

EAGLE MOUNTAIN PHASE 6-7-8

DWELLING AND LANDSCAPE BUILDING SCHEME GUIDELINES

March 14, 2018

INTRODUCTION

- 1.1 This Building Scheme contains guidelines which will help to ensure that your own unique and exciting residential expression in Eagle Mountain is an attractive result ensuring premium enjoyment and investment value. Drawn or photo illustrations are not used in this document in order to encourage individual creative interpretation and application of the written concepts. Both the Developer and the Design Consultant are confident that this Development, given its hilltop sites and other unique attributes, carefully crafted Building Scheme and review process, will prove to create a pleasing Development unlike any other.

Note: Previous versions of Registered Guidelines shall be replaced with this version as per the authority given to the Developer under section 14.18 of the "Schedule of Restrictions – Exhibit A" registered September 06, 2007 under document #BB116377.

Note: Any reference to E.M.P. refers to Eagle Mountain Properties Ltd.

PURPOSE

- 2.1 The purpose of this document is to carefully outline all the requirements and restrictions in a concise way, which minimizes misunderstandings regarding the clarity, strength, and enforceability of the design criteria. More importantly, the Building Scheme is for the purpose of settling and maintaining the highest possible standards in the Dwelling and Landscape design and quality for the area through the careful selection of requirements based on consumer/resident expectations in this location.

COMPLIANCE DEPOSITS AND GENERAL DESIGN CONSULTANT FEES

- 3.1 \$10,000.00 shall be paid by the lot owner to the Developer, Eagle Mountain Properties Ltd., as a refundable deposit and damage deposit. This amount is to be held by the Developer to ensure Dwelling and Landscape Building Scheme compliance. This deposit is to be supplied to the E.M.P. upon approval of the Final Dwelling Plan Submission.
- 3.2 \$1,000.00 fee (plus applicable taxes) shall be payable by the lot owner directly to E.P.M. in advance for plan reviews and follow-up inspections.

REVIEW PROCESS

- 4.1 Inquiries are welcome by the Design Consultant at any time to discuss general items regarding the Subdivision, however, specific lot items shall only be responded to after Review Step One has been completed.

4.2 **Step One:** Introductory Submissions

4.2.1 All submissions, drawings and forms are to be submitted via email in a PDF format. The final submissions that require stamping and signing will be required to be submitted as "hard" copies.

4.2.2 It is the responsibility of the lot owner to prevent the lot from becoming overgrown with weeds or containing debris. Should the lot owner not comply, a letter of explanation shall be required and the Developer shall have the right, if he chooses, to use compliance funds, once it is paid, to maintain the lot, or to buy back the lot at a price reduction of ten (10) percent below the initial sale price, or resolve the situation as he deems appropriate.

4.2.3 E.M.P. reserves the right to interpret or change the requirements or restrictions described in this Building Scheme should it be deemed necessary for the benefit of the Development.

4.3 **Step Two:** Preliminary Review

4.3.1 A Preliminary Site Plan shall be submitted at a scale of 1/8"=1'-0" labelled with:

- All relevant information from the registered Lot Grading Plan including M.B.E., G.P.E., and driveway location.
- Indicate the Building Envelope as determined from the Zoning Bylaw and the proposed location of the dwelling including garages porches and covered patios.
- List the proposed Basement Floor, Main Floor roof peak geodetic elevations as well as indicating grade at the major corners of the proposed dwelling.

4.3.2 A Preliminary Dwelling Plan shall be submitted at a scale of 1/8"=1'-0" fully including:

- Front Elevation indicating, with labelling, all finishes and details as relating to the Building Scheme including, but not limited to, roofing type, cladding materials, fascia's, trims and guards.
- Upper, Main and Lower floor plans with all walls drawn, windows and doors shown and sized, rooms labelled and sized, ceiling heights labelled and floor areas indicated.

