

**ALBERTA GOVERNMENT SERVICES
LAND TITLES OFFICE**

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RESTRICTIVE COVENANT

TO : THE REGISTRAR
OF THE NORTH ALBERTA LAND REGISTRATION
DISTRICT LAND TITLES OFFICE
EDMONTON, ALBERTA

WHEREAS:

- A. CANCOM DEVELOPMENT LTD. is the registered owner of the Dominant Lands and the Servient Lands described in Schedule "A" hereto situate in the County of Leduc.
- B. CANCOM DEVELOPMENT LTD. intends to impose a scheme of mutually enforceable restrictions with respect to the use and improvements of the Lands and buildings thereon in order to preserve the integrity of the Subdivision.

NOW THEREFORE CANCOM DEVELOPMENT LTD. does hereby declare, establish, impose and annex to the Servient Lands and each and every portion thereof for the benefit of the Dominant Lands, the following stipulations, restrictions and provisions to run with the Lands and be binding upon the registered owners from time to time of the Lots:

- 1. In this Restrictive Covenant, including the preamble, the following words and expressions shall have the meaning herein set forth:
 - (a) "Architectural Guidelines" means the restrictions, limitations and provisions set forth in the Architectural Controls attached as Schedule "C" hereto;
 - (b) "Association" means Royal Oaks Leduc County Homeowners Association;
 - (c) "Conservation Restrictions" means the restrictions, limitations and provisions set forth in Schedule "D" hereto;
 - (d) "Disturbed Soil Restrictions" means the restrictions, limitations and provisions set forth in Schedule "D" hereto;
 - (e) "Dominant Lands" means the lands described as such in Schedule "A" hereto;
 - (f) "Fencing Restrictions" means the restrictions, limitations and provisions set forth in Schedule "D" hereto;
 - (g) "Freeboard Restrictions" means the restrictions, limitations and provisions set forth in Schedule "D" hereto;
 - (h) "Grantee" means Cancom Development Ltd. and its successors in title to the Dominant Lands;
 - (i) "Grantor" means Cancom Development Ltd. and its successors in title to the Servient Lands;
 - (j) "Lands" means the Dominant Lands and Servient Lands described in Schedule "A" hereto;
 - (k) "Lots" means the lots described in Schedule "A";

- (l) "Restrictions" means the Architectural Guidelines, Conservation Restrictions, Disturbed Soil Restrictions, Fencing Restrictions and Freeboard Restrictions as applied to each of the Lots as set forth in Schedule "B" hereto;
 - (m) "Restrictive Covenant" means this agreement as the same may be amended from time to time and the expressions "herein", "hereof", "above", "below" and similar expressions if used in any article, section or paragraph of this agreement refers to this agreement including the schedules hereto and do not refer solely to a particular article, section or paragraph unless specifically stated herein;
 - (n) "Servient Lands" means the lands described as such in Schedule "A" hereto.
2. The Grantee as owner of the Servient Lands agrees on behalf of itself for the benefit of the Grantor, its successors and assigns that the Grantee shall not use, develop, or permit the use of development of the Lots except in accordance with the Restrictions applicable to such Lots.
 3. If any of the Restrictions herein or the application thereof to any party or any circumstances shall be held by any court of competent jurisdiction to be invalid or unenforceable to any extent, then such Restriction shall be severed from the remainder of this Restrictive Covenant, and the remainder of this Restrictive Covenant or application of such Restriction to a party or circumstances other than to those to which it is held invalid or unenforceable shall not be affected thereby and each of the remaining Restrictions of this Restrictive Covenant shall remain valid and enforceable to the fullest extent permitted by the law.
 4. This Restrictive Covenant is in addition to the requirement of the municipal or other government authorities having jurisdiction in respect of the use of the Lands, and nothing contained herein shall be construed as permitting or authorizing anything which is prohibited, controlled or regulated by any statute, bylaw, regulation or like enactment having the force of law and having application to the Lands.
 5. Nothing herein shall require or oblige the Grantor to enforce this Restrictive Covenant or render the Grantor liable for the failure of any of the registered owners from time to time of the Lots to adhere to or conform with the Restrictions contained in this Restrictive Covenant, it being the intention to attach to each of the Lots and the owners thereof the obligation for compliance with this Restrictive Covenant.
 6. The Grantor and Grantee agree that the Association is party to this Agreement with full rights to enforce all obligations of the Grantor hereunder and has an interest in ensuring on behalf of all of the Grantees its implementation and the Grantor and Grantee further covenant and agree with the Association that:
 - (a) no amendment or change will be made to the terms of this Agreement without obtaining prior written consent from the Association, such consent not to be unreasonably or arbitrarily withheld or delayed;
 - (b) this Agreement will not be discharged without obtaining prior written consent from the Association; and

7. The Restrictions contained in this Restrictive Covenant shall be binding upon and enure to the benefit of the registered owners from time to time of each of the Lots and the restrictions herein shall run with the Lands and each of the Lots comprising the Lands.

IN WITNESS WHEREOF CANCOM DEVELOPMENT LTD. has executed this Restrictive Covenant this 9th day of October, 2012.

CANCOM DEVELOPMENT LTD.

Per: *Rouij Setki*

Per: _____

Witness

Seal

SCHEDULE "A"

DOMINANT LANDS

PLAN 1223529
BLOCK 1
LOTS 1 TO 11 INCLUSIVE
BLOCK 2
LOTS 1 TO 18 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

SERVIENT LANDS

PLAN 1223529
BLOCK 1
LOTS 1 TO 11 INCLUSIVE
BLOCK 2
LOTS 1 TO 18 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

SCHEDULE "B"

RESTRICTIONS ON SERVIENT LANDS

FOR THE ARCHITECTURAL GUIDELINES

PLAN 1223529
BLOCK 1
LOTS 1 TO 11 INCLUSIVE
BLOCK 2
LOTS 1 TO 18 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

FOR THE CONSERVATION RESTRICTIONS

PLAN 1223529
BLOCK 1
LOTS 1 TO 11 INCLUSIVE
BLOCK 2
LOTS 1 TO 8 INCLUSIVE
BLOCK 2
LOTS 10 TO 18 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

FOR THE DISTURBED SOIL RESTRICTIONS

PLAN 1223529
BLOCK 1
LOTS 1 TO 11 INCLUSIVE
BLOCK 2
LOTS 1 TO 18 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

FOR THE FENCING RESTRICTIONS

PLAN 1223529
BLOCK 1
LOTS 1 TO 11 INCLUSIVE
BLOCK 2
LOT 9 and LOTS 12 TO 18 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

FOR THE FREEBOARD RESTRICTIONS

PLAN 1223529
BLOCK 2
LOT 10 AND LOTS 15 to 18 INCLUSIVE
EXCEPTING THEREOUT ALL MINES AND MINERALS

SCHEDULE "C"
ARCHITECTURAL GUIDELINES

Architectural Design Guidelines

Royal Oaks Stage 1

August, 2011

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Approved roofing products and colors for Royal Oaks Stage I15

DIRECTORY

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Architectural Design Consultant:

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Municipality:

Leduc County
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Architectural Controls

1.0 INTRODUCTION

Royal Oaks is an architecturally controlled neighborhood. It is designed to provide a quality estate community projecting a distinctive ambience. These Architectural Design and Landscape Guidelines are written for home site owners and participating architects, designers and builders of the residences located within Royal Oaks residential development in East Vistas, Leduc County ("Royal Oaks").

