay. The Beach Trail, bordered by hand placed granite, links residential areas to the waterfront for walkers. The Sunset Trail traverses the western slope of Adventure Bay, connecting the historic Morning Glory Gold Mine (surrounded by quartz and other elements suggesting riches just below the surface), to the Beach Trail. The Picnic Trail heading northeast from the residential core follows a cirque and climbs to a granite promontory high above Lake Okanagan, the sparkling lights of downtown Vernon, Silver Star Ski Resort, the Coldstream Valley and the Monashee Mountains.

Adventure Bay required more than five years to plan the pattern of development and to determine the overall architectural style, and individual lot setback strategy to achieve pleasing streetscapes, and to preserve view corridors to the lake between homes for pedestrians walking along sidewalks. The result of that diligence will be a unique residential community defined in large measure by its subdued vehicular network, the quality of its architectural design and streetscape, and preservation of natural

areas. These Design Guidelines have been written to encourage the growth of such a community.



Figure 1 – Illustrative Development Concept Plan



2

Site Development Guidelines

2.1 SETBACKS

Setbacks and site coverage regulations are traditional planning and zoning tools to establish the building area of a Lot. At Adventure Bay we have made an effort to minimize the impact of development on the environmentally sensitive hillside and waterfront areas. Setbacks will be evaluated by the Design Review Committee on a case-by-case basis. Such flexibility increases opportunities to preserve natural features such as dramatic rock outcroppings, original storm water discharge courses, specimen tree groves, and grasslands. Setbacks and other development practices will promote beneficial transitions from Homesites to community open space. Variable setbacks will also promote privacy, reduced transmission of smoke and noise, and enhancement of diagonal views from adjacent homes.

Analysis of biotic communities including native grasslands at Adventure Bay has been carried out by an independent environmental organization. Their report identified several biologically interesting species of flora and fauna, and provided strategies for protecting, maintaining and enhancing sensitive biotic zones. In particular, efforts will be undertaken to avoid fragmenting habitat into zones that are not sufficiently large to support healthy plant and animal reproduction, and to minimize adverse edge effects such as vehicle noise and fumes.

Residents of Adventure Bay will benefit from preserving existing healthy coniferous tree clusters, maintaining natural site topography (beyond the structural building pads on each lot) and establishing a comfortable rhythm and spacing of

houses along each road. Owners must consult with the DRC at an early stage of planning to ascertain particular setback requirements for each Homesite. Building setbacks will necessarily vary, and will typically be greater than City of Vernon minimum setbacks, depending on Lot width and depth, Lot size, applicable City of Vernon requirements, prevailing slope and contours, notable vegetation, view corridors, proposed house footprint and dimensions, house designs and placement on adjacent Lots, and other factors deemed important by the Approving Authority to achieve the objectives of these Design Guidelines.

All Lots have a required City minimum setback from the front property line at the road. The plane of garage doors must be approximately 5.5 meters behind the property line (7 meters from back of sidewalk) to allow for driveway guest parking. Paved driveway widths are regulated by City Bylaws, and the total area of hard surface may be limited further by the DRC to promote a more pleasing streetscape.

To protect the natural character of the hillside and diagonal views from decks and windows facing toward the lake, no construction or Lot grading is permitted more than 7.5 meters beyond the rear elevation of any Home patio or deck, and notwithstanding, a minimum no build or lot grading zone of at least 5 meters from the top of slope is required, assuring a naturally landscaped corridor connecting adjacent Homesites. Minimal side and back yard setbacks are determined by City zoning bylaws, but the Developer may vary, and increase particular setbacks to achieve important design objectives: eg. to prevent unsightly views of the underside of decks and support posts, to maintain - achieve other objectives set out in these Design Guidelines. A geotechnical report, including details of proposed site work, will be required for review and approval by the DRC prior to undertaking any work on a Lot. All house construction contracts at Adventure Bay must include site work and landscaping. These contract provisions must be initialed for approval by the DRC.

Owners are responsible for verifying the current City of Vernon setback, regulations and maximum building heights within zoning categories at Adventure Bay. Notwithstanding the City of Vernon minimum setback requirements and maximum building height regulations, the DRC may and usually will require, at its sole discretion, increased setbacks and reduced building heights to achieve the objectives set out in these Design Guidelines.

The Zoning Bylaw can be found at www.vernon.ca - Council - Bylaws - Zoning Bylaw #5000, as updated from time to time. Note that City of Vernon setbacks and building height requirements may be modified at Adventure Bay at the discretion of the DRC.

City bylaws establish minimum setbacks for each zoning category. Setbacks are subject to adjustments that the DRC may require based on provisions of these Design Guidelines. Utilizing a site-adaptive approach, the intent is to delineate areas within the Lot which are appropriate for house construction and other uses, which will typically be more restrictive than the City setback requirements.

To create an appealing streetscape, to preserve lateral views, and to promote privacy among adjacent Homesites, the Development Area for each Lot will contain one or more "build-to" lines that have been established by the DRC for that Lot. Build-to lines may vary from street to street or Lot to Lot depending on building pad elevations and dimensions relative to adjacent lots, lot characteristics including depth, width, shape, slope, and vegetation, as well as architectural characteristics of adjacent homes, topography and other factors that may be deemed significant by the DRC. The build-to line(s) determines the limit(s) beyond which Improvements, including but not limited to Home construction and various appendages such as above ground decks, mechanical equipment, landscape features, staircases, pathways, storage units, dog runs, etc. cannot be constructed or modified without DRC approval.

The front plane of adjacent Homes may not be offset by more than two meters without approval from the DRC. This will maintain a visually pleasing relationship between adjacent dwellings along the fronting street.

No home nor appendage, including above ground decks, shall protrude from any home more than two meters beyond that of any home within four lots on either side.

The Owner shall propose a specific footprint within the maximum potential Development Area. The DRC shall review the proposal taking into account the criteria noted in these Design Guidelines when evaluating the proposed footprint.

2.2 DEVELOPMENT AREA

The Development Area means the portion of a Homesite in, on, over or under which an Owner can make an Improvement as approved in writing by DRC. Development Areas are divided into sub-areas in which various types of Improvements are permitted, encouraged, prohibited, discouraged, and approved subject to DRC special consideration. Outside of the Development Area, in the Environmental Management Area (typically below the retaining wall on the view side of the Lot), no improvements or alterations to the natural landscape can be made without DRC approval, which will only be given in extraordinary circumstances. Preliminary delineation of Development Areas should be established early in the design process in consultation with the DRC Representative. However, the DRC may modify the boundaries of a Development Area for a particular Homesite or group of continuous Homesites at any time until building plans are approved by the DRC. Note that the Development Area distinguishes a portion of the lot from the EMA, and is not an indication that any or all activities and forms of development are permitted in any particular sub-area.

Generally the Development Area may extend 7.5 meters beyond the view side (downhill) elevation of the main residence including decks and other extensions, or approximately thirty meters from the property line along the road from which the Lot is accessed. Within the Development Area, the DRC may establish a build-to line or lines for each Lot beyond which no Home or appendage may be constructed.

2.3 ENVIRONMENTAL MANAGEMENT AREA

The Environmental Management Area is the portion of the Lot that lies outside of the Development Area. Any alterations to the EMA require written approval of the DRC. Environmental Management Areas may be extended and Development Areas reduced to protect land that is prone to erosion, and other areas identified by the DRC as having special significance including visual buffers from public roads and nearby Lots.

On the ten bluff Lots south of Tronson Road, no Improvement shall be constructed (including but not limited to pathways and staircases) nor shall any ground be contoured or modified nor vegetation

altered or removed, within a protected zone including but not limited to the rock bluff and such adjacent lands as the City of Vernon, or the Developer may designate in his sole discretion from time to time.

Whenever Improvements within the Environmental Management Area are approved by the DRC, special effort shall be made to limit the extent of disturbance to adjacent ground during construction, and disturbed areas must be reinstated.

2.4 EASEMENTS AND STATUTORY RIGHTS OF WAY

Easements, Restrictive Covenants, Statutory Rights of Way and other encumbrances on Homesites contemplated in the Disclosure Statement are or will be registered against various Homesites.

On the low side of certain Homesites a retaining wall has been or will be constructed within the property boundary. An easement has been or will be registered in favor of the Developer or the Homeowners Association for the purpose of maintaining the wall, landscape, irrigation system and fencing within this area. An Owner may not disturb or modify the vegetation within seven (7) meters of the rear property line.

In no event shall any Improvement be constructed, nor shall any ground be contoured or modified, nor vegetation altered or removed, within 7 meters of the rear property line where a retaining wall has been or will be constructed at the rear of a Homesite along a public right of way. This restriction has been imposed by the City as a special condition of plan registration.

2.5 HOMESITE CONSOLIDATION & SUBDIVISION

In order to combine adjacent Lots or to modify existing Lot boundaries the Owner must submit a request for consent of the proposed reconfiguration to the DRC. The DRC, at its sole discretion following receipt of a completed submittal package, shall approve or not approve the proposed adjustment or consolidation. If the proposal is approved, then the Owner will need to prepare and submit all required documents to the City and other government bodies for their approval.

A proposal to subdivide or rezone one or more Homesites must follow the same procedures as for a Homesite consolidation.

Subdivision, boundary modification or rezoning proposals of any Homesite(s) are not permitted without the written approval of the DRC and such proposals will typically not be approved.

2.6 SITE DRAINAGE

The following surface water management principles apply to all Homesites. Owners should develop Homesites in keeping with these principles and other pertinent provisions of the Design Guidelines:

- Provide positive drainage from roof leaders and driveways to storm drains when feasible;
- Capture water as close to where it falls as is practical;
- Avoid creating concentrated runoff and consequent erosion and sediment transportation;
- Direct storm water runoff away from the Building Envelope;
- Preserve natural drainage patterns where practical. Minimize impervious coverage to protect existing hydrological function;
- Homesites along bluffs and ravine edges must take special precautions to manage surface runoff, and prevent erosion and breakout by directing storm water away from bluff edges and towards roadways and other less erosion-sensitive areas;
- All Homesites must remain self-contained with respect to storm water. Homesites shall not divert storm water onto adjacent properties.

The following suggestions are made to all Owners seeking to determine the most appropriate method for managing storm water discharge:

1. Retain the services of a qualified geotechnical engineer with local experience to make site specific recommendations for storm water discharge. Consideration should be given to Lot grading, home design,

ground permeability and other conditions, Lot depth and slope, existing vegetation, proximity to erosion sensitive areas, etc.

2. Consult with the DRC while preliminary development plans are under way.
3. Apply for required approvals and permits from the City of Vernon and RDNO.
4. Homeowners are responsible for designing and locating Homes, as well as grading Lots and driveways to facilitate collection of storm water and channeling it to an on-site detention and distribution system and/or to storm water utility pipes in adjacent streets. Whenever feasible storm water shall be channeled from the roof and driveway onto adjacent streets. Lots on Oxford and Stonington must channel storm water to the municipal storm water system. Lots on Crofton will channel storm water from perimeter drains to on site rock pits.

2.7 SITE GRADING

To preserve the local character of Adventure Bay, site grading shall retain or mimic the subtle variation and irregularity in the surrounding landscape. Extensive grading, cutting and/or filling of Homesites or alteration of grades require DRC approval prior to excavation or fill, and in most cases will not be permitted.

Acknowledging the sloping terrain of most Homesites at Adventure Bay, and the likelihood that design and construction of adjacent Homes will not occur concurrently, each application for design approval must carefully consider the factors that affect future design and construction on adjacent Lots. Particular attention should be given to topography, drainage, and existing or prospective house designs on adjoining Homesites (especially to footing and foundation design and engineering). Adjacent foundation walls should be designed and constructed so that final grading is practical in the space between Homes, usually maintaining the existing grade and minimizing the need for boundary line retaining walls.

Foundation walls must be finished so that no concrete is exposed greater than 12" above finished grade. Steps may be constructed between Homes. However, installation of steps should be deferred until final grading between two adjacent Homes is

completed. Prior to that, only temporary steps should be installed.

Homesites shall be graded so that water drains away from building footings. The use of catch basins and/or site drainage piping may be required to control surface, perimeter and roof drainage.

All discharges from pools and hot-tubs must follow City of Vernon regulations and additional specifications per Section 2.13, "Swimming Pools, Lap-pools & Hot-tubs."

2.8 GEOTECHNICAL CONDITIONS

An Owner is required to retain a BC licensed Geotechnical Engineer to examine, test and certify geotechnical conditions on a Homesite prior to undertaking any design, structural engineering or construction. The DRC can provide the names of geotechnical engineering firms familiar with Adventure Bay site conditions.

The Geotechnical Engineer will be required to certify that the building platform is suitable for a building foundation when the Owner submits a Building Permit Application to the City of Vernon.

2.9 PARKING

Each Home shall contain parking spaces for at least two automobiles in an enclosed garage.

The City of Vernon requires a minimum of two additional parking spaces per Home for temporary guest parking, usually located on the driveway between the property line and garage door.

Each Home shall provide adequate off street parking for the use by all occupants and habitual guests. On street parking shall be for exceptional use only.

No exterior storage of recreational vehicles, horse trailers, boats or similar equipment is permitted. Recreational vehicles and/or mobile homes may not be used as temporary dwelling units prior to, during and subsequent to construction and occupancy of a Home.

2.10 DRIVEWAYS

Driveways shall be a maximum of five meters wide at the Property line and shall intersect the street in such a way as not to interfere with drainage in the street right-of-way. Driveways should drain toward the street whenever practical to do so. If a driveway does not drain toward the street, the Owner will be required to install an approved storm water catchment and discharge system. Where a street is rising along the front of a Lot, the driveway should be located where the street is lower.

All driveways must be non-coloured washed aggregate concrete. Under special circumstances, the washed aggregate driveway may be tinted to complement the home and landscaping, upon review and approval of the DRC in writing. Owners may, add borders subject to approval of the DRC. Only clear sealant may be applied to driveways.

Where landscape pavers are proposed for non-vehicular surfaces, care must be taken to ensure the durability and appearance of those surfaces. All permeable paving materials shall be installed in a manner that is appropriate for winter conditions and snow removal. Asphalt surfacing materials may not be used anywhere on a Lot.

Driveways should be designed to reduce their impact on the streetscape as a method of emphasizing pedestrian character and de-emphasizing vehicular dominance, by means of reduced driveway size and landscaping concealment strategies. Driveways must not extend beyond the side of a house, and a maximum allowable grade of four percent within the Homesite. The Owner is responsible for compliance with City requirements for driveway grades within the street right of way and for emergency vehicle access. Where space exists and topography is appropriate, sweeping driveways and/or side-entry garages may be approved by the DRC upon application.

2.11 WALKWAYS & SIDE YARD STEPS

Walkways and side yard steps may be constructed of unit pavers, exposed aggregate, patterned concrete or poured in-place concrete and may incorporate brickwork or stone, either in the form of edge treatment, dividing lines, decorative panels, or as pads at the base of front steps. All colors are to be approved by the DRC. At a minimum, the front walkway must be at least one meter in width.

Sweeping and/or meandering walkway alignments are encouraged where appropriate. Side yard steps should be designed and installed with careful consideration given to grades between Homes, sequence of construction, safety, and privacy.

2.12 SWIMMING POOLS, LAP-POOLS & HOT-TUBS

One of the pleasures of Okanagan living is enjoyment of year-round outdoor activities. At Adventure Bay installation of swimming pools and hot tubs is encouraged.

Swimming pools, hot-tubs and surrounding decks can be located only at the rear of the Home. The width of the pool and adjacent pool deck cannot exceed the width of the house behind which it is placed. Only in-ground and partially exposed horizon type pools and hot-tubs are permitted. Hot tubs should be screened from view.

Swimming pools and hot tubs must be situated within the Development Area and should be visually connected to the Home through walls, courtyards and/or landscape structures and plantings. All swimming pools and hot-tubs should be screened from public view and the view of adjacent Homesites with vegetation, fencing or garden walls.