4.4 **Step Three:** Final Dwelling Plan Review

4.4.1 Two Copies of the Final Site Plan shall be submitted at a scale of 1/8"=1'-0" fully labeled with:

- ALL of the relevant requirements of the Building Scheme and the registered lot grading plan including:
 - Legal description
 - North arrow
 - Labeled and dimensioned property lines with bearings and elevations thereof,
 - Labeled and dimensioned geotechnical restrictive line, right-of-ways, existing easement and restrictive covenant lines,
 - Labeled dwelling foundation outline,
 - Labeled driveway with finish, slope and elevations thereof,

- Labeled privacy walls with heights thereof,
- Labeled retaining walls with height and finish thereof,
- Indicate all grade transitions,
- Labeled and dimensioned patios and pathways with finish thereof,
- Labeled swales with direction shown thereof,
- Existing and finished grade elevations and top of foundation elevations at all main and secondary exterior corners of the dwelling,
- Indicate the lot area,
- Indicate the permitted and proposed floor area, site coverage and building height,
- And any other details required by the Design Consultant.

4.4.2 Two Copies of the Final Dwelling Plans shall be submitted at a scale of $\frac{1}{4}''=1'-0''$, fully labeled with:

- ALL of the relevant requirements of the Building Scheme indicated as much as possible on the front elevation with the balance indicated on the remaining elevations,
- Labeled existing and finished grade elevations and top of foundation elevations at all main and secondary exterior corners of the dwelling on all four exterior elevations,
- Indicate and label existing and proposed grade lines at the base of each elevation and extending to the property line adjacent to each side of the elevation.
- Dimensions and label the ceiling heights for each level, the floor assembly thickness and the height of the roof from the Upper floor ceiling.
- Dimension and label the proposed building height.
- And any other details required by the Design Consultant
- Roof plan with all roof pitches labelled and overhang dimensioned.
- fully dimensioned, labelled and detailed Upper, Main and Lower floor plans as well as appropriate Cross Sections.

4.5 **Step Four:** Exterior Materials and Colours Review

4.5.1 Exterior Materials and Colours are to be submitted on the approved form, which is available from the Design Consultant, and include:

- Body, trim and accent colour samples,
- Roofing materials,
- Stone and/or brick,
- Painted metal colour(s),
- Window frame colour,
- Soffit, gutter and rain water leader colour,
- Flashing Colour

4.6 **Step Five:** Landscape Plan Review

4.6.1 Two copies of the Landscape Plan(s) shall be submitted at a scale of $\frac{1}{8}''=1'-0''$, fully labeled with:

- ALL of the relevant requirements of the Building Scheme and the registered lot grading plan

including:

- Legal description,
- North arrow,
- Property lines with elevations thereof,
- Labeled and dimensioned geotechnical restrictive line, right-of-ways, existing easement and restrictive covenant lines,
- Curbs and elevations thereof,
- Dwelling foundations outline,
- Labeled driveway with finish, slope and elevations thereof,
- Labeled privacy walls with heights thereof,
- Labeled retaining walls with height and finish thereof,
- Labeled sodded areas, planting beds, trees, water features, ponds, swimming pools, hot tubs and dwelling and landscape lighting,
- Labeled swales with direction shown thereof,
- Finished grade elevations at all main and secondary exterior corners of the dwelling,
- Planting list,
- And full drawings for trellises, arbours, gazebos, privacy walls, fences and all landscape features at a scale of not less than $1^{\prime}A=1^{\prime}-0^{\prime}$.

INSPECTION PROCESS

5.1 Step one: Dwelling Framing Inspection

5.1.1 Once the foundation has been poured and stripped, a copy of the form survey shall be submitted, signed and sealed by a B.C. Land Surveyor, which indicates:

- The outline of the poured foundation with wall segment lengths,
- All top of concrete pour strip elevations,
- Building setback distances to all property lines,

5.1.2 Upon completion of the framing and before the roofing is applied, the lot owner shall request a Dwelling framing inspection by E.M.P. This will be done with photographs taken by the E.M.P. and then compared to the approved Dwelling Plans.

