

Doug Scott

Fairwinds

ARCHITECTURAL GUIDELINES

BRICKYARD BAY

Fairwinds

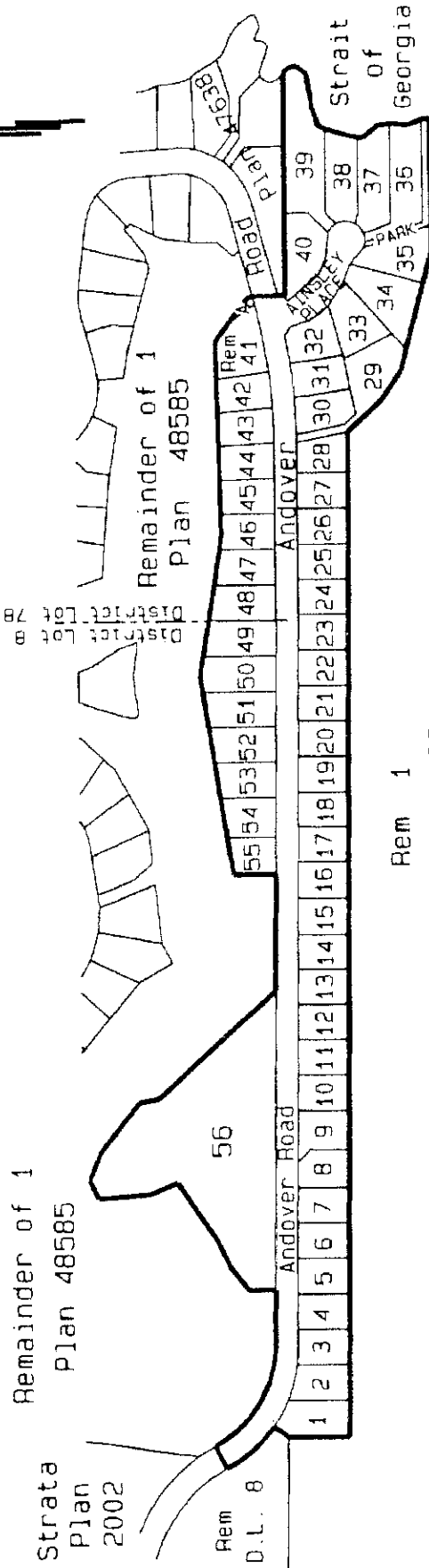
ARCHITECTURAL GUIDELINES

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Fairwinds

Brickyard Bay



1.0 INTRODUCTION

Brickyard Bay is situated within the Fairwinds Community which is a 1,300 acre multi-phased residential development situated at Nanoose Bay on Vancouver Island, British Columbia. Brickyard Bay is a fee simple subdivision being developed by Fairwinds Development Corporation ("Fairwinds") and consists of 55 lots located on approximately 23.5 acres of land overlooking the Strait of Georgia and the Fairwinds Golf Course.

Fairwinds Community is a residential and recreational community planned in accordance with the natural beauty of the Nanoose Bay area. In keeping with the philosophy of working with and enhancing the existing topography, houses in Fairwinds Community should be designed by taking into consideration the unique characteristics and natural contours of the particular lots.

The Architectural guidelines, a legally enforceable set of restrictions and regulations, contribute to the establishment and protection of a consistently high level of quality design in Fairwinds Community.

These Architectural Guidelines (which may be amended from time to time by Fairwinds) must be read in conjunction with the Building Scheme set out in Fairwinds' Disclosure Statement and any amendments thereof for Brickyard Bay (the "Building Scheme") which contains additional legally enforceable restrictions and regulations. In the event of conflict between the provisions of the Building Scheme and the Architectural Guidelines, the provisions of the Building Scheme shall prevail.

Fairwinds has appointed 3536696 Canada Inc. to act as the administrator (the "Administrator") of the Building Scheme and these Architectural Guidelines in place of Fairwinds. Accordingly, all applications for approval and all materials (including without limitation, Building Plans and Compliance/Damage Deposits) to be provided by the owner pursuant to the Building Scheme and the Architectural Guidelines shall be submitted to the Administrator.

Application for House Plan Approval and further information may be obtained from the Administrator at the following address:

**3536696 Canada Inc.
Attention: Site Manager
3730 Fairwinds Drive
Nanoose Bay, BC, Canada V9P 9J6
Tel: (250) 468-7054 Fax: (250) 468-9840**

The Administrator may in its sole and absolute discretion grant relief from or approve plans at a minor variance with one or more of the restrictions set out in the Building Scheme or the Architectural Guidelines. However, the Administrator must be satisfied that the design of the proposed house of building has architectural merit and is aesthetically appealing in relation to the lot on which it is to be situated as well as its neighbouring lots. Such relief shall not be considered as a waiver of the requirement of approval by the Administrator of any restrictions and requirements set out in the Building Scheme or these Architectural Guidelines.

2.0 DESIGN REVIEW PROCESS

In addition to the requirements outlined in the Land Use and Subdivision Bylaw 500 of the Regional District of Nanaimo ("RDN"), a supplementary design review process has been developed using the Building Scheme and the Architectural Guidelines to encourage all houses and ancillary buildings (for convenience, collectively referred to in these Architectural Guidelines as the "House") at Fairwinds Community to conform with the Fairwinds subdivision planning objectives of effective quality standards, interesting streetscape and house design, and design continuity. This approach offers variety and choice in the design of individual houses while ensuring that each House contributes to the overall community.

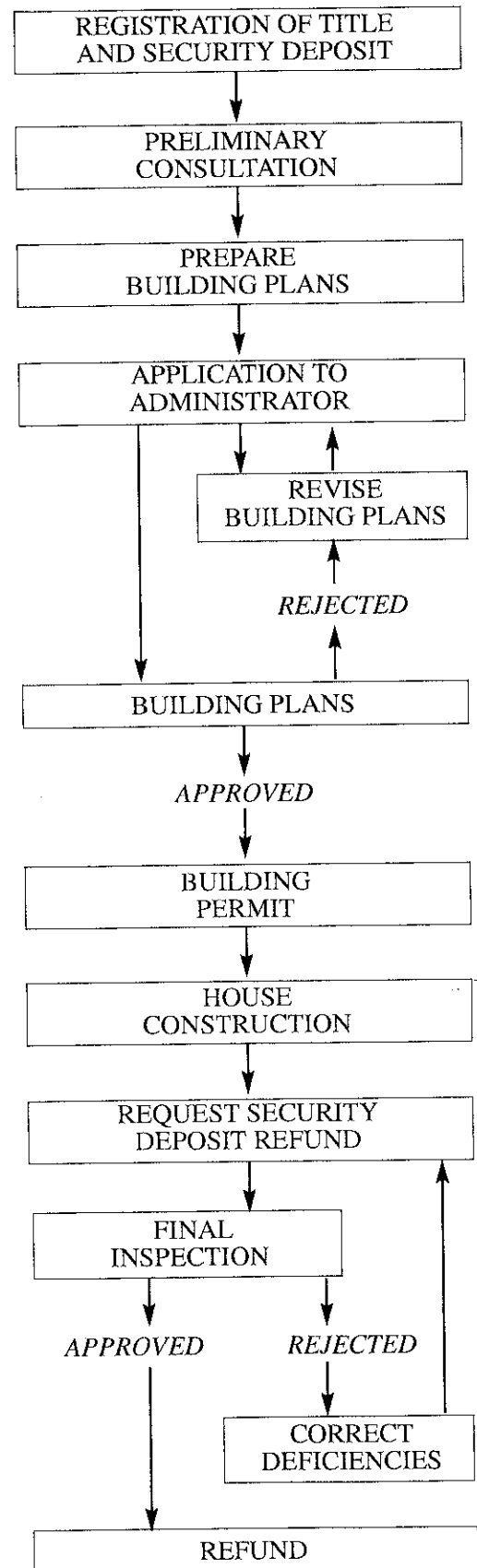
No work may be commenced on a lot (for convenience, referred to in these Architectural Guidelines as a "Lot") prior to the Administrator granting written approval to the owner of the proposed Building Plans. The Design Review Process is as follows:

- (a) The owner should review the Building Scheme and the Architectural Guidelines with his or her Architect or designer. It is recommended that an initial proposal of the type and design of House being contemplated for the Lot be submitted to the Administrator for a preliminary consultation. This consultation will allow the Administrator to advise the owner of any design considerations that are particular to the Lot.
- (b) The owner shall then submit to the Administrator a completed Application for Building Plan Approval along with **three** copies of the following plans (collectively referred to as the "Building Plans"):
 - **Drawings of the proposed House** (draw at 1:50 or 1/4"=1'-0") including floor plans, elevations and cross-sections showing for example details of types of building materials, exterior finish materials and the colour scheme;

- **Site Plan** of the Lot (drawn at 1:100 or 1/8"=1'0") showing the information listed on the Application or Building Plan Approval;
- **Landscape Plan** of the Lot (drawn at 1:100 or 1/8"=1'0") showing existing and proposed lot grades, for elevations, setbacks, House location, type and slope of driveway, plant materials, landscape lighting, retaining walls, walkways, and sidewalks. In the event of excavation or fill on the Lot, the Building Plans must clearly indicate the type, location and quantity of materials excavated or used; and
- any other information the Administrator may reasonably require to ensure compliance with the Building Scheme.
- A copy of the Application for Building Plan Approval form is attached to these Architectural Guidelines as Appendix "B". This form is also available from the Administrator.

- (c) The Administrator shall review the submission and either approve or reject the application based upon adherence of the Building Plans to the Building Scheme and these Architectural Guidelines. the Administrator may also recommend or require changes to the submitted Building Plans. Upon acceptance by an owner of these changes, an approval of the application may be granted by the Administrator. The original application form and two sets of marked Building Plans will be kept by the Administrator for future reference. The third set of similarly marked prints will be returned to the owner.
- (d) Prior to the owner receiving approval of the submitted Building Plans:
- no landfill or other substance may be placed on the Lot;
 - no excavation, blasting, removal of fill or ground cover, falling of trees, clearing or removal of brush or other natural vegetation may be commenced on the Lot; and
 - no House may be commenced, placed, erected, constructed or altered in any way on the Lot.
- (e) If an owner receives approval of the submitted Building Plans, the owner may then make an application to the RDN for a Building Permit. The owner must receive written approval from the Administrator for any changes to the approved Building Plans, including changes required by the

APPROVAL PROCESS DIAGRAM



RDN, prior to the changes being constructed.

- (f) If an owner receives approval of the submitted Building Plans, unless otherwise noted on the approved Building Plans which are returned to the owner, it is deemed that the Administrator has approved the cutting down, destruction or removal of any trees, brush or other natural vegetation from within the Building Envelope of the Lot. The owner may not however, without the prior written approval of Fairwinds, cut down, destroy or remove any trees, brush or other natural vegetation from outside the boundary of the Building Envelope.