Given the prevailing slopes on most Homesites, a pool oriented across a Lot rather than down the slope will generally be more suited to the terrain and less expensive to build. Pool design and location shall be subject to additional scrutiny where adjacent to sensitive areas, on particularly steep slopes or in close proximity to neighboring Homes.

Pools must be constructed according to government regulations with a pool enclosure and gates. All pool plans submitted to the DRC for approval must show a room or vault for pool equipment. Pool equipment must be screened from view of roads, public areas, or adjacent Homesites. All swimming pool and hot-tub designs shall require review and approval of a BC Licensed Geotechnical Engineer and the DRC. Construction shall be contracted to an installer approved by the DRC. Evidence must be provided to the DRC that no sound will emanate from pool equipment that will be audible on any adjacent.

Owners discharging chlorinated water from a pool or hot-tub must comply with government regulations.

2.13 RECREATIONAL EQUIPMENT

Installation of basketball hoops, backboards and any other movable or fixed recreational equipment, including swings and play structures for children are subject to Policies and Procedures approved by the DRC. Such items should not be visible from public areas or other Homesites. The noise factor should be considered when siting recreational equipment.

Construction materials should be resistant to decay and should match the color scheme of the Home. Where applicable, equipment roofing shall relate in material, shape & slope to the Home and/or garage.

2.14 EXTERIOR LIGHTING

The Design Guidelines aim to limit outdoor lighting so that the dark night sky is visible for the enjoyment of residents and visitors. While ensuring that adequate lighting is permitted for safety and security, specific exterior lighting Policies and Procedures will be established.

Lighting may also be used to highlight entries, to illuminate signage, plantings and walls. Lighting designed to highlight signs, address monuments, trees, landscape or architectural features of a Home must be focused downward at a minimum of 45 degrees below the horizontal plane to minimize ambient light and prevent excessive glare. Exterior lighting shall not illuminate adjacent property.

2.15 SCREEN WALLS

Screen walls must be a visual extension of the architectural design and materials of the Home. Screen walls should be utilized to define outdoor space. They may not be used to delineate setback lines and/or property lines for long distances.

Screen walls shall be designed to be attractive from both sides. They shall not exceed a height of 1.2 meters as measured from adjacent finished grade. Horizontal and vertical stepping and staggering of screen walls is encouraged.

All finish materials on screen walls must comply with the Design Guidelines found in Section 2.19. Chain link or other metal fences, railway or landscape ties, or diagonal lattice shall not be permitted. Concrete and stone-faced walls shall be continued down to grade. All other approved finish

materials shall extend to within twelve inches of grade.

Walls and fencing shall not be permitted to extend from the side walls of a Home toward a property line if the walls are visible from the sidewalk or street in front of the Home.

2.16 RETAINING WALLS

Gradients should be addressed through stepping the building mass down the slope. Footing and foundation design should follow the natural slope of the land. Consideration should be given to grades when determining Home styles so that an appropriate dwelling is designed for each Homesite. Along most streets conditions warrant construction of retaining walls and building pads. In these instances building pads will generally be three or six meters below sidewalk grade, and shall extend approximately thirty meters from the front property line. On these Lots house designs may be constrained by the height and depth of the building pads

The maximum Homesite grade of 2:1 slope is permitted; slopes in excess of the maximum grade must be retained.

Retaining walls may not be used to delineate setback lines and/or property lines for long distances. Seats add to the character of a wall, and should be incorporated into retaining walls whenever appropriate. Generally they are set at eighteen inches height.

Where retaining walls are required over two meters, multiple stepped walls should be built and separated by planters located between the top of the lower wall and the base of the upper wall. The width of a planter should be at least .75 meters. Currently the City requires all retaining walls over one meter in height to be designed and approved by a licensed engineer. Obtaining this approval is the responsibility of the Owner.



Figure 3 – Stepped Retaining Structures with Planter

Where retaining walls are constructed in the front yard (and in flanking yards on corner Homesites) or in areas adjacent to parks, common land or public walkways, they must be faced with natural stone, or otherwise suitably colored and textured. The use of wood or heavy timbers, jumbo-sized concrete brick (i.e., “Lock-Block”), brick and exposed concrete will not be permitted.



Figure 4 – Use of Native Rock on Retaining Walls

All retaining wall designs, materials and colors shall be subject to DRC approval. Granite walls and block walls similar to those constructed along the rights of way throughout Adventure Bay are preferred. Retaining walls constructed on Lots by the Developer to retain structural fill for building pads are exempt from these guidelines.

2.17 EXTERIOR SERVICE AREAS

All above-ground garbage and trash containers, mechanical equipment and other outdoor maintenance and service facilities must be screened from view. All fuel tanks, water tanks, or similar storage facilities and their associated visible projections must be shielded from view by landscaping, walls or other Improvements.

2.18 LANDSCAPE STRUCTURES

Pergolas, trellises, screens and gates in the landscape design that relate to and are natural extensions of the Home are encouraged. Properly designed garden walls help to establish a pleasant transition between the street and Home. Landscape structures such as pavilions and decks must be located within the approved Development Area for each home and must comply with the height restrictions noted in these Design Guidelines. The style, materials and color of all landscape structures should match or compliment the Home.



3

Architectural Guidelines

Architectural Guidelines are intended to suggest design concepts rather than prescribe specific shapes or forms, in order to establish a common architectural language for the community. One of the primary objectives of architecture is the appropriate response to a site and its context.

Individual streets constituting distinct residential districts or enclaves should be characterized by homes with particular architectural elements. While the whole of Adventure Bay will share common design features, homes on each street should exhibit

singular design elements that contribute to a unique streetscape within the larger community.

Architecture should respond to seasonal transformations at Adventure Bay. The sun's shifting path not only affects the hours of daylight, but also the intensity of light and color reflected in the lake from surrounding hillsides. Seasons in the Okanagan are a kaleidoscope of ever changing colors and patterns in the sky and on the lake surface. Desirable Home design and orientation should take into consideration the south slope on which Homes will

be built. Observing dramatic weather conditions, wind patterns playing across the lake surface, star filled night skies, owls hooting on a still winter evening, flower filled meadows, and fields of untracked snow, is both energizing and calming.

Creativity is encouraged in designs as long as proper proportion, scale, attention to detail, quality, and site integration are achieved. Designs inspired by the historic style called Prairie Architecture, often compatible with Post & Beam and Arts & Crafts movements, are encouraged. Contemporary materials are now available for exterior construction, mimicking the original materials used for homes designed in these architectural styles. Adobe, log homes, geodesic homes, Tuscan or Mediterranean style homes and features will not be permitted.

These Design Guidelines are intended to allow for variety and flexibility necessary to take advantage of the natural surroundings, local climate and unique characteristics of each Homesite. Prairie Style homes contain design elements appropriate for hillside locations. American architect Frank Lloyd Wright said: "No house should ever be on any hill... It should be of the hill, belonging to it, so hill and house live together each the happier for the other." We are hard pressed to articulate more concise and appropriate guidelines for designers working at Adventure Bay. Minimum main house size will be 2000 square feet of finished space overall, with 1500 square feet or more on the main floor. Detached garages may be approved on certain Homesites.

The DRC reserves the right to reject designs that conform in detail but not in principle to the architectural design objectives of Adventure Bay. Technical compliance with the Architectural Guidelines does not assure approval from the DRC.

3.1 INFLUENCES

The Home elevations illustrated below are influenced by the Prairie Style of Architecture. These designs have been adapted for construction using modern building materials. Elevations facing the lake contain windows as a large proportion of the exterior surface, a feature that differs from the ribbon windows commonly found in traditional Prairie designs. This is an example of the flexibility allowed in the Adventure Bay design process to accommodate the universal desire for awe inspiring views of Lake Okanagan and the surrounding countryside from many rooms in the house. Despite these adaptations,

buildings should retain an overall sense of proportion with elements associated with Prairie design.

Modern building materials are readily available for siding, roofing, window frames, doors, etc. Properly selected, they resemble original products used during the Prairie era early in the 19th century and in subsequent revivals. Yet these modern products offer superior weather protection, durability, fire retardation, ease of application, consistency, building code compliance, etc.

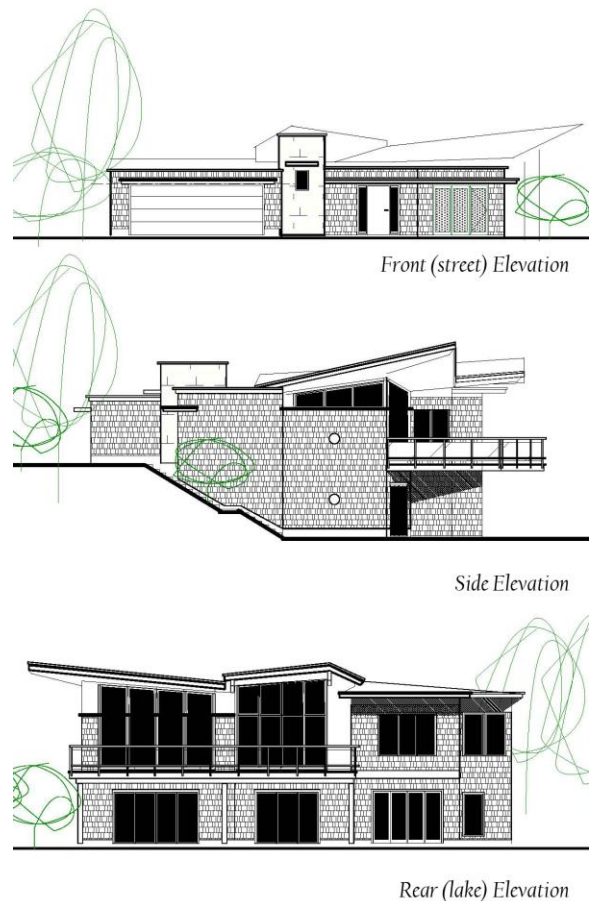


Figure 5 – Prairie Style Home Example

Modern interpretations of Prairie designs became popular during the 1970's and are now enjoying a strong revival. These homes tend to have flat or gently slanted roof lines creating dramatic living spaces with high ceilings and walls of glass on the view side. An example that is considered appropriate for Adventure Bay is illustrated in Figure 5 above.

Features characteristic of traditional Prairie style include low pitched roofs with wide eaves providing a sheltering image of hearth and home, a wide and welcoming front door, simplicity of rectangular forms, predominant horizontal building lines and textures, entry courts, the appearance of unequal floor levels giving extra weight to the ground floor, Asian influences, open flowing interior spaces, terraces that draw residents into the midst of nature, a dominant symmetry, disciplined geometries with diversions in the service of function and expression and hillside topography, subdued colors, columns and arches, and more.

Frank Lloyd Wright is credited with creating this extraordinary expression of architectural style. Wright introduced natural materials to create remarkable spaces for his clients, subtly weaving together indoor and outdoor spaces. Families found new, more informal ways to live as Wright began breaking down the walls between individual rooms. While each room maintained its separate identity, wide openings between rooms led to a comfortable and relaxed lifestyle.

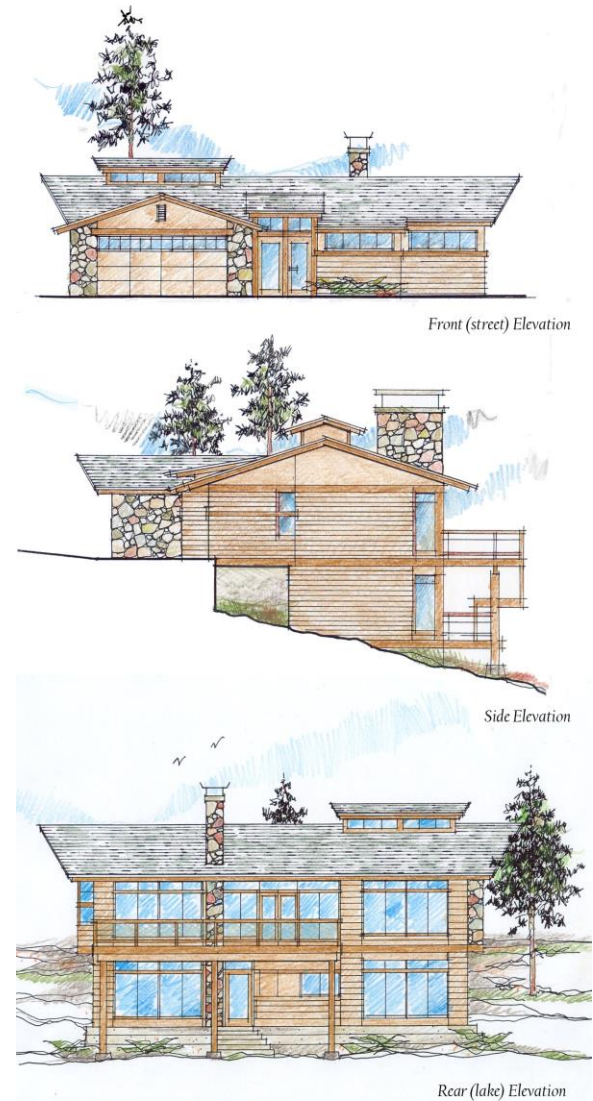


Figure 6 – Prairie Style Home Prototype by Poon McKenzie Architects

3.2 ARCHITECTURAL PRINCIPLES

Homeowners typically desire to express something of their own identities when designing new homes. Each home should be different. But within the variety should be a fundamental orderliness, established by unifying design elements. Streetscapes are generally more pleasing when there is a certain amount of consistency in significant home design elements, such as roof pitch, window proportions, columns, colors, landscape, etc. The common application of selected design elements makes streetscapes and the overall community more visually attractive and cohesive, provided that the common

design elements are not so dominant that the result is a cookie-cutter appearance. The overall streetscape will then be the consequence of an interesting variety of home designs with several common design elements. These Architectural Guidelines encourage consistency in selected housing elements, while promoting harmonious diversity in individual home designs. All homes should embrace the hillside terrain, conveying a sense of community and place.

Warm, dry conditions typical of Okanagan Valley summers should be a principle driver in home design. Home design and orientation should capitalize on dominant spectacular views of Lake Okanagan, the surrounding hills, and the City of Vernon. Textures and colors evoking the landscape should be selected.

3.3 SLOPE CONSIDERATIONS

Most Homesites at Adventure Bay slope toward Lake Okanagan. Sloping ground allows homes with unobstructed lake views, and it poses interesting challenges for designers. Slope influences the style, dimensions (particularly the depth of the house from the front street side property line) and form and mass appropriate for particular Lots. Structural engineers must adapt footings and foundations to slopes and ground conditions. A solid foundation is the starting point for durable construction.

An essential element of Prairie homes is their connection to the ground. Only in limited cases will posts be approved holding up elevated portions of a Home. Elevated decks should not extend beyond a point 7.5 meters back from the top of slope of structural pads. Generally, stepped footings and foundations will be required. This should be discussed with the DRC early in the design process. In general, the slopes on Lots along any given street are similar to one another or transition slowly and consistently from one end of the street to the other, particularly on streets where structural building pads are the norm. This is convenient for adjacent Homes to be built with footings and foundation walls that mimic one another, thereby simplifying backfill between Lots. Consistent step foundations are essential to maintain architectural consistency and satisfying streetscape, and to maximize view corridors between adjacent homes.

3.4 BUILDING SITING

The hierarchy of areas within a Homesite starts with designated Development and Environmental Management Areas. Within the Development Area, Setback Lines are initially determined by City Bylaws, but these lines may be adjusted by the DRC to achieve specific objectives. Within the Setback Lines is the Building Envelope, which is the maximum potential area where all Improvements can occur. And finally, the Building Footprint defines the specific ground on which the Building will sit.

Apart from the Zoning Bylaw requirements, locating a Building on a Lot requires consideration of topography, vegetation, drainage patterns, subsurface ground conditions, protection of view corridors, and various community objectives that may be identified from time to time by the DRC.

