

Bylaw 12. - Building Restrictions and Expectations

12.1 No trees shall be cut down, damaged or removed from any of the Strata Lots without the prior written permission of the Strata Council save and except for such trees as may be required to be removed for the following purposes:

(a) To clear an area of a Strata Lot for the purposes of construction and installing a residential dwelling and ancillary buildings (hereinafter called "House") as may be permitted under the applicable by-laws and regulations of The Corporation of the City of Vernon.

(a) To gain vehicular and equipment access to the site for the construction and installation of the "House" on the Strata Lot.

(a) To remove dead or damaged trees that constitute a danger or potential danger to persons, property or other trees.

12.2 No mobile home and no prefabricated or manufactured modular home or log home shall be located or assembled on any Strata Lot whether or not the mobile home or manufactured modular home or log home is on or is intended to be placed on a permanent foundation and whether or not any mobile home has had its wheels removed.

12.3 Owners of any undeveloped Strata Lots purchased after April 28, 2004 will be required to build homes greater than 1400 square feet on the main floor, excluding the floor area of basements, attached garages, sheds, open porches and breezeways. All other

Strata Lots are "grandfathered" and these Owners may build their homes with a main floor area equal to or greater than 1200 square feet excluding the floor area of basements, attached garages, sheds, open porches and breezeways

12.4 No "House" shall be constructed on a Strata Lot unless the highest standards of construction are followed and unless:

- a. The roof of the "House" is covered with slate, clay or fibreglass backed shingles with a 40 to 50 year limited warranty, in earth tone colours approved by the regulations and rules of the Regional Fire Marshal from time to time as administered by The Corporation of the City of Vernon. Asphalt Shingles and/or metal roofs are not acceptable.
- b. Roofing materials other than those listed will be considered by the Strata Council upon application.
- c. Any roof (overhang) for a "House" extends at least 24 inches out from the outside exterior wall of the "House".
- d. The exterior of the "House" is clad in, stucco, brick, stone or other similar composite non-flammable siding material, or a combination of the foregoing.
- e. The colours of the exterior of the "House" including exterior walls and roof are to be Earth tone colours.

- f. All toilets installed within such "House" are toilets which discharge not more than 8 litres of water per flush, such as a Crane toilet model Allegro number 130-16 or its equivalent.
- g. All shower heads installed within or outside such "House" are shower heads of a design which permit a flow of not more than 2.5 gallons per minute, such as a Moen shower head with discharges not more than 2.5 gallons per minute or its equivalent.
- h. The "House" contains no garburators or those garbage or refuse disposal devices connected to any sink drain or any drain conveying waste water or sewage from the "House" to the sewage disposal system serving the said "House".

12.5 No "House" shall be constructed on a Strata Lot unless a water meter of a type and design specified and approved by CLU Utilities Ltd., the public utility supplying domestic water to the Strata Lots within the subdivision, is installed to measure and enable the recording of the quantity of water delivered to and consumed in or about the Strata Lot and "House" located thereon from time to time (including without limitation swimming pools, hot tubs and sprinkling or irrigation systems) is installed at the cost of the owner of the Strata Lot and under the supervision and direction of such person or persons as may be designated by CLU Utilities Ltd. as its authorised representatives from time to time. The water meter shall be installed at such location as may be specified by CLU Utilities Ltd. at some point at the point of connection of the improvements on the Strata Lot to the CLU Utilities Ltd. water system, or between such point of connection and the point at which water is delivered to the improvements on the Strata Lot. Such water meter shall be installed at the expense of the owner of the Strata Lot at the time of installation.

12.6 No perimeter of any Strata Lot shall be fenced; however, a portion of each Strata Lot may be fenced to create a fenced yard area on a Strata Lot provided that such fenced area does not enclose more than 25% of the total area contained within the boundaries of the Strata Lot (including such area as may be required to be fenced to enclose a swimming pool) and provided that the height of any such fence shall not exceed 4 feet at any point along the fence measured from natural ground level.

12.7 No driveway shall be constructed or used on any Strata Lot unless the surface of such driveway is covered with asphalt pavement or concrete.

12.8 No "House" shall be constructed or renovated on a Strata Lot unless the "House" has a garage adequate to house and park all of the owner or resident's (including those family members who will be living with the owner) owned or leased vehicles behind closed doors. The only exception is for those vehicles listed in section 12.9.

12.9 No logging trucks, highway transport trucks, or other commercial vehicles shall be parked or stored temporarily or otherwise on any Strata Lot, and no passenger vehicles or trucks exceeding 3,200 kgs GVW shall be parked or stored on any Strata Lot temporarily or otherwise except for one recreational vehicle and/or boat, with or without boat trailer per Strata Lot.

12.10 No swimming pool or hot tub with a volume of more than 2,000 litres shall be constructed or located on or within any Strata Lot unless such swimming pool or hot tub is connected to a dry well located on the Strata Lot having a capacity to accommodate seasonal

draining of the pool or hot tub, and unless the required dry well and associated drainage facilities are designed by professional engineer registered as a professional engineer under the Engineers and Geoscientists Act, R.S.B.C. 1979, Chapter 109, and are constructed and installed under the supervision of the professional engineer . Notwithstanding the foregoing, it shall remain the sole responsibility of each owner or resident to control the discharge of water from his pool or hot tub in such a way that it does not create any problem for the common property or another Strata Lot.

12.11 A swimming pool or hot tub with a volume of more than 2,000 litres may be constructed or located on or within any Strata Lot providing the owner agrees to place and register with the British Columbia Land Titles Office in Kamloops, British Columbia a "Restrictive Covenant" on the owner's Strata Lot, in favour of the Strata Corporation, indicating and agreeing to bind the owner, and any future owner of the owner's Strata Lot, to:

- (a) Safely remove the water from the in ground swimming pool via tanker pump truck;
- (b) Have the removed in ground swimming pool or hot tub water disposed of according to any and all then applicable regulatory guidelines through an approved disposal system; and
- (c) Install, maintain and keep a float alarm as a key water spill prevention device, acceptable to the Strata Corporation, to prevent any possible accident overflowing of, or water spill from the owner's in ground swimming pool or hot tub built on the owner's Strata Lot

12.12 No carports are permitted on any Strata Lot and garages must be completely enclosed with walls (with or without windows), a roof and a garage door.

12.13 No noxious weeds shall be permitted to grow on any of the Strata Lots and owners shall take such weed control measures as may be necessary to prevent such growth. If an owner fails to eradicate noxious weeds, the Strata Council may proceed as outlined in Bylaw 5.4

12.14 Drainage water from a Strata Lot or any improvements on a Strata Lot shall not be connected to any sewage disposal system serving the Strata Lot or improvements, and more particularly but without limitation, drainage water from roof gutters or down-spouts for any improvement on the Strata Lot shall not be connected to any such sewage system.

12.15 Strata Lot land between the front and/or side of any home (directly facing) and a Strata Corporation's Common Property road, is to be totally landscaped within twelve (12) months following completion, or outside renovation, of any residence on that Strata Lot.

Once site preparation and/or construction begins on a Strata Lot, the Owner(s) or their contractors have twelve (12) months to complete, or outside renovate, any residence on that Strata Lot.