The "Building Envelope" for any particular Lot refers to the area of the Lot within which the proposed House and any ancillary building must be placed and from which the House and ancillary building must not project beyond, such area being shown on the Building Envelope Plans, prepared by Koers and Associates Engineering Ltd. attached to these Architectural Guidelines as Appendix "A".

- (g) The Administrator may carry out on-site inspections during construction to ensure compliance by the owner with the approved Building Plans, Building Scheme and Architectural Guidelines.
- (h) The approval of the Building Plans granted by the Administrator shall expire one year from the date of such approval being granted. Once construction on any Lot has commenced, construction must be continuous and the external appearance of the House, including finished painting, must be completed within six months from the date of the commencement of the construction.
- (i) Landscaping must be completed within three months from the date of completion of the external appearance of the House, including finished painting (unless such date falls in the period between November 1st and May 1st of the year in which case landscaping shall be completed by the following June 1st).

3.0 SECURITY DEPOSIT

3.1 PAYMENT OF SECURITY DEPOSIT

To ensure compliance with the Building Scheme and the Architectural Guidelines, a refundable security deposit in the amount of \$3,000 (the "Security Deposit") is payable to the Administrator by the owner of the Lot at the time of the completion of the sale of the Lot from Fairwinds. The Security Deposit is required to offset the cost of damage to

municipal services on the Lot or neighbouring lots (or both), prior to or during construction on the Lot.

The Security Deposit is not refundable to an owner until completion of the House and landscaping on the Lot in accordance with the approved Building Plans and, as noted below, a site inspection report has been conducted by the Administrator to its satisfaction. However, in the event that the initial Security Deposit has been returned to the owner, the Administrator may, at its discretion, require an additional Security Deposit be paid by the owner of the Lot prior to commencement of any construction, excavation or any other work on the Lot.

3.2 REFUND OF SECURITY DEPOSIT

Upon completion of the House and the landscaping on the Lot in accordance with the approved Building Plans, the owner shall request a final inspection from the Administrator by completing and submitting to the Administrator a "Request for Security Deposit" form. Following receipt of such completed "Request for Security Deposit" form, the Administrator shall inspect the project and prepare a site inspection report. The Security Deposit shall be refunded to the owner if the site inspection report indicates that the following conditions have been satisfied:

- (a) the provisions of the Building Scheme and Architectural Guidelines have been fully satisfied;
- (b) a final Occupancy Permit has been issued by the RDN;
- (c) all subdivision services and municipal works on and bordering the Lot and neighbouring lots are free from damage and
- (d) curbs, sidewalks, street and lots adjacent to the Lot and neighbouring lots are free from construction debris and damage.

If the site inspection report indicates that any of the above conditions have not been met, the Administrator may, in its own discretion, either:

- (e) use the Security Deposit, or a portion thereof, to rectify any deficiencies; or
- (f) provide the owner with a list of deficiencies which must be completed prior to the Administrator refunding the Security Deposit.

Failure by an owner to obtain the Administrator's approval of Building Plans, failure to obtain the Administrator's approval of any changes to the House from the approved Building Plans, cutting down, damaging or removing any trees, brush or natural vegetation on any Lot except in compliance with the requirements of the Building Scheme,

or failure to complete the Landscaping may result in the Security Deposit being absolutely forfeited to the Administrator.

4.0 DESIGN GUIDELINES

4.1 ARCHITECTURAL THEME

The general architectural theme encouraged at Fairwinds Community is a traditional heritage style. Log homes shall not be permitted. Houses in Fairwinds Community should be designed taking into consideration the unique characteristics and natural contours of the particular lots.

4.2 SITING & SETBACKS

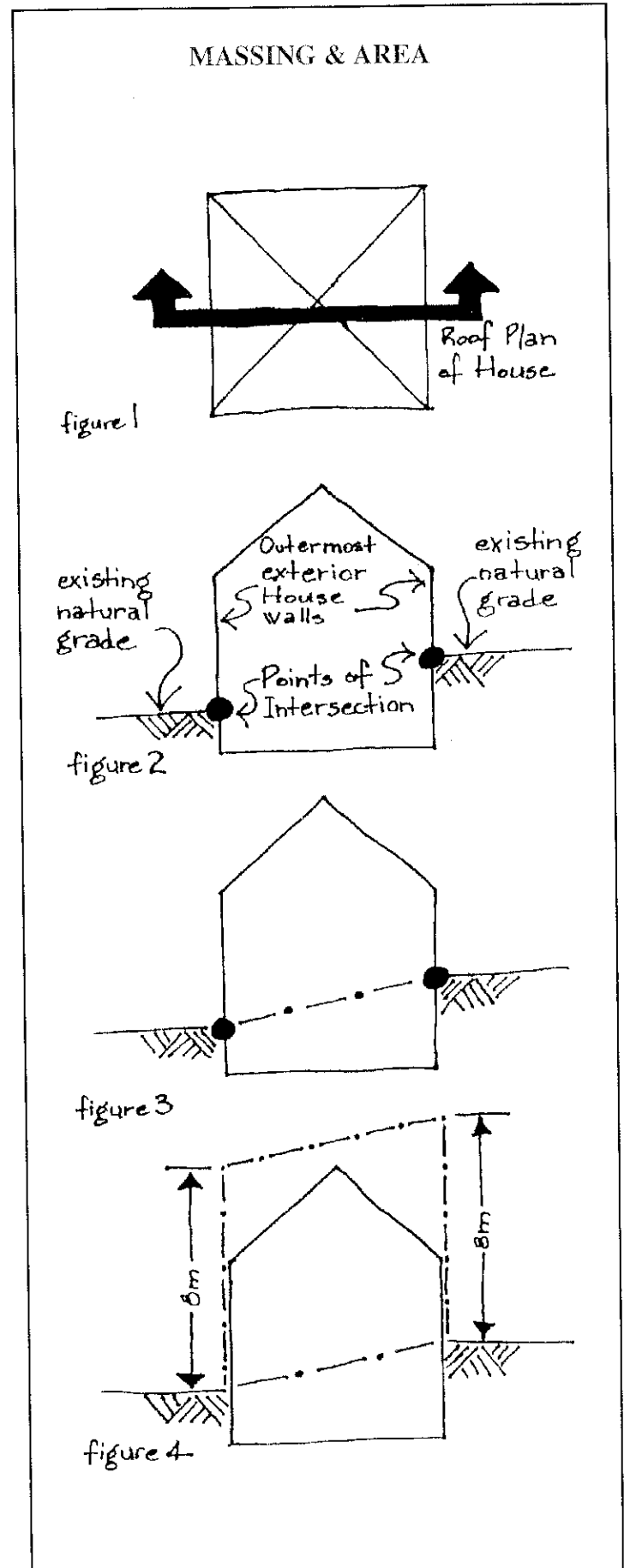
The siting of each House shall take into consideration the natural contours and characteristics of the particular Lot, existing tree cover and the relationship to the street and neighbouring houses. House designs which would result in over-shadowing of other houses shall be discouraged.

It is the owner's responsibility to identify the location of easements and right-of-ways and to comply with both the setback requirements established by the RDN and other government authorities and the setback requirements established by Fairwinds noted on the Building Envelope Plans (see Appendix A). The Building Envelope Plans set out the Building Envelope for each Lot. The definition of "Building Envelope" is set out in paragraph 2.0(f) above.

4.3 MASSING & AREA

The massing of Houses in the development shall be limited to a maximum of two storeys or 6 metres (20 feet), including above ground basements. Houses with vertical wall faces of more than two storeys (including above ground basements) or 6 metres are not permitted. In the case of a two storey house built on a basement which is more than 0.61 metres (2 feet) above grade on any side, the second storey must either step back so that a transition in height is achieved, or must be encompassed within the sloped roof portion of the structure. Design elements such as fascia boards, sun decks, lattice works, trim boards, planters and landscaping shall be incorporated into the design of a House to reduce the visual impact of vertical wall faces,

The height of a House shall not be greater than 8 metres (26 feet) and shall be measured as the vertical distance the House extends, at any complete vertical section of the House, above a straight line connecting any two intersections of the existing grade and the outermost exterior House walls or supports. Design elements such as fascia boards, sun decks, lattice works, trim boards, planters and landscaping shall be incorporated into the



design of a House to reduce the visual impact of vertical wall faces.

Neighbouring houses are to have a consistency of apparent volume, such that smaller houses directly beside larger houses should be compatible in terms of details so as to allude to a consistency of size and design continuity (i.e., the common use of lattice work on both houses).

In the case of a single storey house, the minimum finished main floor area (excluding the area of the garage) shall be 119 square metres (1,600 square feet). In the case of a two storey house, the minimum finished main floor area (excluding the area of the garage) shall be 112 square metres (1,200 square feet).

4.4 REPETITION

Houses with substantially the same Building Plans and exterior elevations shall not be located within five Lots of each other on the same side of the street, or within four Lots of the Lot directly across the street, if on opposite side of the street.

4.5 COLOURS

All exterior colour schemes must be approved by the Administrator. Houses with pure white, garish or bright colour schemes are not acceptable. Only the following natural colour tones are acceptable:

Natural Low Contrast: naturally-coloured wood stain (solid or semi-transparent) with blending trim colour.

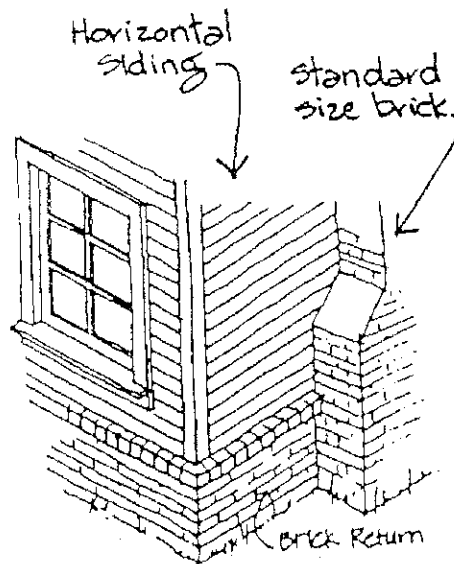
Natural High Contrast: naturally-coloured wood stain (solid or semi-transparent) with contrasting trim colour.

“Heritage” Colours: pastel colours with contrasting trim and shutters on traditional house designs such as Cape Cod.

Stucco shall be in a natural colour tone such as off-white, bone, cream or beige. Darker colour tones may be considered but will require a colour sample to be submitted.

4.6 EXTERIOR FINISHES

Exterior siding shall be a natural material such as horizontal or vertical cedar, even toned brick or natural coloured fine textured stucco. All brick is to be standard or metric size with grey mortar. Stucco Houses may require additional wood or brick trim depending on house massing and style. The Administrator may, in its sole discretion, approve other types of external finishes.