5.2 Step Two: Completed Dwelling Inspection

5.2.1 Upon Completion of the Dwelling, the lot owner shall request the Design Consultant to perform a Dwelling inspection. Once requested, the file shall be reviewed to ensure all the required documents, including the City Final Inspection Certificate, have been submitted.

5.2.2 Should the file be in order, E.M.P. will perform the inspection by taking thorough photographs of the home and compare them to the approved Dwelling Plans.

5.2.3 E.M.P. will subsequently provide the Lot Owner with an inspection report, indicating if any deficiencies are required to be resolved prior to the approval of the Dwelling.

5.2.4 Upon full compliance of the Dwelling, the Developer shall refund the Dwelling portion of the Compliance Deposit.

5.3 **Step Three: Completed Landscape Inspection**

5.3.1 Upon completion of the Landscaping, the lot owner shall request E.M.P. to perform a Landscape Inspection.

5.3.2 The Design Consultant will perform the inspection by taking photographs of the Landscaping and compare them to the approved Landscape Plans.

5.3.3 The Design Consultant will subsequently provide the Lot Owner with an inspection report, indicating if any deficiencies are required to be resolved prior to the approval of the Landscaping.

5.3.4 Upon confirmation that the Dwelling is still in full compliance and Landscape is in full compliance, E.M.P. shall refund the Landscape portion of the Compliance Deposit.

SITE DEVELOPMENT

6.1 Site Grading

No unreasonable modification to the existing grades of any of the lots as indicated on the registered lot grading plan shall be permitted, except when required in the immediate siting area of the Dwelling on a lot and then only when such an area is graded out to match the existing ground line at the lot perimeter.

6.2 Drainage

No unreasonable modification to the existing grades along the property lines and along the maximum building envelope shall be permitted and especially those which would in any way result in a redirection of drainage flows and no change in grades shall be permitted which affect the Developer's general grading scheme for the whole subdivision.

DWELLING STYLE

7.1 No dwelling exterior style shall be prevented except those which are generally categorized by Log, Chalet, Rustic, Minimalist Box, etc. and no style shall be permitted unless it is extremely well and interestingly appointed and compliments the following styles:

72 Craftsman

- A resurgence has occurred of this extremely popular style gone by in the early to late 1940's. This style, in its origin, displayed not steep, but moderately sloped roofs, ornamental stone chimneys, exposed truss-like gable support-structures, under-soffit braces of every description, exposed, extended and tailored rafter ends, sloping wooded soffits, solidly heavy window and door cantilevered trims, and narrow horizontal bevel cedar siding Clydesdale-like wall base flares. Now revived, we welcome the return of this warm "Come-On-Back-Home" style we call "Craftsman".

73 Whistler Lodge Craftsman

More recently, many designers and builders have found ways of mixing in a taste of Whistler by substituting clear stained wood tones both inside and out, slightly heavier ornamental detailing while increasing rood overhang depths. Not to tread as far as rustic, strong and rugged characteristics portray a timeless and invincible impression of good taste, the "Whistler Lodge Craftsman".

7.4 French Country

Gone are the frills which over-embellished the original French Country Style. Bold and Heavy roof sweeps are prevalent with heavy window and door trims as striated layers of base ledgerstone accents lay low on the walls and contrastingly reach high to the flared chimney tops.

7.5 English Country

- Slightly more straight and tall elements give strength to this style with main floor gables that originate low and give the impression of reaching tall. Flanking ornate garden privacy walls occasionally add the impression of width to the design equation. Full round-topped windows in combination with rectangular light-hole windows add a sense of mystery. A slightly more serious facade "English Country".

7.6 Contemporary

- In this phase this simplistic yet creative style will be strongly encouraged. This is a good way to mix in some graphic lineal detail layering and strong and sharp shadow play. Mix in a slight traditional flair if you like and you have an extremely clean and interesting façade. Wood trim out the windows and doors or develop a new treatment and drop the roof to a lower slope for an unmistakably clean executive look.

DWELLING TYPES AND SIZE

8.1 Basement Entry

- Upslope lots where the design includes a basement, main floor and upper floor, and the basement exterior walls are mostly exposed across the front elevation.
- Living area on main floor and most bedroom floor area on upper floor.

