



RESIDENTIAL DESIGN GUIDELINES

PHASE 3

26 June 2018
Version 1.1

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1.0 VISION

The Cedars is an alpine community located in the town of Fernie. Situated next to Mount Fernie Provincial Park, The Cedars is in an area of pristine beauty surrounded by magnificent Rocky Mountain peaks.

Through quality craftsmanship and extensive use of natural materials, The Cedars celebrates the spectacular mountain setting in which it is located. The Cedars will offer a range of housing opportunities within an area of extensive greenspace with over 45 acres of the property being retained in its natural condition.

Within this large green space a series of trails will be developed for walking, hiking, snowshoeing and nordic skiing. Trail development will include over five kilometers of groomed nordic ski trails that are being created in partnership with the Elk Valley Nordic Society. The Society proposes to create a network of trails that radiate from The Cedars and include a bridge crossing over Lizard Creek with connection to Fernie Alpine Resort.



The over-riding design philosophy for The Cedars is to create a contemporary residential community within this spectacular Rocky Mountain setting. Stated in broad terms, the vision is for all homes and landscape to be in harmony with the setting and to complement, rather than overpower, the natural landscape through the use of contemporary mountain architecture that reflects natural landforms and compliments the natural vegetation of the region.

This is the Cedars. Integrated. The mountain life in Fernie with no separation between the living and the mountains.

2.0 ARCHITECTURAL THEME AND CHARACTER

Design guidelines are standards which contribute to the highest quality of design. Buildings are to relate to the land, step with natural grades, harmonize with the character of the surrounding landscape and reflect the styles of contemporary Rocky Mountain architecture. Applied with reasonable artistic license this theme and character supports the vision for The Cedars.

When buildings are in harmony with the surrounding landscape and neighbouring homes, the result is a pleasing and comfortable environment where nature takes centre stage and each homeowner's enjoyment of the community is enhanced. The Design Review Coordinator for The Cedars encourages variety and individualism in homes within the context of these guidelines. However, strong contrasts in form, scale, massing, colour and materials will detract from the overall look and feel of the community and will not be permitted.

CONTEMPORARY ROCKY MOUNTAIN STYLE





Rocky Mountain Architecture

- Square timber detailing
- Natural stone for siding
- Stone base to anchor home
- Large windows
- Significant roof overhangs
- Sheltering roof forms
- Repetition of simple forms



Note: All images contained in these Design Guidelines are provided to demonstrate elements of contemporary mountain architecture. Not all elements of all homes illustrated would be acceptable at The Cedars. All homes at The Cedars must meet with the requirements of these Design Guidelines as outlined herein.

3.0 DESIGN APPROVAL PROCESS

The Design Review Coordinator (the “DRC”) for The Cedars will ensure that residential development conforms to these Design Guidelines (the “Design Guidelines”). The DRC’s objective is to encourage a consistent application of these design guidelines so as to achieve a harmonious community character.

Responsibility of the Design Review Coordinator

The DRC is responsible for reviewing and approving all residential development at The Cedars. This includes, but is not limited to: all new construction and site development; revisions to previously approved plans; and, renovation, expansion, or revision to the exterior form or finish of any building or structure.

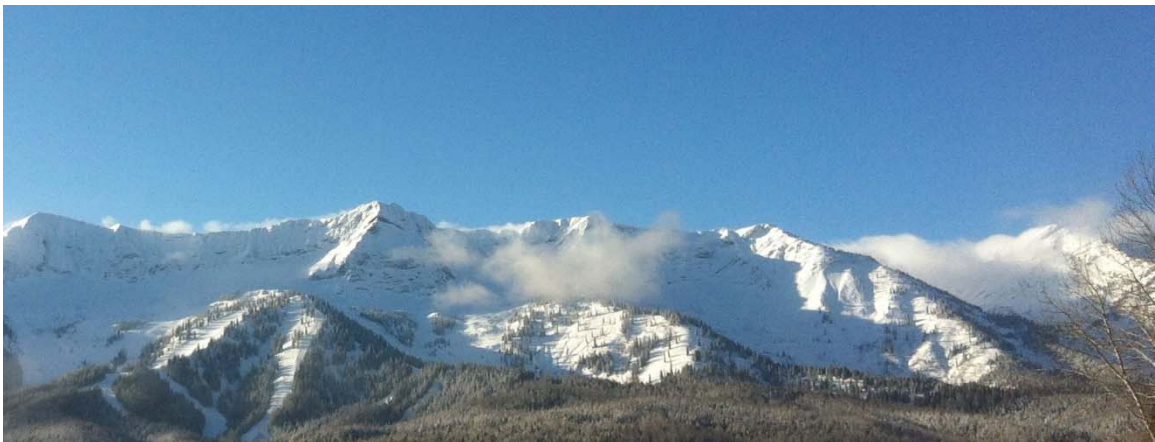
Design Review Process

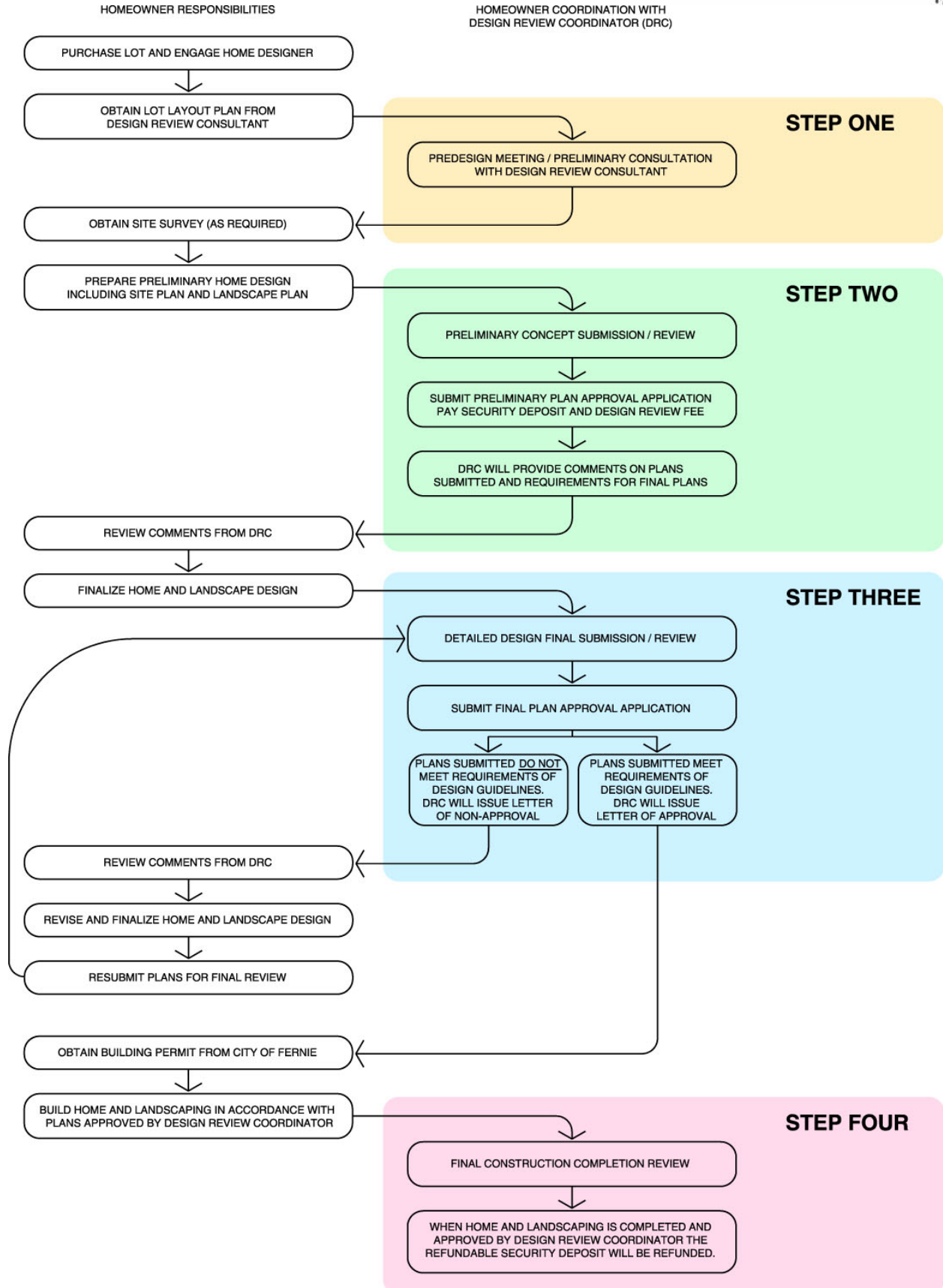
As an Owner, you are responsible for ensuring that your design team complies with the following requirements and Design Review Process and to assure The Cedars of your commitment to respecting the community within which you are building.

