



Title: The Ginto Residences Design & Build Covenants
Location: Ginto Hirafu, Abuta-gun, Kutchan-cho, Aza-Yamada
Last Updated: Tuesday 17th March 2020

The Ginto Residences Design Code and Building Covenants are intended to ensure that the design intent and character of The Pavilions' Ginto Residences are displayed across the entire development. The Pavilions Niseko is committed to aid property managers, owners and their architects in design decisions during the implementation stages of the project.

The Design Code takes on two levels of direction:

- (1) Requirements which apply to all residences and site improvements; and
- (2) Recommendations which can voluntarily be followed.

All local codes, ordinances and regulations will remain in force in addition to these covenants to ensure maximum protection above and beyond the broad scope of mandatory regulation.

The purpose of the design & build covenants

These covenants and guidelines are intended to protect the environment values and scenic beauty of Ginto Hirafu comprising of The Ginto Residences, Ginto Village and The Pavilions Niseko Hotel and Residences which are being developed as an integrated community.

Adherence to them will enhance the privacy, quality and the investment value of Ginto and community. These guidelines form part of the covenant document which is referred to in the Statement of Important Matters ("SIM").

Following are the covenants that apply to The Ginto Residences ("Ginto"). These Covenants are attached to the Statement of Important Matters ("SIM") forming part of the Sales and Purchase Contract ("Sales Contract") for the purchase of property by the undersigned Buyer (the "Buyer"). By signing the acknowledgement and the Sales Contract, the Buyer agrees to abide by the Covenants and updates, if required, by Pavilions Niseko KK ("Pavilions Niseko").

Acknowledgement of intended adherence to the Design Code and Building Covenants by way of signed agreement is required upon signing of the Sales Contract.



Appropriate for the whole community

The covenants require two stages of approval to be granted by The Pavilions Niseko prior to submitting plans to the local authorities for a building permit. **As it is the owners' responsibility to conform to these guidelines and all covenants, The Pavilions Niseko recommends:**

- 1. Submission of the concept designs with a minimum of 3 external views; and**
- 2. Submission of a minimum of 3 external CGI's and one landscape design.**

Suggested time allowance time of 4-6 weeks as amendments may be required in order to comply with the design code.

Once written approval from The Pavilions Niseko is received, owners may proceed to submit plans to the local authorities for a building permit. The Pavilions Niseko is not responsible for delays caused by nonconformance. Please refer to the SIM and the Sales Contract for the covenant legal reference. All Owners are required to complete building within 24 months of breaking ground.

IMPORTANT NOTE: All the trees at The Ginto Residences are communally enjoyed and are an integral element of the beauty of Ginto. Removal of trees, even after construction and occupation, can only be considered with prior approval by The Pavilions Niseko.

The Design Code comprises of twelve sections:

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|-------|-----------------------------|
| I. | Character |
| II. | Massing |
| III. | Heights & Setbacks |
| IV. | Roofs & Windows |
| V. | Balconies & Terraces |
| VI. | Paths & Driveways |
| VII. | Parking, Carports & Garages |
| VIII. | Lighting & Signage |
| IX. | Utilities & Equipment |
| X. | Colors & Materials |
| XI. | Landscape Design Guidelines |



I. CHARACTER —

The tone of Ginto will be luxurious, aspirational and welcoming. The Ginto Residences site has been master planned to allow for 16m *single family homes* while carefully planning division lines to maximize view corridors of Mt. Yotei, the Annupuri Ski Fields and the dense woodlands.

The Ginto Residences exteriors will strike an appropriate balance between old and new. The design should incorporate traditional Japanese features – with contemporary design aesthetic to redefine all spaces. The Pavilions Niseko encourage connecting with the local culture through the use of indigenous materials and a vernacular design, allowing the woodlands and views of Mt. Yotei to take center stage in the design of all Ginto Residences. Every property will be different. Uniqueness will be communicated through engagement of local architecture and design.

The build and design should consist of locally sourced sustainable construction materials. Whenever possible, stone, wood and natural fabrics should be sourced from Hokkaido and other areas of Japan.