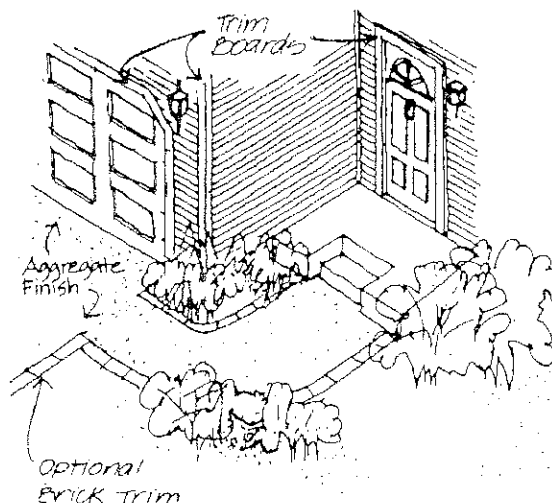


Swirled or other obvious patterned stucco finishes, vinyl and aluminum siding, “new-used” brick, multi-coloured stone work and jumbo and dual brick are not permitted as exterior finishes.

Fascia boards shall be painted a colour complementary to the siding.

Accent veneers, if used, must be continued on the adjoining wall for at least four feet or meet the chimney. Subject to the approval of the Administrator in its sole discretion, vinyl and aluminum may be permitted as an accent veneer.

Window and Door trim boards on all elevations are to have minimum 4 inch nominal trim boards, painted or stained to match the House trim colour.



Houses on Lots abutting more than one street are to have full elevation treatments on all sides of the Houses which face streets.

Foundation walls are to be limited to a maximum exposed height of 0.46 metres (18 inches).

Electrical meters shall be enclosed and as inconspicuous as possible.

Areas beneath sundecks which exceed 0.91 metres (36 inches) in height (and which will not be used as a separate deck area) should be enclosed with lattice and painted a colour complementary to the siding colour. Areas beneath sundecks which are less than 0.91 metres (36 inches) in height should be enclosed with a solid wood skirt.

4.7 ROOF MATERIALS

The intent is to provide an overall site composition of sloped roofs while allowing for an expression of uniqueness for individual residences and the internal function of each House. Roof slopes should be designed to reduce the apparent mass of both the uphill and the downhill sides of Houses.

Roofs shall be constructed of cedar shakes, cedar shingles, clay tiles or concrete tiles. No duroid shingles and standard straight line metal roofing shall be permitted. Other types of roofing materials may be permitted by the Administrator in its sole discretion. Samples of proposed roofing materials and colours thereof must be submitted to the Administrator for approval.

All roof stacks, flashings, etc., are to be painted to match, or be complementary to, the roof colour, and eaves troughs are recommended to be concealed behind fascia boards ("Hidden Gutters"). Eaves troughs not concealed behind fascia boards ("External Gutters") shall be constructed of continuous aluminum and shall be attached to a minimum 8 inch fascia board painted in the same trim colour used elsewhere on the House.

Rainwater leaders and soffits shall either be painted to match the selected trim colour or be a compatible colour if prefinished.

4.8 CHIMNEYS

Roof vents and chimneys (for venting of gas, oil, wood or other fuel burning appliances) shall be constructed of brick, stone, stucco or siding to match the House.

Chimneys shall not be constructed of concrete block or jumbo brick. The chimney finish shall be the same as any accent veneers.

4.9 GARAGES AND ANCILLARY BUILDINGS

All houses shall have a minimum of a single garage although a double garage is preferred. The design and exterior finish materials of garages shall be similar to those of the House. Garage doors are to be painted or stained in colours complementary to the exterior siding colour. One piece aluminum or steel doors are not acceptable. Detached garages may be acceptable, at the discretion of the Administrator, provided such detached garages fit within the Building Envelope and are compatible with the physical constraints and provided such detached garages fit within the Building Envelope and are compatible with the physical constraints and topography of the property. Carports are not acceptable.

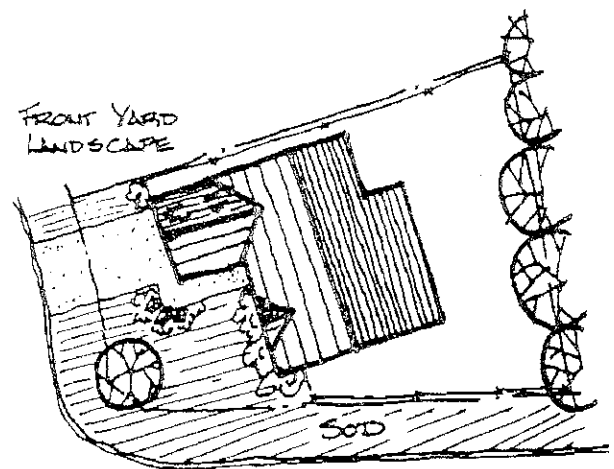
An ancillary building, such as a garden or storage shed, shall be located within the rear yard of the Building Envelope and be designed to compliment the House on the Lot. No ancillary building shall be constructed on the Lot without the prior written approval of the design and the location by the Administrator. Only one ancillary building shall be permitted per Lot.

4.10 DRIVEWAYS

Driveways should be designed and situated to take advantage of grade and street orientation and should be compatible with driveways of neighbouring properties. The layout of the driveway must provide for at least two additional cars to be parked on the Lot, in addition to parking in the garage.

Driveways shall be constructed of concrete pavers (in a colour compatible to the colour scheme of the House), or concrete. Front entry sidewalks shall be constructed of the same material as the driveway.

4.11 LANDSCAPING

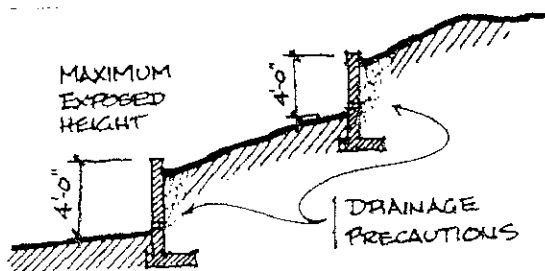


Landscaping shall be of a type and design approved in writing by the Administrator. Landscaping of the front yards (and the side yards on corner Lots) should enhance

individual Houses and accentuate the natural environment and characteristics such as existing rock outcroppings. Landscaping using native species of plant material is encouraged and some examples including Kinnikinnick (*Arctostaphylos uva ursi*), Salal (*Gualtheris shallon*), Douglas Fir (*Pseudotsuga menziesii*), Arbutus (*Arbutus Menziesii*), and Gary Oak (*Quercus Garryanna*).

Landscaping, as noted on the approved Landscape Plan which is part of the Building Plans, must be completed within three months from the date of completion of the external appearance of the House, including finished painting, unless such date falls in the period between November 1st and May 1st of any year in which case landscaping shall be completed by the following June 1st.

Lot grading shall follow the natural slope of the land. Individual Houses shall be designed to suit the natural contours of the Lot, and Lot slopes shall be absorbed within the massing of the House (i.e., stepped foundations and floor levels) to minimize the need for grades steeper than 3:1.



Retaining walls which are required in the front yard or front driveway area are to be constructed using natural stone or coloured or textured concrete (i.e., board-formed concrete with either an exposed aggregate or stone facing) and the vertical face of retaining walls shall not be greater than 1.2 metres (4 feet) in height. Wood retaining walls shall only be permitted within side and rear yards. All retaining walls and their foundations shall be within the property lines of the Lot.

Ground cover, trees, brush and other natural vegetation on any Lot shall not be removed or altered in any way prior to the owner receiving written approval by the Administrator of the Building Plans. Once an owner has received this approval, unless noted to the contrary on the approved Building Plans, the owner may remove any ground cover, trees, brush or other natural vegetation solely from within the Building Envelope. The owner must however obtain written approval from the Administrator prior to removal of ground cover, trees, brush or other natural vegetation from outside the boundary of the Building Envelope for the Lot.

In the event that a person cuts down, causes deterioration to, destroys or otherwise removes any trees, brush or other natural vegetation from any Lot without the Administrator's approval, that person may, in addition to being accountable to such applicable government authorities, be required to replace such trees, brush, or other natural vegetation, or the Administrator may require the owner to pay damages to the Administrator in the amount of the Security Deposit.

Thinning and shaping branches or complete tree removal is recommended over topping. A topped tree generally grows back to its original height faster than a properly pruned tree and results in a truncated, unsightly shape.

Fencing must meet the following standards:

No fencing which exceeds 1.8 metres (5.9 feet) in height shall be permitted on any Lot.

Front Yard Fencing: No fencing is permitted in the front yard except ornamental fencing to a maximum height of 1.0 metre (3.3 feet) when such fencing has been approved by the Administrator and is constructed in accordance with the design of the House. In the case of a corner Lot, the front yard includes the area forward of the rear of the house on the flanking street side of the Lot.

Rear Yard Fencing: If a Lot is adjacent to the Golf Course, fencing at or near the boundary the Lot shares with the Golf Course shall not exceed 1.2 (3.9 feet) in height and a screen of vegetation of a type and design approved by the Administrator, shall be planted on the Golf Course side of the fencing.

Side Yard Fencing: If a Lot is adjacent to the Golf Course, fencing in the side yard shall not exceed 1.2 metres (3.9 feet) in height for a distance of 10 metres (32.8 feet) from the intersection of the side yard property boundary and the rear yard property boundary.

Approval in writing must be obtained from the Administrator for the design, detail, and location of any fencing on the Lot. Among other prohibited fence designs, chain link and electric fences are not acceptable.

No grading, excavation, construction or other work shall be carried out upon a Lot which would interfere with, or alter in any way, the natural or established drainage systems of the Lot or adjoining Lots. Individual site grading (including drainage swales and retaining walls) must be handled within individual Lot property lines and must not change existing drainage swales. In cases of sloped topography, special precautions related to ground and surface runoff must be adhered to both during and after construction.

No grading, excavation, construction or other work shall be carried out upon a Lot which would undermine the stability of any roadway base unless appropriate temporary and/or permanent earth retention is constructed by the owner to the satisfaction of the Administrator, in its sole discretion.

4.12 APPEARANCE DURING CONSTRUCTION

The owner shall maintain the Lot on an ongoing basis in a neat and tidy manner notwithstanding that the owner may decide not to proceed with construction on the Lot. Owners shall keep the Lot and adjoining sidewalks and lots free of debris throughout construction. Where possible, the Administrator may identify a location available for owners to dispose of excavation material from the Lot. Owners negligent in keeping their Lot clean will be charged for clean-up and maintenance of the Lot carried out by the Administrator on their behalf.

4.13 SIGNAGE

All signage, including "For Sale" signs, are to be of the standard format approved by the Administrator. Both temporary and permanent signs will be coordinated and approved by the Administrator which will provide details of the signage policy.

4.14 MISCELLANEOUS

All swimming pools are to be inground, fenced and located in rear yards only. Hot tubs shall be located in rear yards only.

Tennis courts are not permitted.

