

Phase 1

Stone Manor Estates

SCHEDULE OF RESTRICTIONS

This Schedule is attached to and forms part of a Building Scheme made by 661314 B.C. Ltd. (the "Declarant").

1. Approval Process

No Lot shall be built on or used for any purpose unless and until the Declarant has approved, in writing, the plans, specifications and siting of the dwelling, structures and landscaping. All plans must be signed by the Declarant before submission to the Municipality of North Cowichan for application for a building permit.

2. Construction Scheduling

To enhance the streetscape, each owner must commence construction on the Lot within three months of plan approval, and complete construction of any house or other improvement on the Lot within twelve (12) months from commencement of construction.

3. Siting and Plot Plans

The minimum setbacks for the principal building on the Lot will be:

- (i) front yard of 6.0 metres, and
- (ii) side yard setback of 2.0 meters.

4. Site Coverage, Dwelling Size and Building Types

To protect investment values and ensure continuity in the community, all homes must cover a minimum of 80% of the building pocket width established by the Declarant.

5. Accessory Buildings

Ancillary buildings are restricted to the rear yard, and shall be designed to compliment and be consistent with the house colours, finishes and trim. Only one accessory building on a Lot is permitted.

6. Lot Grading

Lot grading is to follow the natural slope of the landform and street elevations, and the owner shall ensure the grading provides for sheet flow storm drainage, existing and proposed drainage swales and the locations of any existing or proposed lawn basins, as indicated on the Lot Grading Plan. No changes to the Approved Grading Plan will be permitted. A copy of the Lot Grading Plan is available from the Declarant for house sighting purposes.

It is incumbent upon the owner to maintain the lawn basins and drainage swales in proper working order.

Lot slopes should be absorbed within the building massing to the extent possible (i.e., stepped foundations and floor levels). House excavation or construction must not undermine the slope stability of any roadway base without appropriate earth retention.

The Lot owner will not deposit earth fill, material, garbage, grass clippings or any other deleterious material over the top of any slope nor shall the Lot owner undercut the toe of any slope.

7. Elevations

Elevation guidelines must be adhered to by the owner, unless otherwise approved by the Declarant.

Prior to commencing excavation basement elevations must be approved by the Declarant.

Final lot grading must be completed to accommodate the grade of the adjacent lot, with a smooth transition from lot to lot.

8. Architectural Theme and Requirements

All homes in Stone Manor Estates will be built to reflect Craftsman and/or Heritage Theme. Special design elements to animate the building facades are required on all elevations fronting onto the main roads. Special design elements are required on corner side elevations and elevations fronting or facing interior green spaces.

The architectural design and location of the principal building on the Lot must be approved by the Declarant.

9. Repetition

To provide architectural diversity and interest:

- a. similar street elevations may not be repeated more often than every fourth house on either side of the street, where the houses form part of the same streetscape, and
- b. house plans or approximate front elevations shall not be repeated more often than every third house on either side of the street. While similar house plans and forms may occur along a section of the street in response to similar site conditions, modifications such as changing the direction of roof slopes, size and location of windows and doors, etc. will be required. House plans submitted to the Declarant for approval must reflect the actual site conditions.

10. Massing

Vast expanses of blank walls are not acceptable.

11. Exterior Finishes (Material and Colour Schemes)

Siding is to be applied in a horizontal direction only, or a vertical board and batten, and must be either wood, Hardie Plank or cedar shingle siding. The use of stucco is permitted if kept within the Craftsman and Heritage style of construction theme. All colours of exterior finishes are to be approved by the Declarant. Siding must be used in combination with additional door, window, corner and fascia/baseboard wood trim elements. Colours shall be in keeping with a Heritage/Craftsman theme. Monotone colour schemes are not permitted.

Stone veneer elements are required in combination with siding.

12. Windows

Vinyl and/or wood framed windows are required.

13. Exterior Trims

Vinyl and wood frame windows must be trimmed with window brick moulding supplied by the window manufacturer. A minimum of 1"x 4" wood trim must be used around all window and door openings and at the corners of the building. Fascia trim will be a minimum of 2"x 8". Trim or belly bands are required to delineate between the first and second storeys of each home.

14. Garages

No detached garages are permitted in the front yard unless otherwise approved by the Declarant. Each Lot must contain two off street parking spaces.

15. Roof and Eaves

The minimum pitch for the main roof of the principal building on the Lot shall be 7/12" with lesser pitches approved by the Declarant if consistent with the architectural design. The pitch on corner and secondary roof pitches shall be greater on front elevations.

