

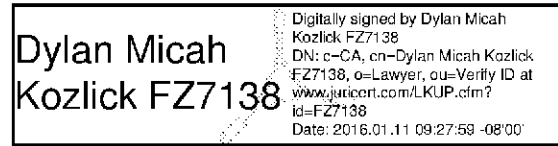
VICTORIA LAND TITLE OFFICE

LAND TITLE ACT BRITISH COLUMBIA  
FORM 17 CHARGE, NOTATION OR FILING Jan-11-2016 09:43:44.007  
LAND TITLE AND SURVEY AUTHORITY

CA4919363

PAGE 1 OF 9 PAGES

- Your electronic signature is a representation by you that:
  - you are a subscriber; and
  - you have incorporated your electronic signature into
    - this electronic application, and
    - the imaged copy of each supporting document attached to this electronic application, and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
- Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
  - the supporting document is identified in the imaged copy of it attached to this electronic application;
  - the original of the supporting document is in your possession; and
  - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.



Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

1. APPLICANT: (Name, address, phone number of applicant, applicant's solicitor or agent)

Ramsay Lampman Rhodes  
Barristers & Solicitors  
111 Wallace Street, PO Box 667  
Nanaimo BC V9R 5B2  
Document Fees: \$71.58

Telephone: (250) 754-3321  
File No: C9593 / 0921075 BC Ltd.  
(Statutory Building Scheme - Lots 1-20)

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:  
[PID] [legal description]

**SEE SCHEDULE**

STC? YES

3. NATURE OF CHARGE, NOTATION, OR FILING: AFFECTED CHARGE OR NOTATION NO:

**STATUTORY BUILDING SCHEME**  
ADDITIONAL INFORMATION:

NATURE OF CHARGE, NOTATION, OR FILING: AFFECTED CHARGE OR NOTATION NO:

ADDITIONAL INFORMATION:

4. PERSON TO BE REGISTERED AS CHARGE OWNER: (including occupation(s), postal address(es) and postal code(s))

**NOT APPLICABLE**

FORM E7 V12

**LAND TITLE ACT  
FORM E**

**SCHEDULE**

PAGE 2 OF 9 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND

Related Plan Number: **EPP56673**

STC for each PID listed below? YES

[PID] [LEGAL DESCRIPTION – must fit in a single text line]

- NO PID NMBR LOT 1, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 2, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 3, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 4, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 5, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 6, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 7, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 8, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 9, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 10, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 11, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 12, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 13, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 14, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 15, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 16, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 17, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 18, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 19, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673
- NO PID NMBR LOT 20, DISTRICT LOT 87, NANOOSE DISTRICT, PLAN EPP56673

LAND TITLE ACT

FORM 35  
(Section 220(1))

DECLARATION OF BUILDING SCHEME

NATURE OF INTEREST CHARGE: Building Scheme

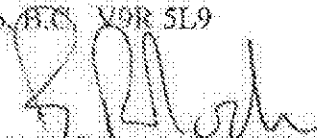
HEREWITH FEES OF: \$71.58

Address of person entitled to apply to register this building scheme:

#103 - 9838 Fourth Street, Sidney, BC V8L 2Z3

Full name, address, and telephone number of person presenting application:

Ramsay Lampman Rhodes - Richard N. Rhodes  
111 Wallace Street, PO Box 667, Nanaimo, B.C. V9R 5L9  
Tel.: 250-754-3321



Signature of Applicant or  
Solicitor or Authorized Agent

WE, 0921075 B.C. Ltd., (Inc. No. BC0921075), #103 - 9838 Fourth Street, Sidney, BC V8L 2Z3, declare that:

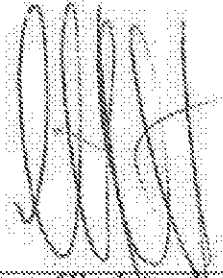

1. 0921075 B.C. Ltd. is the registered owner in fee simple of the following land:  
Parcel Identifier No.

