

## SCHEDULE OF RESTRICTIONS

**“Accessory Buildings”** means buildings such as garages or other outbuildings located on a Lot or Lots that complement the Residence and are not habitable.

**“Completion” or “Substantial Completion”** of a Residence means that state of completion whereby the Developer has provided its approval (in writing) of such completion and the Town of Creston has issued a Final Inspection that contains there are no further conditions(s) to be satisfied, or if any conditions(s) are expressed, all shall be minor in nature and be fully satisfied within three (3) months thereafter.

**“Developer”** means Paul & Mimika Coleman and Rob & Bonnie Geddes, their successors and assigns and any of their authorized agents.

**“Farm Animals”** means horses, cattle, sheep, goats, llamas, swine, poultry, mink and rabbits.

**“Final Inspections”** means a written notice issued by the Town of Creston outlining that construction has been approved (that is subject to the Building Permit), or deficiencies in the said construction, which may or may not require correction prior to final approval of such construction.

**“Junkyard”** means an area where old or used materials, including but not limited to metals, paper, rags, tires, bottles, vehicles and or vehicle parts are bought, sold, stored, traded, collected, or handled in any manner whatsoever.

**“Kennel”** means a building, structure, compound, pens, cages or property where more than two dogs or cats are, or are intended to be trained, cared for, bred, medically treated, boarded or kept.

**“Lot” or “Lots”** means any one of the registered Fee-Simple Lots as shown on plan NEP: Plan NEP20111 – Phase 2.

**“Manufactured (and/or) Mobile Home”** means a home which is registered under the Manufactured Home Act of British Columbia (or its subsequent replacement), or is eligible for registration under the said Act **and/or** a pre-manufactured residence unit (which may be manufactured under Canadian Standards Association format) that is suitable for year-round occupancy and is designated to be moved along a highway to a site which includes these types of residences that are commonly advertised for sale and referred to as “mobile homes”

**“Owner”** means a person or entity registered as the legal Fee Simple owner of a Lot and their respective successors in title.

**“Recreation Vehicle and/or RV”** means a vehicle, trailer, coach, motor home, structure on conveyance designed to travel or be transported on the highways and constructed or equipped to be used as a temporary living or sleeping quarters by travelers.

**“Residence”** means a building consisting of one residence unit, which is occupied (or intended to be occupied) as a residence.

**1. RESIDENCES AND ACCESSORY BUILDINGS**

- a. No fifth-wheel trailers, travel trailers, motor homes, manufactured homes, or other recreational vehicles shall be used as a primary residence. Recreational vehicle storage shall be as unobtrusive as possible.
- b. Only carports, storage sheds and other accessory buildings, which match the style and finish of the residence on the Lot, will be allowed.

**2. SIZE AND HEIGHT**

- a. For the purpose of calculating dimensions of a residence, the living area square footage of the said Residence shall be calculated exclusive of any covered extension, carport, patio, porch, or other accessory building.
- b. The main floor living area of a single level residence shall be not less than 950 square feet (with no less than 1400 square feet of roof) and for a multi level residence the total living area shall not be less than 1600 square feet.
- c. No carport, storage shed or other accessory building shall exceed the height of the residence by more than twelve (12) inches and all additions to the residence must have a continuation of the residence roof pitch. The roofing material on such accessory buildings(s) shall match the main residence roof design and colour.
- d. It is intended that the Lots in the Development have relatively unimpeded views of the Creston Valley. Therefore any Owner(s) of any Lot(s) shall not permit construction of any Residence and/or Accessory Buildings that will exceed a total height of more than 32 feet measured from a Lot ground elevation at the midpoint of the foundation exposure.

**3. CONSTRUCTION GUIDELINES**

- a. Prior to the application to the Town of Creston for a building permit, each Lot Owner shall:
  - i. Provide to Developer, or the Developer's duly authorized representative, all site plans, architectural plans and specifications in respect of the proposed design and construction of the improvements(s) upon the Lot; and
  - ii. Make a formal application for a building permit only after receipt of the Developer's approval of the proposed improvement(s).
- b. Lot(s) are to be kept in a clean and orderly fashion during the period of construction. Garbage and construction debris is to be removed from the development of any Lot on a regular basis.
- c. No basement, garage or accessory buildings erected upon the Lots shall be used as a permanent residence or shall be used for a temporary residence during construction for longer than a six (6) month period.