Roofing materials will be layered fibreglass shingles (minimum of 30 year warranty), cedar shakes or clay tiles.

Metal vents must be installed on the rear roof slope where least visible from the street.

16. Chimneys

No concrete block chimneys will be permitted. Metal "A" or "B" vents for heaters or fireplaces shall be enclosed in a framed chimney chase consistent with the exterior finish of the house or located to the rear of the house where least visible to the street.

17. Exterior Lighting

Front exterior lighting is to be metal trim coach lamps.

House numbers are to be a minimum of 6" in height.

18. Driveways

The driveway(s) shall be of designer or stamped concrete, or inter-locking paving blocks, or a combination thereof. The maximum width of a driveway abutting a sidewalk or the curb will be 20 feet. No gravel or asphalt driveways or parking surfaces are permitted.

Trailers, boats, commercial vehicles, recreation equipment shall not be stored on a Lot unless inside the garage or behind fencing or screening.

Storage of the vehicles and equipment is not permitted in front yards.

19. Fencing

Fencing will be a maximum height of 6 feet, and the design, location, material and colour of the fencing will require the approval of the Declarant.

20. Landscaping

The landscaping must be completed within 18 months from the date construction of the principal building on the Lot has commenced. Landscaping includes grading, addition of topsoil, laying of sod and planting of trees and shrubs.

All front, rear and side yards, shall be finally graded and turfed with sod within 6 months of the Occupancy Permit being issued, including installation of underground irrigation, subject to delays due to weather conditions.

The owner will plant one tree on the Lot, and addition to the ornamental tree to be planted by the Declarant.

Each owner must ensure that excess soil is promptly removed from the site and that landscaping and other site changes do not interrupt the drainage pattern.

All street fronting and side yard areas are required to be landscaped with a ratio of dedicated areas to be at least 60% lawn, with the balance as shrubs and/or flowerbeds.

21. Retaining Walls

Prior to construction of any retaining wall on the Lot, required to separate grades or to provide interrupted drainage, the owner will require approval from the Declarant with respect to the type and colour of material, the height and location for the wall.

Any retaining wall in excess of two (2') feet in height will require the prior approval of the Declarant.

Retaining walls greater than four (4') feet in height must be constructed in accordance with the specifications of a certified engineer.

When terracing the yard landscaping the owner shall use either rock, brick or concrete walls faced with cultured stone or exposed aggregate to match and complement the exterior of the home.

22. General Requirements

- (a) Satellite dishes and antennas shall be placed only in inconspicuous locations.
- (b) No wrecked or partially wrecked motor vehicles, any salvage materials, goods intended for commercial use or sale, waste or refuse shall be stored, kept, or permitted to be kept or stored, on any Lot.
- (c) Lot owners shall not keep or permit to be kept, any farm or fur bearing animals of any type or description, except for domestic household pets, which pets shall not be permitted to run wild or uncontrolled on the Lot.
- (d) No visible clotheslines are permitted.
- (e) No overhead wiring is permitted.
- (f) Electrical meters are to be installed in an inconspicuous location.
- (g) No trailers, commercial vehicles, recreational vehicles, van conversions or vehicles exceeding one ton, or similar property shall be parked or stored on a Lot for longer than a 24 hour loading and unloading period. Boats and RV parking are permitted on the Lot if parked, placed or situated behind the front line of the principal building or in an area screened from public view.
- (h) Composters must not be located on any part of the Lot that faces or flanks a roadway, or visible from a roadway.

23. Construction Practices

All construction debris shall be removed from the Lot as soon as reasonably practicable.

No burning on Lots shall be permitted.

No construction material or debris may be stored on adjacent lots.

The Lot must be kept clean and orderly during construction.

Special precautions must be taken during construction regarding ground and surface runoff.

24. Protection of Curb Sidewalk and Utilities

The owner is responsible to repair any damage to curb, sidewalk, roadways or service connections as a result of the house construction and landscaping activities. Inspections should be made prior to construction, informing the Declarant of any existing damage. Once the house is constructed, the Lot and adjacent services will be inspected to ensure that any and all damage is repaired.

The Declarant shall have the right in its absolute discretion, to exempt any of the aforesaid restrictions relating to any of the unsold Lots and to exempt any of the Lots remaining unsold from all or any of the restrictions and benefits of this statutory building scheme.

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