This design review process has been established to enable the Owner to work with and understand the intent of these Design Guidelines. A flowchart and detailed description of the design review process follow.

Variances from these Design Guidelines

The DRC may permit homes to be constructed that do not strictly adhere to these guidelines. Variances to these guidelines may be permitted for certain homes based on superior design that, while maintaining the overall theme and character of the community, may not conform to one or more specific guidelines. Variances may also be provided due to situations that are not addressed in these guidelines. Variances for each home will be considered on their own merits. Existing variances within the community shall not be considered precedence for other homes. The ability to provide a variance does not obligate the DRC or the Developer to do so.





STEP ONE | PRE-DESIGN MEETING / PRELIMINARY CONSULTATION

A pre-design meeting must be scheduled to review the requirements of the guidelines with the DRC. This meeting may be by telephone, at the office of the DRC or at the site (as permitted by the DRC's schedule).

The pre-design meeting is intended as an opportunity to review the approval process at The Cedars, the proposed schedule for design guideline approval and home construction, as well as any preliminary design ideas that the Owner may have. For this meeting, it is suggested that you prepare preliminary development concept sketches. This will enable the review of initial ideas relative to actual site conditions.

STEP TWO | PRELIMINARY CONCEPT SUBMISSION / REVIEW

The preliminary concept review stage ensures that the design being pursued is in general conformance with these Design Guidelines. It is not necessary, nor is it intended, to submit final drawings at this stage. It is the DRC's intent to review the preliminary design. The preliminary design should be to a stage suitable for review, but still at a level where revisions to the plans are feasible.

Prior to commencement of preliminary concept approval, **Appendix A – Preliminary Plan Approval Application**, the **Refundable Security Deposit** and the **Design Review Fee** must be submitted to the DRC.

Following review and approval of the plans submitted, the DRC will provide a letter outlining any issues with the design to date and recommendations regarding how to proceed with the final design.

STEP THREE | DETAILED DESIGN FINAL SUBMISSION / REVIEW

The final submission for DRC approval shall include all relevant information required for a complete review of these Design Guidelines, and should clearly address all issues that may have been raised previously by the DRC during the design review process. The DRC will not commence final review prior to submission of all required documentation. A complete list of all required documentation and plans is contained within **Appendix B – Final Plan Approval Application**.

Upon submission of complete documentation required for final submission, the DRC will commence formal review of the submission. The review will proceed as outlined below.

Design Review

The DRC will review all plans and other information submitted for compliance with these Design Guidelines. The DRC will notify the Applicant if the submission is not complete.

Design Approval

Upon approval of architectural and landscape plans that meet with the requirements of the Design Guidelines, as well as compliance to any previously defined conditions (as contained in sale agreement or other legal document), the DRC will issue a letter to the applicant approving the plans submitted for approval. The approval issued may be conditional upon the Owner making certain amendments to the plans submitted or other specifications for the home or landscape. It is the responsibility of the Owner to ensure that the conditions attached to the approval letter are implemented prior to commencement of construction and are fully adhered to throughout construction of the home and landscape.

Securing a Building Permit is the responsibility of the Owner. Upon receipt of your final approval from the DRC the Owner may submit stamped Approved drawings to the City of Fernie for a Building Permit.

STEP FOUR | FINAL CONSTRUCTION COMPLETION REVIEW

Upon completion of the home and landscaping, the DRC will review for conformance with these Design Guidelines.

The Final Construction Completion Review is scheduled at the request of the Owner. Prior to requesting your Final Construction Completion Review the home must be completed and all landscaping must be installed.

The Final Construction Completion Review will identify any deficiencies relative to DRC approval. When all of the deficiencies noted in the Final Construction Completion Review are completed, the DRC will issue Final Construction Completion Approval and authorize release of the security deposit, less any administration fees and charges incurred by the Developer for enforcement of these Design Guidelines.

REFUNDABLE DESIGN REVIEW SECURITY DEPOSIT AND DESIGN REVIEW FEES

To initiate the design review process, the ***Preliminary Plan Approval Application*** (Appendix A), Refundable Security Deposit and Design Review Fee must be submitted to the DRC.

- Refundable Security Deposit of **\$9,000 payable to The Cedars Community Development Inc.** All security deposit funds will be held by the Developer until the home and all landscaping are completed in accordance with the approved plans.
- Design Review Fee of **\$1,000 payable to Haworth Development Consulting.**

The Refundable Security Deposit and the Design Review Fee are payable prior to commencement of any design review by the DRC. Amounts are payable by cheque or money order only. Send payment to Haworth Development Consultants at the address at the front of this document.

Should the Owner not comply with the requirements of these Design Guidelines, the Refundable Security Deposit, plus any additional reasonable amounts, may be spent to remedy any non-compliance with these Design Guidelines or the Statutory Building Scheme. An encumbrance may also be registered against the title to the property by the Developer to ensure payment of any additional monies.

The Refundable Security Deposit may also be utilized by the Developer to clean up and/or repair common areas of the community or neighbouring lots damaged as a result of construction of the home.

Following completion of construction and final review, the Refundable Security Deposit will be returned, less any funds spent for enforcement of these guidelines. There is no interest payable to the homeowner on the Refundable Security Deposit. The Design Review Fee is non-refundable.

4.0 SITE PLANNING GUIDELINES

4.1 Lot Plan

The Developer will provide a Lot Plan for each building lot at The Cedars. The Lot Plan illustrates:

- *Property lines;*
- *Easements and rights-of-way within or adjacent to the lot;*
- *Building Envelope;*
- *Utility stub-out locations;*
- *Topographic grade at frontage road;*
- *Topographic grade points on lot (as available to Developer);*
- *Other information as the Developer may deem relevant.*

Although the Lot Plan provided by the Developer is based upon survey data and other information the Developer assumes to be accurate, it is not warranted to be completely accurate or complete. The Owner uses the information provided at the Owner's sole risk. The Owner is responsible to ensure that the plans for their home site is prepared accurately based on as-built conditions of the site and that all applicable rules and regulations relevant to the lot are adhered to. If you did not receive a Lot Plan at purchase please contact the DRC to obtain the plan for your lot.

