

Land Title Act  
FORM 35  
(section 220(1))

Declaration of Building Scheme

NATURE OF INTEREST CHARGE: Statutory Building Scheme

HEREWITH FEES OF: \$ 13.40

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

661314 B.C. LTD., (Inc. No. 661314) c/o LAMONT LAND INC.  
#200 - 5716 - 1st Street, S.E.  
Calgary, Alberta T2H 1H8

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

Cheryle Power, ROSBERG SAWATZKY LLP, Barristers & Solicitors,  
#201 - 20353 - 64th Avenue, Langley, B.C. V2Y 1N5  
Tel: 604/530-5570 LTO#12399

  
\_\_\_\_\_  
Signature of Applicant or  
Solicitor or Authorized Agent

**Lee Sawatzky**  
Barrister and Solicitor  
#201, 20353 - 64th Avenue  
Langley, B.C.  
V2Y 1N5

We, 661314 B.C. Ltd. (Inc. No. 661314), c/o LAMONT LAND INC.  
#200 - 5716 - 1st Street, S.E., Calgary, Alberta T2H 1H8

1. We are the registered owner in fee simple of the following land (the "Lots"):

PID: Legal Description:

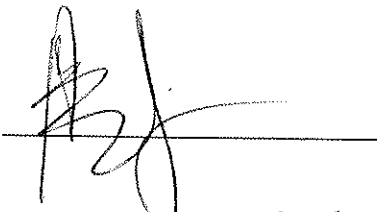
NPA Lots 27 to 66 inclusive Sec 19 Range 4 Quamichan District  
PlanVIP 89084

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

EXECUTION(S)

Execution Date


Officer Signature(s)

  
**Adele Burchart**  
 Barrister and Solicitor  
 #201, 20353 - 64th Avenue  
 Langley, B.C.  
 V2Y 1N5

Y	M	D
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Chargeholder Signature(s)

661314 B.C. LTD. by its  
authorized signatory:

  
 BRUCE ROSBERG

OFFICER CERTIFICATION

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

## Stone Manor Estates Phase 2

### 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 Building or other improvements will be constructed or erected on any Lot until the plans and specifications for such have been approved in writing by the Declarant.

#### 2. Construction Scheduling

Each owner must commence construction on the Lot within three months of lot purchase, and complete construction of any structure 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

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.

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)**

Exterior Finishes shall be in keeping with a Heritage/Craftsman theme. Siding is to be applied in a horizontal direction only, or a vertical board and batten. The use of exterior material types other than Hardie Board, Hardie Shake and Cedar Shake must be approved in by the Declarant prior to construction. 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. All colours of exterior finishes are to be approved by the Declarant. Monotone colour schemes are not permitted.

Stone veneer elements are mandatory in combination with siding. Stone veneers must run the corner 2feet. The colour and pattern for any stone veneers must blend with the siding.

## **12. Windows**

Vinyl and/or wood frame windows are required. If shutters are used, they must be sized to the opening.

## **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**

Each residence must have at minimum a one car attached garage. No detached garages are permitted in the front yard unless otherwise approved by the Declarant.

Lots 57, 61 and 66 must contain three off street parking spaces. All other Lots 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 6/12". 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).

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

All skylights shall be flat glass with frame colour approved by the Declarant.

#### **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 which can be finished to match the exterior finish of the home or located to the rear of the house where it is not 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**

Driveway surface must be approved by the Declarant. Exposed aggregate concrete, brushed concrete or combination thereof or concrete paver surface is required. 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**

For Lots 35 to 41, 1.2m black chain link will be the only fencing style allowed. Fencing in the rear yard must be placed on top of the boulder stack retaining wall. No Fencing will be allowed between the face of the retaining wall and the edge of the walkway.

For Lots 42 to 44, 51, 56 to 59, 1.2m black chain link will be the only fencing style allowed on those portions of the lot that adjoin park space areas.

All other fencing will be a maximum height of 1.8m and must be either black chain link or solid cedar panel.

No fencing is permitted to be constructed in front of the principal building.

#### **20. Landscaping**

The landscaping must be completed within 12 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 boulevards (finished to curb), front, side yards, shall be finally graded and turfed with sod within 90 days of the Occupancy Permit being issued, subject to delays due to weather conditions.

One tree must be installed within the front yard of each Lot. That tree must not be less than 5cm in caliper and must be one of the following four choices:

1. Acer rubrum "October Glory" Red Maple
2. Cornus nuttallii "Eddies White Wonder" Flowering Dogwood
3. Gleditsia tri. inerm. 'Skyline' Honey Locust
4. Liriodendron tulipifera Tuliptree

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**

Any retaining walls constructed on a Lot must have 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.

## **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.

**END OF DOCUMENT**