- Upper floor, is recommended to be a maximum 75% of main floor, including garage if at main floor level.
- Should access to garages be deemed unsuitable at the main floor level, garages may be accessed at the basement level however, main entry doors and porches will not be approved at any level lower than half way between the basement floor and main floor level.
- Where porches are raised from the surrounding grade to access the dwelling between the basement floor and main floor, no wood frame entry stairs will be approved, rather concrete stairs and porch shall be used, and in any case, no lattice or similar screening on any front or flanking elevation will be approved.
- No three storey wall element will be approved on the front elevation of any dwelling.

8.2 Two Storey

- Living area on main floor and most bedroom floor area on upper floor.
- Upper floor, is recommended to be maximum 75% of main floor, including a garage.

8.3 One and a half storey

- Living area and most bedroom floor area on main floor.
- Upper floor is recommended to be maximum 50% of main floor, including garage.

8.4 Split Level

- Living area on split level and most bedroom floor area on upper floor.
- Upper floor is recommended to be maximum 50% of main floor, including garage.

8.5 Rancher with Loft

- Living area and some or all bedroom floor area on main floor.
- Upper floor is recommended to be maximum 25% of main floor, excluding garage.

8.6 Rancher

- Living area and all bedroom floor area on main floor.
- No upper floor.

DWELLING PLACEMENT, HEIGHT, AND MASSING

9.1 Main Floor Height

- No main floor shall be located unreasonably higher or lower than the required G.P.E.

9.2 View Corridor

- No Dwelling shall unnecessarily project into the view of another Dwelling.

9.3 Dwelling Alignment

- No part of any Dwelling shall be aligned in such a way as to not compliment the alignment of a dwelling of a prior approval.

- 9.4 Dwelling Massing
No Dwelling shall display other than a creative and interesting facade and roof configuration.
No inappropriate roof height or shape transitions from lot to lot.
No roof shall have excessively high main gables effectively overshadowing a street or another Dwelling.

- 9.5 Accessory Buildings
No buildings or structure appearing to be accessory or detached will be permitted to impede any neighbor's significant view corridor.
No accessory building/structure shall be finished with any other finishes than the materials used on the exterior of the Dwelling.

DWELLING FEATURES

- 10.1 Dwelling Exterior Design
- No dwelling exterior shall be considered predictable or uninteresting; rather it shall be surprising, stimulating, innovative and complimentary to other dwellings in the neighborhood.
- 10.2 Repetition
- No dwelling in the development shall closely resemble the configuration of any other dwelling within 6(six) lots in the development including mirrored plans.
- 10.3 Detailing
- No dwelling shall be without detailing which is appropriate for the dwelling style represented.
- 10.4 Basement Exposure
- No basement shall be unreasonably exposed to the fronting or flanking street.
 - No basement shall be exposed fully across the complete rear of a dwelling without adequate grade articulation or finish detailing in order to provide an interesting appearance.
- 10.5 Exposed Foundations
- No exposed concrete foundations permitted in excess of 0.2m(8") in height where highly visible from any road or property, and in excess of 0.4m(16") in height where not obviously visible from any road or property.
- 10.6 Window Wells
- No window well with a depth which exceeds a 0.6m(2.0') depth and abuts a sidewalk or graveled area shall be without a decorative horizontal metal grate or a decorative metal handrail or if the well abuts a lawn it shall have a 0.6m(2.0') perimeter planting bed.
- 10.7 Garages

- No garage shall accommodate more than three cars side by side.

10.8 Garage Doors

- No garage vehicle doors shall be the ordinary paneled type, rather they shall be chosen or designed to complement the dwelling facade.

10.9 Chimneys and Fireplaces

- No roof "A" or "B" vent shall be without an appropriately sized chase box, collar and a decorative hood when visible from a street.
- No chimney chase shall be clad in a material other than that which is used on the dwelling.
- No exterior wall chimney visible from a street shall be cantilevered.
- No street facing chimney design shall be of an uncomplimentary design.
- No fireplace horizontal direct vent shall be without a metal mesh cage which is painted to match the finish it is protruding from.