During the evenings lighting and lightness are essential to creating a harmony and romance under the stars. The Pavilions Niseko will ensure the property is tastefully lit for moonlight strolls through the manicured woodlands and intimate conversations in the comfort of one of the many teahouses that will be scattered throughout the property.

Creating a sense of space at The Ginto Residences which boast serenity, privacy, exclusivity and above all a freedom to be oneself. *The Pavilions. A Place to Be.*

I. MASSING —

The massing of villas at The Ginto Residences is intended to be inspired by traditional Japanese Architecture, in shape and size and contemporary in architectural expression. Residences must also fit into the development envelope defined by the allowable footprint and height limitations on each plot of land. With each site plot unique in shape and size an optimal zone for construction is stipulated, which is the result of the overall terrain and conditions. This zone can contain the footprint of the residence and will be provided with the plot details in the SIM. It is the boundary within which the residences footprint can be placed. Provided the zone is not exceeded, the shape and form of the residence is flexible.

Each lot may only accommodate one single structure and be used for family residential purposes or as a rental chalet under the Innkeepers act of Japan.



The following are **basic requirements** for The Ginto Residences :

- GFA not over 40% of the plot footprint maximum;
- 16 meters height limit, measured vertically from the lowest point grade to the top of the roof;
- 25% or greater of the roofs is required to be pitched and no parapet roofs are allowed;
- Setbacks vary from plot-to-plot in order to maximize view corridors (refer to SIM);
- Where appropriate a maximum of three floors in residence is allowed;
- Staggered, rectangular shapes; and
- Balconies or terraces.

*Note same requirements exist for The Ginto village

The following are **recommended**:

- Traditional Japanese residence shapes, sizes and proportions reinterpreted in contemporary form; and
- Asymmetrical designs.

II. HEIGHTS & SETBACKS —

Maximum residence heights are strictly regulated by local ordinances and are generally limited to three floors including basement – two floors above grade with no visible attic space or dormer windows in roof. Roofs should not exceed the statutory height controls, which are more complex for this type of design. Furthermore, pay careful attention to the covenants listed in the SIM as the maximum residence height is in the process of being re-zoned to 16m for The Ginto Residences.

Setbacks are strictly regulated, and conformance enhances the privacy for all Ginto Residents and ensures snow shedding will not intrude on private property. Setbacks and landscape buffers protect the natural view lines, and overall proportional beauty of The Ginto Residences.

III. ROOFS & WINDOWS —

Roofs at The Ginto Residences do not allow roof tiles or single component materials are allowed for safety reasons. Overhangs should be prominent subject to engineering. Small protrusions such as bay windows will not be calculated as part of the overall roof area, unless they extend over 1m from the primary wall. Dormer windows in roof, gutters and downpipes are not allowed. Roofs must be of dark tone and proper snow management must be designed. Overhangs may protrude a maximum 1.5m into the setback zone but must not impede view lines of neighboring plots or result in snow shedding beyond the plot boundary.



In general, roofs should be designed as multiple components, together with the massing of the residences, rather than as a single roof element, in order to break down the overall volume and improve proportions. Snow build up on roofs should be incorporated into the aesthetics of the roof design.

IV. BALCONIES & TERRACES —

Balconies are allowed on the second floor but must remain within the roofline i.e. projecting balconies are not allowed. Terraces, covered verandas or *engawa* are allowed at The Ginto Residences but should conform to the general aesthetic of the community. Stone terraces at ground floor level are encouraged, with low stone boundary walls allowed. Paraphernalia such as built-in barbecues, seating, pergolas, tables, or play areas should be realized in stone and/or solid timber and be of permanent quality. Unsightly apparatus such as prefabricated hot (jacuzzi) tubs, trampolines, plastic children's play equipment etc. are strictly prohibited.

Owners must provide storage space for landscape equipment out of sight of neighbors or public areas of the community. Anything deemed an interruption or affront to the rustic atmosphere of The Ginto Residences is not allowed.

