



**Architectural Controls
Design Committee and Design Criteria**

A. DESIGN COMMITTEE

1. Formation and Construction of the Design Committee

The Design Committee initially shall be that committee consisting of three individuals selected by the Developer and designated the “Design Committee.” Once the Developer no longer has any legal or beneficial interest in any of the Units, the Design Committee shall be that group of three individuals designated from time to time as members of the Design Committee by the Condominium Corporation. Such committee, whether appointed by the Developer or the Condominium Corporation, shall constitute the “Design Committee”. In the event that a member of the Design Committee resigns or otherwise becomes unable or unwilling to continue to act as a member of the Design Committee, the remaining members of the Design Committee may fill the vacancy by the appointment of a new member pending a decision by the Developer or the Condominium Corporation, as the case may be, to appoint a new member of the Design Committee.

2. Appeal of Design Committee Decision

If the registered Owner of any Unit is unhappy with a decision made by the Design Committee on matters set forth in Section B hereof, he may appeal that decision if he obtains support in writing for such appeal from at least five registered Owners of other portions of other Units. The notice of intention to appeal endorsed by such five other Owners shall be delivered to the Design Committee and such notice shall list three independent architectural firms carrying on business in the City of Calgary, in the Province of Alberta, that the registered Owner appealing the decision of the Design Committee would be prepared to accept as a sole arbiter to review the decision of the Design Committee. The Design Committee shall, within a period of ten (10) days from receipt of such notice to appeal, designate which of the three architectural firms so listed it would be prepared to have act as a sole arbiter and the manner being appealed shall then be referred to such architectural firm for a decision. The decision of such architectural firm made after hearing from both the Owner of the Unit appealing the decision of the Design Committee and members of the Design Committee shall be considered for all purposes a decision of the Design Committee. All costs incurred by the independent architectural firm in reviewing the decision of the Design Committee and finalizing a decision shall be paid by the registered Owner of the Unit making the appeal.

3. Approval Process

Construction of any residential building, structure, improvement or premises on or excavation of any portion of the Benefited Lands or any material change or alteration to any buildings, structures, improvements or premises constructed on the Units, excepting Landscaping in compliance with the Design Criteria hereafter appearing, shall not be permitted unless the plans and specifications thereof have been submitted to the Design Committee and approved by such committee in writing. All approvals given by the Design



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Committee shall be subject to all regulatory approvals by the municipality in which the Units are located being obtained, including a building permit issued by such authority.

Approval by the Design Committee will not be given unless an Owner of a Unit seeking approval complies with the following:

- a. Such Owner or his design representative shall have met with the Design Committee, or a designated member of the Design Committee, to discuss and review preliminary ideas and plans, which meeting is to be prior to any design submissions. At this preliminary meeting such items as site-specific guidelines, general guidelines and intent will be outlined. Preferred access, utility entry, grading, character, massing and schedules will be discusses.
- b. Following the preliminary meeting, the Design Committee shall be supplied with drawings and specifications showing the proposed building or improvement in sufficient detail to illustrate to the satisfaction of the Design Committee the size and design of the building to be constructed, together with such information as materials to be used, colors, appurtenance, setbacks, siting, access, utility hookups, height and landscaping as may be necessary to enable the Design Committee to provide preliminary approval. Such information shall initially include a topographical site plan showing the relationship of the proposed building to be constructed to the roadway and the utility access and plantings. Such site plan shall also include a sketch plan and elevations showing proposed massing and existing and final contour lines of the proposed building or improvement.
- c. Once preliminary approval has been obtained, the Design Committee shall be given two sets of full architectural drawings, including a landscape plan, the location of utility hookups and the septic field, and full specifications, including materials and colors, which plans and specification shall have no less scale or detail that required by the municipal district having jurisdiction over the Units on applications for development permits.