- NO PID NUMBER Lot 1, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 2, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 3, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 4, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 5, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 6, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 7, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 8, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 9, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 10, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 11, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 12, District Lot 87, Nanoose District, Plan EPP56673
- NO PID NUMBER Lot 13, District Lot 87, Nanoose District, Plan EPP56673

- 2 -

NO PID NUMBER Lot 14, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 15, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 16, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 17, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 18, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 19, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 20, District Lot 87, Nanoose District, Plan EPP56673  
 (the "Lots")

2. We hereby create a building scheme relating to the Lots.
3. A sale of any of the Lots is subject to the restrictions enumerated in the schedule attached or annexed hereto.
4. The restrictions shall be for the benefit of all the Lots, provided, however, that we reserve the right to exempt any of the Lots remaining undisposed of by us from all or any of the restrictions and benefits.

<p>Officer Signature(s)</p>  <p><i>(printed)</i> Christopher Schulte  <b>9830 Fourth Street</b>  <b>Sidney, B.C. V8L 2Z3</b>  <i>Barrister &amp; Solicitor</i></p>	<table border="1" style="margin: auto; border-collapse: collapse;"> <tr> <th colspan="3">Execution Date</th> </tr> <tr> <th style="padding: 2px;">Y</th> <th style="padding: 2px;">M</th> <th style="padding: 2px;">D</th> </tr> <tr> <td style="text-align: center; padding: 5px;">15</td> <td style="text-align: center; padding: 5px;">12</td> <td style="text-align: center; padding: 5px;">02</td> </tr> </table>	Execution Date			Y	M	D	15	12	02	<p>Part(ies) Signature(s)</p> <p><b>0921075 B.C. LTD.,</b> by its authorized signatory:</p>  <p><i>Ronald Sleogh</i></p>
Execution Date											
Y	M	D									
15	12	02									

(as to all signatures)

**OFFICER CERTIFICATION:**  
 Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

- Notes:
1. The consent and grant of priority of chargeholders may be in separate counterparts of Form 35.
  2. The execution of all declaring or consenting parties must be witnessed in accordance with Part 5 of the *Land Title Act*.
  3. The type and registration number of the charge must be typed or printed immediately below the signature of the owner of the charge.

- 3 -

**SCHEDULE "A"**  
**SCHEDULE OF RESTRICTIONS**

UNLESS THE CONTEXT OTHERWISE REQUIRES, THE FOLLOWING WORDS OR PHASES SHALL HAVE THE FOLLOWING MEANINGS:

"Approval" shall mean the written approval granted by the Design Approval Officer as required in paragraph 1 to this Schedule of Restrictions;

"Building" or "Buildings" shall mean and include any one or more buildings or structure of any kind whatsoever located on any Lot;

"Building Scheme" shall mean and include the Declaration of Building Scheme attached hereto and the provisions of this Schedule "A";

"Design Approval Officer" shall mean the Developer or such person or corporate body as from time to time the Developer may designate in writing as Design Approval Officer. Initially the Developer has designated Christopher Lundy of Westmark Construction Ltd. to be the Design Approval Officer;

"Developer" shall mean 0921078 B.C. Ltd., presently of #103-9838 Fourth Street, Sidney, B.C. (Phone: 778-351-4401);

"Dwelling" or "Dwellings" shall mean and include any Building constructed on a Lot to be occupied or intended to be occupied as a residence;

"Habitable Area" shall mean and include the total square footage measured at the exterior of all walls and shall specifically exclude garages, areas used exclusively for storage, and other areas and spaces not enclosed by floors, walls or ceilings such as decks, porches, balconies, patios and other like annexures;

"Lot" or "Lots" shall mean and include any of the lots described in paragraph 1 of the Declaration of Building Scheme attached hereto;

"Owner" or "Owners" shall mean and include any one or more persons, firms, entities or bodies corporate, that has any estate or interest, legal or equitable, in any of the Lots;

"Street" shall mean and include any public street or road adjacent to any of the Lots;

and

"Work" shall mean and include any improvement of any kind whatsoever to a Lot and, without limiting the generality of the foregoing, shall include any site preparation, clearing, burning, excavation, filling, backfilling, grading or levelling of a Lot and any other construction-related activities on a Lot including any construction, alteration, addition or extension to a Dwelling, any other Building or any other improvement to a Lot.