V. PATHS & DRIVEWAYS —

Pathways and driveways must be paved in dark materials or stone and kept at all times in pristine condition. Heated areas of such are permitted. Snow clearing during winter must be taken into account at the time of designing landscape plans and at no time must cleared snow impede upon neighboring plots or common areas.

VI. PARKING, CARPORTS & GARAGES —

Garages may be of a size that holds two vehicles maximum and must be concealed behind high quality doors of metal or wood. Windows in garage doors are allowed. Exterior parking is allowed but excessive paved parking areas are discouraged. Ginto Residents should endeavor to limit external parking areas to accommodate a maximum two vehicles in order to retain the general atmosphere of nature. Where possible, garage doors should be positioned to be discreet from the street or the primary facades of adjacent plots. Where garage doors face the street directly, other architectural and/or landscape measures should mitigate the visual impact. Carports are not permitted, unless as attractive *porte-cocheres* or incorporated as part of the overhang of the residence proper; in other words, embedded within the massing volume of the residence.



VII. LIGHTING & SIGNAGE —

It is traditional in Japan for every residence to have a unique name, which is displayed in a discreet sign near the entrance or front door. The Ginto Residences will create a uniform sign format for owners to use. Exterior lighting of residences and gardens can greatly enhance the beauty of each after sunset. The public areas of Ginto and The Pavilions Niseko Hotel will be well lite thus owners should incorporate discreet, non-obtrusive complimentary lighting in their own properties. This may include subtle lighting of portions to their residence facades, driveway and entrance and occasional up lighting of trees etc. However, at no time should such lighting be annoying to neighbors or ostentatiously draw attention to a single residence or feature. The Ginto Residences after dark should be a cohesively attractive community to move through, with low-level lighting contributing to a general environment of tranquility and nature. The renowned lighting qualities of Japanese lanterns should provide the model effect. Exterior lighting posts must be pre-approved by The Pavilions Niseko.

VIII. UTILITIES & EQUIPMENT —

All utilities, mechanical equipment, supplementary apparatus must be concealed from the public areas of The Ginto Residences and from adjacent plots. This includes but is not limited to: compressors, heat fans, satellite dishes, antennae, piping, vents, grills, fuel canisters, pumps, chargers, solar panels, wire conduits, plumbing channels, light poles etc. While many of such are necessary, owners must ensure that they are enclosed, buried or concealed architecturally or by landscape elements. At the time of design submission, provision of such concealment must be indicated to The Pavilions Niseko.

The following are **not permitted** anywhere in the development:

- A-frames;
- Log cabins;
- Temporary sheds or structures;
- Unconcealed non-permanent children's play structures;
- Open garages (refer to Section VII for full description);
- Banners, boards, advertising or announcements;
- Freestanding garages or accessory structures;
- Unenclosed waste management or storage; and
- Loudspeakers or external speakers.



IX. COLORS AND MATERIALS DESIGN GUIDELINES –

Color and materials displayed in the residences exterior must be organic, subtle and blend into the natural landscape of Ginto. Materials should be devoid of ostentatious ornamentation and conform to the existing surroundings to satisfy the aesthetic.

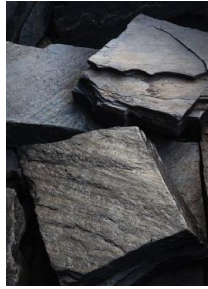
The following are **requirements** for residences exteriors:

- Wood siding and paneling for a majority of wall surfaces;
- Faux wood provided it is of high quality and looks convincingly real - sample to accompany design submission;
- Wood lattice offering a sense of transparency and layering of spaces;
- Clear insulated performance glass;
- Black metal or real wood for all door and window frames; and
- Black or dark grey tile or metal roofs.



The following is **recommended**:

- Natural indigenous stone;
- Faux stone provide it is of high quality and looks convincingly real - sample to accompany design submission; and
- Stone tones acceptable will be from grey to black or tan – yellow stone is not permitted.