Lot slope will determine the necessity for retaining walls and/or fill to create a building pad for houses with particular design characteristics.

Home siting and orientation should allow for appropriate shading devices to block or reduce solar gain during the summer months while permitting sunlight into living space during the cold season, particularly on the south and west facades.

3.5 BUILDING HEIGHT

In keeping with the architectural principle that Homes should be “of the hill, not on the hill”, building heights are limited. For the benefit of all Owners, the DRC shall place a high priority on maintaining significant view corridors. Most Homes will have a main entry at or about sidewalk elevation. Below the main entry floor most Homes will have one or two lower floors with either a suspended deck or a patio at grade, depending on the slope of the Lot and the depth of the house. On steeper Lots, a second lower floor may be cost effective to anchor the house to the ground.

The City of Vernon Zoning Bylaw currently permits a maximum 2.5 storey building. With the walkout-basement (lowest floor) embedded in the hillside on three sides, this storey is considered a half floor.

In certain locations at Adventure Bay sight lines from Homes above will not be obstructed by the height of Homes built on lower streets. In these locations approval to construct a house with living space above the main street level will be considered by the DRC upon application.

3.5.1 MAXIMUM ROOF PLANE

The maximum roof plane elevation guideline ensures that no dwellings are built that significantly block the views of adjacent dwellings and that no dwellings are built with overly imposing Form.

No Home or other Improvement, except for chimneys, shall be constructed to a height higher than the maximum roof plane elevation, measured vertically from the average Homesite elevation. The maximum roof plane elevation shall not extend beyond the build-to line for a Homesite.

3.5.2 MAXIMUM OVERALL BUILDING HEIGHT

This guideline applies to the side yard and view side of proposed Homes and is meant to discourage large imposing building Form when viewed from below.

No portion of a Home or other Improvement, except for chimneys, shall exceed the Maximum Overall Building Height, as illustrated in Figure 7.

This height is measured vertically from the highest point or roof ridge to the proposed finished grade at the median lowest point adjacent to the building face covered by the roof, inclusive of site retaining walls, and terraces. It is required that the Designated Designer or Owner discuss this requirement with the DRC at the pre-design briefing. In situations where unusually large grade changes occur the DRC may allow height variances on a case by case basis.

The DRC reserves the right to require adjustments to be made to the proposed Maximum Roof Elevation and Maximum Overall Building Height regardless of technical design compliance with these Guidelines.

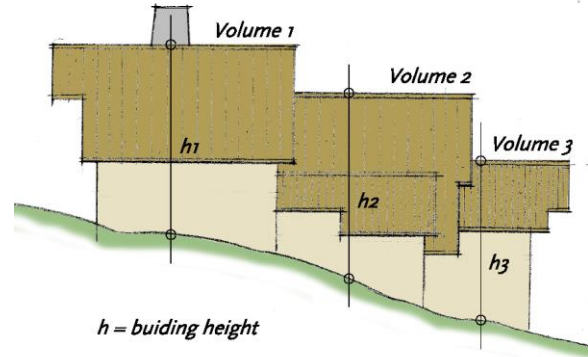


Figure 7 – Maximum Overall Building Height

3.6 BUILDING MASSING

Each Home shall be composed of at least three distinct building masses. Each mass must vary in height from adjacent masses. As a result, very large or dominating individual building masses are avoided. Home designs should incorporate the following massing design principles:

- 1) The volume of the wall mass of individual architectural elements, such as the front entrance, the garage, and feature projections are in proportions normally associated with Prairie inspired architectural style;
- 2) Wall mass volumes on any street facing façade are allocated to locations on that façade in a manner that results in achievement of overall balance in the design;
- 3) Building mass should generally adhere to a simple geometry of form emphasizing large planes. Built form should be articulated into two or three volumes, which should be additive in nature, with one form being clearly dominant. Further, these should be punctuated by lesser forms in order to achieve variety in the overall roofline. Simple, elegant geometry is encouraged. Complex roof forms resulting in overcrowding of roof elements should be avoided;
- 4) Roof slopes should be designed to reduce the apparent mass of both the downhill and uphill sides of the dwelling;

- 5) Care should be taken on hillsides to consider the visual impact of the underside of decks and terraces;
- 6) Massing design should respect view corridors.

3.7 EXPOSED BUILDING WALL HEIGHTS

To prevent massive walls that may have a negative visual impact, walls should not have an unbroken height of more than 6.5 m (21'-3") measured vertically from the lowest point along a wall to the top of a wall or bottom of soffit or eave. If greater than 6.5m (21'-3"), the wall shall be limited to a maximum of thirty three percent (33%) of the building façade. Door and window penetrations and applied banding or textured relief in a wall plane are not sufficient to change the measurements of an unbroken wall height.

The terrain of Adventure Bay is varied making each Homesite unique, and therefore universal applicability of height restrictions is not appropriate. Consequently, the DRC may not approve a proposed Home or Improvement that appears undesirably prominent, excessive in height or out of character with other Homes. These considerations will be of particular importance for Homes sited along ridges, at curves in the road, and at high or prominent locations.

At the time these Guidelines are being finalized, the City of Vernon has proposed but not yet approved new Hillside Guidelines that address these and other related matter. Changes shall be made to the Guidelines to assure continuing compliance with current City Bylaws.

3.8 BUILDING SIZE

Home size shall relate to the natural characteristics of the specific Homesite.

Homes shall maintain a minimum building footprint of 1,500 square feet (140 square meters). Garage and covered outdoor space shall not be considered as part of the building footprint and shall be in addition to this requirement. The total minimum finished square footage for a Home shall be 2000 square feet with a minimum of 1500 square feet of finished area on the main floor.

3.9 ROOFS

Roofs are a particularly prominent feature and must be carefully designed to minimize their visual impact on the streetscape. Large simple features that provide rhythm and flow to the streetscape are preferred over complex forms. Roofs that step down in scale from major to minor elements are desirable. Shed, gable, hip, and flat roofs, or a combination of these forms are encouraged. Double pitched roofs may be approved at the discretion of the DRC. Gable-ends, if any, shall be attractive design elements intrinsic to the style of the Home. Gambrel or mansard roof forms will not be permitted.

The roof pitch shall be based on the objective of achieving style authenticity. The roof pitch shall be constant, except where an increased pitch contributes to the authenticity or aesthetics of a particular design, or where a decreased roof pitch at a covered entry veranda or shed projection contributes to the authenticity of a particular design.

Roof overhangs shall extend beyond the building wall line. Deep overhangs are strongly encouraged adjacent to the primary living areas in the Home. Shallow overhangs are suitable if combined with shading devices such as trellises or small shading roofs over windows and doors.

Roof penetrations should be kept to a minimum.

3.9.1 ROOF MATERIALS & COLOURS

Roofs will be visible from many vantage points. Therefore, selection of materials, textures and colors is important. All roofs must comply with applicable fire regulations. All materials, textures and colors are subject to review and approval of the DRC. Metal roofs may be permitted, but only in special circumstances, provided, among other things, they are designed to mitigate reflectivity and objectionable glare. Metal roofs should be a minimum of 18-gauge.

Tile roofs may be permitted, but only in special circumstances. Flat roofs must utilize flat or raked tiles in earth-tone colors. Tiles should be of mixed or blended colors that are aesthetically pleasing. Blended colors include tiles where two colors exist in the same tile as well as blending of individual solid colors tiles. Roof tiles may be concrete, slate or clay. Glazed tiles must have low reflectivity. Slate tiles

should be mixed or blended to appear natural in appearance, color, and texture.

Sloped roofs must be covered with stones in earth tones, preferably browns found in nature rather than greys. Black stones are not permitted.

Forty year three ply quality asphalt or fiberglass shingles in a “shake profile” are permitted. Raised ridge caps are required (CSA approved). Asphalt roof shingles must be natural in appearance, color, and texture.

Standard roof color at Adventure Bay is Certaineed Country Grey. Exceptions will rarely be allowed by the DRC, at its sole discretion.

Wood shingles and shakes are not permitted.

3.10 BUILDING WALLS

Cladding materials should emphasize horizontal expression and may include horizontal siding, shake, board and batten, or acrylic stucco limited to small wall areas.

3.11 BUILDING BASE & FOUNDATION WALLS

All houses at Adventure Bay shall have a building base including natural stone. The building base shall act as an **anchoring element** using materials that are local to the area or which replicate such materials. As such, exterior finish materials on all building walls and screen walls must extend to within 12” of finished grade to cover unfinished foundation walls.

Permitted materials include only natural stone. Cultured stone is not permitted on the exterior of any structure at Adventure Bay. Additional materials may be considered, subject to review and approval by the DRC. Stone bases should have a minimum vertical dimension of no less than 1.0m.

Exposed concrete foundations must not exceed 12” in height measured from the finished grade to the underside of the siding, except for stepped foundations to accommodate the finished grade of the Lot. Any concrete foundation exposed to street views shall be concealed by landscaping.

3.12 EXTERIOR WALLS & FINISH MATERIALS

Materials used on all dwellings should echo the Okanagan landscape. Materials should be of high quality and durability and should be derived from sustainable sources and production processes with low environmental impacts whenever reasonable. A minimum of three different wall treatments are to be incorporated in the front façade including mandatory stonework facing. Where stonework extends to an outside corner it must wrap around that corner a minimum of 4 feet along the side of the home.

3.12.1 MULTIPLE EXTERIOR FINISHES

The design of all Homes and Improvements shall incorporate the use of at least two complementing materials on the exterior wall surfaces. In general, however, two materials should not occur within the same building plane unless integral to the design concept and clearly separated by a strip or an opening such as a window or door. The secondary or accent exterior wall material should cover at least twenty percent of the exterior building surface. These complementing materials should not result in a Home that appears to be two different structures forced together. The secondary or accent exterior wall material shall not have the appearance of being “applied” or a veneer treatment.

All House Plans submitted for approval to the DRC after December 31, 2016, shall include a maximum area of stucco siding equal to 20% of the gross exterior wall surface of the home.

3.12.2 APPROVED MATERIALS

Without prescribing the use of specific building materials, the following exterior building materials, together with authentic detailing and application, are encouraged. All materials and colors are subject to review and approval of the DRC.

- **Masonry:** Masonry materials should give the appearance of thick walls and three-dimensional masses that are well anchored to the ground. Masonry should not appear to be an applied veneer and it should not be designed as a wainscot or facade. For example, an exterior wall with masonry on one side and stucco on the other side is not acceptable. Due to the heavy perception of

masonry, it should not be designed to "float" over windows, doors, or overhangs. If masonry is used over an opening, it should be visually designed with a strong lintel, header or beam detail that appears to structurally carry the masonry over the opening. Masonry materials should be offset from the plane of other materials a minimum of four inches (4").

- **Natural Stone:** Stone accent veneers are not required on all faces, but stone veneer is required on the street side of each dwelling. It must return at least 1.2 meters (4 feet) around the side corner, preferably to a transitional element such as a chimney or a bump-out. Where stone is selected as an exterior surface material, sufficient information that describes the stone character, color, coursing, joints, etc., shall be provided to the DRC for review and approval. Only one type of stone shall be used for all Improvements on a Lot. Cultured stone and other artificial and synthetic stone made with concrete and other products are prohibited at Adventure Bay, and may not be used on any home or ancillary structure.

The coursing pattern in which stone is laid is critical to the design and authentic appearance of the materials. Stone shall not be laid in a vertical coursing pattern. Flagstone patterning suitable for horizontal surfaces may not be allowed on vertical wall surfaces. Stones used on the corners of a building should give the appearance of a minimum thickness of four inches (4") to avoid the appearance of a thin veneer.

Stone shall resemble the natural color of blasted granite originating on the Adventure Bay site, installed in a pattern similar or equal to the granite on Lots 53 and 79 Phase 1. The color of the mortar and the size of the mortar joints are equally important. Mortar colors in high contrast to adjacent stone shall not be used. Owners must use stone joints with a dry stack appearance or deeply raked mortar joints.

- cement plaster should be appropriate to the architectural character of Adventure Bay. Authentic and rustic design themes should use stucco finishes such as "stone-dash" and/or "Munich," that appear to be hand-applied with texture imperfections in the

surface finish. Stucco will only be permitted as a minor accent or feature material and shall not dominate building facades.

- **Siding:** "Hardi Board" siding, and similar fire-rated siding products used for trim and soffit material, is acceptable and encouraged. Overlapping siding must be applied horizontally. Vertical board and batten applications may be approved at the discretion of the DRC. Soffits should utilize an imitation bead-board pattern with built in venting. All colors should be from an earth-tone color palette of light and medium hues. Supporting columns and posts should be clad in clear stained fir or cedar, or stone, or color coordinated with the house trim.

3.12.3 Prohibited Siding Materials

Vinyl or aluminum siding, adobe, jumbo-sized concrete brick, synthetic stone/brick and exposed concrete walls shall not be permitted. Colored, mirrored or other highly reflective types of glass may not be approved.

3.13 ANTENNAE & SATELLITE DISHES

There shall be no antennae or satellite dishes of any sort which are visible from any place off the Lot. All antennae and satellite dishes, and service cables and wires, must be screened with appropriate fencing and vegetation. No satellite dish greater than 2.5 feet shall be allowed.

3.14 SKYLIGHTS & LIGHT TUBES

Skylights are permitted at the discretion of the DRC. If proposed, they must be of the low-profile type, tinted bronze or grey, integrated into the roof form and screened to reduce objectionable glare, reflections, or ambient light at night. Bubble style skylights are not permitted.

3.15 ENTRY ELEMENTS AND SEQUENCE

Transitional spaces are encouraged at the entry to Homes. The entry represents an important threshold between private living space and the public realm of

the street. The use of courtyards, pathways, trellises, garden walls and screens on the entry side of a Home contribute to the welcoming character of the neighborhood and the sequence of moving from the public realm of the street to the private realm of the Home.

All Homes at Adventure Bay should provide a transition area to the front door of the Home. As semi-private spaces, transition areas should exhibit some sense of enclosure. Each Home must have a visible front entry and door and whenever possible it must directly face the street.

The transition area should exhibit a variety of textures and materials. Entry elements should be designed as an extension of the Home, set at or about the same grade as the entry floor level.

The front façade is a vital component in establishing a solid first impression of the home and as such, special attention must be given to the design, detailing, materials and colors.

Particular attention should be given to front doors as they are considered a significant component of the front façade. Transoms and sidelights are encouraged. In keeping with Prairie design, front doors, transoms and side windows in a horizontal pattern are encouraged. Front doors painted bright primary colors that are not consistent with other colors on the façade of the house are discouraged.

3.16 COLOR PALETTE

Predominant exterior colors shall be tones that compliment the natural setting. The Color Palette for Adventure Bay is derived from and inspired by the site vegetation and vistas, earth-based browns, umbers, sagebrush and grassland greens and yellows, and cooler colors inspired by the lake and sky such as pale blues and greys. Every home must have significant brown elements on the front facade, whether natural wood or synthetic materials or metal. Light greys and beiges can be used to provide accent trim and in base areas, projecting elements and entries. Each Home shall have at least two complementary exterior colors. Accent trim, garage doors, entry doors and shading devices may introduce an additional complementary color. Fascia boards should be a shade variation of the main cladding color. Window trim should compliment (and not contrast with) other exterior colours.

Both lighter and darker colors are considered appropriate. Bold colors and large unbroken areas of grey and black are not acceptable. Colours should not clash with surrounding Homes and landscape during any season of the year.

As much as possible, the colors applied to an object should relate to that object's material substance. The color of stone cladding should relate as close as possible to the natural granite color variations found on the site. Granite is the preferred exterior rock for use at Adventure Bay. Wood trim, shading devices, trellises, screens or fences should be stained or painted in natural hues to complement and harmonize with the Home and landscape.

Colors for exterior artwork, sculpture and any other special feature shall be of complementary tones chosen to blend rather than contrast with the Home and its surroundings. No highly reflective finishes shall be used on any exterior surfaces, including door and window hardware, with the exception of glass, which may not be mirrored or colored.