10.10 Doors, Window and Wall Trim

- In the event that stone or brick surrounds a garage overhead door, the trim may be limited to a solid course, stone or wood trim at the top of the door.

No exterior wall shall be without 0.250m (10") comb-faced wood or stucco trim band with a .04m (1.5") drip over all floor lines. For Contemporary styled dwellings, the proposed wall/floor line trim will be evaluated for each individual dwelling.

No exterior wall, where horizontal siding is used, shall be without a minimum 0.1m (4") corner trims.

10.11 Exterior Materials

No exterior materials other than:

- Pre-stained narrow and/or medium width horizontal bevel/lap cedar siding,
- Moderate amounts of pre-finished large-batten cedar board and batten,
- Pre-finished narrow width horizontal composite lap siding,
- Pre-stained flat bottom cedar shingles
- Not swirled or stippled or trowelled stucco but painted smooth acrylic or rough slop dash stucco,
- Painted wainscoting,
- Brick,
- Stone,
- And combinations thereof are permitted,
- No log or vinyl exterior wall finishes of any kind are permitted.

10.12 Accent Materials

- No stone, or simulations thereof, shall be used unless its appearance is realistic in shape and colouration.

- No street-facing elevations shall be without a generous amount of brick and/or stone.
- No accent wall finish shall end at a wall outside corner and therefore must, as a minimum requirement, wrap to the closest wall inside corner, unless in the case of a column treatment, it shall return a distance equal to its face width, and in the case of a garage man door, it shall be moved to that position. In the event of a long, unbroken side wall face, the Design Consultant shall determine the termination line of the accent material.

No brick and/or stone shall be used on any wall or column unless its use commences at the Base of the wall.

No jumbo or any other size concrete brick shall be used where visible from the exterior.

10.13 Deck and Railings

No deck supports shall be permitted which appear to be inadequately sized and do not compliment the design of the dwelling.

No decks or balconies shall be permitted on an interior side yard of a dwelling which uncomfortably faces another dwelling's windows.

- No deck, porch or patio railings other than glass with narrow extrusions shall be permitted on rear elevation except as approved by the Design Consultant.
- No deck, porch or patio railings other than decorative metal shall be permitted on any front.

10.14 Roof Configuration and Slope

- No roof shall be predictable or uninteresting; rather the roof configurations must be positioned staggered heights and shall consist of a mixture of hip and gabled elements as well as monoplane or shed roofs for more Contemporary style dwellings.
- The occasional appropriately-sized flat, low-sloped and curved roofed portions shall be considered, providing they are consistent with the defined Design Consultant pre-approved design styles.
- No roof shall sit inappropriately and unnecessarily tall, rather low to moderate-sloped rooflines are preferred, both to maximize views for all and secondly to salute the resurgence of the famous Frank Lloyd Wright Styles, especially on the upper floor, whereas main floor rooflines may commence low and reach upwards to near the peak of a moderately sloped upper floor roof and yet give the impression of a rich and steeply sloped roofline if desired.

10.15 Eaves

- No roof eave shall be limited to being strait, rather flared eaves shall be permitted if used effectively with discretion.
- No single layer built-in gutters shall be permitted, rather should built-in gutters be used, they must be layered and configured in such a way as to enhance the overhang, complimenting the design of the dwelling.
- No soffit shall be other than a unique expression of the style of the dwelling, either sloped or flat, and either plain or with exposed rafter ends or false horizontal purlins cut ornamentally at the ends.

10.16 Skylights

- No skylight shall be other than flat glass.
- No skylight shall be visible from the street except when the skylight is located at the main ridge and is shaped in a fashion which complements the dwelling in general and the roof mass in particular.
- No domed light tube lens shall be installed on any front facing roof plane.