B. DESIGN CRITERIA

In assessing whether it will approve a proposed building or improvement to be made on any portion of the Units, it is anticipated that the Design Committee will, inter alia, consider the following factors:

- a. Whether the proposed design has been designed specifically for the site and the building proposed is carefully integrated into such site;
- b. The siting of the building or other improvement, including massing and carriageway access;



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- c. Proposed landscaping, including future development, with an emphasis on a minimum of changes to the natural drainage patterns and contours. Any proposed changes to existing grades, swales or existing drainage patterns must be accompanied by a proposed method of handling changes in the direction, quantity or subsurface loading of water. All such proposals for change must be approved not only by the Design Committee but by a soil engineering consultant retained by the party proposing to make such change, such soil engineering consultant to be approved in advance by the Design Committee.
- d. It will be a preference to use a predominance of one material for exterior finishes, with a maximum of three materials being considered desirable;
- e. Generally all natural materials are preferred, although plastics, metals, etc. may be allowed with special approval;
- f. Generally soft, natural and earth tones are preferred;
- g. On sites with existing tree cover, a minimum of tree removal is preferred, large artificial areas and foreign flora are not considered to be desirable;
- h. The site or location of all building or other improvements must be approved by the Design Committee. The Design Committee will take into consideration the height, profile and proposed placement of buildings on the Units in relation to the height, profile and location or potential location of other buildings or improvements on adjacent portions of the Units in an effort to minimize obstruction of the view from other parcels as much as possible;
- i. Buildings or other improvements to be constructed on the Units shall be situated so that adequate distance is left between the buildings or other improvements and the front, back and side boundaries. Variations of the footprint within the yard requirements is desirable. Ordinarily such distances should be:

Front yard: 8 meters from the designated entry side

Rear yard: 8 meters from the rear boundary of the building site stipulated as the "Designated Building Site" at the time the owner seeking Design Committee approval purchased the Unit owned by him (the Designated Building Site")

Side Yard: 8 meters from the boundaries of the Designated Building Site

Height: 10 meters maximum



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- j. The architectural style and exterior finish of all accessory buildings and improvements located on a parcel shall normally conform to that of the dwelling house on such parcel;
- k. Front driveways will normally be required for all houses but driveways may in appropriate circumstances be shared. Driveways shall be constructed concurrently with the construction of a dwelling house on a parcel. Driveways may be constructed of stone, brick, interlocking pavers, formed-in-place concrete, bomanite or re-rock shale, and shall have clearly defined edges using precast, poured-in-place concrete or masonry curbs. The width of the driveway should generally not exceed 6 meters. Entry to the Designated Building Site, including type and placement, must be approved by the Design Committee;
- l. From the commencement of construction the outer shell of a dwelling house should be completed within nine months. Landscaping and all external construction should be completed within fifteen months from commencement of construction;
- m. Sidewalks and patios should be constructed of cedar or redwood (unpainted), textured or sandblasted concrete, brick, interlocking pavers, stone or redrock;
- n. Perimeter fencing is generally not permitted. Fences which attach to the buildings to form courtyards, terracing or building extensions are acceptable using materials, patterns and colors compatible with the overall design of the buildings located on the parcel. Masonry walls will be considered individually by the Design Committee;
- o. Terracing or retaining walls should be limited to an exposed height of 1 meter unless it can be shown that a higher wall is necessary. In this event, stepped terracing will be required to reduce visual mass. All retaining walls should complement the exterior building finishes and blend with the landscape. Local prairie or river-bottom stone, masonry, brick or concrete walls may be used. Concrete should be textured, articulated, sandblasted or bush hammered. Wood walls should be covered with natural or stained cedar. Plantings of vines, bushes or trees should be placed so as to reduce large unbroken surfaces;
- p. Chimney finishes on all buildings on the Units shall be brick, stone or the same materials as the walls of the buildings of which they form a part. No metal chimneys or roof vents are permitted unless painted in matte-finish to match exterior finishes;
- q. All signs require approval from the Design Committee as to size, material, graphics and color. Normally, signs will not be permitted with the exception of:
 - i. Identification signs showing the name and / or the address of the Owner or occupant of the Unit;