The philosophy of the architectural guidelines is focused on providing a quality living environment with a consistent and identifiable community image, yet one that offers variety and choice to the individual owner.

It is required that, whatever house design is submitted for consideration and review, a high level of design addressing the following be achieved throughout each individual home within the community:

- Siting
- Massing and proportions
- Elevations
- Detailing
- Landscaping
- Quality Construction and Materials

The existing character of the land and generous homesite sizes throughout Royal Oaks encourages the creation of individual "estate-like" building forms, with each residence set into landscaping that enhances its environment and the community.

Picturesque roofscapes and a harmonious mixture of attractively designed elements such as gables, bay windows, dormers and distinctive chimneys will create variety and interest.

The siting of each home should be carefully considered. Groups or clusters of built-form elements can wrap or enclose outdoor spaces such as courtyards and patios. Breezeways, verandas, porches and loggia elements should be used to encourage outdoor living. Outdoor fireplaces, barbecues and fire pits/bowls can add to the ambience. The overall impression should be one of a casual, elegant estate lifestyle.

Materials should be of high quality, authentic yet natural and relaxed. The use of natural earth tones or deep rich colours is encouraged.

Applicants are to make use of best management practices to minimize water, material, energy and habitat consumption, health and impact, both inside and outside the home. Support of local economies and triple bottom line social, environmental and financial sustainability choices are encouraged.

The objective of the Architectural Design and Landscape Guidelines is to provide a design framework for these residences. Many different architects and designers will be involved in the design process; however, the overall development should appear as a cohesive community of consistently high quality. The text that forms the body of this document is intended to be easily read by all those participating in the design and construction process. They are not always absolute or prescriptive, and they encourage design creativity and diversity within a range of styles.

1.1 Architectural Styles

The architectural styles in Royal Oaks will be diverse. The intent of the guidelines is to create successful interpretations of the diverse period styles that include Craftsman, Heritage, California, Colonial, Georgian, Tudor, French Country, Victorian, Contemporary and Prairie styles.

These styles are intended as design guides only. Attractive interpretations within these styles are strongly recommended. Homes designed outside of the preferred styles may be approved based on the merits of the design at the discretion of the Architectural Design Coordinator.

Diversity, originality and individual expression are encouraged, while still maintaining a sense of overall design unity throughout Royal Oaks. Distinctive floor plans and elevations are necessary, and individuality between nearby home sites will be required.

It is recommended that the home owner further research styles and become familiar with the correct details of the housing style of choice. The detailed descriptions for each style will direct successful interpretation and discourage generic presentation.

The correct and appropriate massing, proportions and detailing – true to the style – are critical to the architectural merit of the home and are elements that communicate the quality of the design.

It shall be the responsibility of the applicant to demonstrate the characteristics and merits of an architectural period style. Acceptability or approval of such designs will rest solely with the Developer and their Consultant.

1.2 Dwelling Size

1.2.1 Area

Minimum house sizes required for all lots are as follows:

Bungalow	Footprint	149 m ² – (1,600 square feet)
Side Splits:	Total Area	205 m ² – (2,200 square feet)
	Footprint	112 m ² – (1,200 square feet)
Two-storey:	Total Area	223 m ² – (2,400 square feet)
	Footprint	112 m ² – (1,200 square feet)

All areas are measured to the outside exterior wall of the building.

A Maximum square footage may be restricted to ensure a complementary streetscape with adjacent homes.

Bi Level plans may be considered at the discretion of the Architectural Consultant.

1.2.2 Building Height

The maximum building height is 10 metres (32.8') and 2 ½ storeys whichever is lesser as determined by the Leduc County Land Use Bylaw.

1.3 Leduc County Land Use Bylaw

Formal standards for development will be those established in the Leduc County Land Use Bylaw for RU 2 (Residential Urban 2) zoning. Specific reference should be made to the Leduc County requirements in all areas. Conformance to both these guidelines as well as the requirements of the Leduc County approval process is required.

2.0 SITE DESIGN

Initial and lasting impressions of the development will be as a result of the overall relationship of buildings to each other and to the street, and the quantity and quality of the landscaping. These relationships should present an image of quality estate living and the guidelines encompass criteria to help achieve this vision. The criteria allow flexibility of approach to achieve an "estate" ambience.

2.1 Siting

Siting should reflect careful consideration of lot characteristics, relationship and orientation. Building form and height will be proportionate to the architectural style represented and relate logically to adjacent dwellings. Massing, style and setback may be adjusted on a lot-by-lot basis, to enhance streetscape. With respect to setbacks and site coverage, the Leduc County Land Use Bylaw applies to all lots. The minimum front yard setback of 6.0 metres, minimum side yard 2.0 metres and 40% site coverage will apply.

2.2 Lot Grading

Lot grading is to be consistent with the Subdivision Grading Plan. The minimum slope allowed is 2% and the maximum recommended slope is 5%. Placement of landscape materials and/or retaining walls must not alter the drainage pattern for the lot as defined in the Grading Plan. All concrete swales installed by the Developer must be maintained in the manner that they were installed. They may not be covered up or altered in any manner. Final grade-certificates must be prepared by the Surveyor showing that lot grades comply with the Subdivision Grading Plan as a condition for refund of security deposit.

All homes and garage structures must have a properly designed perimeter storm water drainage system, which is to be tied into Royal Oak's storm water system.

2.2.1 General Lot Grading

Lot grading should be reflected by the building massing (i.e. step floors, walk-out basements, etc.) to situate the house in a natural relationship with the contours of the land. This will help to minimize the need for grades steeper than 3 to 1.