Building Envelope

Each Lot Plan will include a Building Envelope. The Building Envelope for each lot is based on the minimum lot setbacks established in the City of Fernie Zoning Bylaw and additional setbacks as implemented by the Developer.

The Building Envelope is the portion of each Lot within which all improvements and construction activities must occur. Building design and construction activities must recognize that the Building Envelope is the maximum limit of disturbance during construction of your home. The Building Envelope includes a 1.2m (4 ft) Construction Buffer. The Construction Buffer is the area within your Building Envelope that is provided for construction activities. Cantilevers of small areas (max. 0.6m), roof projections and bay windows may occur in this area as long as these features do not impact the ability of the contractor to construct the home without impacting the natural area outside of the Building Envelope.

The only lot development that may occur outside of the Building Envelope is construction of the driveway from the frontage road through the front Building Envelope and landscaping complementary to the natural area.

Utility Rights-of-Way & Easements

Utility rights-of-way and easements are required to enable access to buried or surface utilities in case of emergency or special servicing needs. There can be no permanent construction or tree planting within any designated utility right-of-way or easement.

Building design and construction activities must recognize that the Building Envelope is the maximum limit of disturbance during construction of your home.

4.2 Lot Grading

Lot grading on each lot is required to ensure proper drainage and to maintain pre-development stormwater flows. No lot shall be graded in a manner that affects the overall drainage scheme for the community.

No dwelling may be constructed which has a main floor, garage or car port elevation that is less than the elevation determined by extending a line at a three percent (3%) slope from the top of curb immediately adjacent to the proposed main floor, garage or carport up to the proposed main floor, garage or carport.

The DRC may approve adjustments to the required minimum elevations to accommodate lot conditions that do not support such grades and/or non-traditional home designs, however, such adjustment will be granted at the sole discretion of the DRC. Contact the DRC early in the design of your home if a variance is proposed.

Home designs are required to fit within the context of the existing grading for each lot. No home may be artificially elevated on the lot.

Drainage swales and retaining walls, where required and approved, must be designed to enhance the site's natural character, conform to the overall approved site grading and drainage plan and be constructed in accordance with the requirements of these guidelines.

4.3 Soils and Geotechnical Constraints

If suspect or unsuitable soil conditions are encountered on any lot within the Cedars during excavation for the placement of load-bearing foundation components, the Owner must contact the City of Fernie, Office of the Building Official, immediately for inspection and assessment toward Geotechnical remediation requirements.

4.4 Site Drainage and Stormwater Flows

Lot grading on each lot is required to ensure proper drainage and to maintain pre-development stormwater flows. No lot shall be graded in a manner that affects the overall drainage scheme for the community.

Lot grading must be limited to the area within the Building Envelope. No grading of the natural area outside the Building Envelope is permitted.

Each Owner is responsible to confirm actual sub-surface conditions for their Lot and to design their home as required to address sub-surface conditions appropriately. This includes the responsibility to assess the need for weeping tile drainage of the proposed home site and to design and install a system capable of providing suitable drainage as may be required.

Each Owner is responsible to accommodate all required drainage and outflow for any weeping tile system within the confines of the building lot. The natural topography of some lots will permit for the down slope daylighting of a weeping tile system and facilitate discharge to natural drainage courses.

4.5 Driveways and Lot Access

Each Lot is permitted to have only one driveway connection to the frontage road. Minimum parking must be provided in conformance with City of Fernie Zoning Bylaw. Excessive parking is not permitted and will generally be limited to no more than parking for four vehicles.

Driveways are required to be contained within the Building Envelope except as required for access to the frontage road. Edge of driveway must be a minimum of 2.0m from side property line.

Driveway and parking areas shall not be excessive and shall be limited to no greater than 6.0m in width at the garage. Driveway width at the roadway shall be no greater than 4.5 metres.

Driveways are to be surfaced with suitable paving such as concrete pave stone, concrete, gravel or HDPE grass pavers. Concrete must be adequately reinforced and shall be coloured and textured or with an exposed aggregate finish. Prior to use of HDPE grass pavers the DRC must approve the proposed construction details. Driveway material, finish and colour are all subject to approval by the DRC.

4.6 Recreational Vehicles, Trailers, Boats and Other Motorized Watercraft

The storage of recreational vehicles, boats and other motorized watercraft, and trailers is controlled at The Cedars.

- Parking of recreational vehicles, trailers, boats and other motorized watercraft within the rear yard of any lot at The Cedars is prohibited at all times.
- Parking of recreational vehicles, trailers, boats and other motorized watercraft is permitted within the garage of the home. The garage must be designed in such a manner as to not appear oversized or out of context with the home or neighbouring homes as a result of any oversized garage door or due to the size of the garage.
- Parking of recreational vehicles, trailers, boats and other motorized watercraft is permitted within the side yard of the home. All parking areas for recreational vehicles, trailers, boats and other motorized watercraft must be finished with an approved paving material, must be located no less than 1.5m from the side property line, must be suitably screened from neighbouring lots and must be approved by the DRC.
- Parking of recreational vehicles, trailers, boats and other motorized watercraft within the front yard of the home is permitted within the approved driveway for no more than 10 days in any 30 day consecutive period.

4.7 Site Services, Utility Boxes & Mechanical Equipment

Site services, utility boxes and building mechanical equipment requirements and locations are to be planned from initial conceptual design. Consider mechanical design that incorporates energy efficient equipment that does not penetrate the building skin or require exterior placement on the roof, balcony or within landscape areas.

All mechanical equipment located outside of the home must be located within the Building Envelope and must be screened from view. Mechanical equipment must be located to minimize impact on neighbouring lots.

Window and thru-wall air conditioning units are not permitted.

4.8 Use of Propane and Propane Tanks

The community is provided with natural gas service. As such, the use of propane is not permitted except for barbeques and outdoor space heating appliances.

Propane tanks greater than 100lbs are not permitted on any Lot.

5.0 Architectural Guidelines

These Design Guidelines describe an architectural style which expresses a contemporary Rocky Mountain style.

There are three objectives that will be considered in all designs:

- Allow the natural setting to remain the dominant image;
- Reduce off-site and home-to-home visual impacts of development through sensitive massing, colour selection, and material choices; and,
- Create a unifying philosophy of design.

Structures should be simple and bold in form, with deep overhangs, divided light windows, substantial exposed beam and rafter tails and native materials. Roof forms are sheltering, but can vary with pitch. Colours should reflect the natural qualities of the wood and stone materials.

Architectural forms and styles that do not represent the ideals of The Cedars will not be permitted by the DRC. Final approval of any home design, including site planning and landscaping, is at the sole discretion of the DRC and the Developer.

The following sections of these guidelines describe the primary elements of design which are necessary to maintain the contemporary Rocky Mountain character of homes at The Cedars.

5.1 Building Massing and Scale

The massing and scale of structures should remain in harmony with the immediate natural setting. In settings where buildings stand out from the landscape such as open prairie and beachfronts (as found at The Cedars) manipulate the massing and scale to reduce the apparent size of the structure and to relate it to human scale.