5.0 LEGAL MATTERS

5.01 COMPLIANCE

The Administrator reserves the right, in its sole and absolute discretion, to require an Owner to provide, at the cost of the Owner, a certificate from a British Columbia Land Surveyor certifying that a House is constructed or is being constructed in compliance with the Building Scheme and these Architectural Guidelines. All construction on the Lot shall cease until the Administrator is provided with such surveyor's certificate and the Administrator, acting reasonably, is satisfied that the construction on the Lot complies with the Building Scheme and these Architectural Guidelines.

5.02 SUBDIVISION

No Lot shall be partitioned or subdivided into two or more lots nor any Lots consolidated into one or more lots unless and until the plan or plans thereof shall have been

submitted to and approved in writing by the Administrator who shall give such approval only where in its sole and absolute discretion such use is deemed to be for the general benefit of all the Lots, and each and every Lot so created shall be deemed to be one Lot.

5.03 REMEDIES

The provisions hereof have been instituted for the general benefit of all Owners of all of the Lots, and all such Owners, in agreeing to buy a Lot, acknowledge such general benefit and a personal benefit attaching to that part of or interest in the Lot purchased by them and each of such Owners agrees that his or her being in violation of the restrictions of this Building Scheme will constitute an injury and damage to all of the Owners which is impossible to measure monetarily, and as a result, any or all of the other Owners shall, in addition to all of the other remedies in law and in equity (including the right to damages), be entitled on their own behalf to enforce the provisions of the Building Scheme and these Architectural Guidelines to obtain an order restraining or enjoining any breach of any of the provisions of the Building Scheme and these Architectural Guidelines and any Owner in breach of any such provision and named in the application for such an order shall not plead in defence that damages would be an adequate remedy.

5.04 CHARGE

The Building Scheme and these Architectural Guidelines constitutes a charge on the Lots which shall run with and bind all of the Lots and every part thereof, and render the Owner, each purchaser, Lessee, sublessee and occupant of any Lot or any part thereof, and each successor in title, future purchaser, lessee, sublessee and occupant of any Lot or any part thereof subject to the restrictions therein and herein set out and confer on them the benefits therein and herein set out.

5.05 APPROVALS

Neither Fairwinds nor the Administrator, nor any of their agents, servants or employees shall be liable for any losses, costs, liabilities, claims, damages or injury to any person arising out of:

- (a) the approval or deemed disapproval of any Building Plans;
- (b) a failure to enforce any of the provisions contained in this Building Scheme; or
- (c) the non-compliance with or non-fulfillment of any of the covenants, conditions or restrictions contained herein by the Owner of any Lot,

whether caused by the negligence or wilful act of Fairwinds, the Administrator, or any of their agents, servants, employees or otherwise (herein collectively called the "Liabilities"). In agreeing to purchase their Lots each of the Owners of the Lots releases Fairwinds, the Administrator and each of their respective agents, servants and employees, in respect of the Liabilities.

5.06 SEVERABILITY

If any provision of the Building Scheme or these Architectural Guidelines is declared or found by any Court of competent jurisdiction to be illegal, invalid or unenforceable then such provision shall be severable from the Building Scheme and these Architectural Guidelines to the extent of such illegality, invalidity or unenforceability and the remainder of the Building Scheme and these Architectural Guidelines shall be construed as if such illegal, invalid, or unenforceable provision had been deleted.

5.07 COSTS

Any and all reasonable legal fees and disbursements incurred by the Administrator for the enforcement of, or the restraint of an anticipated or actual violation of, the Building Scheme, these Architectural Guidelines or any provision of the Building Scheme or these Architectural Guidelines shall, upon demand by the Administrator, be paid and reimbursed to the Administrator by the Owner or Owners of the Lot or Lots in respect of which the

Administrator incurs such legal fees and disbursements for the enforcement of, or the restraint of an anticipated or actual violation of, the Building Scheme or these Architectural Guidelines.

5.08 WAIVER

No condoning, excusing or waiver by any person of any default, breach or non-observance by any other person at any time or times in respect of any provision herein contained shall operate as a waiver in respect of any continuing or subsequent default, breach or non-observance, or so as to defeat or affect in any way the rights of any person in respect of such continuing default, breach or non-observance, and no waiver shall be inferred or implied by anything done or omitted to be done by the person having such rights.

5.09 LIMITATION

No person who is or has been an Owner of any Lot is liable for a breach of any of the provisions hereof if such breach arises after such person has ceased to be an Owner of such Lot in connection with which the breach has occurred.

5.10 EFFECTIVE DATE

The Building Scheme and these Architectural Guidelines and all of the restrictions set out in therein and herein shall be effective from and after the date of registration of this Building Scheme in the appropriate land title office.

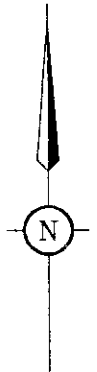
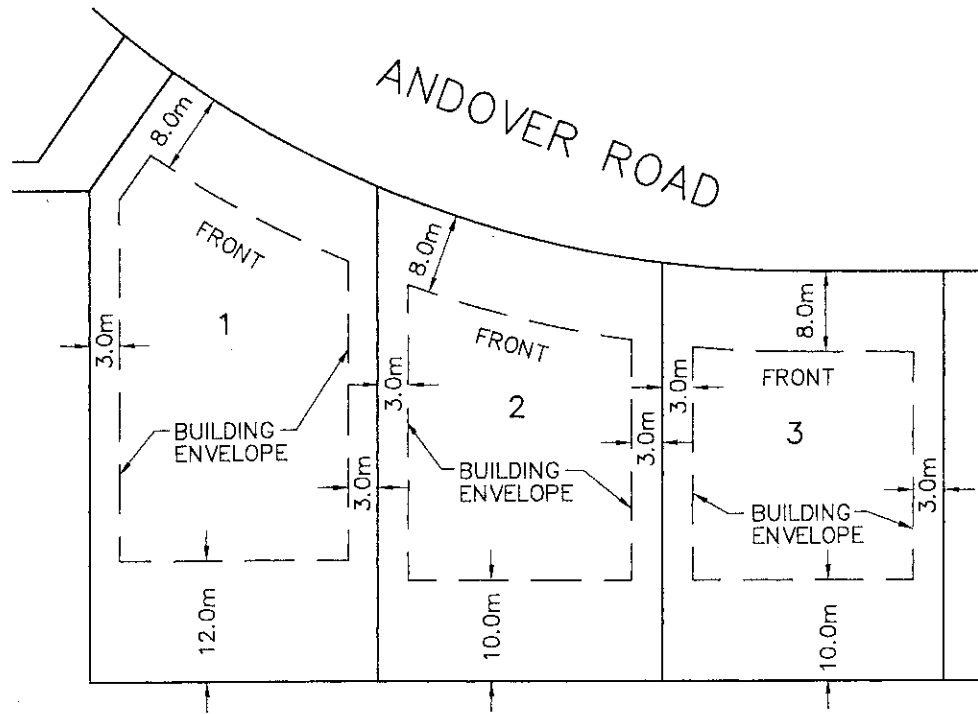
Notes

Fairwinds

APPENDIX A: BUILDING ENVELOPE PLANS

LIST OF PLANS

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LOTS 4, 5 AND 6	14
LOTS 7, 8 AND 9	15
LOTS 10, 11 AND 12	16
LOTS 13, 14 AND 15	17
LOTS 16, 17 AND 18	18
LOTS 19, 20 AND 21	19
LOTS 22, 23 AND 24	20
LOTS 25, 26 AND 27	21
LOTS 28 AND 29	22
LOTS 30, 31 AND 32	23
LOTS 33, 34 AND 35	24
LOTS 36, 37 AND 38	25
LOTS 39 AND 40	26
LOTS 41, 42 AND 43	27
LOTS 44, 45 AND 46	28
LOTS 47, 48 AND 49	29
LOTS 50, 51 AND 52	30
LOTS 53, 54 AND 55	31



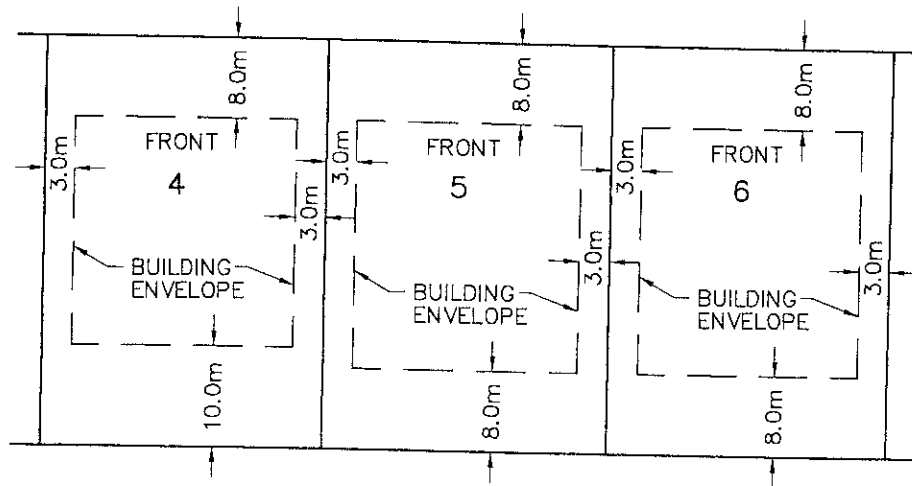
KOERS
& ASSOCIATES
ENGINEERING LTD.
Consulting Engineers

Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 1, LOT 2 & LOT 3	
APPROVED		SCALE 1:750
DATE	MARCH 1999	DWG No. D8707-461
JOB No.	D8707	

ANDOVER ROAD



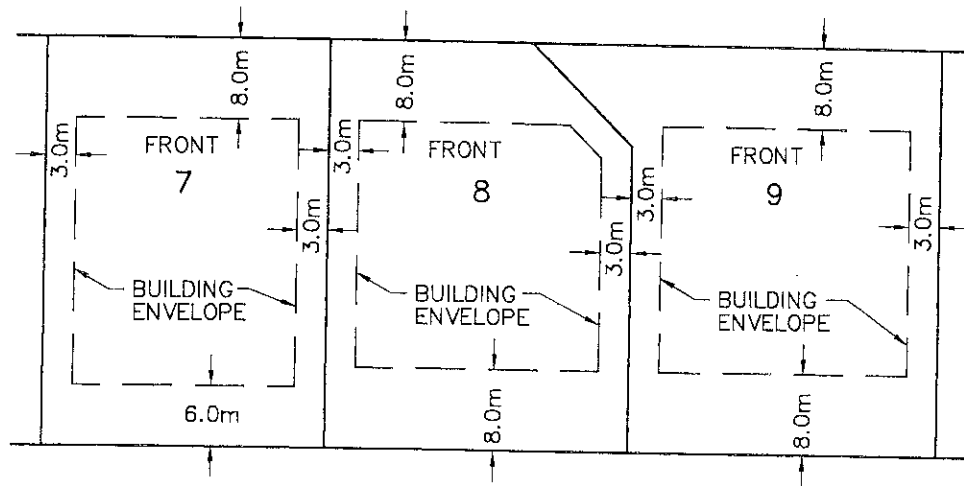
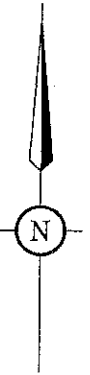
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Consulting Engineers

Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 4, LOT 5 & LOT 6	
APPROVED		SCALE 1:750
DATE	MARCH 1999	
JOB No.	D8707	DWG No. D8707-469

ANDOVER ROAD

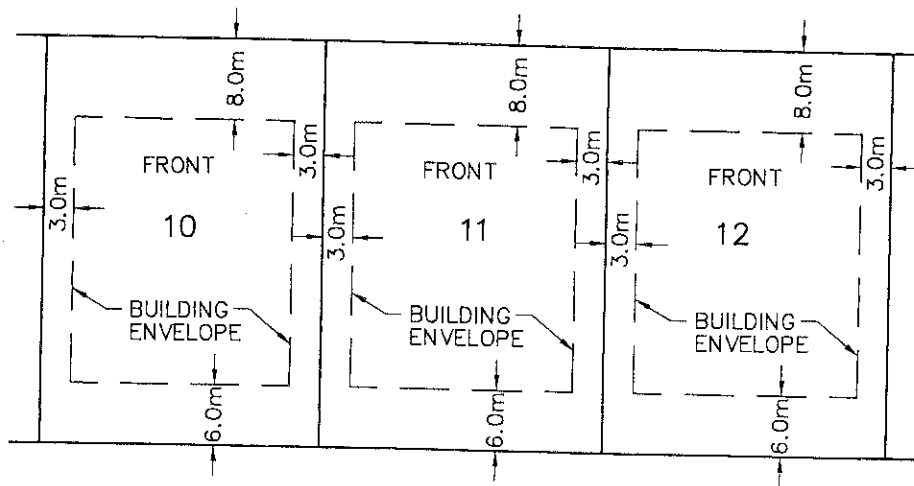
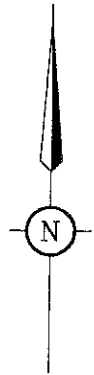


Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 7, LOT 8 & LOT 9	
APPROVED		SCALE 1:750
DATE	MARCH 1999	DWG No. D8707-470
JOB No.	D8707	

ANDOVER ROAD



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Fairwinds

CLIENT FAIRWINDS

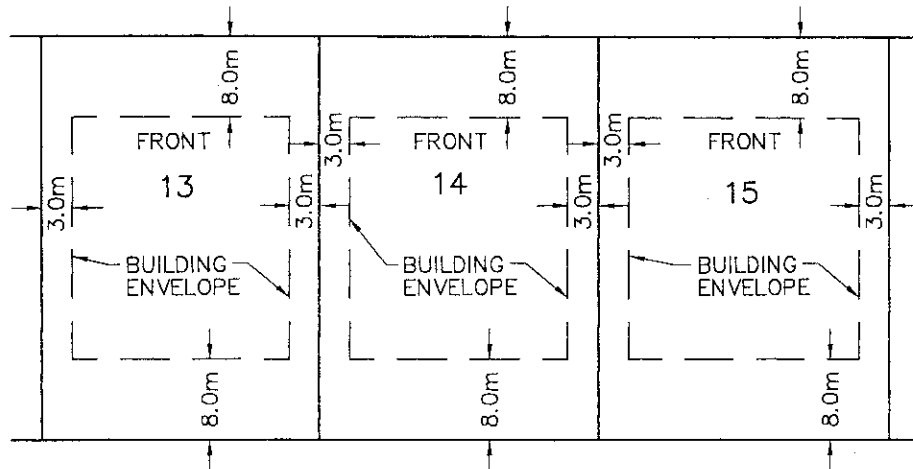
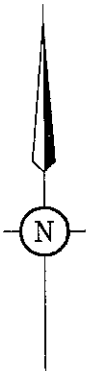
PROJECT BRICKYARD BAY
BUILDING ENVELOPES

SUBJECT LOT 10, LOT 11 & LOT 12

APPROVED
DATE MARCH 1999
JOB No. D8707

SCALE 1:750
DWG No. D8707-471

ANDOVER ROAD

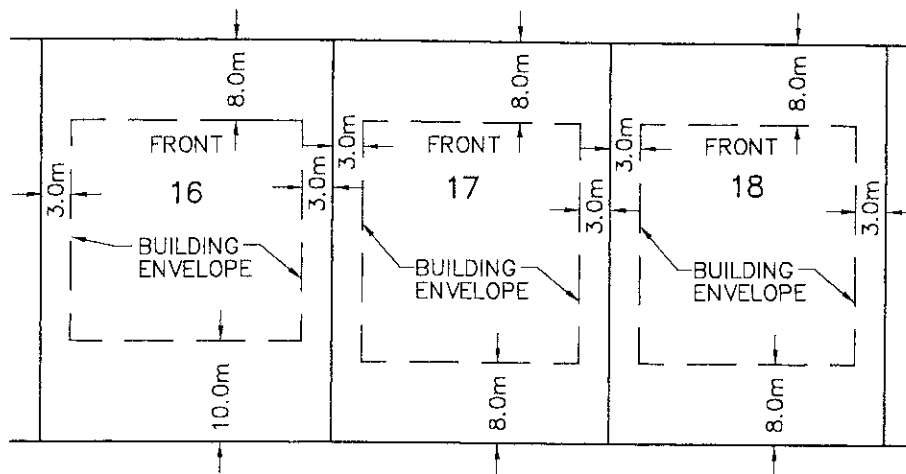
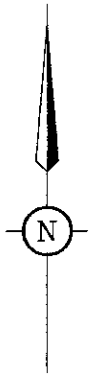


Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 13, LOT 14 & LOT 15	
APPROVED		SCALE 1:750
DATE	MARCH 1999	DWG No. D8707-472
JOB No.	D8707	

ANDOVER ROAD



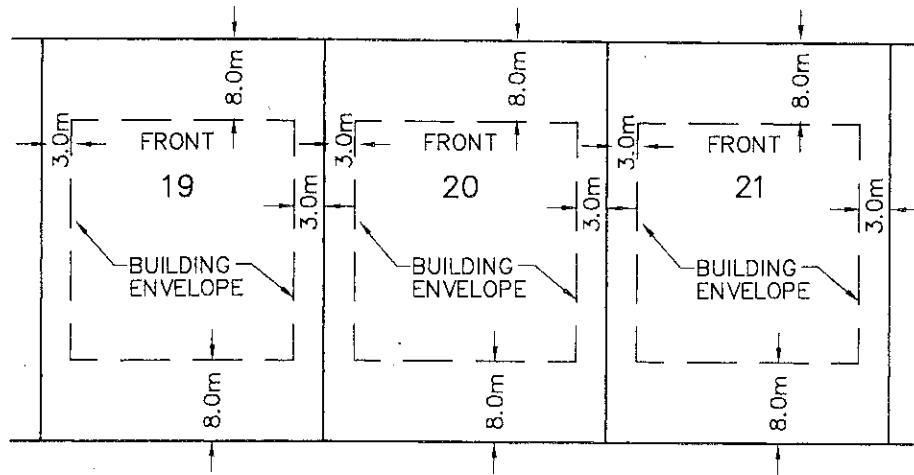
KOERS & ASSOCIATES ENGINEERING LTD.
Consulting Engineers

Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 16, LOT 17 & LOT 18	
APPROVED		SCALE 1:750
DATE	MARCH 1999	DWG No. D8707-473
JOB No.	D8707	

ANDOVER ROAD

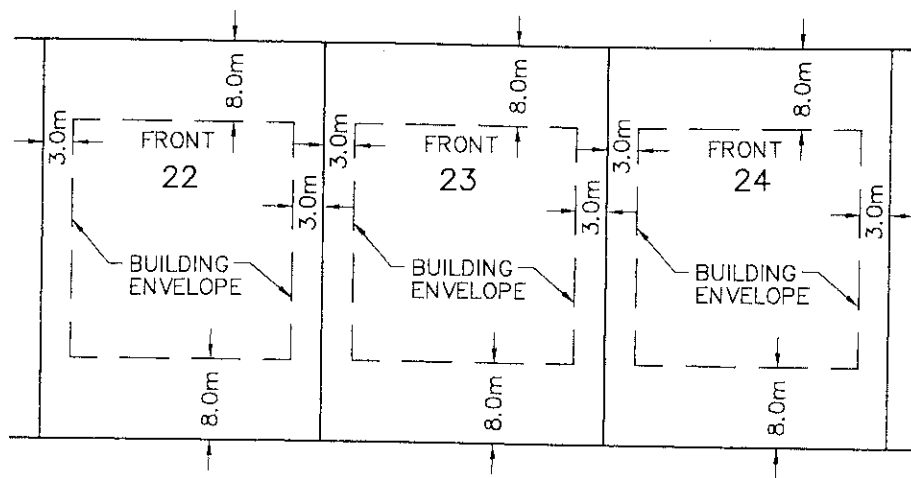
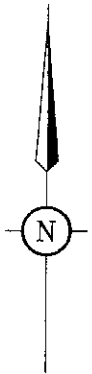


Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT		LOT 19, LOT 20 & LOT 21	
APPROVED		SCALE	1:750
DATE	MARCH 1999	DWG No.	D8707-474
JOB No.	D8707		

ANDOVER ROAD



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Fairwinds

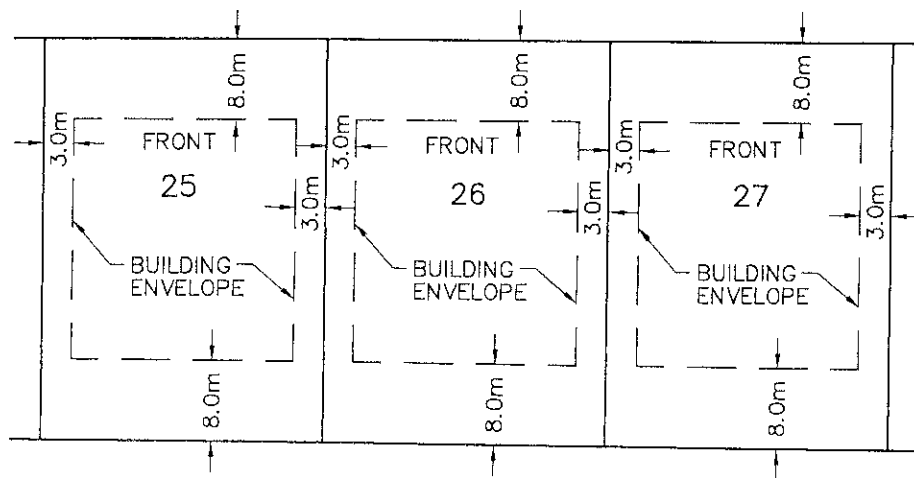
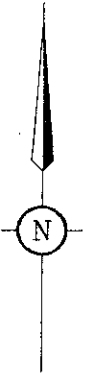
CLIENT FAIRWINDS