The following are **not permitted** anywhere in the development:

- Exterior stucco for more than 20% of surface wall area;
- Cinderblock;
- Exterior ceramic tile cladding;
- Aluminum, plastic or synthetic cladding, except as pre-approved accents; and
- Unnatural or bright color tones or materials.

LANDSCAPE DESIGN GUIDELINES —

Ginto will be as green and as natural an environment as possible, given the existing heavily-wooded site. Retaining existing trees to the maximum extent possible and protecting them during and post construction, is a guideline requirement. Given a very limited plant palette can survive the annual winter snows of Niseko, simple, hardy, and easy to maintain landscape improvements are recommended.

The following are **required**:

- Native woodland and winter-hardy plant materials;
- Saving and maintenance of designated trees as per tree survey; and
- Saving and maintenance of existing trees (especially evergreens) to the maximum extent possible.

The following are **recommended**:

- Lawns and natural groundcovers;
- Traditional Japanese gardens;
- Rock gardens and ponds; and
- Stone or concrete walls covering more than 20% of the property (accent walls permitted)



The following are **not permitted** anywhere in the development:

- Any structure or landscape improvement that threatens the survival of designated trees;
- Sasa grass and other invasive species of plants; and
- Wooden fences around more than 40% of the property.

Please Note: Without prior written approval, owners are strictly prohibited from cutting, removing, heavily trimming etc of any trees within or outside of their property over 5cm in diameter.

X. VILLA ARCHITECTURAL EXPRESSION DESIGN GUIDELINES —

The architectural expression of The Ginto Residences is a critical component of the ambiance and character of the buildings within the Ginto community (The Ginto Village and The Pavilions Niseko Hotel and Residences).

The following are **requirements**:

- Villa entrances visible from street or from major walkways;
- Windows facing street;
- Overhangs, porches and/or arcades; and
- Primarily horizontal mullions subdivision of glass.

The following are **recommendations**:

- Traditional Japanese detailing.

The following are **not permitted** anywhere in the development:

- Long expanses of featureless walls;
- Service doors or bays visible from the street;
- Vehicle parking on the project streets / roads;
- Burning of fires and log fires outside the property;
- Uncontrolled pets / animals;
- Use and storage of snowmobiles; and
- Snow clearing locations and restriction will be designated to restricted areas.

XI. ELECTRICITY & INTERNET

Underground power infrastructure works have begun for The Ginto Residences and The Pavilions Niseko Resort sites. In the coming months you will notice regular works carried



out onsite beginning at the northeastern part of the site and continuing on to the resort site. Hokkaido Denko has assured that the **full site will be powered by 01 October 2020.**

- Main power is being drawn from Highway 343 (main entrance of site);
- Power works to complete by 01 October 2020;
- Any trees standing four meters from the road will be removed to make room for power pillar boxes and underground cables;
- All plots will be allocated a total of 20 kilowatts per residences as per Aza-Yamada (Kutchan Town) standards;
- By way of reference our three Ginto Villas (Keyaki, Katsura and Hinoki) utilize between 15-19 kilowatts ;

Closing Comments:

The Ginto Residences will be a cohesive, visually beautiful community of villas set in verdant nature that is picturesque in all seasons. It should be in the Japanese vernacular style or a more contemporary interpretation that embodies the spirit of Japanese architecture – particularly the *sukiya* style that is much revered. Materials on all exterior cladding and finishes must be complimentary to the context of its location and style of architecture. All architectural features and design elements must originate from these styles so that the designs are contextual and appropriate to its location. It welcomes the design input and imagination of various architects but encourages them to study these guidelines carefully to comprehend the spirit behind them, as well as visit and respond to the existing natural and architectural conditions. The Pavilions Niseko welcomes questions regarding architectural details and style during design phases of residences villas. The villas at The Ginto Residences will be individually unique but present themselves as part of a complimentary set rather than as one off signatures.

The Pavilions Niseko KK reserves the right to disapprove any designs which in their sole opinion do not comply with The Ginto Residences Design Guidelines and Building Covenants and spirit of the community.