5.2 Building Height

Building height should take advantage of opportunities for views while being sensitive to adjacent development. No primary dwelling shall exceed two storeys in height. Refer to Section 4.2 in these guidelines for additional requirements for lot grading and the impact on permitted building height.

No accessory building or other structure may exceed one storey in height. All accessory buildings shall be proportionate to the scale and character of the principle dwelling.

All building heights must be in conformance with the current City of Fernie Zoning Bylaw.

Relaxations to the maximum building height as defined in the City of Fernie Zoning Bylaw will not be permitted by the DRC.

5.3 Building Size

No single storey home shall be constructed in which the gross floor area of the main (ground) floor is less than 102.2 m² (1100 ft²).

No two-storey home shall be constructed in which the gross floor area is less than 111.5 m² (1200 ft²) and the gross floor area of the main (ground) floor is less than 74.3 m² (800 ft²).

Basements may not exceed the building footprint of the main floor of the house.

The gross floor area of a home shall be calculated from the outside of all exterior walls and shall include all interior finished space, except garages. Gross floor area shall not include covered porches and other unfinished space.

No accessory building may exceed one storey in height. All accessory buildings shall be proportionate to the scale and character of the principle dwelling.

5.4 Building Materials

The careful selection of materials creates buildings that are more ecologically sound and a better match for particular settings.

- Non-reflective materials are to be used, including non-reflective glazing.
- Transitions between building materials must be consistent with good design and construction techniques. All finishes on the front of a home must wrap a minimum of 1.8 m (6 ft) around the side of the house and must end at a logical transition point.



5.5 Building Colours

Colour selections are intended to enable The Cedars community to merge within its natural setting. In order to achieve this objective, colours are to be in earth related tones which reflect the mountain environment.

The following should be considered when determining colours for your home.

- Employ colours that complement local vegetation, soils, and rock outcrops.
- Select shades for large planar surfaces that are slightly darker than the surrounding natural colours.
- Analyse the local landscape for indigenous colours and materials.
- Use colour schemes that are inspired by rock outcrops, leaves or needles, tree trunks and bark, and colours found on the forest floor.
- Dominate the palette with earth tones.
- Colours that do not complement the mountain environment will not be permitted. This includes colours that could be found in nature – such as certain reds, yellows, oranges and blues – but which are not normally considered “earth tone” colours and that do not blend with the mountain backdrop in which The Cedars is located.
- White (including any variation of white or off-white) is not permitted for any exterior material, including, but not limited to, window frames, doors, electrical outlets and mechanical equipment.
- Fireplace, mechanical and exhaust venting and other mechanical equipment must be coloured to match the exterior of the home. Unfinished (galvanized or white) venting and equipment is not permitted.

Approval of all exterior building colours is at the sole discretion of the DRC.

5.6 Building Walls

Articulation of building facades provides variation in the plan and elevation of your home. Provide horizontal and vertical breaks in the wall planes, including balconies. Create impressions of a heavy structure expressed in the foundation and vertical layering of architectural elements.

Materials

- Materials must convey a sense of human scale, warmth and well-crafted construction. Material choices must reflect the mountain setting while recognizing the contemporary stylings of homes at The Cedars.
- Use of multiple wall materials can lend visual interest to a building. However, too many materials can create a garish appearance which allows buildings to compete with and visually overpower their surroundings. Homes should generally include at least two different wall cladding materials. Buildings which, in the sole opinion of the DRC, utilize too few or too many different cladding materials will not be permitted.
- Transitions between building materials must be consistent with good design and construction techniques. All finishes on the front of a home must wrap a minimum of 1.8 m (6 ft) around the side of the house and must end at a logical transition point.
- Building walls exceeding 6.0 metres (20 feet) in length must include suitable articulation to break-up the facade. Articulation may include steps in the building wall, use of windows, and changes in building materials.
- Materials for walls may be natural stone, square log, wood shingle, wood lap siding or wood board and batten siding.
- Artificial (cultured) stone may be approved for use by the DRC. Artificial stone that does not have the appearance of real stone will not be permitted. Artificial stone that is manufactured for installation in 'sheets' or 'panels' will not be permitted. Artificial stone manufactured from materials other than concrete will not be permitted.
- The preferred wall cladding for all homes in the Cedars is natural wood. However, engineered wood and cementitious siding products (ie. Smartboard, Hardiplank, etc) may be utilized with the approval of the DRC. Each home will be reviewed on its own merits. As a general rule, homes utilizing fibre cement siding must include at least two types of exterior cladding (ie. utilize fibre cement siding together with stone, wood shingle or other exterior wall cladding). When considering the use of fibre cement siding note that board & batten siding is preferred and that distinct joint patterns in horizontal siding will not be permitted. Fibre cement siding must imitate dimensional wood siding. Certain brands of engineered wood and cementitious siding may not be permitted by the DRC.
- Coloured stucco may be utilized for no more than 20% of the area of the home and no more than 50% of any single facade. Stucco must be acrylic.
- The use of metals as a cladding element requires specific approval from the DRC. Any metal approved must be non-glare.
- Walls shall not be surfaced with concrete, brick, plywood, aluminum or plastic siding or any other material not approved as an exterior finish.

- Trim, batter boards and other detailing shall be wood.

Colours

- Wood may be left natural in colour (with a protective sealant) or stained or painted in an acceptable earth-toned colour.
- Fibre-cement siding (*ie.* Hardieplank and Hardiepanel) shall be finished with darker colours. Light coloured fibre cement siding will not be approved.
- Stucco colours are to be deeply toned. Light or soft reflective tones are not acceptable.

5.7 Entry Details including Doors, Roofs and Supports

Architectural detailing should be used to define the entry to the home. The front door of the home must be visible from the frontage road and may not be obscured behind a garage or located on the side of the home where it is not visible. The front door of the home should be treated as an opportunity to express the character of the home through the use of timber detailing or other features.

All doors must have exterior trim on three sides. Trim shall be minimum 4" in width. All door trim must be minimum 2" in depth. Trim at the top of doors should be larger than trim along sides of doors.

Materials

- Wood stained doors are encouraged, however other materials are permitted.
- Doors with large windows are preferred over solid wood doors.
- Raised panel doors are not permitted.
- Door trim shall be wood.

Colours

- Wood doors shall be stained to complement the home.
- Metal and other doors shall be painted a colour that complements the overall colour scheme of the home.



5.8 Windows

Create a rhythm of openings in the façade through the meaningful placement of windows.

Respect neighbouring homes when determining window placement.

Windows must be square or angular in shape. Round or oval windows are not permitted.

All windows must have exterior trim on all four sides. Trim shall be minimum 4" in width. All window trim must be minimum 2" in depth. Trim at the top and bottom of windows should be larger than trim along sides of windows.

Shutters, where installed, shall be sized to the window opening they are associated with and shall be operable or appear operable. Shutters must be constructed of wood or other quality material.



Materials

- Non-reflective materials are to be used, including non-reflective glazing.
- Windows shall be wood or metal clad. Vinyl windows are not encouraged but may be permitted on a case-by-case basis.
- The use of glass block is not permitted.
- Window styles and materials will be permitted by the DRC based on the overall architectural character of the home and relationship to neighbouring homes.
- Window trim shall be wood.

Colours

- Window frames shall be natural in colour or coloured to complement the home. White window frames are not permitted.
- Vinyl windows are not permitted to be white (or similar colours). Vinyl window colour must complement the overall colour scheme of the home.
- Window trim shall complement the overall colour scheme for the home.