All exterior colors of the Home and Improvements shall have a light reflective value (LRV) that is less than or equal to forty (40).

3.17 DOORS & WINDOWS

Doors and windows shall be recessed and/or shaded to protect openings from direct sun. Substantial trim and sill treatments may be required. Windows shall not cause objectionable glare at any time, day or night. The use of shading devices, extended roof lines, deep overhangs or deep window opening recesses are strongly encouraged along south facing building facades.

The use of fabric awnings, exterior sun-shades or other shading devices that do not appear integrated into the design of a Home shall not be used. Trellis-type architectural elements for partial shade and sun screening are encouraged. Shading devices must meet the Color Palette requirements of the Design Guidelines, as outlined in Section 3.16.

All windows shall be double or triple glazed to improve energy conservation.

3.18 FIREPLACES & CHIMNEYS

Exterior chimneys shall extend down to the finished landscape grade with a foundation. All fireplaces and

other chimney chases must be finished in natural stone. Chimneys shall be finished with a complementary concrete or painted metal cap. Policies and Procedures shall be established to assure that the size, style, and color of metal caps promotes uniformity, while allowing for variety to suit each house design and position. Metal flues may not project more than 150mm (0'-6" nominal) above any chase, the minimum dimension of which is 600mm x 600mm (24" x 24" nominal).

In the case of "zero clearance" and/or "direct venting" gas fireplaces, vents shall be located away from view-sensitive facades (i.e. the front façade of a Home) and are required to meet Building Projection specifications as per Section 3.20.

3.19 SOFFITS, FASCIAS & GUTTERS

All soffits shall be consistent with the architectural character of the Home. Gutters and rainwater leaders must be a color that complements the overall color scheme of the Home. Hidden or concealed gutters are preferred; fascia mounted gutters will generally not be permitted.

Main entrances and other large soffit areas should be finished with stucco or horizontal soffit or wooden tight-joint "V" groove (if permitted by fire regulations) or similar Hardi Board soffits. Aluminum soffits are permitted provided that their color and appearance match the Home trim. Detailing of all soffits is encouraged. Fire code regulations may apply.

Facia boards and bargeboards must be fully finished on all exposed sides. Facia boards shall have a minimum dimension of 2x8 nominal. Barge boards shall have a minimum dimension of 2x10 nominal, and shall be accompanied by a 2x4 or larger trim applied to the top side of the barge board.

Gutters, fascias and bargeboards must display a layered appearance on the wall directly below the soffit.

3.20 BUILDING PROJECTIONS

All projections including but not limited to chimney caps, vents, gutters, scuppers, downspouts, utility boxes, trellises, fencing, railings, and exterior stairways, must match the color of the surface from which they project or be an appropriate accent color. Any metal flues, metal or plastic plumbing or exhaust

vents must have a matte finish that matches the roof or siding color. Chains may not be used for downspouts unless appropriately sized and colored, as approved by the DRC on a case by case basis.

3.21 HOME SECURITY SYSTEMS

Exterior security systems and doors are permitted unless they alter the integrity of the architectural design. Exterior bars and blinds are not permitted. All installations and modifications of exterior security systems must be approved by the DRC prior to performing the work.

3.22 DECORATIVE ELEMENTS

Decorative elements such as screens and louvers, metal brackets or struts, bandings, and joint details are encouraged. Elements such as gates, railings, handles, accents, and detail motifs must complement the overall architectural design of the Home.

3.23 SOFFIT LIGHTING

Interior soffit lighting may create glare if not properly designed and installed. Lighting shall be downcast and the light source shall not be visible from the street. Nor shall the cone of light from soffit fixtures illuminate adjacent lots.

3.24 COURTYARDS, TERRACES, PORCHES, DECKS, & BALCONIES

All courtyards, terraces, porches, decks and/or balconies shall be consistent with the architectural style of the Home in terms of proportion, form, material and finish. When they are located below the roof overhang, they shall be considered part of the Home, and must comply with Section 3.24 of the Design Guidelines. When they are located outside the roof overhang they shall be considered part of the Landscape, and must comply with Sections 3.4 and 4.1 of this Design Guidelines.

Courtyards and terraces shall be designed as an integral part of the Home, creating outdoor "rooms" which serve as natural extensions of indoor space. These open areas should take advantage of natural breezes and views.

Special design consideration is required for all courtyards and terraces that are highly visible from adjacent Homesites and/or public realm (streets, parks & trails) areas. In order to maintain the visual integrity of the community, patio and courtyard furniture, especially umbrellas, should be complementary to the Home's color scheme.

3.25 OUTDOOR STAIRS & LANDINGS

All stair risers and treads shall be made of concrete, tile, stone or wood. Courtyard and terrace floors shall be brick, pavers, stone, tile, or patterned or exposed aggregate concrete. Accent areas of gravel or other aggregate material is acceptable. Decks shall be wood (or synthetic composite wood) planking or tile with water proof membrane unless otherwise approved by the DRC. Exterior stairs connecting rear decks to back yard ground level shall be constructed only within the boundaries of the deck. No staircase may extend beyond the width of the house.

3.26 FENCES & RAILINGS

Fencing materials are to consist of wood, iron and stone only. Railings surrounding decks shall consist of metal and glass, provided they are an extension of the architectural expression of the Home. Open metal fencing or railings are allowed if the design is integrated into the overall composition of the architecture and design elements of the Home. Light-weight aluminum railings are discouraged. No rails over 3'-6" high are permitted for decks.

Fencing, whether attached to a home or not, shall be considered on a case by case basis. No fencing shall be permitted that unreasonably interferes with views from neighbouring properties at the sole discretion of the DRC. All fencing shall be installed by a professional with substantial experience. Fenced areas must not alter the natural flow of water within or from the lot. Fencing of the sort produced by Falcon Railings in Kelowna, and commonly used at Predator Ridge Resort, in black, dark grey or dark brown colors, with "Prairie Style" look and features, shall be considered more favorably than one of a kind fencing styles and materials, including wood or synthetic materials. Natural wood is not permitted. Fencing should be included in original landscape plans submitted to the DRC for approval whenever feasible. Special consideration shall be given to fencing requested by lot owners on the south side of lots 11-16 Ph 2 in light of the unique topography of those lots. No fencing within front, rear or side yard

setbacks shall be permitted on any lot at Adventure Bay, except in extraordinary circumstances as may be approved at the sole discretion of the DRC. Unauthorized fencing shall be removed forthwith at the expense of the lot owner, upon written notice by the DRC.

Notwithstanding the requirements above, any fence required by the B.C. Building Code for the installation of pools or other features may be approved subject to a design that minimizes impact on neighbors. Swimming pool fencing is to be installed as per Government regulations and is further subject to DRC approval.

To protect the open landscape experience of Adventure Bay, no Homesite perimeter fencing is allowed.

3.27 ACCESSORY BUILDINGS

Accessory buildings shall be visually connected to the Home by walls, roof structures, courtyards, and/or landscape elements. All accessory buildings must be constructed within the Development Area, and comply with the Design Guidelines and City of Vernon bylaws. No metal, plastic or fiberglass storage sheds shall be permitted on any Lot.

3.28 POOLS, POOL ENCLOSURES AND HOT TUBS

Pool enclosures are allowed at Adventure Bay. They should include architectural elements that match the style and detail of the main house. Rooflines and vertical elements of pool enclosures should match or be in keeping with the rooflines of the house. Enclosures shall be located at the rear of the property and must conform to the rear yard setback requirements for the house. Pool equipment shall be screened from view of adjacent properties and public areas. Equipment shall be located to minimize its visual and aural impact on neighbors.

3.29 AIR CONDITIONING UNITS

Air conditioning units and other mechanical equipment must be located where it is not visible from adjacent properties and streets. Sound proofing is required on all operating mechanical equipment that may affect adjacent properties. No window mounted air conditioning units are permitted.

3.30 GARAGE SITING & DOORS

Detached garages must be located in accordance with the siting regulations for accessory buildings defined in Section 2.1 and as required by City of Vernon bylaws.

Garage doors facing the street must be set back 7 meters from the curb on streets without sidewalks, and 8.5 meters from the curb (7 meters from the back of the sidewalk) on streets with sidewalks.

All garages, in either attached or detached form, must closely follow the style of the Home and incorporate similar architectural form, proportion, detailing, exterior materials and color. The garage roof shall have roofing material and pitches consistent with the Home.

The garage should be subdominant to other features on the front of a dwelling. In an effort to minimize visual impact, no more than two garage stalls, (i.e., one double garage door or two single garage doors) shall be adjacent to each other in a continuous plane. The width of the garage must not exceed 50% of the width of the dwelling. The face of garage doors should be recessed a minimum of six inches from the adjacent wall plane.

The appearance of the garage door should blend with the Home design. Garage door colors must be complementary to the Home. The exposed wall area between the top of the garage doors and the underside of soffits shall be kept to a minimum and must not exceed thirty inches (30").

Detached and/or side-entry garages are appropriate in certain circumstances.

Oversized garage doors, defined as garage doors taller than eight feet (8'-0") or wider than eighteen feet (18'-0"), including those needed for recreational type vehicles, shall only be allowed at the discretion of the DRC. Garage doors shall not exceed nine feet in height.

Driveway width shall not exceed the width of the garage structure at any point. No additional driveways, parking pads or provisions for parking of vehicles of any type are permitted on the Lot except for on the driveway immediately in front of the garage.

3.31 UNIQUE EXTERIOR FEATURES



Unique exterior features including, but not limited to entry features, decorative gates, glass patterns, railings, stairs, roof decks, enclosures, shade structures, fountains, water features, statuary, gazebos, exterior fireplaces and the like shall be designed as an integral part of the Home. Requests for approval of unique exterior features shall include detailed design information such as sketches, cut sheets, photographs, etc., as part of the Preliminary Design Submittal and the Final Design Submittal. The following are some specific design guidelines for exterior features:

- **Fireplaces:** Outdoor fireplaces, fire pits, or similar items shall be gas-fuelled.
- **Art and Fountains:** Exterior ornaments including artwork, sculpture, fountains, or water displays shall be located within the Building Envelope of the Homesite and conform to the color standards of the Design Guidelines. Significant granite rocks are considered desirable as yard features. The DRC reserves the right to reject any exterior ornaments, including but not limited to wishing wells, animals, gnomes, flamingoes, etc. that it deems inappropriate or undesirable for reasons of subject, height, color, size, reflectivity, material, illumination, or proposed location. Lighting of exterior artwork may not result in excessive glare to adjacent Homesites or public-realm areas.
- **Pet Structures:** Pet enclosures and similar structures shall be designed with integral elements and materials that blend with the Home. Fencing must be framed or encased in architectural elements that tie in with the character of the Home. All pet structures must be screened from public view and the view of adjacent Homesites. Pet structures and their locations must be approved by the DRC. No pet structures, kennels nor fenced containment areas (paved or unpaved) are permitted on a Lot within a front yard, nor within side yards or extensions of side yards into the front or rear yard, nor within 2.5 meters of the top of slope. Pet enclosures are permitted within the backyard directly behind a home only upon written approval of the DRC as to design, location, and other factors which are deemed to be relevant to the DRC, which approval may be withheld, or given with conditions, at the sole discretion of the DRC. Permeable or non-

permeable surfaces within a pet enclosure may not slope toward an adjacent property.

- **Utility Services** are essential for the function of the Home. However, their associated meters and boxes may be inappropriate and obtrusive aesthetically. Therefore no meters will be allowed on front facades. Electrical service shall be provided underground to all houses and throughout each Lot.
- **Utility Yards** are required in Adventure Bay to enclose garbage cans. A.C. compressors are required to be screened by hedges, garden walls or other approved fence types.
- **Television or radio masts, towers, poles, antennas, aerials, satellite dishes,** or other appurtenances shall not be erected, constructed, or maintained on the exterior of any house or Lot unless the location, size and design thereof have been approved by the DRC. It is required that any proposed satellite dish or antenna system for the house be designed to be hidden from view from streets and adjacent Lots.
- **Exterior speakers,** and other devices from which music and other audible sounds emanate, are prohibited and may not be installed on the exterior of homes within Adventure Bay; such devices may not be temporarily nor permanently installed within the grounds, nor affixed to the exterior of any dwelling, including but not limited to exterior walls, soffits, and railings. Because of the proximity of homes to one another, this provision is deemed necessary to assure residents the peaceful enjoyment of their homes.
- **No boat, recreational vehicle, trailer** or non-four wheel passenger automobile may be placed, parked, or stored on any Lot or driveway except within a building or approved enclosure where it is totally isolated from public view.
- **Basketball nets** are allowed but must be of a design and location approved by the DRC. They must not interfere with the quiet enjoyment of neighbors.
- **Construction trash dumpsters** must be provided during the entire construction term of each house. Construction trash, lunch wrappers, etc. must be picked up and placed in bins and the bins emptied on a regular basis so that the site of each house

under construction appears neat and clean, and to prevent the spread of construction debris from the site.

- **Silt fencing** or wire screen fencing must be placed along the top of the environmental area behind each house during the entire construction term to prevent trash, debris, and/or silt or fill dirt from blowing or being placed within the lake environmental area.

3.32 SPECIAL DESIGN CRITERIA FOR INDIVIDUAL HOMESITES

Certain Homesites at Adventure Bay may pose special site challenges. Unique factors may require design solutions for these Homesites that minimize the visual impact of the Home and/or better integrate the Improvements into existing site conditions. Additional consideration and/or review may be required by the DRC.

3.33 HVAC SYSTEMS

Geo-exchange (also known as ground source heat pump or geothermal) systems are the most energy efficient and environmentally friendly heating and cooling systems currently available, although the cost of installation, operation and maintenance may require an extended repayment period.

In order to ensure top quality performance, it is very important that geo-exchange systems are properly designed and installed and that quality mechanical equipment is used. For this reason, only geo-exchange contractors approved by DRC will be permitted to design and install geo-exchange systems. A list of approved contractors and manufacturers will be provided to Owners by the DRC upon request. As the DRC acquires feedback from installations carried out, the list of approved contractors and manufacturers will be updated.

3.34 SIGNAGE

Signage is permitted within Homesites to announce street addresses and the name(s) of Owners. Policies and Procedures shall be established to assure that the size, style, color and location of signs provides for visibility and uniformity, while allowing for variety to suit each house design and position. Signs advertising the sale of a Home shall be regulated by

Policies and Procedures, which shall prescribe the size, style, color and location of acceptable signs. At the sole discretion of the DRC, Real estate sales signs are prohibited on individual Homesites, and real estate agents and Owners shall thereafter place "For Sale" signs only on a common board provided by the Developer. These restrictions shall not apply to signs placed on Homesites by the Developer or its agents.

3.35 OCCUPANCY & RENTALS

All residences constructed at Adventure Bay shall be designed and built as single-family dwellings, with one principal entry door and one kitchen. Food and beverage preparation areas in addition to the principal kitchen may be provided in conjunction with a wet bar or a barbecue area. It is the intention of these Guidelines to restrict the number of residents in any home to those who occupy the entire house, and not just an allocated portion of it. The house design shall not provide for separate living quarters. Parking for a residence shall be limited to the garage and driveway, and extended parking for residents and guests shall not be permitted on the public streets within Adventure Bay.

Rental of an entire house is allowed at Adventure Bay. Rental suites within houses are not allowed.

The minimum rental period for house rental is 30 days and tenants must sign a rental agreement. Owners must submit a copy of the rental agreement to the AB Approving Authority for review and approval prior to signing of agreement with tenant(s).

Owners must provide their contact information to the AB Approving Authority so the Owners can be reached if necessary.

If the AB Approving Authority cannot reach the Owner in the event of an issue with the tenant(s), the Owner authorizes the AB Approving Authority, acting reasonably, to act on behalf of the Owner.