PROJECT BRICKYARD BAY
BUILDING ENVELOPES

SUBJECT LOT 22, LOT 23 & LOT 24

APPROVED	SCALE 1:750
DATE MARCH 1999	DWG No. D8707-475
JOB No. D8707	

ANDOVER ROAD



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Fairwinds

CLIENT

FAIRWINDS

PROJECT

BRICKYARD BAY
BUILDING ENVELOPES

SUBJECT

LOT 25, LOT 26 & LOT 27

APPROVED

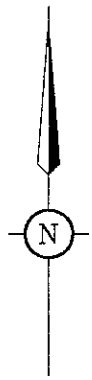
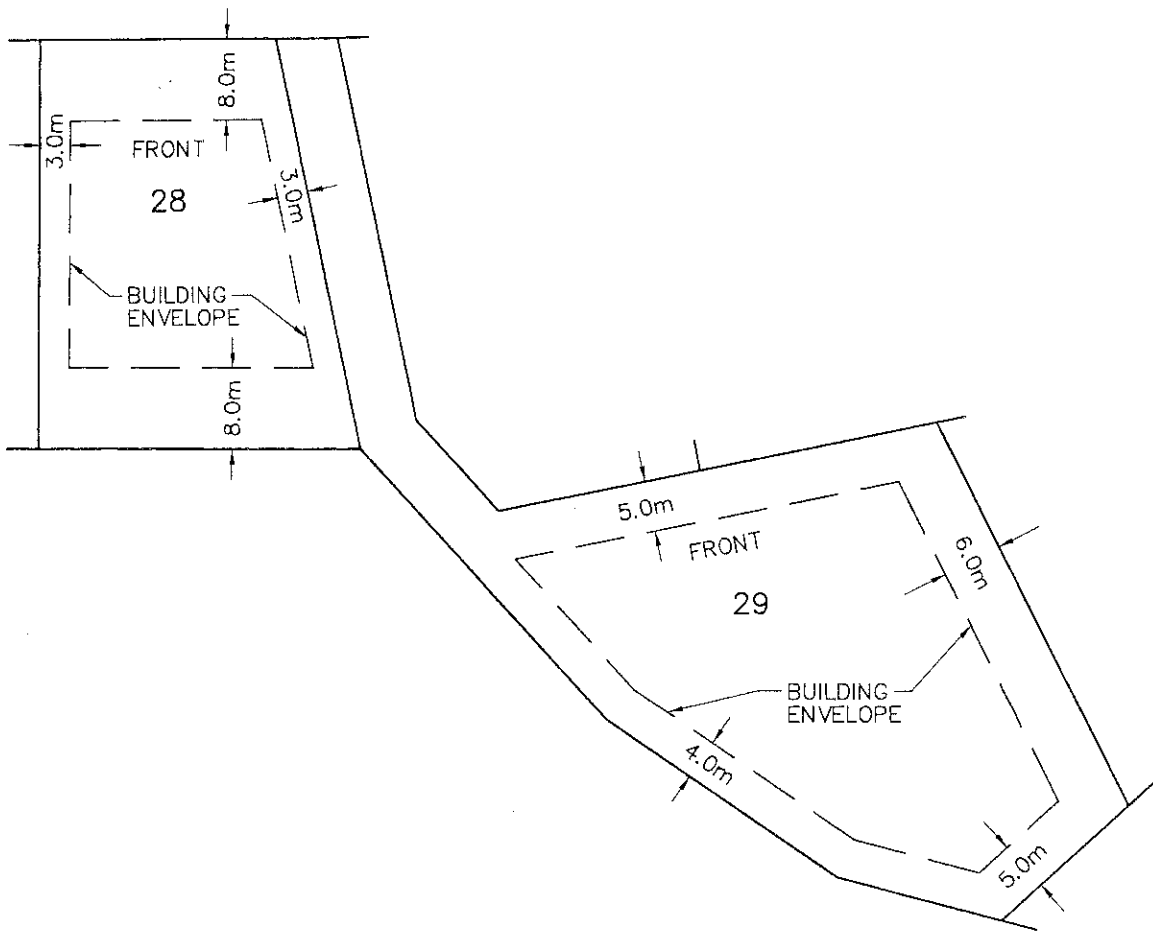
DATE MARCH 1999

JOB No. D8707

SCALE 1:750

DWG No. D8707-476

ANDOVER ROAD

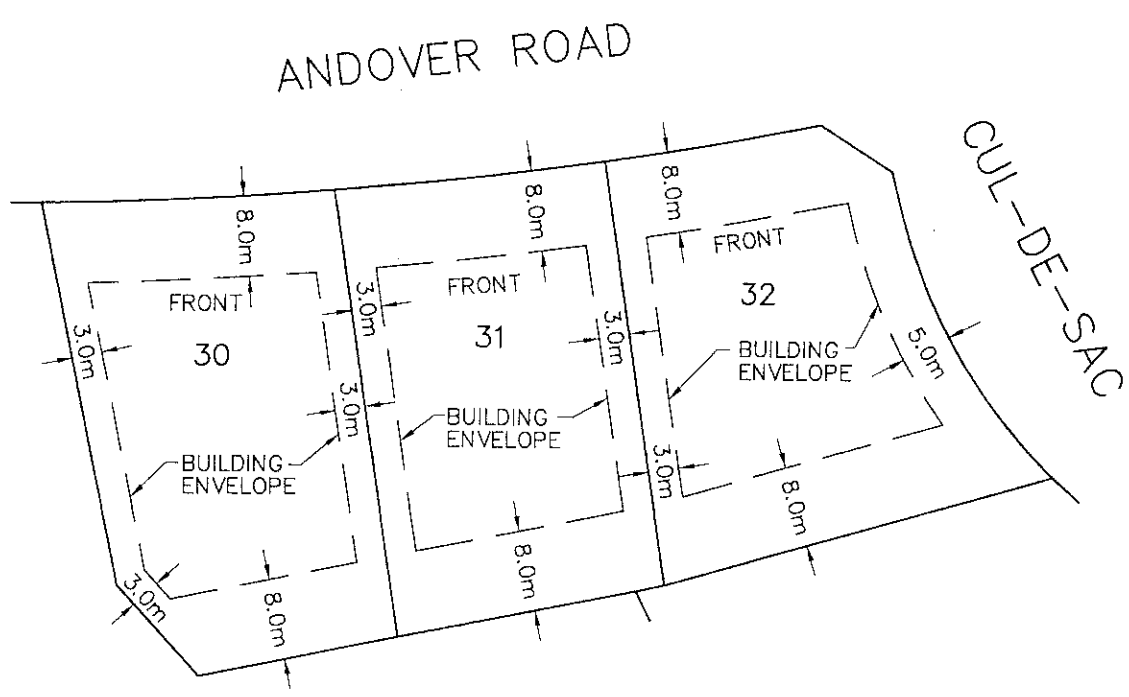
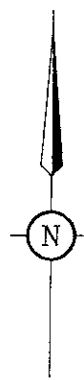


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Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 28 & LOT 29	
APPROVED		SCALE 1:750
DATE	MARCH 1999	
JOB No.	D8707	DWG No. D8707-477

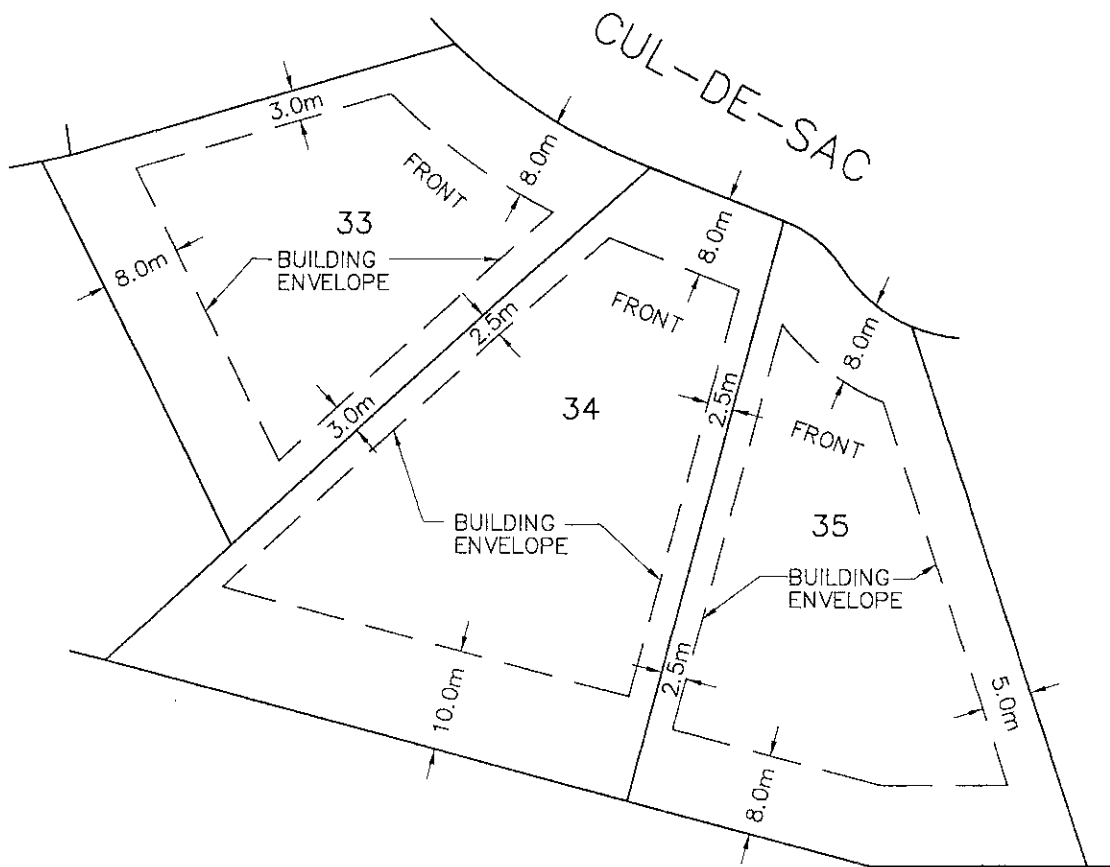



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Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 30, LOT 31 & LOT 32	
APPROVED		SCALE 1:750
DATE	MARCH 1999	
JOB No.	D8707	DWG No. D8707-478