All plot plans will be prepared by Pals Geomatics Corp. Staking out of the homes will be jointly carried out by the builder, Pals Geomatics Corp. and the developer at the owner's expense. This procedure will facilitate establishing building elevations that are appropriate for the on-site grading conditions.

2.2.2 Side Yard Grading

In addition to the critical grade control points at the corner pins of the lots, the grade elevations along the entire length of the side property lines will also be important considerations.

The developer and their consultants reserve the right to adjust all the grading requirements between units after both the affected homes have been submitted. A coordinated grading review will be carried out to ensure that the proposed final grades of the first house submitted do not adversely affect the adjacent house. The final grading requirements will be balanced to the mutual benefit of both houses.

Particular attention is to be given to the side yard grading for those lots with front to back falls and/or side to side falls. In the case of a side to side falling lot, the base of the steps for any side door access must be approximately equal to the level of the driveway at the garage door. For those lots with grades generally falling towards the back yard, the base of these steps is to be lower than the level of the driveway. Keep in mind that in these cases, modifications to the exterior cladding might be necessary to ensure that the maximum 2' parging line is maintained.

2.3 Garages and Outbuildings / Accessory Buildings

All garages shall be designed to compliment the house or be an integral portion of the house design. Care should be taken to design the garage so as not to overwhelm the house. Any garage face that is predominantly visible from the street will require articulation. Long uninterrupted wall planes will not be permitted. Blank wall planes visible from the street are not acceptable. All lots must be provided with at least a double attached garage. Garage doors must have an articulated face design such as paneling and must be constructed of wood or insulated metal. Triple garages shall have the doors installed so that no door is wider than a double garage door width.

Outbuildings and Accessory Buildings must be designed and constructed to match the same style as the house and should be of the same materials as used for the house. Placement of these buildings should be carefully considered and their impact minimized. Applications for approval are to indicate proposed locations for outbuildings and will be reviewed by the Consultant to ensure protection of adjacent views.

2.4 Driveways/Walkways

The desirable driveway slope is 8% or less. The absolute maximum is 10%. All driveways are to be articulated (curved or arched). Driveways and front walks are to be one of the following:

- Exposed aggregate (maximum aggregate size ¾" diameter)
- Concrete paving stones
- Stamped Concrete

In all cases, the color of concrete or pavers must be approved prior to application.

Driveways must be offset a minimum of 1 metre (3.3 feet) from the side property line to ensure drainage patterns are adequately maintained.

Entrance or front steps are to be finished in the same material as the driveway.

3.0 BUILDING DESIGN

All building facades are to be designed with care and attention to detailing of finishes and materials. Side elevations that are highly visible from the street should continue the design and the use of materials and detailing used on the front of the house. The rear facades of houses in Royal Oaks in certain locations are very prominent. They will be viewed from various locations throughout Royal Oaks. The developer requires a similar high degree of detailing and materials as per the front of the house.

3.1 Corner Lots

Corner lots shall be built either as bungalows or as side split houses or 1 ½ storey houses. In the latter case, the flanking must be designed to present the look of a single storey. In addition, the following features will be required:

- Roof planes must wrap around exposed building faces
- The principal roof planes must slope toward both street frontages
- Both facades must be designed as front elevations
- Retaining walls should be avoided adjacent to street frontages
- Windows should be incorporated on the side elevations
- Wrap-around decks are encouraged

In the case of a side split or 1½ storey houses, the second storey wall facing the side road must be set back a minimum of 10' from the face of the secondary elevation.

3.2 High Visibility, Special Considerations

The rear elevations of homes backing onto the internal pathway and trail system as well as street adjacencies require special consideration. Elevations at these locations must avoid expanses of blank wall space and present proportions consistent with the front elevation. Second floor cantilevers must be anchored by a roofline or appropriate

treatment. All projections will have a separate roof line and minimum overhang. Roofline should slope to view.

Walk-out lots are designated high visibility and these designs must present an integrated building form incorporating a combination of architectural measures to address proportion and towering appearance. Graduated rooflines, dormers, detailing and a minimum of two wall planes with a substantial roofline within 20' of grade will be some of the architectural measures applied to these highly visible settings. Decks for the walk-out basement designs must be constructed concurrently with the home.

3.3 Rear Decks

The rear decks on high visibility elevations must incorporate appropriate column design at posts and railing design. The underside of all above grade decks must be appropriately finished or soffited. Second floor decks must be setback from the deck beneath.

3.4 Repetition

To encourage originality, similar elevations may not be repeated within two lots of each other or directly across the street (XOAX). Repetitive use of two elevations will be monitored to ensure interesting streetscapes. Modifications to elevation treatments may be required accordingly.

3.5 Retaining Walls

- All retaining walls should be designed to complement the character of the home as part of the overall architectural composition.
- Retaining walls must be constructed of natural stone, segmented block or concrete clad in masonry to match or complement the exterior of the home.
- Wood timber or exposed unclad concrete retaining walls will not be permitted.
- Retaining walls must be limited to a height of 1.2 metres (4 feet).
- Terracing of walls will be required where more than 1.2 metres of retention is necessary.
- All retaining structures must be within the Applicant's home site.
- Any series of terraced retaining walls exceeding 1.2 metres in aggregate height must be stamped and approved by a qualified professional engineer.
- Integral planters can be incorporated as a part of retaining walls. These may be designed to be planted with trees or decorative or trailing plants to soften their appearance.

3.6 Building Performance

Buildings have a profound impact on the quality of our lives and the world around us. They enrich our communities, health and well being, as well as support and enable business. We assert that they are a visible stamp of our culture on the environment.

Not only are green buildings good for the environment, they may provide healthier and more comfortable places to live, they may also command higher rents and prices, attract

grants, subsidies and inducements, sell quicker, reduce turnover, and cost less to operate and maintain.

In Royal Oaks we request that homebuilders consider the use of technologies, products and practices that will consider being responsible for their choices in consideration of:

- Sustainable Sites
- Water Efficiency
- Energy and Atmosphere
- Materials and Resources
- Indoor Environmental Quality
- Awareness & Education
- Improve durability and reduce maintenance

Critical steps include: designing passive elements into the architecture of the building to reduce heating, cooling and ventilation loads; creating an effective thermal barrier and enhancing the energy retention of a building using high density materials and constant core temperature design; and using locally appropriate building materials that have lower embodied energy and carbon emissions.