**4. ROOFING MATERIAL**

- a. Roof colours will range from grey to black.
- b. All permitted accessory building shall have their roof colours to conform to the roof colours of the principal residence

**5. EXTERIOR FINISHING**

- a. Exterior finishes of buildings are to be neutral colours, brick, wood, stucco, wood composite or vinyl siding. No log homes manufactured or mobile homes are permitted.

- b. All permitted accessory buildings shall have their exterior finished to conform to the finish of the principal residence.
  - c. Minimum of 20% of the exterior finish is to be comprised of material other than vinyl siding.
6. **EXTERIOR COLOUR**
- a. Subdued, natural colours are preferred and must be clearly indicated on the building plans.
  - b. All permitted accessory buildings shall have their exterior colour to match the colour(s) of the principal residence.
7. **LANDSCAPING**
- a. All Lots shall have driveways finished with concrete, exposed aggregate concrete, brick pavers or asphalt.
  - b. Underground sprinkler systems are strongly recommended.
  - c. No trees, shrubs or other vegetation shall be planted which interfere with the visibility of the driveway of the adjacent Lot to the street.
8. **FENCING**
- a. No fence shall be erected, constructed, placed or maintained on the front or the side property lines to the front of the residence.
  - b. All fences shall be constructed of ornamental wire, ornamental wood, iron or wood construction having the same appearance on both sides and shall be painted on all sides.
9. **TIME OF COMPLETION**
- a. The exterior of any residence, accessory building, or other improvements on a Lot must be finished within twenty-four (2) months of the date of commencing construction thereof.
10. **ANIMALS AND PETS**
- a. Any exterior facility for the pets shall be located in the rear of any Lot only.
11. **VEHICLES**
- a. No Owner shall park, store or keep any vehicle, except wholly within the Lot and any permanently or temporarily inoperable vehicle shall be stored only in enclosed garages.
  - b. No Owner shall park, store or keep on any property or street in the subdivision, or upon any uncovered parking space so as to be visible from anywhere in the subdivision, any large commercial-type vehicle, such as, but not limited to, a dump truck, logging truck, cement mixer, oil and gas trucks or tractor trailer.
  - c. Boats, campers, motor homes, and other recreational vehicles are permitted provided they are stored within the fenced area of the yard.
12. **GENERAL APPEARANCE AND MAINTENANCE**
- a. No Lot or improvements (such as residences, fences or accessory buildings) shall be in a state of disrepair, unsightly or untidy. Improvements thereon shall be maintained at all times in a neat and attractive condition.
  - b. Satellite receiving dishes are not permitted unless they are less than thirty (30) inches in diameter and placed in a location which is not visually intrusive.
  - c. No exterior radio antenna, CB antenna, television antenna or other antenna of any type shall be erected or maintained on any Lot.

- d. No billboards, place cards, advertising or signs of any kind shall be erected or placed on any Lot, or in any window or door in any residence or accessory building on any Lot, with the exception of temporary signs indicating that the property is for sale or rent, signs such as "Block Parent" and signs displaying the Owner's name and address. Such signs are to be of an ornamental nature and not to exceed 12" x 24".
  - e. Lineal clotheslines shall be permitted in the backyard of the Lot only.
  - f. Garbage storage shall be secure from animal interventions and be screened from view, other than on pick-up day.
13. **GENERAL**
- a. The captions appearing in this Statutory Building Scheme are inserted for convenience of reference only and shall not affect the interpretation of this document.
  - b. The Developer, for such period of time as the Developer shall retain ownership of the Lots, and any registered Owner within Phase 2 of the McLaren Street Development, shall have the right to exercise any remedy at law or in equity for the enforcement of this Statutory Building Scheme.

**END OF DOCUMENT**