

ASPEN LAKES DEVELOPMENT CORP.

(hereinafter called the "Developer")

DEVELOPMENT GUIDELINES

A OBJECTIVES

- 1) Creation of a rural community atmosphere.
- 2) Thoughtful home designs with enhanced landscaping.
- 3) Professional execution of all phases of development, marketing, and home construction.

B. BASIC REQUIREMENTS

- 1) All homes must be constructed pursuant to and in accordance with the Developer's plan and design approval process.
- 2) All applicable zoning bylaws and building and construction bylaws and regulations of the R.M. of Springfield and the Town of Oakbank shall be adhered to, as a minimum.
- 3) All homes must be constructed to the full buildable width of each lot (i.e. 70' lot equals 50' home width, 80' lot equals 60' home width), unless a larger side yard is required by the Municipal zoning bylaw.
- 4) All homes shall be designed to include no less than a two (2) and no more than a three (3) private passenger vehicle attached garage. Detached garages are not permitted.
- 5) All creek lots shall have walk-out basements.
- 6) No homes shall be constructed exceeding a maximum 2 storey design when viewed from the street, or exceed 32 feet in street height.

- 7) All home construction shall comply with the following Minimum Floor Areas (excluding basement or walkout level, garages, decks)

<u>CREEK LOTS</u>	Bungalow	1600 sq. ft.
	Split – Level	1700 sq. ft.
	2 Storey	1900 sq. ft.

<u>Look Out Lots</u>	Bungalow	1600 sq. ft.
	Split – Level	1700 sq. ft.
	2 Storey	1900 sq. ft.

<u>REGULAR LOTS</u>	Bungalow	1200 sq. ft.
	Bi - Level	1200 sq. ft.
	2 Storey	1600 sq. ft.

The Developer, in its sole discretion, may permit the construction of homes with less living area if their design and physical appearance is compatible with the quality and high standards of other homes in the Aspen Lakes subdivision.

C. DESIGN REQUIREMENTS

- 1) Any homes of similar design must be separated by at least 3 other homes.
- 2) All roof slopes shall be minimum 6:12. Roof finishes shall be asphalt or cedar shingles, shakes, or decorative tiles. Metal roofs shall not be permitted. Exceptions may be made in the sole and absolute discretion of the Developer for unique flat roof designs.

- 3) Front entrances shall be enhanced and clearly visible from the street. Front entrances shall not to be obscured by garages or other projections.
- 4) All driveways and walkways shall be paving stone, concrete or asphalt. Approaches must be similar and must be constructed to code requirements approved by the Town engineer, complete with all required permits. Driveways must be completed within 18 months of issuance of a building permit. To ensure compliance, Security deposits will be required by the Developer, which shall be returned upon satisfactory completion.
- 5) All exterior colours must be approved by the Developer.
- 6) All homes constructed on corner lots shall require extra attention to the exposed side. This will include additional exterior treatments to the wall and also landscaping.
- 7) The use of brick, ornamental and natural stone is required in order to enhance the appearance of the Community. The use of wood or other siding material is permitted subject to review and approval. Use of extensive stucco will be discouraged and only smooth or lightly textured stucco will be approved as an accent. All materials used on the front elevation should return on the sides a minimum of 1'0".
- 8) Fascias shall be a minimum 7 ½" on custom homes and a minimum 6" on project builder homes and all colours shall be approved by the Developer.
- 9) Enhancement of Corner Lots – If developer requires additional plantings or an ornamental fence, this will be done at the Developer's cost and maintained by the home owner.

D. PLAN AND DESIGN APPROVALS

- 1) The Builder shall submit two (2) sets of complete construction drawings (including a site plan) together with exterior colours and finishes to:

NOVA TERRA CONSULTANTS INC.