All builders in Royal Oaks are encouraged to be responsible for creating the possibility of comfort and ease and we encourage builders to build to an approval rating via any one of the following verification systems:

- (1) BuiltGreen Gold, with a minimum Energuide rating of 80,
- (2) LEED for Homes Gold, with a minimum Energuide rating of 80,
- (3) R2000 with a minimum Energuide rating of 80,
OR
- (4) Achieve an Energuide rating of 86.

3.7 Accessibility and Homes for Life

Builders are encouraged to consider the ease and minimal expense to create value and supply single family housing, which has physically accessible necessities of home, such as kitchens, bathrooms and a bedroom - for people of all ages and mobility levels. There are unlimited, cost effective ways to create such Homes for Life™ lifetime houses, easily and with minimum expense - to meet the changing needs of the occupants. By including user-friendly, safe design features, a Home for Life™ lifetime home design enhances the value, comfort and quality of life for all occupants at all stages of their life.

By 2015 the number of seniors in Canada may exceed the number of children. Keeping homes safer, preventing falls and keeping seniors out of nursing home care are essential steps toward sustainable communities and lowering health care costs.

We encourage the following design considerations:

- (1) Two (2) entrances to the main living floor.
- (2) Ease of movement throughout the house.

- (a) entry and interior doors are minimum of 915 mm wide, have level thresholds with less than 5mm vertical transition between abutting floor surfaces, and lever hardware.
 - (b) a 1.35 m x 1.35 m min. interior hallway landing is provided at the two entrances.
 - (c) halls are 1.1 m wide.
 - (d) stairs are 1m wide, straight in design (no winders), be adjoining a load-bearing wall, feature a continuous handrail on one side, a slip resistant surface and all steps rise equally.
 - (e) glass doors or walls have colour contrasting strip across eye level.
- (3) First floor – Main floor bathroom with toilet, sink and closet or floor space sufficient for future shower; and, plumbing roughed in for shower/tub.
- (a) center line of toilet is 460mm from a corner wall reinforced for a future grab bar, or mid-wall for bilateral access with reinforcing for drop grab bars behind toilet.
 - (b) 1.2 m clear in front of toilet excluding the door swing completely.
 - (c) toilet paper holder reachable without leaning too far off toilet.
 - (d) washroom door is 900mm wide and easily approached – not recessed in a narrow hallway – allow 1.2 m approaching direction.
- (4) First floor bedroom.
- (a) a flex room/study/den with opening window, area minimum of 10 sq.m. (108 sq.ft.) with one wall at least 3m, convertible to a bedroom.
 - (b) door 915 mm clear width minimum.
 - (c) space to add a closet at least 1.2m wide x 600mm deep.
- (5) First floor laundry.
- (a) closet space adequate and roughed in with plumbing and drain for future main floor laundry of stacked washer & dryer or side by side washer and dryer.
 - (b) adequate space in front of closet for 1.5m x 1.5m wheelchair turnaround.
- (6) First floor kitchen.
- (a) kitchen is designed to support ease of movement and adaptation with 1.2 m clearance provided in front of fixed counters and appliances.
 - (b) stove has front controls.
 - (c) smoke detectors are installed tied to fire department.
 - (d) where practical, flooring is continuously run under counters to make removal easy

4.0 EXTERIOR MATERIAL AND FINISHES

Special attention should be given to selection of exterior finishes and detailing that will be compatible or characteristic of the style or period design of the dwelling. There are to be no “false fronts”. The dominant material of the front elevation must be carried through all remaining elevations and accessory buildings. Detailing of the exterior finishes must also be carried through all remaining elevations and accessory buildings.

- A maximum of two predominant materials are recommended on the exterior of the house on all facades.
- Maximum height of parging on front elevations shall be 1’0” above grade and 2’0” above grade on all remaining elevations.

- Accent materials must be used logically and consistently. It should suggest structural support to avoid the appearance of a veneer application.
- Vinyl siding and conventional knockdown stucco will not be permitted.
- Stucco may be used but only with a sand float finish and only in combination with sufficient contrasting details. Stone dash stucco will be permitted if appropriate to style.
- Allowable materials include stucco, brick and stone and hardi-board siding. Ornamental detailing in a PVC material will be allowed at the discretion of the consultant
- A masonry base is required on the front and rear elevations on all homes in Royal Oaks and must be used in portions reflecting structural integrity and the chosen architectural style.
- A minimum of 300 sq. ft. of brick or stone is required on all homes.
- A minimum of 400 sq. ft. of brick or stone is required on all corner lot homes.
- Artificial stone will be permitted; however, certain styles of artificial stone, among others, are not permitted: Please check with the consultant for updated requirements.
- Brick and stone work is to be quiet and uniform in color.
- The use of multi-colored stone work or extensive use of stone jumpers will not be permitted.
- Cedar shingles will have a maximum exposure of 15.24 cm / 6 inch and the application of decorative shingles shall be characteristic of the style or period design of the house.
- Vertical wood battens in the Arts and Crafts or Tudor style is permitted on stucco walls.
- The front application must be carried a minimum of 182.88 cm / 6 feet around the side of a building, unless there is a logical stop line. A Facade application is discouraged.
- Other materials may be approved at the sole discretion of the developer and their consultant on an individual application basis. An approval of a material on one house shall not constitute a precedent for the use of that material on other houses.

4.1 Exterior Elements and Features

Exterior elements should be carefully detailed to reflect the overall theme of the design concept of the housing style. The main entrance to the house should be accentuated with architectural features such as arched or fan windows, porches, archways, etc. Some degree of transparency, either through the use of sidelights or fan lights in the door, is encouraged. Entrance way design should project an inviting and distinguished image.

4.1.1 Windows

Traditional window types, such as awning, casement or double hung, should be used. Their proportions and style again should suit the overall theme of the house. Window lintels and sills should be designated to create visual interest through the use of keystone masonry accents or borders. Additional window design and placement includes:

- Window styles and shapes should be consistent on all four elevations.
- Windows should be oriented vertically (that is, taller than they are wide).
- Large picture windows should be flanked by narrower vertical windows.
- Window designs must be consistent with the architectural style of the home.
- Window shutters are permitted when appropriate to the style of architecture.

4.1.2 Entrance Gates or Landscaping

Entrance gates or landscaping as discussed for the driveway entrances should be designed to match the style of the house.

4.1.3 Exterior Decks and Porches

Carefully integrated decks and balconies can enhance the design of the home and provide ideal conditions for casual walk-out space from upper floors.