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Fairwinds

CLIENT FAIRWINDS

SUBJECT LOT 33, LOT 34 & LOT 35

PROJECT BRICKYARD BAY
BUILDING ENVELOPES

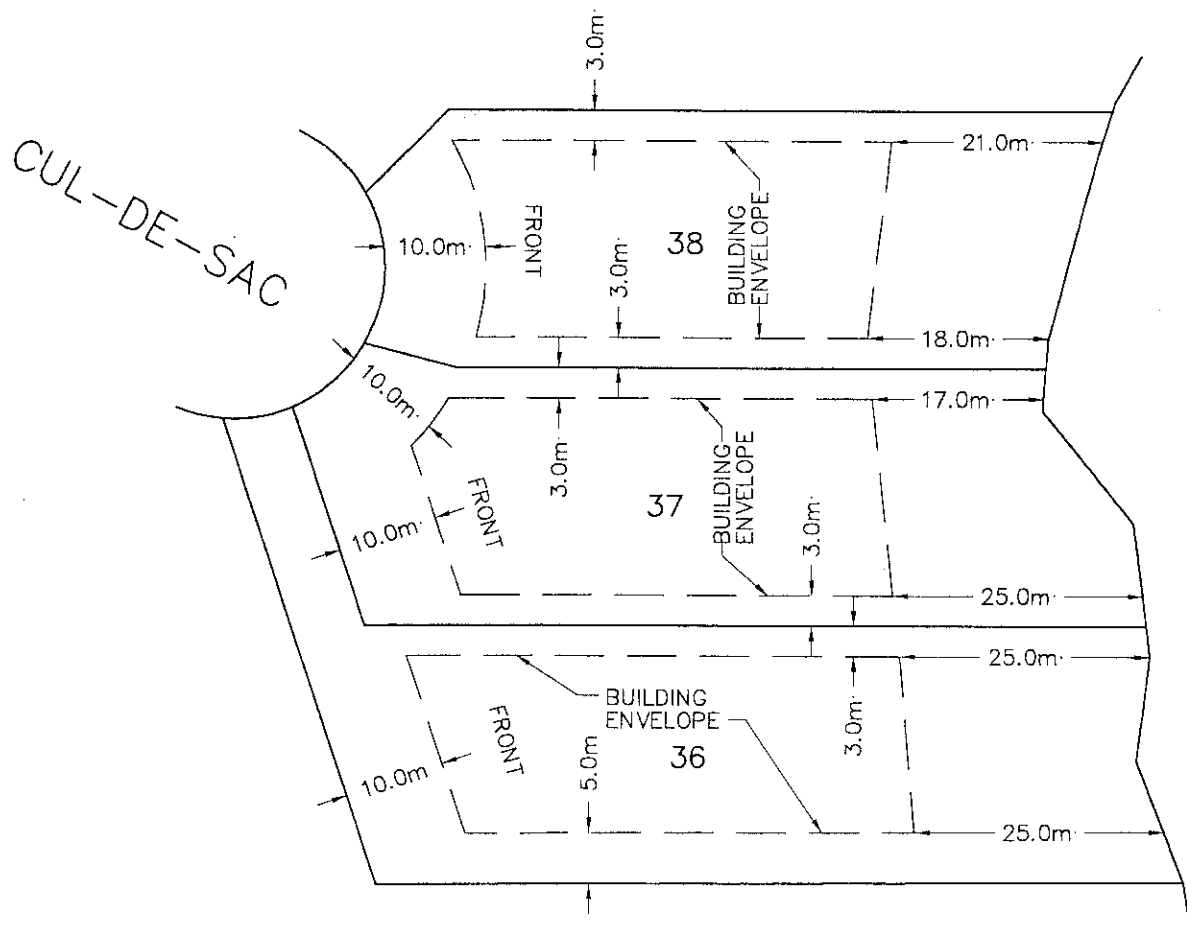
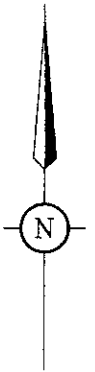
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SCALE 1:750

DATE MARCH 1999

DWG No. D8707-479

JOB No. D8707



STRAIT OF GEORGIA

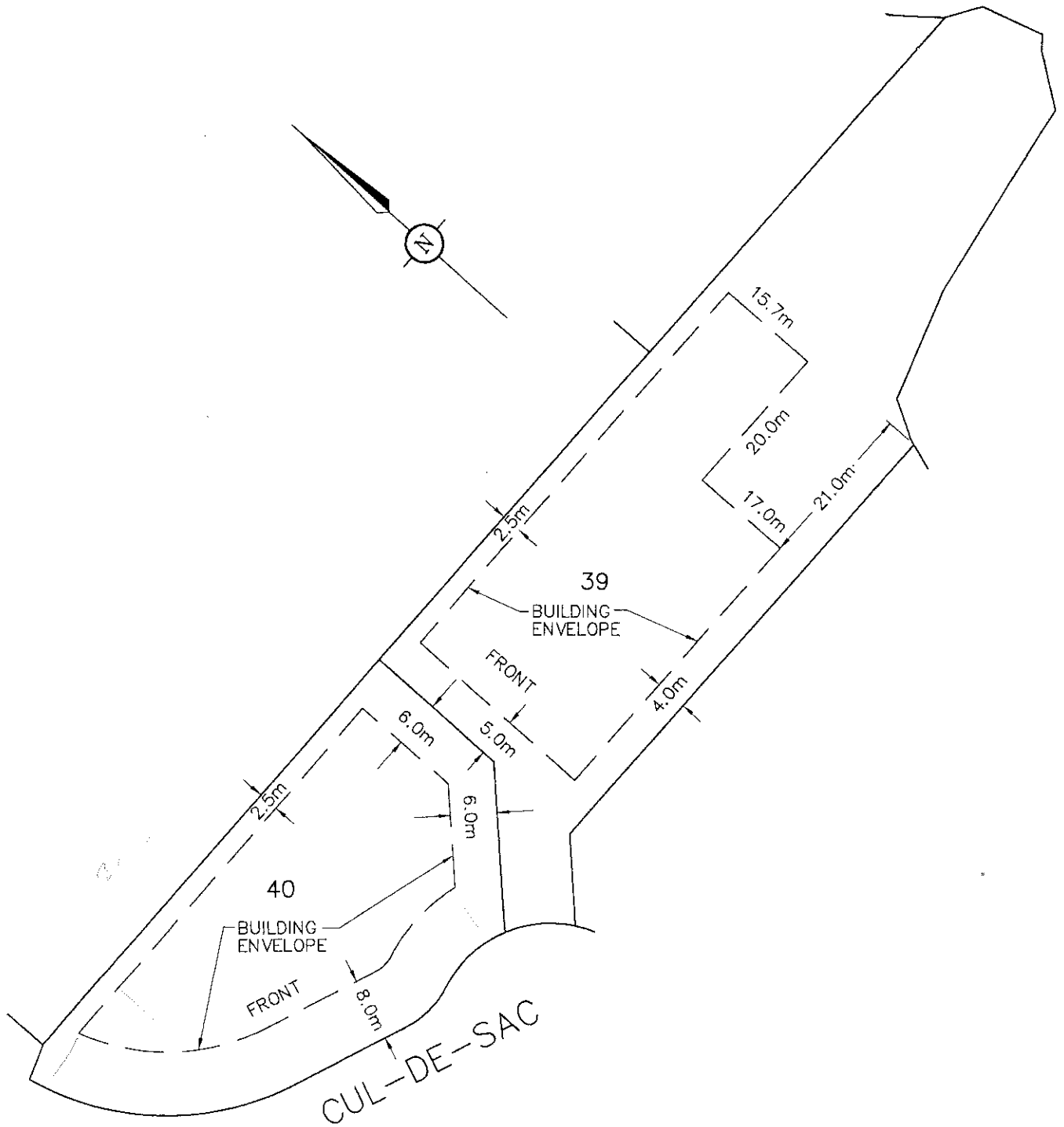
KOERS & ASSOCIATES ENGINEERING LTD.
Consulting Engineers

Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 36, LOT 37 & LOT 38	
APPROVED		SCALE 1:750
DATE	MARCH 1999	
JOB No.	D8707	DWG No. D8707-480

STRAIT OF GEORGIA



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Fairwinds

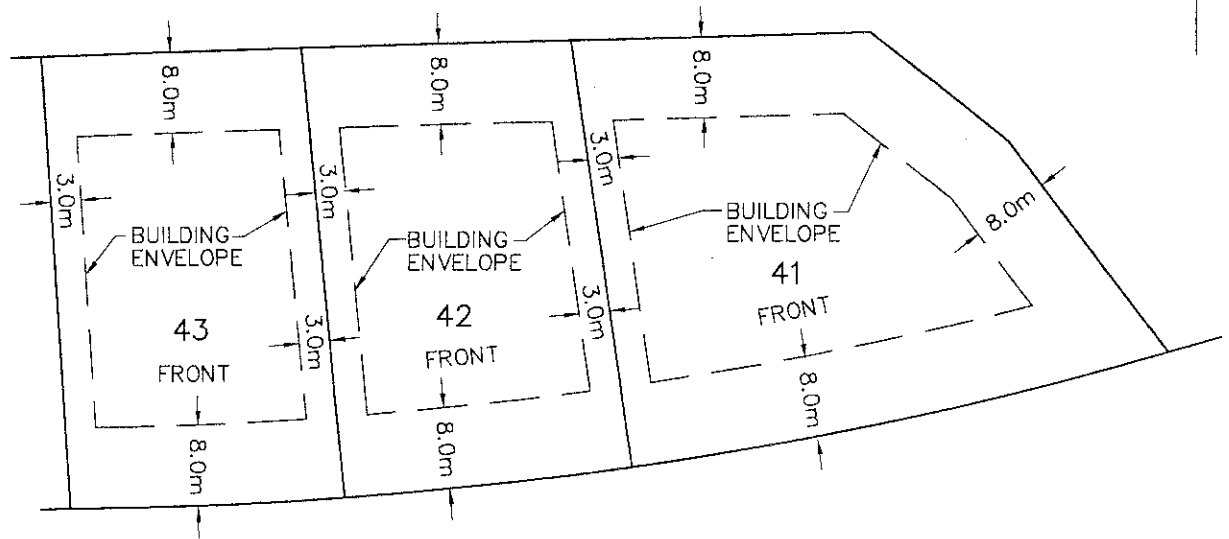
CLIENT FAIRWINDS

SUBJECT LOT 39 & LOT 40

PROJECT BRICKYARD BAY
BUILDING ENVELOPES

APPROVED
DATE MARCH 1999
JOB No. D8707

SCALE 1:750
DWG No. D8707--481

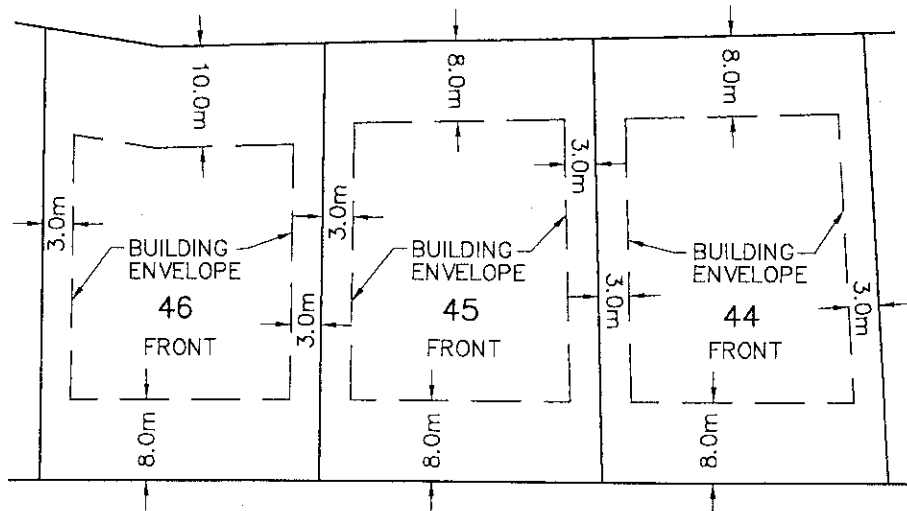
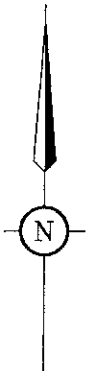