- 4 -

1. No Owner, or anyone acting on behalf of an Owner, shall:
  - (a) commence any Work on a Lot; or
  - (b) make application for or obtain a building permit for any construction, alteration, addition or extension to a Dwelling, any other Building or any other improvement to a Lot;without having first received the Approval of the Design Approval Officer authorizing the proposed Work on his Lot.
2. No Work shall be performed on any Lot unless the Work is commenced, continued and completed in full compliance of the Approval of the Design Approval Officer.
3. Application for Approval of any Work shall be made by an Owner of a Lot to the Design Approval Officer:

Westmark Construction Ltd., Attention: Christopher Lundy,  
c/o #1 - 2535 McCullough Road, Nanaimo, B.C. V9S 4M9

by delivery of the following to the Design Approval Officer:

- (a) two (2) complete sets of plans of the proposed residential Dwelling signed by the Owners;
- (b) two (2) copies of a plot plan showing the location of the Dwelling on the Lot with setbacks from front, rear and side yards noted thereon, signed by the Owners;
- (c) two (2) copies of a list outlining exterior finishing specifications complete with:
  - colour and type of exterior wall finish and trim including any roof gables that face the front streets; and
  - description of required masonry finish.

One (1) set of plans and one (1) copy of the other documentation submitted with the application will be returned with the Letter of Approval showing any modifications that may be required and one (1) set of plans and a copy of the other documentation submitted with the application will be retained by the Developer as a record of compliance with the Building Scheme.

No construction of any Building shall be commenced on a Lot until the Owner has submitted to the Design Approval Officer and the Design Approval Officer has approved a survey certificate from a BC Land Surveyor verifying that the Building will conform with any height or setback restrictions forming part of the Approval. Such certificate is to be approved or rejected by the Design Approval Officer within five (5) business days of receipt of said certificate.

- 5 -

4. No Dwelling shall be occupied at any time unless:
  - (a) all Work is completed;
  - (b) all walkways and driveways stipulated as part of the approval process are completed;
5. Without in any way limiting the provisions of paragraphs 1, 2, 3, and 4 of this Schedule of Restrictions, or the discretion of the Design Approval Officer in the approval or refusal to approve proposed Work, no vinyl siding may be used on the exterior of any Building with an area in excess of 10 square metres.
6. No Owner, or anyone acting on behalf of an Owner, shall:
  - (a) erect, place, construct or maintain on his Lot a mobile home, modular home, pre-constructed home, trailer, tent or any other like structure to be used as a Dwelling or other pre-constructed building in excess of 10 square metres in size;
  - (b) leave the exterior of any Building constructed on a Lot uncompleted after eight (8) months of commencing construction;
  - (c) Construct a Dwelling on any Lot unless the same shall have a minimum Habitable Area equal to or greater than the amounts set out on the floor specified as follows:

Home Style	Square Footage
Basement Entry	1,500 square feet on main living level (ie. second level)
Two Storey (entry on ground floor, main living level on the ground floor)	2,000 square feet in total and 1,500 square feet on ground level
Split Level	1,800 square feet in total
One Storey (Rancher)	1,500 square feet on Main Floor
Walkout Rancher (main level entry with walkout basement)	1,500 square feet on Main Floor (ie. the floor above the basement)

- (d) erect more than one (1) Dwelling on any Lot;
- (e) erect more than one (1) Building as a Dwelling on any Lot;
- (f) use a Dwelling on any Lot for any purpose other than as a single family residence, provided however that if the City of Parksville has given its approval to a self-contained suite with a Dwelling then this provision shall not prohibit occupation of one self-contained suite within a Dwelling whether or not the occupants thereof are family members of the occupants of the balance of the Dwelling;