- Minimum Front Porch or Verandah as per the Leduc Country Land Use Bylaw.
- The location and design of these elements should be carefully considered as part of the overall composition.
- Supporting columns for decks and porches are to be architecturally detailed. Columns must have a minimum dimension of 300 millimetres square (12 inches by 12 inches) and must be finished in brick or stone.
- Deck designs must be shown on the drawings submitted to the Architectural Design Coordinator and must be built at the time of construction.
- Railings to rear decks should be transparent and should carry the same attention to detail as the rest of the house. They should relate specifically to the chosen period style of the house.
- Decks should be supported on beams spanning between columns and visible below deck. Column size should be a minimum of 304.8 cm / 10 inch square embellished with capitals, bases, or other similar details and clad in the predominant or accent materials for the house.
- Decks that are 0.9 metres (3 feet) or less above finished grade will not require columns but are to be screened in with the use of crezone, smart panel or an equivalent. Lattice will not be permitted.

4.1.4 Low-Level Exterior Lighting

Homes in Royal Oaks will require low-level outdoor lighting that is soft, subtle and glare free. All lighting should cause low visual impact to both the street and neighbouring properties. Apart from soffit lights, which should be limited to entrances, exterior light fixtures should not have a light source directly visible from the street. Subtle garden and landscaping lighting is encouraged.

4.1.5 Entrance and Address Monuments

Entrance or address monuments are required. The form and design of entrance or address monuments should be of a very high quality. Such monuments should be constructed of the same or complementary materials as the home.

4.1.6 Indoor and Outdoor Areas

Royal Oaks encourages features that transition indoor living space to outside living space including the following examples:

- Courtyards, terraces, decks, planted pergolas, landscaped or carefully paved courts, and stepped patios on sloping sites offer and enhance the experience of outdoor living.
- Trellised patios are especially effective when climbing plants are encouraged to grow over the structure.
- Protected, landscaped or paved courtyards are also encouraged as these provide private transitional outdoor “room” spaces.
- Careful massing can provide wind protection for at-grade patios and courtyards.

4.2 Roofs, Roof Lines, Eaves, Soffits

Roof materials used are to be congruent with the period style of the house. Materials approved are as per the attached schedule. All roofing colors must be subdued and natural.

Special attention is to be given to roof overhangs and roof drainage in relation to the style of the house. The appropriate overhang shall be provided for the house design (i.e. Georgian style – 300 mm / 1 foot), etc. Two rain eaves trough treatments are allowed – they can be either an exposed eaves trough mounted to a 304.8 cm / 10 inch deep fascia board, or the recommended concealed gutter detail. Rainwater leaders and eaves troughs should match the fascia color and be painted out to match the background surface. Pre-finished aluminum fascias are acceptable and must match the trim color of the house.

Soffits other than flat/perforated pre-finished metal are encouraged. Flat soffits that extend beyond 400 mm / 16 inches may be required to include additional detailing.

Long rooflines are encouraged to effectively cap the residential form below and to work with the natural landforms present in the western prairie setting. Like the massing, primary rooflines should be parallel to the fronting street. Modified roof pitches may be considered based on the merits of the overall design of the home. Careful attention to the underside of sloped soffits offers opportunities for detailing such as rafter tails, together with contrasting colours and materials.

4.3 Chimneys/Flues

Chimneys are to be brick, stone, or to match the exterior finish used on the house. All chimneys will require a chimney cap. Brick and stone should be corbelled or have a decorative concrete flue cap. All chimneys and chimney caps shall have a design characteristic with the style of the house.

Exposed stainless steel flues **will not be** allowed on any façade. Exposed direct-venting flues will not be allowed on the front façade. All roof stacks, flashing, etc. are to be painted out to match the eventual weathered appearance of the roofing material.

4.4 Colors

All exterior color schemes must be approved. In general, guidelines for colors are towards the natural expression of materials (i.e. stone, brick, wood). Houses with schemes that are deemed to detract from the street setting will be rejected.

The color of the garage door must be in the same range as the predominant color of the house. No two adjacent houses may have the same predominant or accent color unless it is the color of a neutral material. Bright accent colors are not encouraged and accent colors must be complementary to the house colors.

4.5 Screening of Recreation /Commercial Vehicles and Satellite Dishes

Recreation vehicles, satellite dishes, and commercial vehicles in excess of a 3/4 ton capacity shall not be stored on the property unless properly screened from view. Satellite dishes or antennas must be screened from public view and shall not exceed a maximum of 18" diameter. The receivers should be wall hung and mounted to ensure a minimum visual detraction.

5.0 LANDSCAPING

Implementation of the landscape guidelines will ensure that the quality and experience of Royal Oaks carries into each home site, helping to create an appropriate landscape transition from each yard to adjacent home sites and parkland areas. We encourage a welcoming landscape across the entire community, a habitat where people, plants and birds can flourish. For this reason, we strongly encourage you to think beyond the property line. We encourage you to consider how your site connects with the adjacent properties and nearby natural areas.

These Landscaping Guidelines consider the experience from inside the home as well as the impact that the landscaping has on the house.

The landscape design of each home site constitutes an integral part of the overall attractiveness of the community. Each Applicant must landscape his or her home site to a certain minimum standard of quality, as determined by the Architectural Design Consultant based upon an assessment of plant quantities and maturities, integrity and the style of design of the yard. The following guidelines are not intended to control personal expression or limit design creativity.

Royal Oaks requests the consideration of sustainable landscaping, xeriscape and drip irrigation choices in an effort to minimize water consumption.

5.1 Landscaping Completions

The Builder and /or Purchaser shall agree to be responsible for the completion of the aesthetic and design requirements of the Municipality and Architectural Guidelines within the same year of occupancy as per the terms in the purchase agreement. The Builder and /or Purchaser shall provide a \$5,000 landscape and security deposit to ensure landscaping, municipal lot grading requirements, signage and proper disposal of material and garbage.

The landscape deposit will be released only upon fulfillment of Municipal and Architectural and Landscape Requirements.

5.1.1 Landscaping Requirements

All Homeowners/Builders shall submit a proposed Landscaping Plan for approval for the entire yard **prior to landscaping construction**. A landscaping plan shall include a comprehensive plan for hard and soft landscaping for the front-, rear- and side-yards to the extent of all fences, walkways and/or all property lines.

- The landscape plan for each home site shall incorporate very generous plantings of trees and shrubs, both coniferous and deciduous, in attractive groupings.
- Plantings designed in less conventional ways incorporating large rocks, small brick or rock walls, water features and exterior low-level lighting are encouraged.
- Large expanses of lawn uninterrupted by plantings and/or lawn abutting the house foundation will not be encouraged.
- Shrub and tree species selected should generally be native to this region of Alberta.