5.9 Eaves, Soffit, Fascia and Eavestrough

Moderate to broad overhangs are required on all eaves. Roof overhangs enhance the visual appearance of the home and provide sun, rain and snow protection. Roof overhangs shall be minimum 30" (760mm).

Wood fascia shall be built-up. Flat wood fascia is not permitted. Fascia shall be appropriately scaled to the overall design of the home but shall be a minimum of 8" (200mm) height, unless alternate detailing is provided.

Materials

- Soffit on exposed gable ends must be wood. Soffit on low-visibility facades (ie. not exposed to the street) may be wood or aluminum. Vinyl, Smart Trim, fibre cement board and other composite materials will not be permitted.
- Fascia shall be wood or metal. Vinyl, aluminum, Smart Trim, fibre cement board and other composite materials will not be permitted.



Colours

- Wood soffit colours shall be natural in colour or stained or painted in an acceptable earth-toned colour.
- Metal soffit shall be natural dark earth tones (ie. brown, black, dark grey).
- Wood fascia shall be natural in colour or stained or painted in an acceptable earth-toned colour.
- Metal fascia shall be natural dark earth tones (ie. dark brown, black, dark grey).
- Eavestrough and associated rainware shall be prefinished metal to complement overall colour scheme of the home.



5.10 Roofs

Roof design is important for snow management and is a major contributor to building character and strongly influence the architectural vision for a home.

In areas with high snow loads, such as Fernie, it is critical to avoid overly complex roof forms. Snow shedding shall be considered in all roof designs. It is the homeowner's responsibility to ensure that snow shedding is fully addressed in the overall design of the home and that suitable allowances are made for shedding snow and for snow storage.



Roof designs will be permitted as complementary to the home design. Generally, minimum roof slope shall be 6:12, maximum roof slope shall be 12:12 for primary roof elements. Pitches of less than 6:12 may be integrated for background and less conspicuous connections but are subject to approval by the DRC. Lower pitch roofs may be permitted for contemporary homes. Alternative configurations may also be considered to accommodate good design for feature opportunities. The use of porch or balcony roofs and dormers of all sizes contribute to human scale. This is encouraged to provide a texture and an apparent reduction of the built mass. All roofs forms are subject to approval based on overall home design.

Domes, barrel vaults, gambrel, mansard and other similar roof forms will not be approved as primary roof structures.

Roof overhangs shall be minimum 30" (760mm).

Snow diverters or snow retainers shall be designed as an integral part of the roof design.

All roof penetrations must be grouped where possible. All vents and other roof mounted appurtenances must be coloured to match roof. Galvanized metals are not permitted.

Due to the high snow loads in Fernie, skylights are not permitted.

Materials

- Roofs may be finished with architectural asphalt shingles, standing seam metal, or other materials complementary to the overall design of the home.
- Tile roofs will generally not be permitted.
- Combustible materials, such as wood shingle or shake, are not permitted.

Colours

- All roofing materials shall be darker earth tones.
- Roof flashing shall be coloured to match roof colour. Galvanized flashing is not permitted.

5.11 Garages and Garage Doors

Garages are encouraged for the storage of sports equipment, garbage and yard maintenance equipment. Garages may be detached or attached to the home.

Garages must be situated so as to not be visually dominant on the front of the home.

Garages facing onto the frontage road may not be greater than 2 cars in width. The use of single width garage doors is encouraged, although use of double width doors is permitted.



Garages facing perpendicular to the frontage road may be no greater than three cars in width. Garages two cars in width are encouraged to utilize single width garage doors although use of double width doors is permitted. Garages greater than two cars in width must utilize single width garage doors.

Garage doors may not exceed 10 feet in height. Doors over 8 feet in height may require additional design considerations to minimize the impact of the garage door.


Garage doors shall be finished to complement the overall colour scheme for the home.

Car tents are not permitted.

5.12 Decks, Patios and Porches

Decks, patios and porches are an important element of a mountain home. These features can have a significant impact on the appearance of a house and must be planned to minimize their impact on neighbouring homes.

For the purpose of these guidelines the following definitions apply:


- **Deck** means an outdoor roofless, floored structure, typically with a railing, that adjoins a house and that is elevated above the finished grade of the immediately adjoining landscape, but no higher than the first storey floor level.
 - **Patio** means an at-grade outdoor space, with hard surface, adjoining a house and that is at the same finished grade of the immediately adjoining landscape.
 - **Porch** means an outdoor covered platform, usually having a separate roof, at an entrance to a house which may or may not be elevated above finished grade. Porches may or may not be enclosed with screen or other materials to extend their seasonal use.
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- **Balcony** means an outdoor, floored structure, located above the first floor.

Decks

- Decks must be located primarily in the rear of a home (ie. within the rear yard) although they may extend around the side of a home if the deck does not overlook the neighbouring home.
- Decks must be elevated a minimum of 600mm (2 ft) above finish grade, as measured from the top surface of the deck.
- Decks must not extend greater than 4.5 m (15 ft) beyond the rear of the home.
- The design and construction of a deck must be complimentary to the design of the home. The use of pressure treated lumber for exposed elements is not permitted (No pressure treated lumber elements may be visible on a completed deck). All elements of the deck must be sized to a scale appropriate to the design of the home and to express the structural qualities of the various elements (ie. post and columns must be robust to define their role as structural elements).
- Decks situated more than 1.5m (5 ft) above finished grade must have the underside of the deck finished with cladding such that the structural members are not visible. Cladding must be wood.
- Railings must be designed to be complementary to the design of the principal residence.
- All decks must be fully contained within the Building Envelope.

- All decks must be clearly illustrated on the plans submitted for design approval.

Patios

- Patios shall be located and designed in a manner that is considerate of neighbouring residences and their views. Patios at the sides of a home may not be permitted if it is deemed the patio may impact the enjoyment of the neighbouring property.
 - The design and construction of a patio must be complimentary to the design of the principal residence. Patios must be paved with hard surface such as concrete or pave stone. Any overhead elements associated with the patio must be designed and constructed to complement the home – unfinished woods and metals are not permitted. The use of pressure treated lumber for exposed elements is not permitted. All elements of the patio must be sized to a scale appropriate to the design of the home and to express the structural qualities of the various elements (ie. post and columns must be robust to define their role as structural elements).
- 
- Railings are not permitted on patios.
 - All patios must be fully contained within the Building Envelope.
 - All patios must be clearly illustrated on the plans submitted for design approval.

Porches

- Porches shall be located and designed in a manner that is considerate of neighbouring residences and their views. All porches must be associated with an entrance to the home. Screened porches or open porches on the rear of those homes which face the water are encouraged over simple wood porches. Patios may be provided as an extension of the covered porch.
- Porches may extend no more than 2.5 metres (8 ft) beyond the face of the house.
- The design and construction of a porch must be complimentary to the design of the principal residence. The porch, including all railing elements, must be designed and constructed to complement the home – unfinished woods and metals are not permitted. The use of pressure treated lumber for exposed elements is not permitted. All elements of the porch must be sized to a scale appropriate to the design of the home and to express the structural qualities of the various elements (ie. post and columns must be robust to define their role as structural elements).

- Porches situated less than 1.5 m (5 ft) from finished grade must include skirting or other finishes around the base of the porch. All porches over 1.5 m (5 ft) from finished grade must include elements to screen bottom of deck from view.
- All porches must be fully contained within the Building Envelope.
- All porches must be clearly illustrated on the plans submitted for design approval.