4

Landscape Guidelines

At Adventure Bay our goal is to promote landscape emphasizing native plants as a means of linking the developed lands to the natural surroundings, and to maintain a high degree of visual consistency throughout Adventure Bay. Native plants are known for their draught tolerance, deer and disease resistance. Their widespread use at Adventure Bay will place Homes visually within the context of the natural landscape and serve as a unifying element tying the residential landscape to the natural landscape and to other Homes.

Specific Design Guidelines have been established for all landscape work including selection of plant materials, design, installation and maintenance, as well as preservation and management of adjacent natural areas. Landscaping must be completed within twelve months of receiving an Occupancy Permit.

Landscape plans should consider the relationship to street plantings and landscaping on adjacent Lots. All owners must submit a landscape plan designed by a landscape practitioner. Landscape plans must indicate that two or more trees will be planted in the front yard of each home. Each tree shall be at least the minimum size specified in Section 4.4.1 below. In addition, the Landscape plan must indicate that an automatic drip irrigation system shall be installed to irrigate the trees and other planted shrubs, vines and grasses. Many full service nurseries in the Vernon area will provide landscape plans to customers. A landscape plan is a graphically scaled drawing illustrating shrubs, trees (existing and proposed), grass, ground covers, mulch, landscape lighting, statuary, trellis structures, lattices, decks, pools and/or other items to be installed outside the Home.

Homesite landscape should be seasonally attractive and high quality. Maintenance should be considered in the context of irrigation requirements, cost of routine care, times of year the Home will be occupied, and Owner commitment to gardening. Plant selection should blend new construction into the existing natural landscape. Hardscape elements should be consistent in their use of natural materials and earth toned colors. In addition, the residential landscape should:

Provide a transition zone designed to enhance and sustain the unique character of the flowering meadows on and adjacent to most Homesites at Adventure Bay.

Maximize views from Homes and public open spaces toward the lake and mountains while utilizing natural vegetation and topography to screen between Homesites where necessary.

Retain existing vegetation whenever possible, especially mature, healthy trees, and incorporate native plant materials and Xeriscaping principles whenever reasonable to do so. Ornamental and non-native species should be restricted to private and semi-private areas such as patios and courtyards.

Accommodate microclimatic factors such as sun, shade, rain and wind, as well as seasonal imperatives such as snow storage requirements during winter months, and reduction of fuel loading to discourage fire during dry summer months.

Promote resident and visitor safety and provide universal accessibility wherever feasible. When stairs are required, provide appropriate tread to riser ratios, handrails (if necessary) and non-slip materials.

All Homes, driveways, pools, walkways, patios, etc. shall be sited to preserve as many existing trees as possible. Special caution shall be used when designing cut and fill so as not to impact the root systems of the trees.

Rainwater should be absorbed into the ground as close to where it falls as possible and not drain from Homesites. This can be accomplished through swales, terracing, other grading techniques, or cisterns. Reducing off-site drainage will reduce demands on the storm water management system and will also reduce the irrigation requirements.

The Developer will be responsible for the design and installation of the boulevard landscaping.

4.1 EXTERIOR COURTYARDS & TERRACES

The landscape shall be designed to ensure that courtyards, staircases, terraces and pathways make a smooth transition between the Homes' outdoor "rooms" and the surrounding natural landscape. Existing features such as rocky knobs should be incorporated into the landscape design where possible. Designs should minimize the use of numerous different paving materials in order to produce a unified design. Only non-coloured washed aggregate concrete is permitted for driveways, patios and walkways. The Design Guidelines encourage the use of stone pavers, concrete pavers, gravel screenings, and colored or scored concrete in the landscape design. The use of asphalt, railway or landscape ties, steel trowelled smooth or un-scored concrete is prohibited.

4.2 TRANSITIONAL LANDSCAPE EDGES

Each Homesite is part of the surrounding landscape. Within the Building Envelope, Owners are permitted flexibility regarding the variety and character of plants, shrubs, and trees that can be planted. Environmental Management Areas should not be disturbed, and will be defined and protected by means of a transitional landscape edge within the Development Area.

4.3 LANDSCAPE SITE PLANNING

Landscape plans must be designed in conjunction with Site Grading and Drainage Plans. Steeply graded planting areas should be avoided as they are difficult to irrigate and maintain conveniently. Dry vegetation on steep slopes can pose a fire hazard.

Additionally, landscape plans must consider and anticipate how the placement and growth habits of trees and shrubs could block existing view corridors. The DRC may require pruning or removal if mature plants grow to obstruct significant views.

In cases where improvements to a Homesite require site disturbance beyond the defined Development Area, written DRC approval is required. Remediation of the Environmental Management Area shall take place as soon as feasible.

Plant material shall comply with minimum size requirements, as defined in Section 4.4.1, unless otherwise approved by the DRC.

An approved irrigation system shall be installed to maintain the transitional planting until it has become established and thereafter to provide adequate water to sustain fully grown vegetation. The DRC shall publish Policies and Procedures for transitional irrigation systems.

4.4 SOFTSCAPE

To further protect, enhance and manage the native plant habitat at Adventure Bay, care should be taken to look after existing, healthy trees and other plants. Within landscaped areas on a Lot, diseased, or otherwise compromised trees and other plants should be rehabilitated or removed and replaced.

4.4.1 PLANTING DESIGN GUIDELINES

All landscaping should retain existing vegetation wherever possible and use native or similarly hardy plant materials. Ornamental, non-native plants should be limited to private and semi-private areas and preference should be given to low-maintenance selections requiring little or no irrigation or fertilization. When feasible, all plant material should be sourced locally.

Final plant selection should be made in light of limits to irrigation and Owner commitment to maintenance, and may require alternative species selection to achieve landscape objectives. All plant selections are subject to DRC review and approval.

Proposed plantings should enhance and frame views to the larger natural landscape. Additionally, plant material may be used to visually screen adjacent properties for added privacy and, where appropriate, should consist of a mix of deciduous and evergreen trees.

All landscaping materials installed must comply with the following minimum size standards unless otherwise approved by the DRC:

- Deciduous trees: Minimum of 7.5 cm (3 in.) caliper at 3' above ground level and 3.6 m (12 ft.) tall,
- Evergreen trees: Minimum 2.5 m (8 ft.) tall;
Shrubs and grasses: Minimum 2 gallon pot and .75 m (30 in.) tall for shrubs and grasses,

*Dependent upon plant species and availability

Special attention should be given to protect trees and shrubs from snow clearing and storage during winter months. Only tolerant plants such as grasses should be located in snow storage areas.

Tree bark should be wrapped to prevent damage from deer.

Proposed plant material should comply with local fire code and wildfire covenant requirements with respect to species selection and spacing. All plant material and installation shall comply with the BC Landscape Standard.

4.4.2 MAINTENANCE & IRRIGATION SYSTEMS

Installation of appropriately designed, fully automated, underground irrigation systems, as per the BC Landscape Standard, is mandatory for manicured areas and all planted materials, as a means to maintain landscape health during dry months and for fire abatement.

Homeowners shall be responsible for the maintenance of front yards. Replacement of diseased or damaged trees and shrubs within the Lot and the fronting boulevard. Owners should be diligent whether they are in residence or not, maintaining Homesites in a neat and presentable fashion, free and clear of litter and noxious weeds.

4.4.3 FUNCTIONAL USE OF PLANTS

Environmental sustainability may be incorporated into the landscape design and planting in the following ways:

- **Energy Conservation:** The use of plants to moderate Home temperature by shielding windows from direct solar radiation is encouraged. Particular emphasis should be placed on south and west facing exposures during the afternoon and evening.
- **Wind Control:** Plants can be placed to intercept prevailing winter winds and improve energy efficiency in the Home by reducing cold air infiltration.

4.5 PROHIBITED & APPROVED PLANTS

To ensure protection of natural habitat areas, plant species must be controlled within the Homesite, particularly in the Environmental Management Areas. Appendix F provides a list of recommended plant species, including native or similarly hardy selections, as well as prohibited plant species with characteristics that are potentially problematic due to profuse and noxious pollen, excessive height, weed-like characteristics of invasive growth, high water demands, and other undesirable traits. Under no circumstances is it permissible to plant any prohibited plant within a Homesite.

Other plants may be used at the discretion of the DRC.

4.6 HARDSCAPE

Material selection should emphasize aesthetic, durable, vandal-resistant composition and construction, consistent with the overall architectural theme. Materials may include timber, synthetic wood composite (in plank form), powder coated and/or galvanized metals, natural materials such as stone, and durable materials such as concrete. In addition, colors and textures should be consistent with the Color Palette as specified in Section 3.16 of these Design Guidelines.

Natural granite broken stone landscape ground cover must be grey-brown in color, and may vary in size from 1.5 – 3 inches in diameter per landscape plans submitted for review and approval to the DRC. An example of suitable landscape ground cover is the crushed rock blend used on AB Lot 35 Ph 2 on upper Tavistock Road.



5

Design Review Process

In order to assist owners to design, orient and position a Home unique to each Homesite, a comprehensive design review process has been established which is divided into the following seven parts. This process is intended to be straightforward, and to assure that the Design Guidelines will be applied consistently, imaginatively, practically, reasonably and equitably for the benefit of all Homeowners.

- A. Pre-Design Briefing;
- B. Preliminary Design Submittal;
- C. Preliminary Design Review Application;
- D. Final Design Submittal;
- E. Pre-Construction Conference Review;
- F. Final Inspection – Building; and
- G. Final Inspection – Landscape.

The Design Review Process is illustrated in Appendix C, “Design Review Process Flowchart.”

5.1 COMPLIANCE WITH DESIGN GUIDELINES

To ensure compliance of present and future development with the Adventure Bay vision as expressed in the Design Guidelines, a Design Review Committee (DRC) shall be established by the Developer.

No Home and/or Improvement shall be constructed on a Homesite without prior written approval of the DRC. The approval of the DRC will be based on whether the plans and/or specifications for a Home, Landscape and/or Improvements are in compliance with the Design Guidelines and such other factors as the DRC may deem relevant. The Developer and/or the DRC hereby reserves the right, in its sole discretion, to modify, waive, relax, vary or exempt any Homesite, Home or Improvement from all or any of the restrictions, recommendations and provisions in the Design Guidelines, provided that no such modification, waiver, relaxation, variation or exemption shall be deemed to have been granted until it is given to the Owner in writing.

The DRC requires a Compliance Deposit in the amount of \$20,000 (cash or acceptable security) per Home or some other amount that may be determined from time to time by the DRC, to be returned upon compliance with the Design Guidelines. A Preconstruction Maintenance Deposit in the amount of \$2,500 shall also be required per Homesite to ensure that the Homesite is maintained in a neat and presentable fashion, free and clear of litter, accumulation of waste and noxious weeds, prior to construction. Both of the above deposits must be paid prior to the owner submitting an application for a Building Permit. No work on any site, or house construction, may be started until deposits are paid and acknowledgement of payment is made in writing by the DRC.

At any time during construction of a home, upon discovery by the DRC of non-compliance per section 5.6.3 of these Design Guidelines, and upon notification of non-compliance by the DRC to the owner, the DRC may require a supplemental compliance deposit up to the maximum amount allowed in these Design Guidelines (currently \$20,000 + \$2500), and the owner shall pay this amount forthwith, before continuing with work to complete the home, site work or landscaping. This compliance deposit may be retained by the DRC until the work is completed and a Certificate of Compliance is issued, regardless of whether title to the home is transferred in the interim.

Fees for design review shall be determined by the DRC (as per the DRC fee schedule as amended from time to time) or with the Owner on a case-by case basis. The current fee until further notice is \$750.00 for the standard review and approval process. Extraordinary circumstances could require payment of a supplemental fee.

5.1.1 PROFESSIONAL DESIGN SERVICES

The Owner is required to retain a Designated Designer which may be an Architect or a Home Designer approved by the DRC to be a Designated Designer for the purposes of constructing a Home or Improvement at Adventure Bay. The DRC may communicate directly with the Designated Designer during the approval process. All plans and specifications must be prepared by or under the supervision of a Designated Designer. The Owner is also required to retain a Designated Landscape Designer, as well as a Designated Contractor. To be approved as a Designated Contractor, an application form must be completed and approved by the DRC. The application form is attached hereto as Appendix E.

5.1.2 NON-WAIVER

The approval of the DRC of plans and/or specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plans or specifications subsequently or additionally submitted for approval for that Homesite or for any other Homesite. Failure to enforce any of the development standards or requirements contained in the Design Guidelines shall not constitute a waiver of same.

5.1.3 EXEMPTIONS

Utility and maintenance buildings or similar structures located on non-residential lands are exempt from the Design Guidelines. The DRC will endeavor to attain as high a level of conformance with these standards as is practical for these types of structures.

5.1.4 STATEMENT OF NON-LIABILITY

All plans and specifications approved by the DRC are approved only for compliance to the Design Guidelines and are not approved for engineering, design or architectural competence. Through its approval of such plans and specifications, the DRC does not assume liability or responsibility for any defect in any structure constructed from such plans and specifications. The Developer and/or its affiliated companies and their respective directors, officers, employees and agents (the "Company"), shall not be liable to any Contractor, Owner or any other person for any damage, loss or prejudice suffered or claimed because of:

- the approval or non-approval of any plans and specifications; or
- the construction or performance or any work, whether or not pursuant to approved plans and specifications.

5.1.5 COMPLIANCE WITH APPLICABLE LAW(S)

Plans and specifications submitted for approval to the DRC shall conform to all applicable laws, including City of Vernon Bylaws, the Building Code of British Columbia, the National Fire Code, and any other applicable code or bylaw or covenant.

5.2 PRE-DESIGN BRIEFING (DESIGN REVIEW PROCESS - PART A)

To initiate the plan review and approval process and prior to preparing any detailed plans and specifications for a proposed Home or any Improvement, it will be necessary for the Owner and the Designated Designer to meet with the DRC to discuss the proposed Home, Improvements, and the specific Homesite grading and drainage, and to resolve questions regarding building requirements or interpretation of the Design Guidelines. Any amendments or supplements to the Design Guidelines, as well as current policies and procedures, will be distributed at that time. This informal review will offer guidance prior to initiating preparation of plans and specifications for Preliminary Design Submittal. Following a request in writing from an Owner for a pre-design meeting with the DRC, the meeting will be scheduled promptly.

Given the sloping condition of most Homesites at Adventure Bay, and likely sequential design and construction of adjacent Homes, each application for design approval must consider topography and drainage on adjacent Lots, and anticipate neighboring house designs including foundation requirements and engineering, common retaining walls, etc. Adjacent footing and foundation walls should be designed so that final grading between Homes can be achieved without the need for boundary line retaining walls. Foundation walls should be stepped so that no concrete is exposed greater than 12" above finished grade. Pathways and steps may be constructed between Homes. However, installation of steps should be deferred until final grading between two adjacent Homes is completed. Prior to that, only temporary steps should be installed.

5.3 PRELIMINARY DESIGN SUBMITTAL (DESIGN REVIEW PROCESS - PART B)

The Owner shall apply for approval of preliminary design plans and specifications by completing and submitting to the DRC the Preliminary Design Review Application Form attached hereto as Appendix D.1, together with Preliminary Design Submittal materials described in Section 5.3.1. The \$750 Design Review fee will accompany the submittal.

5.3.1 PRELIMINARY DESIGN SUBMITTAL MATERIALS

The Preliminary Design Submittal materials to be included with the Preliminary Design Review Application Form shall include one full size set of plans to scale and one set of plans 11" X 17" including the following:

5.3.1.1 SURVEY

A survey ("Survey"), at no less than 1:500 scale prepared by a registered British Columbia Land Surveyor ("BCLS") showing Homesite boundaries and dimensions, existing surface contours at 0.5 m intervals relative to mean sea level datum, major terrain features such as existing walls, top of bank, ravines, rock outcrops, all easements, all plants having a 100 mm trunk or larger (measured at 0.5 m above natural grade), all utility connections and all

other Improvements adjacent to the Homesite within 6.0 m of the property line. Each Owner submitting drawings for approval to the DRC shall be responsible for the accuracy of the information contained therein. Soil reports are not required by the DRC; however, it will be the Owner's responsibility to determine the geotechnical conditions of the Homesite.