The Applicant is required to provide a minimum number of 2 front trees and 4 rear and side-yard trees. In addition, one or more prepared shrub beds containing at least 6 shrubs shall be provided. Certain rear yards will require special landscaping requirements as they are visible from the public walkways or open spaces and/or trails

The trees shall be at least 5 cm (2") caliper for deciduous trees and at least 6'(ft) in height for evergreen trees. Shrubs shall be a minimum of 18" high. The landscaping must be completed within the same year as per terms of Purchase Agreement the home being substantially completed or occupancy permit. Seasonal deficiencies/extensions will be accepted if late fall or winter construction occupancy occurs.

A 1 metre minimum width landscape buffer is required along the back property line and or side property lines of all home sites adjacent to open spaces, storm water management facility, road and/or utility right of ways. The landscape buffer can consist of manicured tree and shrub beds or native planting beds and native grasses. Conventional lawn is not allowed in the landscape buffer.

Approval of the landscape plans will also be determined by success in achieving the following objectives:

- Extensiveness of landscape treatments
- Underground sprinkler and lighting design
- Framing of views to the open space and amenity areas
- Screening of adjacent private areas
- Framing of architectural elements related to the house façade.

Upon request, preliminary consultation shall be provided by the Developer regarding low-maintenance and hardy Alberta landscaping varieties, choices and design considerations.

5.1.2 Alternate Landscaping Materials

Alternate landscape materials may be considered on an individual basis if it can be demonstrated that the alternate plan meets the objective of these guidelines, to achieve greenery and a mature presentation in all front yards within the neighborhood. The use of hard surface landscaping rather than sod will require the planting of additional trees and extensive shrubbery, to visually soften the hard surface and achieve greenery.

5.1.3 Landscape Maintenance

The Applicant shall accept the responsibility to fully maintain (including weeding, trimming, pruning and/or painting of fences) all components of his or her yard including frontage and sideyard boulevards abutting the property to the curbface.

All yard maintenance that is the responsibility of the Applicant must be completed to a superior standard in keeping with standards typically required in high-quality residential communities and consistent with those areas maintained by the HOA. All dying or dead plant materials must be replaced on an ongoing and priority basis by the Applicant with appropriately sized trees, shrubs and groundcover.

The HOA may decide, in its sole discretion, to take over from time to time, at the Applicant's expense, yard maintenance work that is not being carried out by the Applicant to the satisfaction of the HOA.

5.2 Fencing

All wood and metal screen fencing should be consistent in design and color with the fencing style established for the subdivision. Lots backing onto the internal pathway and trail system may utilize wood screen fencing at the side property lines to within ten feet of the rear fence. At this point, privacy landscaping or metal fencing matching the finish and height of the fence abutting the pathway may define the yard.

A restrictive covenant will be placed on applicable lots to ensure fencing as provided by the Developer is not tampered with, altered or allowed to fall into disrepair.

6.0 SUBDIVISION APPEARANCE

6.1 Signage

All informational, directional and show home signage must be in accordance with signage standards established by the Developer (copy attached).

The Builders shall be allowed to display one (1) "For Sale" sign per lot provided said sign is erected on a suitable stand and not affixed to the house in any manner either during construction or upon completion of same. Builders will also be allowed additional signage as required to comply with any safety standards.

All "For Sale" signs must display the Builder's name, corporate logo (if applicable) and telephone number as a minimum standard. The "For Sale" signs must be produced by a professional sign company to ensure consistent quality.

Each "For Sale" sign must not be larger than 32" x 48" prior to being affixed to the stand. Sub trade and supplier signage will not be permitted to be displayed on the lot or the house in any manner whatsoever. There will be no exception granted in this regard.

6.2 Excavation Material

All Builders must ensure that all excavation is kept within the confines of their lot and/or available designated stockpile by the Engineering Consultant. Any spillage on a road, lane, sidewalk or neighboring lot must be removed or the Developer will arrange for its removal and invoice for expenses including any administration charges.

6.3 Clean-Up

Builders must remove all construction debris and litter on building sites in a timely manner. Failure to comply will result in a clean-up bill being charged to the lot. **Supply of Construction waste bins by the Builder and / or Purchaser is mandatory.** All bins should be protected by tarps or other means to ensure debris is not dispersed throughout the subdivision. Any general clean-up of the subdivision implemented by the Developer can and will be charged pro-rata to all builders.

6.4 Construction Activity

Each Builder is responsible for inspecting the condition of curbs, sidewalks, street lights, services, etc. on his lot and must submit written notice of any damages to the Developer prior to commencing construction, otherwise costs for repairing any damages becomes the sole responsibility of the Purchaser.

6.5 Responsibility

Applicants are fully responsible for any damages and costs of rectification due to non-compliance with any rules and regulations contained within these Architectural Design Guidelines, or with any municipal rules, regulations or bylaws, by any trades people or other persons working on their home sites.

Applicants as well as all such trades people and other persons may collectively be referred to in this Section 6 as "Builders".

Such Applicant responsibility extends to the repair of any damage to any neighbouring home site or common property (such as, but not limited to, sidewalks, curbs, roadways, asphalt trails, lamp standards, services, landscaping or any other items located on or in

close proximity to the Applicant's home site), without any requirement whatsoever by the Developer to prove fault by the Applicant or his or her Builders. Repair of damage or correction of deficiencies by the Applicant must be carried out in a timely manner. Moreover, the Developer reserves the right to rectify any such deficiencies and damages at the expense of the Applicant deemed responsible by the Developer (and paid for, if chosen by the Developer, from the Applicant's Security Deposit) should such Applicant not arrange and pay for the cost of repairing damages that have occurred on or in close proximity to the Applicant's home site.

6.6 Construction Rules

Builders will be allowed to neatly store their materials and equipment on site in an organized manner during construction but may not store any items on any other home sites or common property.

Construction debris and waste must be contained on site each day in a large trash receptacles or disposal bins and removed from site as required to prevent an unsightly build-up of waste materials.

All waste and receptacles must be removed promptly at the completion of construction.

Recycling, separation and efforts to minimize waste to landfill is required.

Builders are to ensure that home sites are not accessed except via the designated access roads.

Builders are required to keep the home sites, abutting streets and all access roads clean and orderly during construction.

Debris, vegetation material, topsoil or similar materials may not be burned, dumped or buried anywhere on site at any time.

Builders must ensure that they do not trespass on or disturb any property other than the home site on which they have been hired to work.