- 6 -

- (g) use any Lot or any Building on a Lot for the purpose of any profession, trade, employment, manufacture, or business of any kind whatsoever, even if permitted by the zoning applicable to the Lot;
- (h) subdivide any Lot or Lots;
- (i) park or permit to be parked on a Lot any commercial vehicles or machinery having a gross vehicle weight in excess of 10,000 pounds and/or being in excess of 20 feet in length. PROVIDED that this clause shall not be deemed to affect or prohibit the parking for the specified purpose of doing construction or maintenance work upon the said lands for the improvement and benefit thereof, or of commercial vehicles parked temporarily for the purposes of conducting their regular business in or about a Lot;
- (j) park or store or permit to be parked or stored on any Lot:
  - (i) any trailer;
  - (ii) recreational vehicle; or
  - (iii) boat;having a length in excess of 20 feet.
- (k) park or store or permit to be parked or stored on any Lot any trailer, recreational vehicle, or boat regardless of length, with a tarp or other cover which is not fitted to the contours of the trailer, recreational vehicle, or boat;
- (l) permit any outdoor clothes lines or poles to be used, save and except for an umbrella or collapsible type erected in such a manner as not to be visible from the Street upon which the Lot is situated;
- (m) permit any mobile home, tent, trailer, modular unit or duplex, or any building or structure constructed substantially off site, or any A-Frame or Quonset hut plan or duplexes to be placed on any Lot, or any trailer, garage or other out-building to be used for either permanent or temporary residence;
- (n) permit any rubbish or debris to accumulate on the Lot or Lots including, without limiting the generality of the foregoing, any motor vehicle of any sort not bearing a current year's motor vehicle licence plate;
- (o) permit any garbage receptacle or compost heap to be kept on the Lot or Lots unless the same is screened from public view at all times;
- (p) permit any birds, poultry, swine, sheep, cows, cattle or other livestock excepting only the usual domesticated house pets to be kept upon the Lot or Lots; Provided, however, that no household pets may be kept for sale or profit in any way whatsoever;



- 7 -

- (q) permit any billboard or sign of any character to be erected, posted or displayed upon or about any part of any Lot or Lots or upon or in any Buildings on the Lot or Lots, other than "For Sale" signs not larger than eighteen inches by thirty inches (18" x 30"), provided that nothing in this clause contained shall prevent an Owner from erecting or displaying a sign showing his name and/or street address so long as the dimensions of such sign do not exceed twenty-four inches by eighteen inches (24" x 18").

In this Building Scheme where the context allows, "permit" when used as a verb includes "cause, commit, suffer or authorize".

7. Wherever the masculine or singular is used in this schedule, it shall mean the plural or feminine or body politic or corporate and the heirs, executors, administrators and assigns of the undersigned.

**END OF DOCUMENT**

**LAND TITLE ACT  
FORM DECLARATION**Related Document Number: **CA4919363**

PAGE 1 OF 8 PAGES

Your electronic signature is a representation that: you are a subscriber as defined by the Land Title Act, RSBC 1996, C.250, the original or where designated by the Director, a true copy of the supporting document is in your possession and that the summary of the material facts set out in this declaration accurately reflects the material facts set out in each supporting document and if a supporting document is evidenced by an imaged copy the material facts of the supporting document are set out in the imaged copy of it attached. Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the Land Title Act.

<b>Richard Norman Rhodes 4B6FQV</b>	Digitally signed by Richard Norman Rhodes 4B6FQV DN: c=CA, cn=Richard Norman Rhodes 4B6FQV, o=Lawyer, ou=Verify ID at www.juricert.com/ LKUP.cfm?id=4B6FQV Date: 2016.01.18 14:34:25 -08'00'
---	--

I, Richard N. Rhodes, Barrister & Solicitor at Ramsay Lampman Rhodes, 111 Wallace Street, Nanaimo, BC registered a Form C Charge (Statutory Building Scheme) under pending registration number CA4919363.

A Notice Declining to Register was issued requesting that clauses 3 and 7 be removed.

I attach the amended Statutory Building Scheme with clauses 3 and 7 crossed out and initialled on behalf of the applicant to the extent that they did not contain restrictive provisions.

I request that the Registrar of Land Titles proceed with registration on the basis of the amended Statutory Building Scheme attached hereto.