5.3.1.2 SITE GRADING & DRAINAGE PLAN

A Homesite grading & drainage plan at the same scale as the Survey showing: minimum building setbacks, Environmental Management Areas, location and size of the Building Envelope, the Home, other Improvements, driveways, address monument, neighborhood signage, patios, terraces, pools, hot-tubs, walls, proposed utility service facilities and alignments, site grading including existing and proposed contours and topographic features such as ravines, rock outcroppings, bluffs, top of banks, existing trees and major plants to be retained and/or to be relocated. Indicate finish elevations of all building floors, patios, terraces and top of walls, shown in relation to site contour elevations relative to mean sea level datum. The directions of drainage flow and methods of containment or erosion control shall be indicated. Area calculations of the Building Envelope, building areas, and proposed top of cut and toe of fill are to be shown on the Preliminary Homesite Information Form attached hereto as Appendix D.2.

5.3.1.3 FLOOR PLANS

Floor Plans for all living space levels at no less than 1/8" = 1'-0" scale with finish floor elevations clearly noted;

5.3.1.4 ROOF & HEIGHT PLAN

Roof & height plan at no less than 1/8" = 1'-0" scale. Roof Plans shall show areas of all roofs and all roof mounted equipment and proposed skylights. Height plane requirements of each Home shall be documented here with critical high points of proposed roof as well as allowable heights at each respective point.

5.3.1.5 ELEVATIONS & SECTIONS

Exterior elevations of all sides of the Home at not less than 1/8" = 1'-0" scale indicating all site Improvements, retaining walls, proposed finished and natural grade lines, exterior materials and finishes. At least one profile section through the major Cut and Fill of the Homesite showing natural or existing grades and revised grades. A second section following the Roof Height shall indicate elevation of proposed highest point of roof. Height of roof shall be indicated as well as allowable roof height on the line of the section;

5.3.1.6 COLOR CHART & MATERIAL SAMPLES

Typical elevations of the proposed buildings, which include all colors and materials that will be selected and will be rendered as accurately as possible to give a general indication of the entire color scheme. Each material will be labeled with a corresponding color sample (paint manufacturer paint chip). Actual finish color should be attached. Actual samples of exterior materials should clearly marked with the Owner's name, Homesite number, filing date, and identified with the manufacturer's name, color and/or number. After preliminary review of the color scheme, the DRC may request samples to be temporarily displayed at the Homesite prior to final review and approval;

5.3.1.7 PRELIMINARY LANDSCAPE PLAN

A Preliminary Landscape Plan at the same scale as the topographical information (see Section 5.3.1.1 above) Survey showing landscaping treatment of the entire Homesite, including general landscape details;

5.3.1.8 OTHER INFORMATION

Any other drawings, materials, or samples requested by the DRC must be provided;

5.3.1.9 STAKING

To assist the DRC in its evaluation of the Preliminary Design Submittal, the Owner shall provide preliminary staking at the locations of the corners of the Home, staking at the perimeter of the all Building

Envelopes, and installation of poles indicating roof high points at such other locations as the DRC may request.

5.4 PRELIMINARY DESIGN REVIEW APPROVAL (DESIGN REVIEW PROCESS - PART C)

The DRC will review the Preliminary Design Submittal for conformity with the Design Guidelines and provide a response to the Applicant within three (3) weeks of receipt of the application. Such response will be either: (a) approval; or (b) non-approval with stipulations; or (c) non-approval. In both cases of non-approval (b & c), design submittals shall be revised as necessary and re-submitted with the necessary revisions to the DRC.

In the event of non-approval by the DRC any re-submittal must follow the same procedure as the original submittal and additional fees will be payable in accordance with the current schedule of fees at the time of the additional application.

5.5 FINAL DESIGN SUBMITTAL (DESIGN REVIEW PROCESS - PART D)

After Preliminary Design approval is obtained from the DRC, the Owner shall make an application to the DRC for Final Design approval by completing the Final Design Review Application form attached hereto as Appendix D.3 together with the required Compliance Deposit and Final Design Submittal materials described in Section 5.5.1 and 5.5.2.

5.5.1 CONSTRUCTION DOCUMENTS

Complete construction drawings for the Homesite, including all data required in Sections 5.3.1.1 to 5.3.1.8 inclusive of the Preliminary Design Submittal, building sections as required to illustrate the Improvements, utility locations, adjustments to locations and/or areas of the Building Envelope area or the Home, and manufacturer's catalogue cuts of all visible exterior lighting fixtures.

Site details of retaining walls, pools, hot-tubs, equipment enclosures, underground or above ground tank or utility enclosures, fencing, address identification monument, neighborhood signage and drainage improvements shall be shown. If the color

chart samples approved in the Preliminary Design Submittal have changed they shall be resubmitted.

5.5.2 LANDSCAPE PLANS, SPECIFICATIONS & IRRIGATION DRAWINGS

A landscape plan at 1:100 or 1/8" = 1'-0" scale, same as the Site Grading & Drainage Plan or larger, showing locations and sizes of all existing and proposed plants and any decorative features such as ponds, or imported rocks and walls shall be clearly shown. Planting design including at least two trees of minimum allowable size in the front yard, specifications and irrigation system shall be prepared by a Landscape Practitioner. Special attention shall be given to over spray or excessive drainage beyond the landscaped area. Landscape lighting shall be shown on the Landscape Plans. Manufacturer's cut sheets and finishes to be provided with Final Design Submittal.

5.5.3 FINAL DESIGN APPROVAL

Final design approval shall be issued in accordance with the approval process described in Section 5.4. Upon approval of the Final Design Submittal the DRC shall issue to the Owner a final design approval form attached hereto as Appendix D.4.

5.6 PRE-CONSTRUCTION REVIEW (DESIGN REVIEW PROCESS - PART E)

Upon receiving Final Design Approval, the Owner, Designated Designer or Contractor may apply to the City of Vernon for a building permit. Construction of all Homes and/or Improvements shall be in accordance with the Final Design Submittal approved by the DRC. In the event that governmental approvals differ from those approvals given by the DRC, the Owner shall re-submit applicable documents to the DRC for review of the differences. Approval of the differences will be in accordance with the approval procedures described in Section 5.4.

5.6.1 CONTRACTOR MEETING

Prior to commencing construction, the Owner and/or their Designated Designer or Contractor shall submit to the DRC a) a copy of the Building Permit issued by

the City of Vernon and GVSW together with construction drawings stamped by the City of Vernon and GVSW, and b) copies of all reports from geotechnical and structural engineers pertaining to work on the Homesite. The Contractor shall complete and submit to the DRC the Pre-construction Meeting Acknowledgment and Checklist in the form attached hereto as Appendix D.5 together with the documents and plans noted in the Checklist. The DRC and the Contractor shall meet within one week of the Contractor submitting the required materials.

5.6.2 CONSTRUCTION VARIATIONS AND/OR EXTERIOR CHANGES

Any exterior changes to the approved Final Design Submittal before, during, or after the construction of Homes and/or any Improvement must first be submitted to the DRC for approval in accordance with the approval process described in Section 5.4. After the DRC is satisfied that any exterior changes and the building permit comply with the Design Guidelines, the DRC will issue to the Owner a Notice to Proceed form attached hereto as Appendix D.6.

No construction may proceed without receipt of the Notice to Proceed.

5.6.3 WORK-PROGRESS INSPECTION

The DRC may inspect all work in progress at any time and give notice of non-compliance. The absence of any inspection and notification during the construction period does not constitute either approval by the DRC of work in progress or of compliance with these Design Guidelines.

5.6.4 COMMENCEMENT OF CONSTRUCTION

Upon receipt of the Notice to Proceed from the DRC, the Owner may proceed to carry out the approved work.

If the Owner fails to comply with the terms of the Notice to Proceed, any approval given shall be deemed revoked.

The Owner shall, in any event, complete the construction of the foundation and all exterior surfaces (including the roof, exterior walls, windows,

and doors) of any Homesite, Home and/or Improvements or Home on the Homesite within 12 months after commencing construction except when, and for so long as, such completion is rendered impossible due to strikes, fires, national emergencies, or natural calamities.

The Owner shall take responsibility for Homesite landscape maintenance if construction does not commence within 2 years of closing. Minimum requirements include hydro-seeding of any exposed topsoil and removal of debris from a Homesite. Additionally, landscape installation shall take place within three months of the issuance of an occupancy permit, unless further delayed due to seasonal constraints, and in any event landscaping shall be completed within twelve months of issuance of an occupancy permit.

If the Owner fails to comply with the timelines set out in this Section, the DRC may notify the Developer of such failure and the Developer may exercise any remedy available at law.

5.6.5 VERIFICATION SURVEY OF FLOOR

Prior to construction of walls, the Contractor shall submit to the DRC a verification form attached as Appendix D.7 prepared by a BCLS indicating elevation of main floor area below highest roof form. If the elevation recorded in the verification form is different than shown in the approved Final Design Submittal, a revised Final Design Submittal shall be submitted in accordance with the provisions of Section 5.4. All construction on the Home shall cease until a revised Final Design Submittal has been approved by the DRC in accordance with Section 5.4.

5.6.6 VERIFICATION OF SURVEY OF ROOF

After structural roofing deck is completed and prior to installation of finish, the contractor shall submit to the DRC a verification form attached as Appendix D.8 from a BCLS indicating the elevation from mean sea level of roof points closest to the Height Plane as shown in the Final Design Submittals. If the elevations recorded in the verification form are higher than shown in the approved Final Design Submittal, a revised Final Design Submittal shall be submitted in accordance with the provisions of Section 5.4 of the Design Guidelines. All construction on the roof shall cease until a revised

Final Design Submittal has been approved by the DRC in accordance with Section 5.4 of the Design Guidelines.

5.7 FINAL INSPECTION – BUILDING (DESIGN REVIEW PROCESS - PART F)

5.7.1 NOTICE OF COMPLETION - BUILDING

Upon completion of a Home and Improvements for which Final Design Approval was given by the DRC, the Owner shall send written notice by registered mail of completion to the DRC prior to occupancy. The notice shall include a certificate of completion signed by the Owner's Designated Designer verifying completion of the Home and Improvements in accordance with approved Final Design Submittals and the Design Guidelines.

5.7.2 CERTIFICATE OF COMPLIANCE - BUILDING

Within 30 days after written request delivered to the DRC by the Owner, and receipt of the notice of completion in Section 5.7.1, the DRC will inspect the Home and Improvements. After such inspection the DRC shall deliver to the Owner a Certificate of Compliance/Non-Compliance – Building in the form attached as Appendix D.9 certifying that as of the date thereof either (1) the Home and all Improvements (excluding landscaping) and other work made or done upon or within the Homesite by the Owner, comply with the Design Guidelines or, (2) such Home or Improvements and/or work do not so comply, in which event the Certificate shall also (a) identify the non-complying Home or Improvements and/or work and, (b) set forth with particularity the cause for such non-compliance. The Owner shall have 30 days from the date of receipt of a certificate of non-compliance to remedy all discrepancies. If the Owner fails to remedy the discrepancies within 30 days or such other time set forth in the certificate of non-compliance, the Developer may exercise any remedy available at law.

5.8 FINAL INSPECTION - LANDSCAPE (DESIGN REVIEW PROCESS - PART G)

5.8.1 NOTICE OF COMPLETION - LANDSCAPE

Upon completion of all landscaping for which Final Design Approval was given by the DRC, the Owner shall send written notice by registered mail of completion to the DRC. The Notice shall include a certificate of completion signed by the Owner's Designated Landscape Designer verifying completion of landscaping in accordance with the approved Final Design Submittals and the Design Guidelines.

5.8.2 CERTIFICATE OF COMPLIANCE - LANDSCAPE

Within 30 days after written request is delivered to the DRC by the Owner and receipt of the completion certificate in accordance with Section 5.8.1 the DRC will inspect the landscaping. After such inspection the DRC shall deliver to the Owner a Certificate of Compliance/Non-Compliance – Landscape in the form attached as Appendix D.10 certifying with respect to the Homesite, that as of the date thereof either (1) all landscaping complies with the Design Guidelines, or (2) such landscaping does not so comply, in which event the Certificate shall also (a) identify the non-complying landscaping; and (b) set forth with particularity the cause or causes for such non-compliance. The Owner shall have 30 days from the date of receipt of Certificate of Non-Compliance to remedy such defect. If the Owner fails to remedy such defect within 30 days or such other time set forth in the Certificate of Non-Compliance, the Developer may exercise any remedy available at law.

5.9 REMEDIES FOR NON-COMPLIANCE

In the event the DRC determines that the Owner has not complied with the approved Final Design Submittal or Design Guidelines, the DRC may notify the Owner in writing of the non-compliance (the "Non-Compliance Notice") together with the time required to remedy the non-compliance in accordance with the timelines provided for in the Design Guidelines or as may be established by the DRC. The rights and remedies of the Developer in the event of non-compliance shall be as set out in any Covenant, Restrictive Covenant or other encumbrance then registered against title to the Homesite or otherwise available at law, which rights and remedies shall supersede and prevail to the extent of any inconsistency with the rights and

remedies set out herein. Such remedies will include, but not be limited to, the following, all of which shall be cumulative and not alternative:

- **Contract Remedies:** The Developer shall have the right to exercise any of its remedies, including, without limitation, any options and the forfeiture of the Compliance Deposit or any other deposits described in the Contract of Purchase and Sale of the Homesite between the Developer and Owner or as set out in the Disclosure Statement or otherwise registered against title to the Homesite;
- **Right of Entry:** The Developer shall have the right to enter the Home and Homesite, without being liable to any prosecution therefore to remedy any defects and/or make such repairs as in the Developer's sole discretion are necessary to facilitate compliance with the Design Guidelines or any approvals granted by the DRC. All expenses and costs of such entry including costs to remedy any defects or make repairs shall be due and payable by the Owner to the Developer immediately upon demand therefore and such costs or expenses or any portion thereof shall, at the option of the Developer, be paid and deducted from the Compliance Deposit or any other deposits described in the Contract of Purchase and Sale of the Homesite between the Developer and Owner;
- **Court Order:** Obtain an Order of a Court of competent jurisdiction for an appropriate remedy including injunctive relief, damages or costs. All costs for such Court application including solicitor's fees shall be due and payable by the Owner to the Developer immediately upon demand therefore and such costs or expenses or any portion thereof may, at the option of the Developer, be paid and deducted from the Compliance Deposit or any other deposits described in the Contract of Purchase and Sale of the Homesite between the Developer and Owner; or
- **Other Financial Remedies:** The Developer may in its absolute discretion levy assessments against the Owner by way of compensation for damages incurred as a result of such non-compliance, which assessments or any portion thereof may, at the option of the Developer, be paid and deducted from the Compliance Deposit or any other deposits described in the Contract of Purchase and Sale of the Homesite between the Developer and Owner.



6

Construction Guidelines

In order to assure that adjacent properties are not unreasonably inconvenienced during construction, and that construction is carried out expeditiously and professionally, the following Construction Guidelines shall be incorporated by reference into construction contract documents for all Homes and/or other Improvements at Adventure Bay. All Contractors and Owners shall be bound by these Construction Guidelines and any breach by a Contractor shall be deemed to be a breach by the Owner.

6.1 PRE-CONSTRUCTION CONFERENCE

Refer to Section 5.6

6.2 CONSTRUCTION TRAILERS, PORTABLE FIELD OFFICES, ETC.

Any Owner or Contractor who desires to bring a construction trailer, field office, or like to the Homesite shall first apply for and obtain written approval from the DRC. The application shall include a copy of the Designated Designer's site plan marked up with the proposed locations of the construction trailer or field office, portable toilet, and trash receptacle, etc. within the Homesite boundaries. Such temporary structures shall be removed

promptly upon completion of construction. No temporary overnight accommodation on a Homesite shall be permitted during construction, unless justified for security purposes and approved by the DRC.