Erosion control will be the responsibility of the Builder during construction. This will include silt fencing and hay bale installation as may be required to prevent erosion from damaging adjacent properties.

Disposing of paint, solvents, stains and other toxic items into the storm drainage system will not be permitted on site.

Changing oil on any equipment or vehicles is not permitted on site.

Concrete trucks may clean their chutes on the Applicant's home site only, and any debris must be promptly removed and disposed of offsite.

Utility trailers and other construction-related vehicles may be parked on site during the time of construction only, at the risk of the Builder.

Alcohol, drugs and loud music are prohibited on site at all times during construction.

The Developer may designate, from time to time in its sole discretion, a specific area on site where Builders will be able to dispose of excess structural fill material.

7.0 APPROVAL PROCESS

Prior to the start of construction the Builder and / or Purchaser shall inspect the lot and all services. All discrepancies or damages are to be reported in writing with the application.

Before applying to the County for a Development Permit, the applicant shall submit plans for approval of the Architectural Design Consultant. Applications shall include the following:

- a) Two complete sets of house plans;
- b) Plot plan, prepared by Pals Geomatics Corp., showing lot house grades and drainage pattern, floor and garage elevations; and
- c) Completed application form.
- d) Colour / Product samples if required

The Architectural Design Consultant will review the plan and recommend approval, modification, or rejection of the application based on the adherence of the plans to these guidelines. This decision should be made within five days of submission.

It is **recommended** that the Purchaser or Builder submit their proposed plans to the Architectural Design Consultant for Pre-Approval to ensure the proposed home and landscaping will comply with all guidelines and to minimize the requirement for changes with the application.

Once approved, the Architectural Design Consultant will send a copy of the application indicating any changes to the applicant. After approval, the plans may not be altered without prior approval of the Architectural Design Consultant. The Architectural Design Consultant will keep an up-to-date record of plans showing house types, color, roof lines and grades, to advise the applicants of how their proposed house will best fit into the existing situation.

The applicant is responsible for notifying the Architectural Design Consultant that the house is complete and ready for inspection. This notice must be in writing and contain a lot grade certificate, signed by the designated surveyor certifying that the lot has been graded as per approved lot grading plan provided by the Engineering Consultant. In addition, the applicant must obtain a lot grading inspection report and provide same to The Architectural Design Consultant. Construction will be inspected once completed to ensure compliance with these guidelines. If the lot grading certificate is in order and the landscaping is acceptable, the landscape deposit will be refunded in full.

Approval of any and all house plans will be at the sole and unfettered discretion of the Developer.

No stake-out will be granted until approved by the Architectural Design Consultant.

7.1 Building Application Submission

Once the detailed home design plans have been completed, Applicants will be required to have such plans submitted to the Architectural Design Coordinator for architectural review and confirmation of compliance with the Architectural Design Guidelines.

Once full Architectural Design Coordinator approval is obtained, the Applicant will be permitted to apply to Leduc County for a house building permit.

To allow a full review by the Architectural Design Coordinator of the Applicant's house plans, the following information will need to be submitted digitally:

- Current certificate of title for the homesite
- Site Plan (1:200 scale) showing the following:
 - Homesite (lot) plan
 - Building envelope
 - Setbacks
 - Homesite coverage, house area and house height measurements relative to allowed limits
 - Easement and utility rights of way
 - Property and house corner grades
 - Construction Drawings (1/4"=1' or 3/16"=1') and specifications
 - Exterior material and colour selections (a colour board may be required)
 - Full Applicant and consulting team contact information.

7.2 Landscaping Application Submission

Detailed landscape plans, once completed, are to be submitted to the Landscape Design Coordinator for review and approval.

Landscape plans are not required to be submitted in conjunction with house plans but must be submitted with approval received prior to any landscaping work commencing.

Notwithstanding any additional requirements by the Municipality, the Applicant is required to submit digital plans to the Architectural Design Consultant or three full paper sets of the proposed landscape plans to the Architectural Design Consultant including the following information:

- Plans drawn at a metric scale of 1:200, using a copy of the real property survey report or a homesite plan.
- Property lines, existing elevations at property corners, utility and easement locations must be indicated.
- A grading and drainage plan showing existing and proposed grades, drainage patterns, berms and the driveway. Detail must include all accessory structures indicating site location, material proposed and dimensions, such as patios, retaining walls, entryway monument, pergola, swimming pool, arbour, privacy screens, fire pit, etc.

- A planting plan identifying location, size and species of all proposed trees and shrubs, location of all proposed planting beds, edging material, sodded (manicured) areas and seeded (native) areas.
- Full Applicant and consulting team contact information.

8.0 LOT PURCHASE INSPECTION

The purchaser will be responsible for damages to infrastructure servicing and amenities on and surrounding the lot. At the time of transfer of title to the purchaser, a thorough inspection should be undertaken to include the following items:

- | | |
|--------------------------------|-------------------------------|
| * Curb stop – water valve | * Light standards |
| * Sidewalks, curbs and gutters | * Fire hydrants |
| * Driveway aprons and asphalt | * Cathodic protection points |
| * Boulevard landscaping/trees | * Grading and drainage swales |
| * Rear gutters and walkways | * Fencing |
| * Servicing boxes | * Entrance Features |

Pre-existing damages to any of the above items must be reported to the developer in writing within 7 days of transfer of title to the purchaser. If subdivision servicing is not completed at the time of title transfer, a damage report must be submitted to the developer within 7 days of completion of subdivision servicing. If no damage report is received by the developer within the time specified above, any damages assessed to the lot will be charged to the purchaser.

9.0 DAMAGE DEPOSIT and LANDSCAPING DEPOSIT

9.1 Damage Deposit

Payment in the amount of \$5,000.00 (the "Damage Deposit") will be provided to the Developer on the closing date in accordance with the conditions of the Purchase Agreement. The deposits will be retained by the Developer, without interest, to cover any deficiencies or infractions relating to architectural adherence, landscaping adherence or subdivision damages. The refund of the landscaping and architectural deposit must be applied for within 5 years from the purchase date of the lot or the deposit will be forfeited to the Developer.