Balconies

- Balconies shall be located and designed in a manner that is considerate of neighbouring residences and their views. Balconies should be incorporated into the design of the home and will not be permitted as 'add-on' elements. Balconies will only be permitted where they do not overlook a neighbouring home.
- Balconies may extend no more than 1 metre (3 ft) beyond the face of the house.
- All balconies on a home may not exceed an aggregate total greater than 6 m² (64 ft²) in area.
- The design and construction of a balcony must be complimentary to the design of the principal residence. The balcony, including all railing elements, must be designed and constructed to complement the home – unfinished woods and metals are not permitted. The use of pressure treated lumber for exposed elements is not permitted. All elements of the balcony must be sized to a scale appropriate to the design of the home and to express the structural qualities of the various elements (ie. post and columns must be robust to define their role as structural elements).
- All balconies must include elements to screen bottom of the balcony from view.
- All balconies must be fully contained within the Building Envelope.
- All balconies must be clearly illustrated on the plans submitted for design approval.

5.13 Chimneys

Chimneys are an important element of mountain architecture. Chimneys should be provided as an architectural element to the home.

Utilize stone, shingle or other suitable material for the full height of the chimney. The chimney should be a highlight element on the home.

All flues shall be contained in a chimney structure – exposed flues are not permitted except for direct-vent gas fireplaces. Flues for direct-vent gas fireplaces shall be located in an inconspicuous location.



5.14 Exterior Lighting

Exterior lighting must be designed to enhance the mountain environment at The Cedars. Lighting shall not interfere or compete with the enjoyment of the night sky.

- Low intensity non-glare fixtures to provide adequate illumination for safety and aesthetic enhancement are permitted. All exterior light fixtures are to be night sky compliant (ie. full cut-off style that direct light downward and shield the light source from view).
- The number of exterior light fixtures shall be limited to those required to provide adequate illumination and shall not be superfluous.
- Pot lights are not permitted to be located in soffit at gable ends.
- Uplighting, moonlighting and lightwashing of landscaping or building walls is not permitted.
- Lighting is to be limited to within the Building Envelope. Lighting of areas outside of Building Envelope is not permitted.
- All light fixtures shall be of design and colour to complement overall design of the home. White light fixtures are not permitted.

5.15 Building Accessories

The following requirements are directed at how building accessories may be used in The Cedars.

- Exterior antennae are not permitted.
- Satellite dishes may be used if discretely located on the building; coloured to match or blend with the relative exterior finish; and, a maximum 600mm (24") diameter. Satellite dishes may not be located on front facade of a home. No more than one satellite dish is permitted per lot.
- Solar applications are encouraged when integrated into the surface in which they are mounted. "Add-on" type applications are not permitted unless discretely situated into the roof or wall profile. Written approval must be obtained from the DRC prior to the installation of any "add-on" type solar applications.
- Garbage must be managed to prevent access from wildlife. Garbage shall not be stored outside of buildings.
- Fixed awnings are not permitted. Retractable awnings may be permitted by the DRC on a case-by-case basis. Awning colour must complement the colour of the home.

6.0 Landscape Guidelines

The Native Landscape | A significant part of The Cedar's character is its natural setting. Fernie is located in British Columbia's Interior Cedar - Hemlock bioclimatic zone. The Interior Cedar Hemlock Zone is fed by abundant rain and heavy winter snowfall. This zone contains some of the most productive forests of British Columbia's Interior and more tree species than any other ecological zone in the province. The Interior Cedar - Hemlock forest covers the lower slopes and valley bottoms of the region and provides rich habitat for many plants and animals.

The Interior Cedar - Hemlock bioclimatic zone owes its long, warm summers and cool, wet winters to the predominance of easterly-flowing air masses. Although in most of the zone summers are relatively dry the slow melting snowpack keeps moisture levels high during the summer months.

Landscape Design | When designing the landscape for your home it is important to understand what plant material grows naturally in the area.

The native vegetation in this zone is characterized by western red cedar and hemlock, but there are many more tree species that also occur. Ponderosa pine, Douglas-fir, western larch, lodgepole pine and western white pine all grow within this zone. Two deciduous trees, trembling aspen and paper birch, grow in the drier parts of the zone while subalpine fir and spruce thrive in wetter and cooler areas.

Your landscape should include plant material that is native to the area or that will thrive in this climate.

6.1 Landscape Plantings

All properties at The Cedars shall be fully landscaped. This does not mean that your lot must be formal landscaping (lawn, shrubs) but rather that all of your lot must be finished with vegetation of some type. Your security deposit will not be refunded until installation of all landscaping is completed.

Landscaping on each Lot shall be developed with consideration given to the recreational nature of this community. Limited area of sodded lawn is encouraged to allow children room to play while elements of the natural landscape are to be provided so that the community maintains a tie to the existing natural environment. To achieve this character, homeowners are encouraged to provide small areas of manicured lawns with large areas of naturalistic vegetation.

Large sodded lawns will not be permitted. No more than 15% of the property may be manicured lawn. Manicured lawn, if desired, must be limited to areas within the Building Envelope.

All plant materials must be bear smart. Planting of fruit-bearing trees and shrubs is not permitted.

Landscape planting shall utilize plant materials that are native to the region or that are naturalistic in appearance. Ornamental plants shall be limited to those which appear naturalistic. Plants which are exotic or unusual in appearance will not be permitted. Use of plant material that, in the opinion of the DRC, is not acceptable for or deleterious to The Cedars, will not be permitted.

The transition between natural landscape and sodded lawn must be handled carefully to ensure a natural looking landscape. Curvilinear planting beds are preferred over rectilinear formal planting beds. Landscaping between adjacent lots must transition smoothly – property lines must not be highlighted between lots.

Formalized plantings, such as hedges or tightly pruned shrubs, are not permitted.

All planting shall be naturalistic in style with massings of plant material rather than formal plantings of individual plants.

The use of stone or wood mulches shall be limited to planting beds only. These materials are not appropriate as landscaping in lieu of lawn or shrub planting. Stone may be utilized within the drip edge of the home.

Indicate all proposed plant material on landscape drawings (location, quantity, species, size).

6.2 Required Landscape Planting

All lots shall contain a significant landscape component to maintain the forested appearance of The Cedars. To accomplish this, Owners are required to maintain all vegetation within the natural area of the lot (ie. that area outside the Building Envelope). All Owners are encouraged to maintain as many existing trees within the Building Envelope. Upon completion of construction of a home, all lots must have a minimum one (1) tree per 30m² of front yard area. If existing trees are not present or cannot be retained, new trees must be planted. The required planting will be determined as follows:

- Front Yard means that area between a line which extends across the front of the home (where the home is at an angle or has no easily defined front edge the front shall be a line at the midpoint of all front elevations) and the front property line;
- On a corner lot, Front Yard means that area between a line which extends across the front of the home (where the home is at an angle or has no easily defined front edge the front shall be a line at the midpoint of all front elevations) and the front property line and that area between a line which extends across the side of the home which faces a street and the property line of the side of the lot facing the same street;
- The Owner shall provide 1 tree per 30 m² of front yard area;
- Required trees shall be planted in that area defined above as the Front Yard. All required trees must be greater than 2.4 metres in height for coniferous trees and 50mm caliper for deciduous trees; No more than 50% deciduous trees will be permitted in fulfilment of the required landscaping;
- Existing trees, located within the Front Yard (as defined above) that are retained by the Owner may be considered in fulfilment of the required landscaping, except:
 - Trees that are deemed to be a hazard or that are in poor health;
 - Trees that are less than 2.4m height or less than 50mm caliper (DBH);
 - Trees that are damaged during construction, including damage to root systems.
- All proposed landscaping, including trees to be retained must be clearly illustrated on landscape plan.