6.3 CONSTRUCTION FENCING

When undertaking any grading or excavation activity, the Contractor shall stake the perimeter of the Development Area with 1.5m "T" posts, or along Top of Bank, where identified. Yellow flagging shall be secured to posts around the entirety of the Development Area. An orange snow fence at least 1.0m high shall be installed to protect the adjacent natural landscape and properties from damage during construction operations. The fence shall follow the approved plan submittal and shall have a single point of access located at the road entrance, and shall be maintained intact until the completion of construction, at which time it must be removed.

6.4 CONSTRUCTION SIGNAGE

Temporary construction signage shall be limited to one sign per Homesite not to exceed six (6) square feet of total surface area, including requisite City of Vernon building signage. The sign shall be free standing and its design and location within the Homesite shall be subject to approval by the DRC. All signage is to be removed promptly following completion of the work.

6.5 EXCAVATION MATERIALS

House excavation or construction shall not undermine the slope stability of any road base or natural area. Adequate temporary and/or permanent earth retention measures must be taken to ensure continued stability of neighboring properties. The Contractor must monitor provisional drainage courses during construction to avoid erosion onto neighboring Homesites and deposit of solids into storm drains. Homesite Owners/Contractors will be responsible for rectifying any damage caused to other properties during construction.

Contractors must ensure that all excavation material is kept within the confines of the Homesite. Any spillage onto roads, sidewalk or neighboring Homesites must be removed promptly or the Developer may arrange for its removal at the expense

of the Owner. Excess excavation material must be hauled away from Adventure Bay unless the Developer identifies an area where material can be dumped or temporarily stockpiled outside of the Homesite boundary.

6.6 EROSION CONTROL

During construction, erosion run-off must be controlled on exposed cut and/or fill slopes through proper soil stabilization, water control and re-vegetation. The Owner and Contractor are responsible for implementation of erosion control techniques, and damage that may result from inadequate control measures. Grading operations must be suspended during and following heavy rains. All topsoil disturbed by grading operations must be temporarily stockpiled so that blowing dust is controlled pending reuse of the topsoil for site restoration and landscaping.

6.7 BLASTING

Prior to blasting the DRC must be given notice. Applicable government regulations concerning blasting must be observed. Blasting techniques shall be selected and monitored to assure no impact on adjacent public or private lands.

6.8 DEBRIS & GARBAGE REMOVAL

Homesite Owners and Contractors are required to keep the Homesite, as well as public-realm roadways to and from the building site, clean and orderly during construction. Garbage bins must be provided on site. No material or debris shall be stored on adjacent properties. If a construction site is not properly maintained, the DRC may issue the Owner with a written notice to clean up the site or the public access to the site. If the matter is not addressed promptly, the DRC take necessary action at the expense of the Owner. If the Owner fails to pay an invoice for the work carried out by the DRC, the invoice amount may be paid from the Compliance Deposit. Periodic street cleaning and snow clearing may be undertaken by the Developer with costs shared by all Owners with Homesites under construction.

Garbage bins must be emptied frequently. Lightweight material, packaging, and other items shall be covered or weighted down to prevent them

from being blown from the construction site. Contractors are prohibited from dumping, burying, or burning garbage anywhere at Adventure Bay.

6.9 DUST & NOISE

The Contractor shall be responsible for controlling dust and noise including and without limitation, music from the construction site. Abusive language by construction workers will not be tolerated.

6.10 CONSTRUCTION ACCESS

The only permissible construction access will be over the approved driveway within the Homesite unless the DRC approves an alternative access point.

6.11 DAILY OPERATION

Daily working hours for each construction site shall extend between the hours of 7am – 6pm weekdays and 9am – 4pm weekends and statutory holidays unless otherwise approved by the DRC.

6.12 VEHICLES & PARKING AREAS

Construction crews shall not park on or otherwise enter upon other Homesites or any natural open space. Private and construction vehicles and machinery shall be parked within the Homesite or in areas designated by the DRC.

6.13 TRAFFIC FLOW

The Contractor is responsible for coordinating deliveries and equipment in such a manner as to keep public roads open and prevent damage to the roads, curbs, sidewalks, utilities, etc., in compliance with City of Vernon regulations.

Before a large delivery truck, tractor, crane or boom truck can be used on a Homesite it will be necessary for the Contractor to contact the Developer's construction office to coordinate the following:

- Size of equipment;
- Number of support vehicles;
- Destination;

- Parking required;
- Assembly issues;
- Duration of use;
- Repair of any damage to streets and/or vegetation;
- Time of delivery.

6.14 SPEED LIMITS

Ministry of Transportation speed limits are to be obeyed throughout Adventure Bay.

6.15 POWER GENERATORS

Contractors shall provide their own power generators during construction. Government rules and regulations must be adhered to relative to operation of equipment, fuel use and storage, fire abatement, etc.

6.16 SANITARY FACILITIES

Each Contractor shall be responsible for providing adequate sanitary facilities for its construction workers. Portable toilets or similar temporary toilet facilities shall be located only within the approved Homesite in areas approved by the DRC.

6.17 COMMON COURTESY

The impact of any construction on neighbors must be kept to an absolute minimum. Issues include: parking, use of portable toilets, construction crew pets (which must be kept on a leash at all times and must not bark excessively), radios, borrowing power, water or phone from the neighboring properties, and smoking, and use of profane language. A conscious effort shall be made at all times to ensure that common courtesy is given to neighbors at all times. As a precaution against fires, smoking should be restricted to areas that do not contain combustible building materials or plants.

6.18 CONSTRUCTION PRIORITY

Construction of public roadways, services and amenities will take priority over Homesite construction. Contractors shall coordinate with the Developer for Homesite access to avoid conflicts during active construction of public infrastructure.

6.19 RESTORATION OR REPAIR OF OTHER PROPERTY DAMAGES

Damage to other property resulting from construction operations on a Homesite must be promptly repaired at the expense of the Owner of the Homesite under construction.

6.20 CONSTRUCTION MATERIALS

All on-site construction materials shall be properly secured so that they do not attract children who might be injured. Construction materials should be bundled to discourage vandalism and theft. Toxic and flammable construction materials should be stored in purpose built sealed containers when they are not being actively accessed. Packaging should be collected and bound for daily disposal into bins or off site.

APPENDIX B

Definitions of Terms

Unless the context otherwise specifies or requires, the following words or phrases when used in these

B.1 “Accessory Structure” means a structure that is not a habitable building, including but not limited to a trellis, gazebo, detached deck, lattice, and enclosure within the boundaries of a Lot.

B.2 “Adventure Bay” means that area of land described under “Development” below.

B.3 “Approving Authority” means the Developer or such individual(s) as the Developer may designate from time to time as its Approving Authority hereunder. When the Developer, or one or more subsequent developers to whom Tavistock or one of the subsequent developers has transferred residual development land and/or registered Homesites, no longer owns any residual development land or registered Homesites, the Association shall become the Approving Authority.

B.4 “Approval Notice” has the meaning given in Section 5.

B.5 “Architect” means a person licensed to practice Architecture in the Province of British Columbia.

B.6 “Association” means the association of Adventure Bay Homeowners.

B.7 “Board of Directors” means the governing body of the Association.

B.8 “British Columbia Landscape Standard” means the document of acceptable landscape constructions practices for the Province of BC as agreed upon by the BCSLA, the BCLNA, government authorities and other industry associations.

B.9 “Building” means a structure wholly or partly covered by a roof or roofs supported by walls or columns and used for the shelter or accommodation of persons, animals, chattels or things.

B.10 “Building Envelope” or **“Envelope”** means the area on the Homesite where Improvements can be made, as approved by the DRC.

B.11 “City” means the City of Vernon.

Guidelines shall have the following specific meanings. If any conflict exists between these definitions and those contained in an applicable Disclosure Statement or Building Scheme, then the provisions contained in the applicable Disclosure Statement or Building Scheme shall govern.

B.12 “Compliance Deposit” means a conditionally refundable deposit paid in accordance with the terms and conditions in the Contract of Purchase and Sale made between the Developer and the Owner with respect to the purchase of the Homesite, or as required by the Design Guidelines.

B.13 “Consolidated Lots” means the legally recorded consolidation of two or more lots into one lot with one plan number. If consolidation is proposed by an Owner it may be approved with restrictions or not approved.

B.14 “Cut” means any removal of earth, rock, or other materials from the surface of the land, thereby decreasing the natural surface elevation.

B.15 “Designated Building Contractor(s)” means a licensed building contractor that has been approved in writing by the Approving Authority to contract to build Homes and other Improvements within Adventure Bay.

B.16 “Designated Designer” means an Architect or a Home Designer approved by the DRC in accordance with these Guidelines.

B.17 “Design Guidelines” means the Design Guidelines established by the Approving Authority including its restrictions, procedures and regulations relating to the Property as set forth herein, as amended, adopted and enforced by the Design Review Committee from time to time.

B.18 “Design Review Committee” (DRC) means the entity designated by the Approving Authority to make decisions regarding matters set forth in the Building Scheme and the Design Guidelines.

B.19 “Designated Landscape Practitioner” means a person approved by the DRC to provide landscape design and installation services at Adventure Bay.

B.20 “Development” means certain Lots lying within PID 024-266-507 Lot A District Lot 298 Osoyoos Division Yale District Plan KAP62807, PID 009-361-

375, District Lot 298 Osoyoos Division Yale District Except Plans 8548, 11523, 11548, 11549 and 12357 and PID 024-203-751, Lot B District Lot 296 Osoyoos Division Yale District Plan KAP62270 in the development known as Adventure Bay Resort Community.

B.21 “Development Area” means the portion of a Homesite in, on, over or under which an Owner can make an Improvement as approved in writing by DRC.

B.22 “Developer” means Tavistock Properties Ltd. or Designee.

B.23 “Easement” means a defined easement or right of way registered against the title of a Lot.

B.24 “Environmental Management Area” (“EMA”) means the portion of a Homesite outside the Development Area, subject to use restrictions by the DRC.

B.25 “Excavation” means any disturbance of the surface of the land (except to the extent reasonably necessary for planting approved vegetation), including any trenching which results in the removal of earth, rock or other substances from a depth of more than 12 inches below the natural surface of the land, or any grading of the surface.

B.26 “Fence(s)” or “Fencing” means a fence located on a Lot and includes a wall or other constructed screen.

B.27 “Fill” means any addition of earth, rock or other materials to the surface of the land which increases the natural surface elevation.

B.28 “Final Design Submittal” means the Submittal by the Owner of the Final Design Review Application Form, as outlined in Appendix D.3 together with those materials requested by the DRC in accordance with Section 5.

B.29 “Form” means the Home’s physical shape and massing.

B.30 “Guesthouse” means a secondary structure with liveable space, either attached or detached.

B.31 “Home” means the dwelling constructed within an identified Homesite.

B.32 “Homesite” means the individual Lot as shown on the plan of subdivision of the Property registered at the Land Title Office.

B.33 “Homesite Plan” is a drawing of each individual lot in the various phases of Adventure Bay. This drawing lists particular information for a Homesite.

B.34 “Improvement” means any change to the natural conditions of the Homesite, built or otherwise including the construction of a Home or installation of any landscaping.

B.35 “Landscape Practitioner” means a person approved by the DRC to provide landscape design and installation services at Adventure Bay.

B.36 “Living Area” means those spaces located within the exterior building walls of the main Home and any Guesthouse, but excluding Accessory Structures, garages, covered terraces and patios or storage areas that are only accessible from the exterior or from the garage.

B.37 “Lot(s)” means fee simple single-family residential building lots created within the Development, and Strata Lots, all as shown on the plan of subdivision registered at the Kamloops Land Title Office. In these Design Guidelines, Lots are sometimes referred to as “Homesites”.

B.38 “Maximum Roof Elevation” means the maximum height of a Home, as determined by the Average Homesite Elevation described in Section 3.5.

B.39 “Maximum Overall Building Height” means the maximum height of a Home measured vertically from the highest point or roof ridge to the proposed finished grade at the lowest point adjacent to the building face, inclusive of site retaining walls and terraces.

B.40 “Owner(s)” means the owner(s) of a Lot from time to time.

B.41 “Plans and Specifications” means plans and specifications for the siting, orientation, size, design and construction of a Home, Accessory Structures, or other Improvements on a Lot, containing such particulars as the DRC may require.

B.42 “Policies and Procedures” means rules and regulations adopted by the Approving Authority or the DRC from time to time.

B.43 “Preconstruction Maintenance Deposit” means a conditionally refundable deposit currently in the amount of \$2,500.00 as required by these Design Guidelines.

B.44 “Preliminary Design Submittal” means submittal of the Preliminary Design Review Application form, as outlined in Appendix D.2, together with those supporting materials requested by the DRC in accordance with Section 5.

B.45 “Professional Engineer” means a person licensed to practice Engineering in British Columbia.

B.46 “Property” means Adventure Bay. See definition of “Adventure Bay”.

B.47 “P5 Land(s)” means land within the Development that has been zoned P5 by the City.

B.48 “Regional District” means the North Okanagan Regional District in the Province of British Columbia.

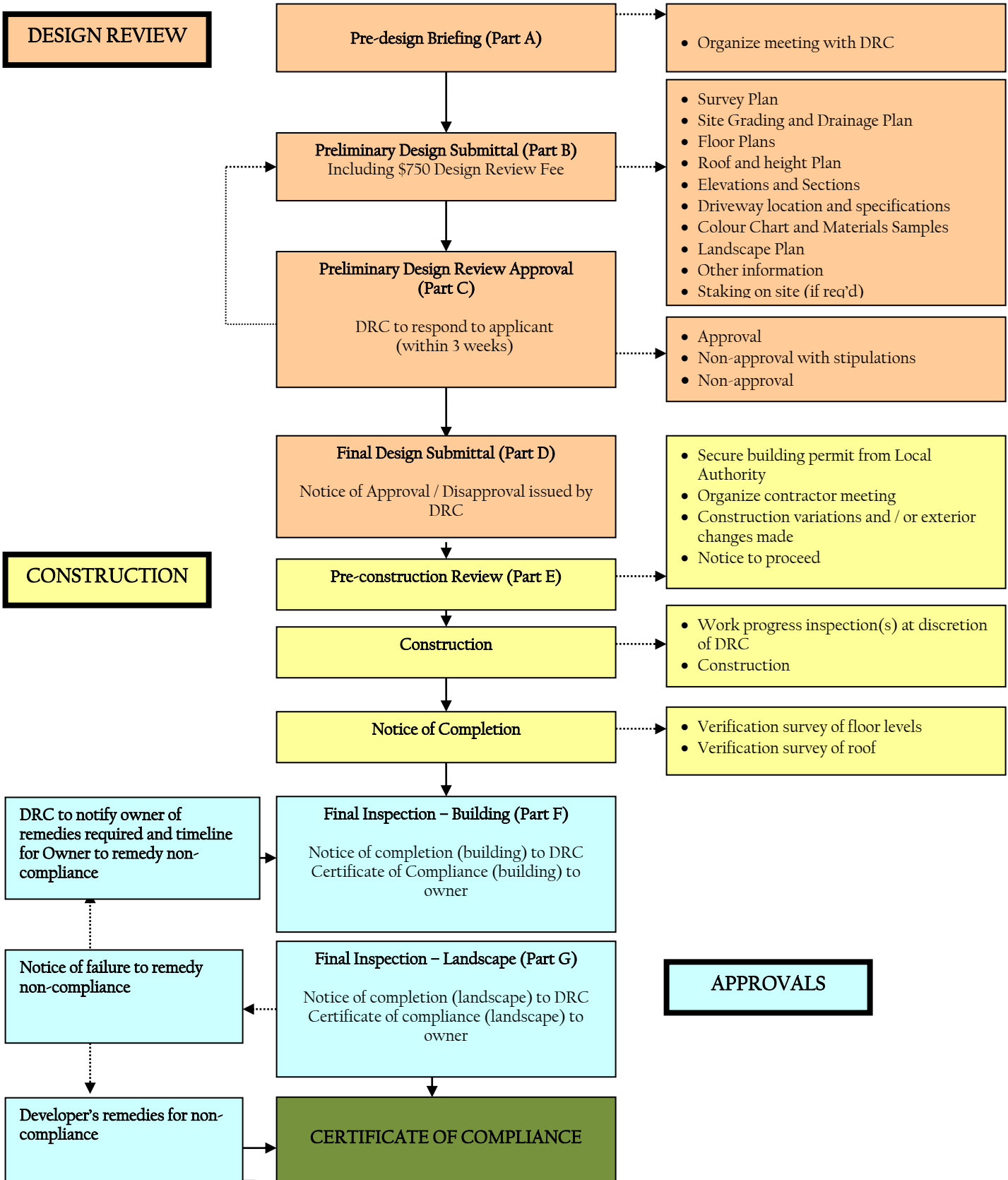
B.49 “Restrictive Covenants” means the defined restrictions registered against title to a Homesite.