9.2 Landscaping and Architectural Deposit

Payment in the amount of \$5,000.00 per Lot (the "Landscaping Deposit") will be provided to the Developer on the closing date in accordance to the conditions of the Purchase Agreement. The deposit shall secure and guarantee the performance and compliance by the Purchaser with all landscaping requirements as set out by the Developer including, without restricting the generality of the foregoing, Architectural Guidelines, landscaping, lot grading guidelines, signage and proper disposal of material and garbage. If required by the Municipality a portion of the Landscaping Deposit shall be paid by the Developer to the Municipality, in trust for the Purchaser, and this portion of the Landscaping Deposit shall not be refunded to the Purchaser until the Municipality has received a copy of an approved Lot Grading Certificate and confirmation of the completion of the private lot landscaping that meets the aesthetic and design requirements of the Municipality and the Architectural Guidelines. The Purchaser agrees with the

Developer to complete the landscaping as per the Architectural Guidelines registered and within the same year of occupancy, provided occupancy of the single family dwelling on the Lot occurs on or before June 30 in any year. If occupancy is on or after July 1 in any year, then landscaping is to be completed by June 30 of the following year, weather permitting.

9.3 Landscaping and Architectural Adherence

The purchaser must construct and finish the house as per the plans approved by The Architectural Design Consultant. The Architectural Design Consultant must also be notified of any changes that occur to the approved house and landscaping plans during the course of construction.

9.4 Deposit Return

Landscaping and Architectural Adherence: To initiate an architectural inspection and return of the \$5,000 deposit, the following must be completed:

- Construction completed, exterior completed in accordance with these guidelines and as per the house plan approval
- Rough grading completed and approved by the Municipality.
- Written request submitted to The Architectural Design Consultant to conduct the architectural inspection (must include rough grade certificate). A copy of the architectural inspection report will then be forwarded to the Developer for appropriate action.

Landscaping Adherence and Final Inspection: To initiate the final inspection of common amenities and development infrastructure, and the return of the landscaping deposit and the damage deposit, the following must be completed:

- Architectural inspection passed and architectural deposit returned
- Landscaping completed as per the landscape plans approved
- Final grading completed
- Final grading certificates and approved grading inspection report
- Water valve exposed and marked
- Sidewalks, street, gutter and curbs in clean condition
- Written request to The Architectural Design Consultant to conduct the landscape inspection and damage inspection of items identified in Paragraph 8.0. The request must include the final grade certificate.

Once the final inspection is complete, a report will be sent to the Developer. The Purchaser will be notified of any landscaping deficiencies and will be given a time frame in which to correct the deficiencies. Upon satisfactory completion of the landscaping, the landscape deposit will be returned net of any amounts assessed for damages to development infrastructure.

Until such time as the Developer chooses to turn over full authority to the Royal Oaks HOA for the enforcement of the Architectural Design Guidelines with regard to a particular phase of the Royal Oaks development program, such time being determined solely at the Developer's discretion, the HOA will have no authority regarding or involvement in the oversight or management of any aspect of the Architectural Design Guidelines, nor will the HOA be entitled to require compliance with any provision of the Architectural Design Guidelines.

Once the turnover of authority from the Developer to the HOA has occurred with regard to a particular phase of the Royal Oaks development program, all references to the Developer in the Architectural Design Guidelines, with regard only to the phase or phases, for which authority has been turned over, will be understood to be referring to the HOA.

The Developer may from time to time amend any aspect of the Architectural Design Guidelines as it sees fit in its sole and absolute unfettered discretion.

Upon turnover of authority to the HOA, the HOA may amend the Architectural Design Guidelines, with regard only to the phase or phases of the Royal Oaks development program for which authority has been turned over to it by the Developer, in accordance with the procedures set forth in the HOA Articles of Association.

No sale is to be presented as final to a prospective purchaser by the Home Builder until the Final Approval of the plans, elevations, lot siting and color scheme has been given by The Developer and their designated Consultant. The home builder and/or Homeowner shall be fully and solely responsible for such representations.

The information contained herein is intended as a guide. Neither the Developer nor its designated Consultant shall have any liability whatsoever for any defect or lack of suitability in any of the materials or products suggested by or required by these guidelines. The Developer and its designated Consultant make no representation or warranties as to the accuracy or completeness of this information. The enforcement of these guidelines and interpretation of same shall be at the sole discretion of the Developer and their designated Consultant who reserves the right to revise these guidelines without notice.

APPENDIX

Approved roofing products and colors for Royal Oaks Stage I

Decra (metal)	Shake Profile	Compatible colors reviewed on individual basis Earth tone colours
Metro (metal)	Shake Profile	Compatible colors Earth Tone colours
Concrete Tiles (Unicrete)	Shake Profile	Compatible colors reviewed on individual basis Earth Tone colours
Wood Shakes	Cedar only	#2 medium - Minimum

Other roof finishes will be considered if it can be shown by the applicant that these are in keeping with the overall objectives of these guidelines. This approval will be at the sole discretion of the Developer and their Designated Consultant.

SCHEDULE "D"

CONSERVATION RESTRICTIONS

1. The Grantor shall not in the rear five (5) meters in perpendicular width throughout the rear of the Servient Lands conduct, pursue or permit the cutting, removal, or destruction of live vegetation, including trees, shrubs or forest, except as may be required to remove dead fall, snags, diseased vegetation, or any vegetation that may in any way endanger people using the Lands or to mow natural or planted grasses and to prune trees.

DISTURBED SOIL RESTRICTIONS

1. There shall be no buildings, structures or improvements ("the Improvements") constructed or placed on the Servient Lands:
 - (a) If non-native or disturbed soils are present on the Servient Lands below design footing elevations, without having a pile foundation or such other foundation as may be approved by a qualified professional engineer prior to the commencement of the Development;
 - (b) unless the design of all foundations shall include specific requirements for suitability of soil composition and soil stability and shall have such design approved by a qualified professional engineer prior to commencement of the Development; and
 - (c) unless all foundation excavations shall be inspected by qualified geotechnical personnel prior to commencement of the construction of the foundation.

FENCING RESTRICTIONS

1. The Grantor shall not to remove, replace or change in any way the colour, type or appearance of any rear or flankage fence constructed by the Grantee, nor permit the fence to fall into, or at any time remain, in a state of disrepair and shall paint and restore the surface of the fence in the same colour as required from time to time.

FREEBOARD RESTRICTIONS

1. The bottom of any and all footings constructed on the Servient Lands shall not be at any elevation less than 704.15 meters geodetic.
2. Buildings or structures designed for human occupancy upon the Servient Lands shall not contain any openings to the interior of the building or structure at an elevation less than 706.60 meters geodetic.
3. Buildings or structures designed for human occupancy upon Block 2, Lot 10 shall not contain any openings to the interior of the building or structure any lower than 0.15 metres above the adjacent property line elevations on Lots 7, 8 and 9 of Block 2.



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