Richard N. Rhodes  
Barrister & Solicitor

**NOTE:**

A Declaration cannot be used to submit a request to the Registrar for the withdrawal of a document.

**Fee Collected for Document: \$12.88**

**LAND TITLE ACT**

**FORM 35  
(Section 220(1))**

**DECLARATION OF BUILDING SCHEME**

NATURE OF INTEREST CHARGE: Building Scheme

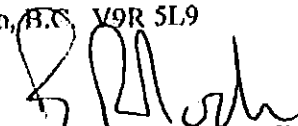
HEREWITH FEES OF: \$71.58

Address of person entitled to apply to register this building scheme:

#103 - 9838 Fourth Street, Sidney, BC V8L 2Z3

Full name, address, and telephone number of person presenting application:

Ramsay Lampman Rhodes - Richard N. Rhodes  
111 Wallace Street, PO Box 667, Nanaimo, B.C. V9R 5L9  
Tel.: 250-754-3321



Signature of Applicant or  
Solicitor or Authorized Agent

WE, 0921075 B.C. Ltd., (Inc. No. BC0921075), #103 - 9838 Fourth Street, Sidney, BC V8L 2Z3, declare that:

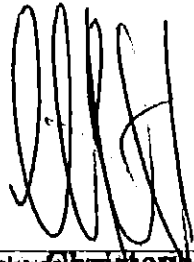
- 1. 0921075 B.C. Ltd. is the registered owner in fee simple of the following land:  
Parcel Identifier No.

NO PID NUMBER	Lot 1, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 2, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 3, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 4, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 5, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 6, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 7, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 8, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 9, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 10, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 11, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 12, District Lot 87, Nanoose District, Plan EPP56673
NO PID NUMBER	Lot 13, District Lot 87, Nanoose District, Plan EPP56673

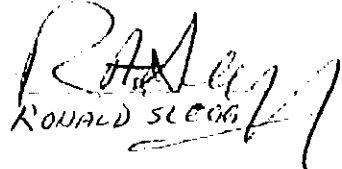
- 2 -

NO PID NUMBER Lot 14, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 15, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 16, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 17, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 18, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 19, District Lot 87, Nanoose District, Plan EPP56673  
 NO PID NUMBER Lot 20, District Lot 87, Nanoose District, Plan EPP56673  
 (the "Lots")

2. We hereby create a building scheme relating to the Lots.
3. A sale of any of the Lots is subject to the restrictions enumerated in the schedule attached or annexed hereto.
4. The restrictions shall be for the benefit of all the Lots, provided, however, that we reserve the right to exempt any of the Lots remaining undisposed of by us from all or any of the restrictions and benefits.

Officer Signature(s)  
  
 (please print name) Christopher S. Lott  
 9830 Fourth Street  
 Sidney, B.C. V8L 2Z3  
 Barrister & Solicitor

Execution Date		
Y	M	D
15	12	02

Part(ies) Signature(s)  
 0921075 B.C. LTD., by its authorized signatory:  
  
 RONALD SLEGO

(as to all signatures)

**OFFICER CERTIFICATION:**  
 Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

- Notes:
1. The consent and grant of priority of chargeholders may be in separate counterparts of Form 35.
  2. The execution of all declaring or consenting parties must be witnessed in accordance with Part 5 of the *Land Title Act*.
  3. The type and registration number of the charge must be typed or printed immediately below the signature of the owner of the charge.

- 3 -

**SCHEDULE "A"**  
**SCHEDULE OF RESTRICTIONS**

UNLESS THE CONTEXT OTHERWISE REQUIRES, THE FOLLOWING WORDS OR PHASES SHALL HAVE THE FOLLOWING MEANINGS:

"Approval" shall mean the written approval granted by the Design Approval Officer as required in paragraph 1 to this Schedule of Restrictions;

"Building" or "Buildings" shall mean and include any one or more buildings or structure of any kind whatsoever located on any Lot;

"Building Scheme" shall mean and include the Declaration of Building Scheme attached hereto and the provisions of this Schedule "A";