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- ii. Temporary signs for the purpose of advertising the sale of the Unit;
- iii. Signs erected by the Developer;
- r. Use and location of television satellite dishes shall be subject to the approval from the Design Committee;
- s. Mailboxes and newspaper container stands shall be located at such location as may be designated by the Design Committee;
- t. The dominant exterior finish on each building should be carried around all elevations and should not be limited to the front elevation. One material shall predominate for the exterior finish of each building, with a maximum of three materials being on one building;
- u. All dwelling units must have an enclosed garage suitable for storing a minimum of two automobiles. Garages may be attached, detached or underground;
- v. No concrete foundations of any buildings on the Units may be exposed to a height of more than one foot above ground level except with the consent of the Design Committee;
- w. Any exterior lighting must be selected, designed or placed in such a way as to be indirect from all angles of offsite viewing. Lighting intensity in excess of 150 watts is subject to the approval of the Design Committee;
- x. All mechanical devices exterior to the dwelling being constructed on any parcel must be shown on plans and elevations and specific approval must be obtained from the Design Committee for all such devices. Without restricting the generality of the foregoing, it is understood that satellite dishes, solar-heating units and air-conditioning units will be considered to be mechanical devices external to the structure;
- y. Roof design and materials are not permitted except in compliance with the following:
 - i. Roof pitches must be compatible
 - ii. Good quality sawn cedar and pine shingles are permitted, as are clay, slate and concrete roof tiles in flat profiles. Asphalt or composition shingles will normally not be permitted. Standing seam lead, copper or terne are permitted. All colors must be approved by the Design Committee;



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- z. The minimum habitable floor area of the residence, excluding garages, balconies, verandahs or other appurtenant structures should be 139 square meters (1,500 square feet)
- aa. The maximum total building area for all accessory building on each Unit shall be 120 square meters (1292 square feet) and the maximum number of accessory buildings on each Unit shall be 2.

Notwithstanding anything hereinbefore provided, the Design Committee may, in its sole discretion, refuse to approve any construction, location, alteration or renovation proposed to be made on the Units on the basis that such construction, location, alteration or renovation does not conform to or is incompatible with the general development of the Units, although decisions by the Design Committee may be appealed as above provided.

The Design Committee's stamp of approval affixed to plans, architectural drawings and specifications denotes the Design Committee's approval and acceptance of the technical information contained in such plans, architectural drawings and specifications, and approval of the visual design that the plans, drawings and specifications appear to represent. The stamp of approval may not be constructed to mean that the Design Committee confirmed the dimensions shown on any submission. The Owner of the Unit applying for approval of the Design Committee shall be responsible to ensure that all building codes and regulations and laws of governmental authorities having jurisdiction over the Units have been complied with, notwithstanding the Design Committee's stamp of approval.



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BUILDING AND USE RESTRICTION

1. Development is restricted to one detached single – family residence on each Unit, together with ancillary buildings such as a gazebo, guesthouse, garage, swimming pool and other uses which are clearly consistent with residential use.
2. The keeping of livestock is not permitted. No owner of a Unit shall maintain more than one cat or one dog at any one time, except with the consent of the board of directors of the Condominium Corporation. Dogs shall not run free or be allowed to pack, and whenever of its owner’s Unit a dog shall be on a leash or under the full control of a responsible party.
3. No garbage, refuse or non-natural materials may be kept or stored on any Unit unless kept or stored in an approval closed container or building, and no such garbage, refuse or non-natural material or objects shall be allowed to accumulate on any Unit by the occupant thereof.
4. No Unit shall be used for any trade or business purpose other than those approved by the municipal authority having jurisdiction and provided that such use shall not employ any employees not residing on a permanent basis on such Unit nor generate any more than five vehicle traffic movements per day. Any such business shall only be open for business during the hours of 9:00 am to 5:00 p.m., Monday through Friday, so as to avoid traffic on other days and times.
5. No Unit shall be used for the storage of commercial vehicles or stockpiling of any materials or supplies or stock-in-trade or for any purpose, excepting such storage shall be permitted if temporary and associated with the construction, maintenance or repair of dwellings and roadways located on the Units or the common property of the Condominium Corporation or the utilities related thereto or used in connection with landscaping the Units or common property.
6. The placement on any Unit of mobile homes, transportable or modular homes and trailers is prohibited except as they may be housed in garages or enclosed storage as approved by the Condominium Corporation.
7. No activity other than the construction of the dwelling house and other improvements on a Unit shall be undertaken or permitted to be undertaken which creates or might reasonable be expected to create dust, odor, smoke, noise traffic incompatible with a private community.