B.50 “Statutory Rights of Way” See definition in the Adventure Bay Disclosure Statement.

B.51 “Street(s)” or “Roads” means those areas which are depicted as public or private streets or roads on the subdivision plans recorded by the Developer.

B.52 “Xeriscape Landscaping” means landscaping that conserves water and protects the environment, as outlined in the Landscape Guidelines.

APPENDIX C
Design Review Process Flow Chart



APPENDIX D.1

PRELIMINARY DESIGN REVIEW APPLICATION

Project Name: _____

Legal: _____

PID No.: _____

Owner's Name: _____

Address: _____ Phone: _____

Email: _____ Fax: _____

Owner's Agent: _____

Address: _____ Phone: _____

Email: _____ Fax: _____

Designated Designer: _____

Address: _____ Phone: _____

Email: _____ Fax: _____

Contractor: _____

Address: _____ Phone: _____

Email: _____ Fax: _____

Designated Landscape Designer: _____

Address: _____ Phone: _____

Email: _____ Fax: _____

Geotechnical Engineer: _____

Address: _____ Phone: _____

Email: _____ Fax: _____

To be completed by Reviewer:

Submittal Date: _____

Meeting Date: _____

Submit one full size set of plans to scale and one set of plans 11" X 17" of the following, where applicable;

1. Survey plan;
2. Site Plan
3. Floor Plan;
4. Roof Plan and Height Plane Analysis;
5. Elevations and Sections;
6. Colour Chart and Material Samples;
7. Preliminary Landscape Plan;
8. Scale Model or High-definition 3-D Computer Graphic;
9. Any other drawings, photos, material or information; and,
10. Letter of Authorization from Owner.

APPENDIX D.2

PRELIMINARY HOMESITE INFORMATION

Information should be provided in layout below and placed on cover sheet or Site Plan of Preliminary Design Submittal

Project: _____

Owner's Name: _____

Address: _____

Legal: _____

PID No.: _____

HOMESITE INFORMATION

Homesite Area	_____ square metres	_____ square feet
Development Area	_____ square metres	_____ square feet
Building Envelope	_____ square metres	_____ square feet
Building Area	_____ square metres	_____ square feet
Interior	_____ square metres	_____ square feet
Courtyard	_____ square metres	_____ square feet
Garage	_____ square metres	_____ square feet
Total Building Footprint	_____ square metres	_____ square feet

ROOF INFORMATION

Sloped Roof	_____ square metres	_____ square feet
Flat Roof Area	_____ square metres	_____ square feet
Total Roof Area	_____ square metres	_____ square feet

APPENDIX D.3

FINAL DESIGN SUBMITTAL

Project Name: _____

Home-site Address: _____

PID No.: _____

Owner's Name: _____

Address: _____ Phone No.: _____

Submit one full size sets of plans to scale and one set of plans 11 ½" X 17" of the following, where applicable;

1. Construction Plans and Specifications;
2. Survey;
3. Site Plan;
4. Floor Plans;
5. Roof Plan and Height Plane Analysis;
6. Elevation and Sections;
7. Driveway Location and Specifications
8. Color Chart Specifications; Material Samples and Specifications;
9. Landscape Plan;
10. Any other drawings, photos, materials or information requested by the DRC or as needed to clarify the submittal.

APPENDIX D.4

FINAL DESIGN APPROVAL



A D V E N T U R E B A Y

FINAL DESIGN APPROVAL

Owner(s) _____

Home-site #: _____

Street Address: _____

The Owner's Final Design Submittal is consistent with the Design Guidelines and has received approval. The Owner may proceed to obtain a Building Permit from the City of Vernon based on the approved Final Design Submittal. Prior to commencing construction the Owner and the Owner's Contractor are required to complete and submit to the DRC the Pre-Construction Meeting Checklist Form (Appendix C.5) together with the documents noted therein and attend a meeting with the DRC to review the documents and procedures in accordance with the Design Guidelines

Design Review Committee

Date

APPENDIX D.5

PRE-CONSTRUCTION MEETING ACKNOWLEDGMENT & CHECKLIST

Dear Contractor:

The Spirit and success of *Adventure Bay* is based on open communication with the design and construction team.

To ease you through the construction process, the Design Review Committee has developed a package of information that communicates specific Design Guidelines to be distributed at the Pre-Construction Meeting that details the construction process. Please sign below stating that you have received and will review the information included in the Pre-Construction Meeting Package. Please retain one package for your records and return one signed copy to *Adventure Bay* DRC.

If you have questions regarding the information contained in the package, please contact the Architectural Review Coordinator to review the items in question.

I, _____, the Contractor (or Agent acting on behalf of the Owner) of Home-site Number _____, acknowledge receipt of the following items:

- Notice to Proceed (Appendix D.6)
- Design Guidelines
- Verification Survey of Finish Floors (Appendix D.7)
- Verification Survey of Roof (Appendix D.8)
- Environmental Policies and Protocols
- Contract Information Sheet

Contractor/Agent Signature

Date

Pre-Construction Meeting Checklist:

1. Contractor's Home Warranty License and Home Warranty and Liability Insurance information;
2. Construction Schedule;
3. Construction Area Plan illustrating Development Area fencing; and,
4. Photographs (labeled) of Home-site and surrounding Properties prior to Construction.

Architectural Review Board

Date

APPENDIX D.6

NOTICE TO PROCEED



NOTICE TO PROCEED

Owner(s) _____

Home-site # _____

Street Address: _____

The Owner's Building Permit is consistent with the approved Final Design Submittal and the Design Guidelines. The Owner may commence construction in accordance with the issued Building Permit, approved Final Design Submittal and the Design Guidelines.

Architectural Review Board

Date



APPENDIX D.7

VERIFICATION SURVEY OF FINISH FLOORS

To be completed and returned to *The Terraces at Adventure Bay* ARB upon completion of finished main floors

Notice is hereby given that:

In regard to the Home and Improvements located at *Adventure Bay*

Home-site Number _____ Phase _____

Street Address _____

The finished floor elevations _____, _____, _____, _____,
based on mean sea level, of the described property, has been constructed in accordance with the Architectural
Review Board's written approval of the Final Design Submittal.

Builder/Contractor Name (Print or Type) Civil Engineer/Land Surveyors

Signature

Signature

Date

Date



APPENDIX D.8

VERIFICATION SURVEY OF ROOF

To be completed and returned to *Adventure Bay* DRC upon completion of finished floors

Notice is hereby given that:

In regard to the Home and Improvements located at *Adventure Bay*

Home-site Number _____ Phase _____

Street Address _____

The finished roof elevations _____, based on mean sea level, of the described property, has been constructed in accordance with the Architectural Review Board's written approval of the Final Design Submittal.

Builder/Contractor Name (Print or Type) Civil Engineer/Land Surveyors

Signature

Signature

Date

Date

APPENDIX D.9

CERTIFICATE OF COMPLIANCE/NON-COMPLIANCE - BUILDING



CERTIFICATE OF COMPLIANCE/NON-COMPLIANCE - BUILDING

Owner(s) _____

Lot # _____ Phase # _____

Street Address: _____

As of _____, 20__, all Improvements including the Home and other work made or done upon or within the Home-site by the Owner (excluding Landscaping) comply with the approved Final Design Submittal and Design Guidelines for *Adventure Bay*.

- Non-complying Improvements _____
- Cause or causes of non-compliance _____

Design Review Committee

Date

APPENDIX D.10

CERTIFICATE OF COMPLIANCE/NON-COMPLIANCE - LANDSCAPING



CERTIFICATE OF COMPLIANCE/NON-COMPLIANCE - LANDSCAPING

Owner(s) _____

Lot #: _____ Phase # _____

Street Address: _____

As of _____, 20__, all Landscaping work made or done upon or within said Home-site by the Owner (excluding Building) comply with the approved Final Design Submittal and Design Guidelines for *Adventure Bay*.

- Non-complying Landscaping _____
- Cause or causes of non-compliance _____

Design Review Committee

Date

APPENDIX E

CRITERIA FOR SELECTING A CONTRACTOR

To assure a consistently high level of residential construction at Adventure Bay, contractors must be approved by the Approving Authority. The Approving Authority requires the following information to facilitate evaluation of contractor qualifications. A contractor approved for construction of one home may not necessarily qualify to build additional homes concurrently if at the sole discretion of the Approving Authority the building capacity of the contractor has been reached or there are outstanding issues with previously built houses. As a condition of approving a Builder for construction of each home, the Approving Authority may require the builder to provide a copy of the contemplated construction contract. The Approving Authority, the Developer and the Design Review Committee may approve a contractor based solely on information provided to the DRC, and none of these entities shall assume responsibility for approving a contractor based on information provided by the contractor nor for the successful outcome of the building project.

An Owner desiring to retain the services of a contractor at Adventure Bay must submit answers to the following questions:

- Name of contracting company?

- Contact information - address, phones, e-mail, fax:

- Corporation or sole proprietorship?

- WCB # and GST #?

- Company owner? Contact Information.

- Name of proposed foreman? Contact information.

- Licensed as a builder in BC / Vernon for how long?

- Building License number?

- Insurance coverage – insurance agency, insurer and liability limit? Contacts information.

- Warranty provider? Maximum single-family homes permitted for construction at one time?
Number of SFR currently under contract? Under construction?

- Bank reference – bank name, branch address, phone, and bank officer responsible for account:

- Authorization to communicate with bank officer:

- Number of years in business under this name?

- Number of homes completed in 2014, 2015 & 2016?

- Current single family home construction projects underway?
Percent of each project completed to date?

- Addresses of 3 homes that you have completed in the past 3 years that reflect the same level of quality that is expected at Adventure Bay:

- Name and e-mail addresses of owners of current construction projects.
E-mail contact information and phone number of owners of three most recent homes completed.

- Active or pending litigation?

- Previous litigation within past five years?

- Major equipment owned or leased?

- Three trade references (include contact information) in Vernon:

- Other relevant information?

APPENDIX F

Designated Building Contractor – Adventure Bay

Per Appendix B, Definition of Terms, B.15 “Designated Building Contractor(s)” means a licensed building contractor that has been approved in writing by the Approving Authority to contract to build Homes and other Improvements within Adventure Bay.

Each designated Building Contractor shall fill out the attached form and submit it to the Approving Authority of Tavistock Properties Ltd. / Lakeside Development Corporation.

The Approving Authority (as applicable) will review submitted forms and respond to the applicant.

No applicant shall execute a contract to build a residence at Adventure Bay unless and until the application form is approved in writing by the Approving Authority.

Neither Tavistock Properties Ltd., Lakeside Development Corporation, nor their owners and directors, shall be liable to a Lot Owner for any consequences resulting from a Lot Owner executing a contract a Designated Building Contractor.

Each Lot Owner at Adventure Bay who contracts with a Designated Building Contractor assumes all responsibility (and Tavistock and Lakeside assume no responsibility) for reviewing the terms of any construction contract on behalf of a Lot Owner.

Neither Tavistock nor Lakeside has verified that information provided by an applicant is complete or accurate. The Lot Owner is responsible for independently verifying the capabilities, experience and qualifications of their selected building contractor.

All contracts between an Adventure Bay Lot Owner and a Designated Building Contractor must include provisions, inter alia, for completion of all stages of construction, including landscaping, site work, concrete and/or block retaining walls, earthen or other structures that may be required between adjacent lots, lot clean-up during construction, submission of all plans in a timely manner as required by the Design Guidelines including but not limited to site layout, complete construction drawings, exterior specifications, detailed landscape plans with specifications, adequate insurance, and other provisions required from time to time by the DRC.

Each Lot Owner must provide a notarized statement to the DRC that the Builder has authority to act on behalf of the Owner with respect to decisions the Builder makes in the ordinary course of construction.

Neither Tavistock nor Lakeside undertakes a detailed review of the contents of contracts between Designated Building Contractors and Lot Owners. Neither Tavistock nor Lakeside nor the Approving Authority assumes any responsibility to the Designated Building Contractor nor to the lot owner to provide comments on provisions of the contract between the Lot Owner and the Designated Building Contractor, but the Approving Authority may at its sole discretion, issue a written or oral report to the Lot Owner and/or to the DBC.

Notwithstanding favourable responses to the questions on the attached “Criteria for Selecting a Contractor” form, the DRC reserves the right to determine if the contractor has adequate and appropriate experience and that they understand the goals and objectives of the Adventure Bay development and Design Guidelines.

The Approving Authority may terminate approval at any time for a Designated Building Contractor to enter into new contracts to build homes at Adventure Bay. Notwithstanding, a Designated Building Contractor shall have twelve months from receipt of a termination notice, to complete any homes currently under construction.

Designated Building Contractor status must be renewed annually, as of January 1 or each year. The Approving Authority will evaluate all circumstances it deems to be relevant, and the DRC will request additional information it deems to be required, upon receipt of an updated application from the Designated Building Contractor. The DRC will review

renewal applications for the following calendar year starting on September 1, to allow sufficient time to evaluate applications and notify applicants prior to the end of the calendar year. Notwithstanding, a Designated Building Contractor in good standing shall be entitled to complete construction of any homes already in progress.

During the course of construction, and prior to issuance of a Certificate of Completion by the DRC for a house at Adventure Bay, an approved builder desiring to contract and build a second, and subsequent house or houses, must receive written approval from the Approving Authority.

A designated builder may not start construction including site preparation, site work or construction of a second or subsequent home at Adventure Bay following notice from the Developer of deficiencies/non compliance on a Lot or home already under construction.

Prior to the start of any activity on a lot, including excavation of any kind, the contractor shall post a security deposit in the amount of \$5,000 in cash or other acceptable security, or such other amount as may be indicated in the current Design Guidelines, which funds shall be retained and used by the Approving Authority at its sole discretion to draw funds for a) site cleaning and relocation to a storage area on or off the Lot of construction materials left by the Builder, his contractors, subcontractors or suppliers on the Lot, land or lots owned by others, roadways, P5 lands, etc. b) haul excess construction materials to a waste site, c) repair of damage to public property including sidewalks, streets and utilities, d) such other requirements deemed necessary by the DRC to comply with these Design Guidelines. The Developer shall provide 24 hours notice by e-mail to the contractor at his regular e-mail address, prior to drawing funds from the security deposit for the purposes itemized above. Immediately upon using the funds, within 72 hours, the contractor shall reinstate the security deposit in full to the Developer, and thereafter if funds have not been received by the Developer, all work at the site shall stop, except work that is deemed necessary by the contractor acting reasonably to prevent damage to the construction or the site.

Final approval by the DRC upon completion of a home, site work and landscaping, shall be provided only upon receipt of Notice of Completion from the Builder acting as representative of the Owner, whereupon the DRC shall undertake an inspection to verify completion of all aspects of the construction and site work in accordance with the original site work and landscape plans, as amended and approved in writing during the course of construction.