"Design Approval Officer" shall mean the Developer or such person or corporate body as from time to time the Developer may designate in writing as Design Approval Officer. Initially the Developer has designated Christopher Lundy of Westmark Construction Ltd. to be the Design Approval Officer;

"Developer" shall mean 0921075 B.C. Ltd., presently of #103-9838 Fourth Street, Sidney, B.C. (Phone: 778-351-4401);

"Dwelling" or "Dwellings" shall mean and include any Building constructed on a Lot to be occupied or intended to be occupied as a residence;

"Habitable Area" shall mean and include the total square footage measured at the exterior of all walls and shall specifically exclude garages, areas used exclusively for storage, and other areas and spaces not enclosed by floors, walls or ceilings such as decks, porches, balconies, patios and other like annexures;

"Lot" or "Lots" shall mean and include any of the lots described in paragraph 1 of the Declaration of Building Scheme attached hereto;

"Owner" or "Owners" shall mean and include any one or more persons, firms, entities or bodies corporate, that has any estate or interest, legal or equitable, in any of the Lots;

"Street" shall mean and include any public street or road adjacent to any of the Lots;

and

"Work" shall mean and include any improvement of any kind whatsoever to a Lot and, without limiting the generality of the foregoing, shall include any site preparation, clearing, burning, excavation, filling, backfilling, grading or levelling of a Lot and any other construction-related activities on a Lot including any construction, alteration, addition or extension to a Dwelling, any other Building or any other improvement to a Lot.

- 4 -

1. No Owner, or anyone acting on behalf of an Owner, shall:
  - (a) commence any Work on a Lot; or
  - (b) make application for or obtain a building permit for any construction, alteration, addition or extension to a Dwelling, any other Building or any other improvement to a Lot;

without having first received the Approval of the Design Approval Officer authorizing the proposed Work on his Lot.
2. No Work shall be performed on any Lot unless the Work is commenced, continued and completed in full compliance of the Approval of the Design Approval Officer.

*g* ~~3. Application for Approval of any Work shall be made by an Owner of a Lot to the Design Approval Officer:~~

~~Westmark Construction Ltd., Attention: Christopher Lundy,  
c/o #1 2535 McCullough Road, Nanaimo, B.C. V9S 4M9~~

~~by delivery of the following to the Design Approval Officer:~~

- ll*
- ~~(a) two (2) complete sets of plans of the proposed residential Dwelling signed by the Owners;~~
  - ~~(b) two (2) copies of a plot plan showing the location of the Dwelling on the Lot with setbacks from front, rear and side yards noted thereon, signed by the Owners;~~
  - ~~(c) two (2) copies of a list outlining exterior finishing specifications complete with:
 
    - ~~— colour and type of exterior wall finish and trim including any roof gables that face the front streets; and~~
    - ~~— description of required masonry finish.~~~~

~~One (1) set of plans and one (1) copy of the other documentation submitted with the application will be returned with the Letter of Approval showing any modifications that may be required and one (1) set of plans and a copy of the other documentation submitted with the application will be retained by the Developer as a record of compliance with the Building Scheme.~~

*ll* ~~No construction of any Building shall be commenced on a Lot until the Owner has submitted to the Design Approval Officer and the Design Approval Officer has approved a survey certificate from a BC Land Surveyor verifying that the Building will conform with any height or setback restrictions forming part of the Approval. Such certificate is to be approved or rejected by the Design Approval Officer within five (5) business days of receipt of said certificate.~~

- 5 -

- 4. No Dwelling shall be occupied at any time unless:
  - (a) all Work is completed;
  - (b) all walkways and driveways stipulated as part of the approval process are completed;
- 5. Without in any way limiting the provisions of paragraphs 1, 2, 3, and 4 of this Schedule of Restrictions, or the discretion of the Design Approval Officer in the approval or refusal to approve proposed Work, no vinyl siding may be used on the exterior of any Building with an area in excess of 10 square metres.