6.3 Hot Tubs, Pools and Water Features

Hot tubs are permitted with approval from the DRC. Hot tubs must be located in the rear yard of the home and situated in a manner that does not impact neighbouring views or impede on a neighbour's use and enjoyment of their property.

Swimming pools will be permitted only with approval from the DRC and in circumstances that demonstrate that the pool will have minimal impact on neighbouring residences.

Water features are permitted at The Cedars. However, approval by the DRC is required prior to construction of any water feature. Water features must recycle water. The DRC may limit the size of a water feature to restrict water use.

6.4 Retaining Walls

Retaining walls are to be designed and constructed so as to blend into the natural landscape. They may take on a more natural appearance through the use of native rock, timber and plant material, or perhaps reflect the architecture presented through the building by incorporating matching or complimentary material and detail. Walls of pressure treated timber or railway ties are not permitted. All such retaining walls must be constructed completely within the Building Envelope and meet the following requirements:

Retaining walls required for slope retention along the side of a home shall not extend beyond the side property line and shall be designed to ensure that your property and neighbouring properties are not compromised by the retaining wall.

Retaining walls at the front and back of a home shall not extend beyond the building envelope.

The exposed height of a retaining wall system shall be a maximum of 1.5 metres. Walls over 900 mm in height shall be stepped and a minimum 600 mm horizontal separation shall be provided between each step.

Retaining walls shall meander and blend with the natural contour. Wall ends shall insert and terminate into the landscape or abut into a building face

6.5 Fencing

Fences are not encouraged at The Cedars as they limit views and cut-up the natural landscape. When fences are permitted they must meet with the conditions set out herein and must be approved by the DRC prior to construction of the fence.

No fencing of any type is permitted in the front yard of the home, nor within any portion of a yard that abuts a roadway.

Where permitted, fencing must meet with the following requirements:

- Fencing is permitted only in the rear yard of a lot. Fences shall be located so that no portion of a fence extends more than 2m (6 ft) past the rear wall of the home on either side of the home. No fence may extend beyond the rear building setback of the lot;
- The maximum height of any fence is 1.2m (4 ft) from finished grade to the top of the fence;
- Fences must be constructed of black chain-link fencing or shall be custom designed wood fences. Approval for wood fences is at the discretion of the DRC. Wood fences must be designed such that they are not solid panels and contain more than 40% openings within the fence panels. Other materials may be approved at the discretion of the DRC;
- Plant materials to screen fences may be required. See Section 5, Landscape Guidelines.

Screen fences provide privacy within the landscape at patios, courtyards and hot tubs. Screen fences may be permitted by the DRC based on the following criteria:

- Screen fences shall be located so that no portion of a screen fence extends within that area that is within 6m of the front of a home and no screen fence extends beyond the Building Envelope at the side or rear of the home;
- Design of screen fences must be treated as an extension of the home design and shall be constructed of materials and finishes that match or complement the home;
- Screen fences are not to be greater than 4.0 m (13 ft) in length in any one direction and shall not exceed 8.0m (26 ft) in total length. Screen fences shall not be more than 1.8m (6 ft) in height.
- Partial roof, arbour and trellis features will be considered by the DRC;
- Use of chain-link is not permitted for screen fences.

6.6 Fire Pits and Outdoor Fireplaces and Barbeques

Fire pits and outdoor fireplaces must meet the following requirements in accordance with City of Fernie bylaws. In addition to DRC approval all fire pits and outdoor fireplaces must be approved by the City of Fernie.

- Fire pits and outdoor fireplaces shall be located such that they maintain a minimum clearance of 3.0m (10 ft) from all buildings, property lines, overhead wires, trees and other combustible materials;
- Fire pits shall have enclosed sides at a depth of no greater than 45 centimetres (18 inches) and a width of no greater than 60 centimetres (24 inches);
- A non-permeable perimeter shall be provided comprising a minimum of one metre (3 ft) of non-combustible material (crush gravel, rock, concrete);
- A spark arrestor mesh screen of expanded metal shall be provided over the fire;
- All fire pits and outdoor fireplaces must be maintained and operated in accordance with City of Fernie bylaws.

6.7 Recreational Equipment and Facilities

All recreational equipment (ie. trampolines, swing sets, playground structures, etc) must be located within the Building Envelope in the rear yard of the lot.

Tennis courts and other hard sport surfaces are not permitted.

Gazebos, storage buildings and other accessory buildings and structures must be designed to complement the primary residence and be constructed of matching colours and materials. All accessory buildings, outbuildings and structures must be located within the Building Envelope.

PRELIMINARY PLAN APPROVAL APPLICATION Appendix A

Lot Number: _____

Lot Owner: _____

Mailing Address: _____

Phone: _____ Cellular: _____

Email: _____

Applicant:
(if other than Owner) _____

Mailing Address: _____

Phone: _____ Cellular: _____

Email: _____

The Owner acknowledges that the house plan review is provided as a service and that the Developer and its designated Consultant assume no responsibility for the accuracy of the information provided, or for any losses or damages resulting from use thereof. This plan review does not guarantee approval for Building Permit by the City of Fernie, nor does City of Fernie approval for Building Permit guarantee Design Guideline Approval.

Security Deposit: \$9,000.00 Payable to The Cedars Community Development Inc.

Design Review Fee: \$1,000.00 Payable to Haworth Development Consulting Ltd.

Owner Signature: _____ **Date:** _____

Owner Signature: _____ **Date:** _____

PLAN APPROVAL APPLICATION Appendix B

This Plan Approval Application must be completed by the Owner or Applicant and submitted with all other required materials for Design Review.

Lot Number: _____

Lot Owner: _____

Mailing Address: _____

Phone: _____ Cellular: _____

Email: _____

Applicant:
*(if other than
Owner)*

Mailing Address: _____

Phone: _____ Cellular: _____

Email: _____

...continued

Submission Requirements

All drawings submitted for review must be clear, legible and to scale. It is recommended that all drawings be prepared by a professional.