1 TERRACON PLACE

WINNIPEG, MB R2J 4B3

Phone: 233-7801

Fax: 233-5085

- 2) The Developer shall have the right to withhold approval or grant approval of the construction drawings subject to such conditions as it may impose in its sole and absolute discretion.
- 3) Should the Developer be required to engage a consultant to review and make suggested changes to plans such costs are to be paid by the Purchaser.
- 4) Once approval is granted an approved set of drawings accompanied by an approval letter will be provided and made available for pick up at the above address during regular office hours from 8:30 a.m. to 4:30 p.m. One set of plans are to be retained by the developer.
- 5) No changes or variations to the approved construction drawings including any conditions imposed by the Developer shall be made without first obtaining the Developer's written approval to such changes.
- 6) No building permits shall be applied for until the Developer has approved all plans, colours, etc.

- 7) Upon completion of each home, the Builder shall provide a certificate of completion from the Municipality to the Developer, and the Developer shall inspect the building site to verify compliance with the approved construction drawings and lot sale conditions. Any costs to ensure compliance shall be the responsibility of the Builder.
- 8) The Developer reserves the right to make changes and allow exceptions to the guidelines where it is deemed necessary and same will not detract from the appearance and overall quality of the development.
- 9) The Developer assumes no liability resulting from changes made and exceptions allowed to the guidelines.
- 10) The Developer shall assume no liability in the event of noncompliance with any of the design guidelines.

E. ELEVATIONS, GRADING AND SURVEYS

- 1) All homes must comply with any minimum set-back or side yard requirements established by the Town of Oakbank and the Developer's engineers (Stantec Consulting Ltd). Furthermore, all homes must comply with elevations as set by the Town of Oakbank and the Developer's engineer (Stantec Consulting Ltd.)
- 2) Lot grading must be performed in accordance with Stantec Consulting Ltd.'s plans and at the Builder's cost.
- 3) Weeping tile drainage from each home must go to an internal sump from which water shall be discharged to a 2 cubic meter rock filled sump at the rear of the lot.
- 4) The Purchaser assumes full responsibility for surveying costs related to their lot purchase and any monumenting costs required for staking out their building site.

F. CONSTRUCTION REQUIREMENTS

- 1) All worksites shall be maintained in a safe and orderly condition. All refuse shall be gathered and placed in enclosed structures and emptied on a regular basis.
- 2) Exterior working hours shall be limited so as to comply with all Provincial laws and municipal and Town of Oakbank by-law requirements, and without limiting the foregoing shall be restricted to the hours between 8:00 a.m. and 8:00 p.m., everyday including statutory holidays.
- 3) All delivery and construction traffic shall use roads as designated by the Developer.
- 4) In order to comply with Municipal by-law requirements, the Builders shall ensure that all concrete washouts shall be dumped at the designated “washout” area only. The removal of unauthorized dumping or “washout” at other sites shall be the responsibility of the Builders and all costs of removal borne by them.
- 5) The Builders shall assume full responsibility for any damage caused to roadways, hydro works, surveyor’s marks, grade stakes or other services in the development caused by their workmen, delivery vehicles and other such construction traffic.
- 6) In order to minimize damage and the depositing of debris and mud to and on the roadways, concrete is to be pumped wherever possible.
- 7) Without restricting or limiting the foregoing, Builders shall also be responsible for preventing the depositing of refuse, debris, soil or other material to or upon any roadway in the development. The Builders shall remove any such material deposited within seventy-two (72) hours notice, failing which the Developer may remove such materials at the cost of the Builder.

- 8) All signage must be approved by Developer before installation. The Developer shall have the right to reject or grant approval subject to such conditions as it may in its sole discretion impose, and thereafter the Builder shall not change or vary from such approval without obtaining the Developer's written approval to such changes.

G. FENCING

- 1) All fences shall comply with the Developer's Fencing Design Guidelines.
- 2) Without restricting the foregoing, fences shall only be permitted in side and rear yards.

H. LANDSCAPING

- 1) All front and exposed side yards including boulevards must be sodded within one (1) year of commencement of construction.
- 2) Front yards must be enhanced with trees, shrubs and planting beds. This includes the planting of a boulevard tree by the Developer, as required by the R.M. of Springfield, at the cost of the Builder's cost.
- 3) Creek lots must have topsoil and be sodded on the bottom three (3) meters of slope to the waters edge within one (1) year of commencement of construction to protect against erosion. From the date of purchase and until topsoil and sod is installed temporary erosion controls must be maintained to prohibit fill from entering the creek.