ANDOVER ROAD

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Consulting Engineers

Fairwinds

CLIENT	FAIRWINDS		SUBJECT	LOT 41, LOT 42 & LOT 43	
PROJECT	BRICKYARD BAY BUILDING ENVELOPES		APPROVED	SCALE 1:750	
			DATE	MARCH 1999	
			JOB No.	D8707	
			DWG No.	D8707-482	



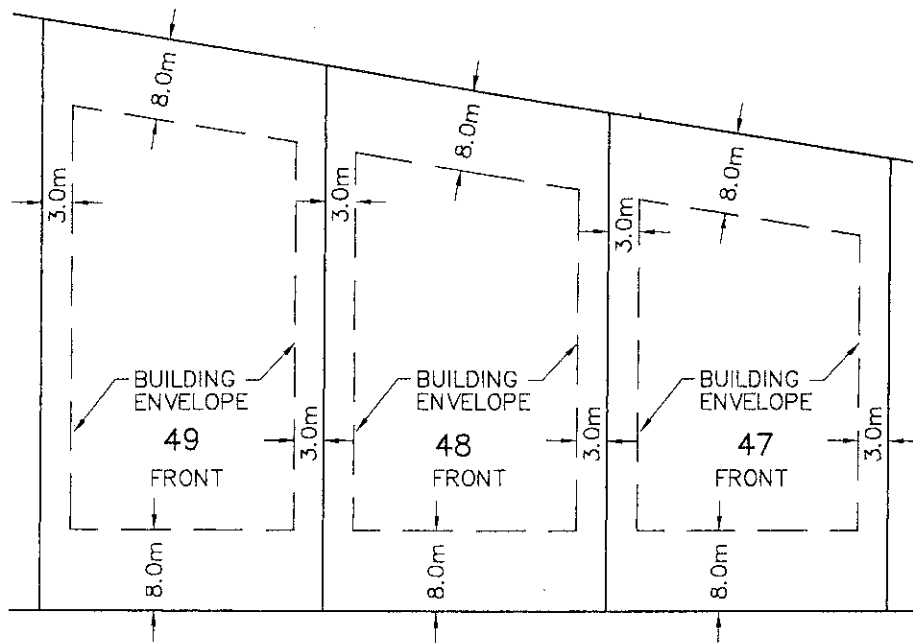
ANDOVER ROAD

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Consulting Engineers

Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 44, LOT 45 & LOT 46	
APPROVED	SCALE	1:750
DATE	MARCH 1999	DWG No. D8707-483
JOB No.	D8707	



ANDOVER ROAD

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Fairwinds

CLIENT

FAIRWINDS

PROJECT

BRICKYARD BAY
BUILDING ENVELOPES

SUBJECT

LOT 47, LOT 48 & LOT 49

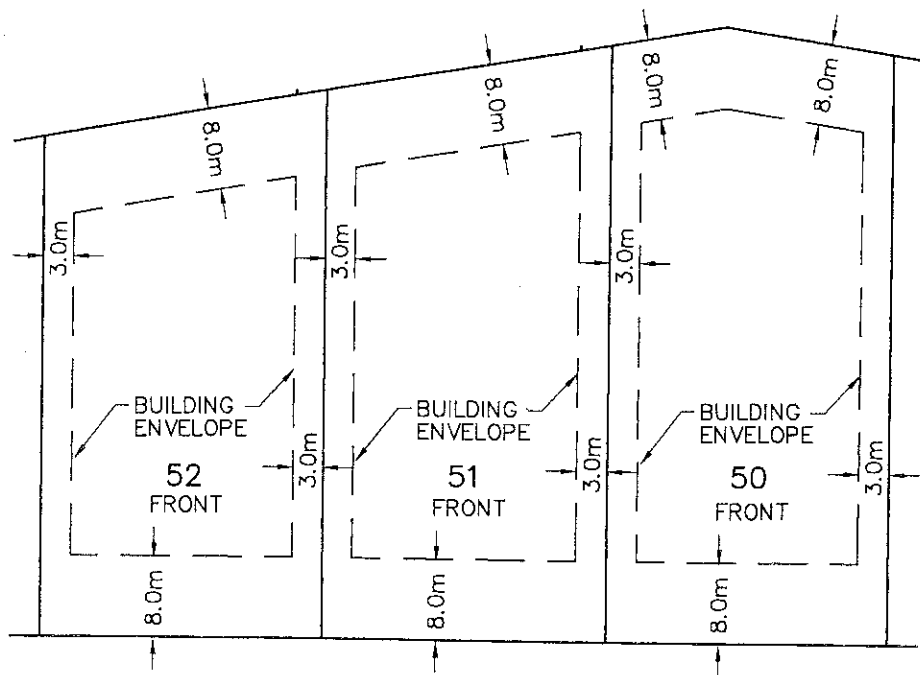
APPROVED

DATE MARCH 1999

JOB No. D8707

SCALE 1:750

DWG No. D8707-484



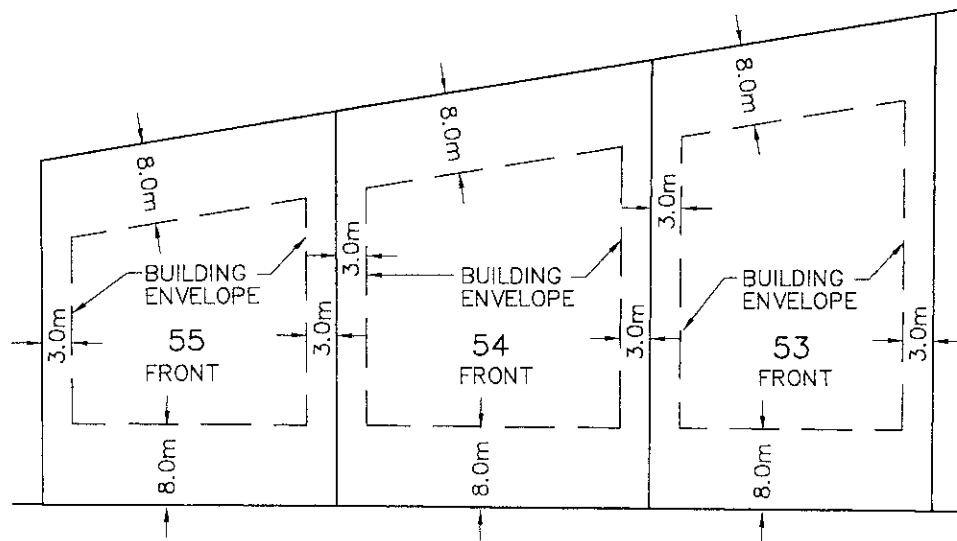
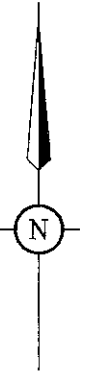
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 ENGINEERING LTD.
Consulting Engineers

Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 50, LOT 51 & LOT 52	
APPROVED		SCALE 1:750
DATE	MARCH 1999	DWG No. D8707-485
JOB No.	D8707	



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Fairwinds

CLIENT	FAIRWINDS
PROJECT	BRICKYARD BAY BUILDING ENVELOPES

SUBJECT	LOT 53, LOT 54 & LOT 55	
APPROVED		SCALE 1:750
DATE	MARCH 1999	DWG No. D8707-486
JOB No.	D8707	

Fairwinds

APPENDIX B: APPLICATION FOR BUILDING PLAN APPROVAL

APPLICANT:

Name: _____

Address: _____

Lot #: _____ Telephone: _____

HOUSING DESIGN

Type: House Type: _____ Model: _____
Ground Floor Area: _____ m2 _____ Sq.Ft. 2nd floor Area: _____ m2 _____ Sq.Ft.

From: Roof Style: _____ Roof Pitch/Slope: _____
Roof Material/Colour: _____

Detail: Wall Material/Colour: _____
Trim Material/Colour: _____
Garage Door Material/Colour: _____
Chimney Material/Colour: _____
Soffit Material/Colour: _____
Driveway Material: _____

SITING

Conformance to setback requirements are the responsibility of the contractor.

Setback: Front: _____ Rear: _____ Left Side: _____ Right Side: _____ Height: _____

Grading Minimum Basement Elevation: _____ Fin. 1st Floor: _____

BUILDING PLANS:

The Building Plans with the following information must be provided (The owner is responsible to confirm on site that the information submitted and reviewed matches the actual site conditions before starting construction):

A) SITE PLAN REQUIREMENTS

- | | |
|--|---|
| a) Dimensions of lot | g) Location of retaining walls |
| b) Dimensions of building | h) Location of drainage swales |
| c) Location of building on lot | i) Location of underground water lines,
sanitary and Hydro/Tel lines |
| d) Dimensions of property lines | j) Lot elevation (grades) including contour intervals |
| e) Proposed and existing elevations at each corner of house,
garage slab, basement slab and finished main floor | k) Type and location of Shoreline Treatment |
| f) Location, slope and type of driveway | |

B) LANDSCAPE PLAN REQUIREMENTS

- | | |
|---|--|
| a) Location of building on lot | d) Location of retaining walls (if any) |
| b) Location and type of plant materials | e) Location and type of walkway |
| c) Location, slope and type of driveway | f) Location and type of sidewalks and patios |

C) HOUSE PLAN REQUIREMENTS

- | | |
|---|---|
| a) Floor plans indicating dimension of house | c) Typical cross section |
| b) Front, rear & 2 side exterior elevations showing finished grades | d) Details of types of building materials |

**APPLICATIONS FOR HOUSE PLAN APPROVAL AND FURTHER INFORMATION
CAN BE OBTAINED FROM FAIRWINDS AT:**

3536696 CANADA INC.

Attention: Site Manager

3730 Fairwinds Drive

NanOOSE Bay, B.C., Canada V9P 9J6

Tel: (250) 468-7054 • Fax: (250) 468-9840