Applications (with plans and other documentation required for submission) may be submitted as hard copy or by email as PDF documents (JPEG, TIFF and other file formats are not acceptable). If submitting hard copies the following number of each are required. If submitting by email, submit one copy of each plan.

| Description of Item | Preferred Drawing Scale | # of Copies |
|---|--------------------------------|-------------|
| Plan Approval Application Complete Appendix B and submit with your application | | 1 |
| Site Plan The site plan must illustrate the location of the Building Envelope; proposed building (and all other structures); driveway; walkways; parking areas; patios; retaining walls; and locations of all proposed services; site grading; and, existing trees and major shrubs to be retained and/or removed. | 1:200 metric, (1/16"=1'-0") | 2 |
| Floor Plans and Roof Plan Floor plans should clearly define the foundation location; any bay or other projections; wall sections; split levels or second storey configurations; fireplace chimney; and exterior door and window sizes. Roof plan must indicate roof slope and all roof mounted mechanical systems or other appurtenances | 1:50 metric, (1/4"=1'-0") | 2 |
| Exterior Building Elevations and Sections Exterior elevations of all sides of the building, and sections, drawn through the entire lot, front to back and side-to-side. These shall be at the same scale as the floor plans, with both existing and proposed grade lines shown. All exterior materials and colours must be clearly indicated on the elevations. | 1:50 metric, (1/4"=1'-0") | 2 |
| Landscape Plan Landscape Plan at the same scale as the site plan. Landscape plan shall indicate the locations and sizes of all existing trees, as well as all proposed landscape planting. It shall also indicate all retaining wall locations(s), material(s) and section(s); surface treatments; decorative features such as pools or imported rocks; site furnishings; and landscape structures. | 1:200 metric, (1/16"=1'-0") | 2 |
| Site Drainage Plan A site drainage plan is required that indicates the locations of all roof drainage and indicates how all site drainage is being addressed to ensure that pre-development flows are maintained. | 1:200 metric, (1/16"=1'-0") | 2 |
| Exterior Lighting Plan A plan indicating the locations of all exterior lighting (on buildings and within landscape). Include fixture schedule with catalogue clips for site and building exterior lighting fixtures and street identification. | 1:200 metric, (1/16"=1'-0") | 3 |
| Colour Board Colour/Samples mounted on an 9" x 12" (max.) colour sample board, identified with the manufacturer's name, colour and/or number, of all exterior materials and colours including window manufacturer and glass specification. Colour board shall be clearly marked with the Owner's name, filing date, and Lot number. Manufacturer's catalogue cuts of all exterior lighting fixtures are to be provided as part of the colour sample board. | no larger than 9"x12" | 1 |

...continued

Building Summary

Description of Item

| | | |
|--|----------------|-----------------|
| Ground Floor Area (gross floor area): | m ² | ft ² |
| Second Floor Area (gross floor area): | m ² | ft ² |
| Basement Floor Area (gross floor area): | m ² | ft ² |
| Garage Floor Area (gross floor area): | m ² | ft ² |

Gross floor area shall include all finished living space measured from the outside of exterior walls. Do not include garage floor area in other areas.

| | | |
|------------------------------|----------------------------|-----------------|
| Building Height | m ² | ft ² |
| Roof Pitch (ie. 6:12) | Pitch of primary roof only | |

Building height shall be measured in accordance with the City of Fernie Zoning Bylaw.

Building Siting

Setback from Property Lines

| | | |
|-------------------|---|----|
| Front Yard | m | ft |
| Rear Yard | m | ft |
| Side Yard (left) | m | ft |
| Side Yard (Right) | m | ft |

Indicate distance from property line to edge of foundation wall.

...continued

Building Materials

List all proposed exterior cladding materials. Provide material type, manufacturer and colour.

| Description of Item | Material <i>(Description / Manufacturer)</i> | Colour |
|--------------------------|--|--------|
| Foundation Cladding | | |
| Walls – Primary Cladding | | |
| Walls – Other Cladding | | |
| Walls – Other Cladding | | |
| Walls – Other Cladding | | |
| Roof | | |
| Gable Ends | | |
| Soffit | | |
| Fascia | | |
| Eavestrough | | |
| Window and Door Trim | | |
| Windows | | |
| Front Entrance Door | | |
| Other Doors | | |
| Garage Door | | |
| Chimney | | |
| Porch Railings | | |
| Other | | |

Landscape Materials

List all proposed landscape materials. Provide material type, manufacturer and colour.

| Description of Item | Material <i>(Description / Manufacturer)</i> | Colour |
|---------------------|--|--------|
| Driveway | | |
| Front Walkway | | |
| Other Walkways | | |
| Patio / Porch | | |
| Retaining Walls | | |
| | | |
| | | |

...continued

Terms of Approval

Compliance with Design Guidelines | The Lot Owner ("Lot Owner" or "Owner") is responsible for complying with and meeting the specific criteria as well as the spirit and intent of these Design Guidelines. The Province of British Columbia Building Code, the City of Fernie Zoning Bylaw and the City of Fernie Building Permit requirements contain design standards and conditions that require your understanding and compliance. Compliance with the aforementioned codes, current at the time of approval and construction, as well as any other legislation that may have jurisdiction, is entirely the responsibility of the Owner.

Relaxation of Design Guidelines | All aspects of these Design Guidelines are subject to relaxation or variance by the DRC upon request from an Owner. Relaxations and variances will be considered for superior design that, while maintaining the overall theme and character of The Cedars, may not conform to one or more of the specific guidelines. Owners considering home designs that are not consistent with these Design Guidelines are recommended to consult with the DRC early in the design of their home to ensure that the design envisioned will be considered by the DRC. Note that each request for a relaxation or variance is considered on its own merits and existing relaxations at The Cedars shall not be considered as precedence for future development. The ability to provide a relaxation or variance does not obligate the DRC or the Developer to do so.

The Developers Right to Amend Guidelines | The Developer reserves the right to make revisions and modifications to these Design Guidelines for future phases of development at The Cedars.

Approval at Developer's Sole Discretion | Architectural forms and styles that do not represent the ideals of The Cedars will not be permitted by the DRC or the Developer. Final approval of any home design, including site planning and landscaping, is at the sole discretion of the DRC and the Developer.

Non-Liability of the Design Review Coordinator and the Developer | The Developer, their employees, agents, consultants or contractors shall not be liable for damages in any form to anyone submitting plans to them for approval or to any Owner by reason of mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval, disapproval or failure to approve any plans or specifications. Every Owner or other person who submits plans for approval agrees by submittal of such plans and specifications that he/she will not bring action or suit against the Developer, their employees, agents, consultants or contractors to recover damages.

Other Conditions | Approval of plans by the Developer, and/or the Design Review Coordinator shall not be deemed to constitute compliance with the requirements of any local building, zoning, safety, health or fire codes and shall be the responsibility of the Owner or other person submitting plans to assure such compliance. Nor shall approval waive any requirements on the part of the Owner or his/her agent to comply with setbacks, height restrictions, or requirements unless such waiver or variance is specifically requested at the time of submittal and provided that the waiver or variance may properly be granted by the Developer. In addition, approval shall not waive the requirements for obtaining permits from the City of Fernie (or any other governmental agency) nor does obtaining all required permits from the City of Fernie (or any other governmental agency) waive the need for approval by the Developer. The Developer will not knowingly approve a project that violates City of Fernie building or zoning codes or those of any other governmental agency or entity but takes no responsibility for plan conformance to any criteria other than these Design Guidelines.

Disclaimer | Although a reasonable effort has been made to ensure the accuracy of the contents of these Design Guidelines, the Developer, and/or its Consultants cannot be responsible for any errors, omissions or inaccuracies contained herein. The Developer and/or its consultants assume no responsibility or liability whatsoever associated with the use of these Design Guidelines contained herein and no representation is made as to the accuracy or completeness of these Design Guidelines contained herein. These Design Guidelines are subject to amendment and supplementation and any such amendments or supplements are not included herein. To ensure that a complete and accurate copy of these Design Guidelines is being consulted, refer to the then current Design Guidelines and any amendments and supplements held by the Developer.

I fully understand the above and with my signature agree to all terms:

Owner Name: _____ Owner Name: _____

Signature: _____ Signature: _____

Date: _____ Date: _____