- 6. No Owner, or anyone acting on behalf of an Owner, shall:
  - (a) erect, place, construct or maintain on his Lot a mobile home, modular home, pre-constructed home, trailer, tent or any other like structure to be used as a Dwelling or other pre-constructed building in excess of 10 square metres in size;
  - (b) leave the exterior of any Building constructed on a Lot uncompleted after eight (8) months of commencing construction;
  - (c) Construct a Dwelling on any Lot unless the same shall have a minimum Habitable Area equal to or greater than the amounts set out on the floor specified as follows:

<u>Home Style</u>	<u>Square Footage</u>
Basement Entry	1,500 square feet on main living level (ie. second level)
Two Storey (entry on ground floor, main living level on the ground floor)	2,000 square feet in total and 1,500 square feet on ground level
Split Level	1,800 square feet in total
One Storey (Rancher)	1,500 square feet on Main Floor
Walkout Rancher (main level entry with walkout basement)	1,500 square feet on Main Floor (ie. the floor above the basement)

- (d) erect more than one (1) Dwelling on any Lot;
- (e) erect more than one (1) Building as a Dwelling on any Lot;
- (f) use a Dwelling on any Lot for any purpose other than as a single family residence, provided however that if the City of Parksville has given its approval to a self-contained suite with a Dwelling then this provision shall not prohibit occupation of one self-contained suite within a Dwelling whether or not the occupants thereof are family members of the occupants of the balance of the Dwelling;

- 6 -

- (g) use any Lot or any Building on a Lot for the purpose of any profession, trade, employment, manufacture, or business of any kind whatsoever, even if permitted by the zoning applicable to the Lot;
- (h) subdivide any Lot or Lots;
- (i) park or permit to be parked on a Lot any commercial vehicles or machinery having a gross vehicle weight in excess of 10,000 pounds and/or being in excess of 20 feet in length. PROVIDED that this clause shall not be deemed to affect or prohibit the parking for the specified purpose of doing construction or maintenance work upon the said lands for the improvement and benefit thereof, or of commercial vehicles parked temporarily for the purposes of conducting their regular business in or about a Lot;
- (j) park or store or permit to be parked or stored on any Lot:
  - (i) any trailer;
  - (ii) recreational vehicle; or
  - (iii) boat;having a length in excess of 20 feet.
- (k) park or store or permit to be parked or stored on any Lot any trailer, recreational vehicle, or boat regardless of length, with a tarp or other cover which is not fitted to the contours of the trailer, recreational vehicle, or boat;
- (l) permit any outdoor clothes lines or poles to be used, save and except for an umbrella or collapsible type erected in such a manner as not to be visible from the Street upon which the Lot is situated;
- (m) permit any mobile home, tent, trailer, modular unit or duplex, or any building or structure constructed substantially off site, or any A-Frame or Quonset hut plan or duplexes to be placed on any Lot, or any trailer, garage or other out-building to be used for either permanent or temporary residence;
- (n) permit any rubbish or debris to accumulate on the Lot or Lots including, without limiting the generality of the foregoing, any motor vehicle of any sort not bearing a current year's motor vehicle licence plate;
- (o) permit any garbage receptacle or compost heap to be kept on the Lot or Lots unless the same is screened from public view at all times;
- (p) permit any birds, poultry, swine, sheep, cows, cattle or other livestock excepting only the usual domesticated house pets to be kept upon the Lot or Lots; Provided, however, that no household pets may be kept for sale or profit in any way whatsoever;



- 7 -

- (g) permit any billboard or sign of any character to be erected, posted or displayed upon or about any part of any Lot or Lots or upon or in any Buildings on the Lot or Lots, other than "For Sale" signs not larger than eighteen inches by thirty inches (18" x 30"), provided that nothing in this clause contained shall prevent an Owner from erecting or displaying a sign showing his name and/or street address so long as the dimensions of such sign do not exceed twenty-four inches by eighteen inches (24" x 18").

In this Building Scheme where the context allows, "permit" when used as a verb includes "cause, commit, suffer or authorize".



7. ~~Wherever the masculine or singular is used in this schedule, it shall mean the plural or feminine or body politic or corporate and the heirs, executors, administrators and assigns of the undersigned.~~

**END OF DOCUMENT**