

SCHEDULE OF RESTRICTIONS

PHASE 3B

1 Residential Use

No building shall be constructed on the Lots except for residential housing as listed below:

- On Lots 1 through 19 inclusive and Lots 35 through 61 inclusive single family detached housing is permitted. Secondary suites are permitted on each of these lots.
- On Lots 20 through 34 inclusive, single family homes with separate carriage houses are permitted. Secondary suites in the homes are not permitted in these homes.

2. Ancillary Buildings

No more than one ancillary building will be permitted on the single family Lots, except for Lots 17 through 19 inclusive and Lot 34 where more than one ancillary building may be allowed if approved by the Developer.

3. Garages

No attached garage shall have a width less than 3.6 meters. No lean-to, car-port, vehicle storage building detached from the house will be permitted, without the written approval of the Developer.

4. Facades/Elevation

Designs that have facades or elevations with large planes of a single homogeneous material will not be allowed.

5. Chimneys

Chimney and vent stacks if visible from the street will not be allowed unless clad in materials consistent with the front elevation.

6. Gable Ends

Gable roof lines are not allowed unless the gable ends are in contrast to the lower wall finish.

7. Carriage Houses

No carriage house will be constructed unless the architectural style of the carriage house matches the architectural style of the main house.

8. Plan Approval

No improvements shall be constructed on a Lot unless and until plans and specifications for the proposed construction have been submitted to and approved in writing by the Developer. All plans and specifications must be in accordance with this Schedule and the Design Guidelines established by the Developer from time to time.

9. Minimum Size

No dwelling unit shall be erected on any Lot which has:

- i) a main floor area of less than 130 sq. meters (1400 square feet) in the case of a one story dwelling, and
- ii) 139 sq. meters (1500 square feet) in the case of a one and one half or two story dwelling, excluding basement.

10. Re-subdividing

No Lot shall be re-subdivided or rezoned.

11. Drainage

No excavation, construction, grading or any other work shall be carried out upon a Lot which would interfere with, or alter in any way, the natural or established drainage thereon.

12. Outbuildings

No outbuildings will be permitted on any of the Lots unless finished on the exterior walls and roof with finishes and materials similar to that of the main house on the Lot.

13. Driveways

No driveways shall be constructed on any Lot other than those constructed of asphalt, concrete or paving stones (bricks). The paving must extend from the property line to the curb/gutter line (approach). Driveways and approaches must be completed prior to occupancy.

14. Fencing

No fencing shall be constructed by the Owner, or anyone other than the Developer without the approval of the Developer prior to installation. No fencing shall be permitted to extend beyond the front of the primary structure facing the front of the lot, except on corner Lots as approved by the Developer and except for Lots 20 through 33 inclusive where fencing in the front yard is permitted and will be constructed by the Developer.

No fence shall exceed two (2) meters in height.

Fencing along the rear lot line of Lots 3 through 16 inclusive will be four foot high black coated chain link fence type and will be constructed by the Developer.

Fencing provided along the rear lot lines of Lots 3 through 16 adjacent to the walking trails shall not be screened off with parallel solid barrier fences to create rear yard privacy. Rear yard privacy will only be allowed by using natural landscaping elements within the rear yards along these walking trails.

Fencing along the Westerly rear property line of Lots 51 to 58 inclusive shall be six foot high cedar fencing and will be constructed by the Developer.

15. Landscaping

All lawn and landscaping installations shall extend to the curb line of all adjoining streets. All landscaping shall be completed within six (6) months of the date of occupancy of any dwelling.

16. Equipment Storage

No heavy equipment, whether owned by the occupier or otherwise, shall be stored either temporarily or permanently on any Lot.

17. Mobile Homes, Boats, Etc.

No commercial vehicles, motor homes, boats, travel trailers, recreation vehicles, or construction equipment shall be permitted on any Lot except in the normal course of business provided by such vehicles. Motor homes, travel trailers and like vehicles shall be temporarily permitted on the Lots for the purpose of loading and unloading such vehicles or for temporary visits by visitors to the Lots. No motor homes, boats, travel trailers and like vehicles may be stored on the Lots unless they are stored behind the projection of the front house line and are adequately screened from public view from the street or parks.

No motor vehicles shall be kept on or about a Lot unless it is currently licensed and maintained in an operable condition, temporary mechanical difficulties and breakdowns excepted.

18. Waste

No accumulation of waste, garbage, construction material, piles of soil or gravel, or any other unpleasant, unsanitary, or unsightly thing will be permitted by any owner to be left or stored on any of the Lots. There shall not be kept, nor permitted to be stored or kept, on the Lots or premises any wood, junk, wrecked motor vehicles, salvage materials or goods intended for commercial use or sale, nor shall any waste or refuse be kept or stored on the Lots or premises.

19. Temporary Residence

No trailer, mobile home, motor home, tent, shack, garage, barn, basement house or other building shall be used as a residence either temporarily or permanently nor shall any residence of a temporary character be permitted.

20. Combustible Material

No combustible or flammable material shall be stored on any Lot.

21. Signs

No billboards or advertising signs of any kind or character shall be erected, placed, permitted or maintained on any Lot except as approved by the Developer.

22. Satellite Dishes

No satellite dishes will be erected within the rear portion of any Lot unless screened from public view from streets, trails and parks.

23. Animals

No animals, livestock, poultry or insects of any kind, other than household pets kept for non-commercial use, shall be raised, bred or maintained on any of the Lots.

24. Propane Tanks/ Water Collection Vessels

No combustible liquid or gas tanks, exposed to view, shall be permanently allowed on the Lots. No rain water collection containers are allowed above ground unless they are adequately screened from the public view from the streets or walking paths.

25. Overhead Power/Telephone Lines

No overhead lines shall be permitted except during emergencies and repairs. For all the Lots, temporary overhead, distribution and service lines will only be permitted until permanent underground facilities are installed.

26. Garbage and Refuse

No garbage, garbage cans, ashes, refuse, or trash receptacles shall be allowed on a Lot exposed to view (except as required by the City of Courtenay to facilitate garbage pickup) and no outside incinerator shall be permitted. Garbage, garbage cans, ashes, refuse, and trash receptacles shall only be placed on a Lot in a convenient place to facilitate pickup on the day of pickup only. No burning or rubbish outside of a residence shall be permitted.

27. Invalidation

Invalidation of these restrictions or provisions or any part hereof by judgement or court order shall in no way affect any of the restrictions set forth not invalidated by such order, and any restrictions not invalidated shall remain in full force and effect.

-End of Document-