10.17 Roofing

- No visible roofing shall be other than:
 - Flat profile concrete tile,
 - Slate,
 - Cedar shingles,
- Metal accent roofing may be permitted if tastefully positioned and apportioned, however above all, the roofing material must compliment the dwelling style.
- In the event that the roof slope is too low for the correct application of the above materials, metal roofing, with a low reflective finish, will be considered for those low slopes roof planes only.

10.18 Colours

- No roof shall consist of other than medium to dark mottled tones which are complimentary to the dwelling body colour.
- No gutters, scuppers, or downspouts shall be coloured any other colour than the dwelling body or trim.
- No window exterior window frame shall be coloured with an extreme contrast to the trim.
- No main body colour other than a medium to dark earthy tone shall be permitted in conjunction with a similar secondary body tone and one or two tones of trim as well with a complementarily selected gentle shade of brick and/or stone.

No mass approvals of white trim will be granted, however it will be permitted on a limited basis throughout the development only to be used with white window frames.

No exterior door shall be painted white, except in the event that the window frames or trim is white, and shall be painted to match the trim colour, except if used as an accent such as the entry door and garage overhead doors.

No mortar shall be coloured as any other colour than the Brick and/or Stone it surrounds.

10.19 Painting and Staining

No dwelling shall have any unpainted or unstained materials of any kind.

No metal exterior item, including hood and fan vents, may be left unpainted and shall be painted to match the colour of the item(s) it is protruding from.

No projecting item in the roof may be left unpainted and shall be painted or coloured to compliment the roofing colour.

11.1 Driveway

- No driveway shall be of any material other than:
 - Exposed aggregate concrete,
 - Stamped concrete,
 - Acid/colour washed with a cut pattern,
 - Brick or stone pavers
 - Or another attractive alternative approved by the Design Consultant.
- No driveway shall be without a border of exposed aggregate concrete, stamped concrete, or coloured concrete and must not be of the same finish as the driveway.

11.2 Fencing

- No wood fencing is permitted.
- No fencing of any kind is permitted in any areas where E.M.P. wishes to maintain an open view corridor.
- No metal picket fence shall be other than that made of 2"x2" posts with decorative metal caps. Posts shall be inset into submerged concrete footings extending minimum 12" below finished grade or bolted to a continuous concrete curb wall with not more than 6" exposure from grade. Top and bottom rails shall be of 1 1/2" metal channel with minimum 1/2" x 1/2" vertical pickets of 4" on center. Each panel of fencing must be installed level. All components of the fence must be welded not screwed together and must be a factory powder coated with black paint only.
- No metal picket fencing whatsoever is permitted in a front yard and where it is used along the side and rear property lines in a rear yard shall not exceed 0.9m(3'-0") in height, and when used on an interior lot line it shall not exceed 1.2m (4'-0") in height, and when used on a flanking street shall not exceed 0.9m (3'-0") in height and must be screened from the street by cedars at max 0.6m (2'-0") c.c.
- No galvanized chain-link construction fence shall remain after landscape completion and shall be replaced with the above mentioned metal picket fencing unless a emerald (smaragd) cedar hedge is planted inside the fence, on the lot, directly beside the fence.

11.3 Trees

- No trees shall be placed where they will obviously minimize or block a neighbor's view.

11.4 Privacy Walls

- No privacy wall shall be built whatsoever without the Design Consultant approving full plans which shall include all siting, construction, finish, and colouration details.

11.5 Trellis', Arbours and Gazebos

- No trellis, arbor, or gazebo shall be placed in a position which would minimize or block a neighbor's view.

11.6 Landscape Maintenance

- No landscaping whatsoever shall be permitted to appear unkempt.

GENERAL REQUIREMENTS

- 12.1 Registered Design Consultant's Prior Approval
- As this document is a registered covenant on the lots, the City of Abbotsford shall not accept any application of, grant a permit for, or review changes to any drawings or alterations on the plans not having E.M.P.'s prior approval.
- 12.2 Special Approvals
- Nothing will prevent the Developer from granting special approvals on house designs for specific lots that do not exactly suit the Developer's Statutory Building Scheme in all respects if, in the opinion of the Developer or its agent, the design is acceptable and consistent with the intent of the Developer's Statutory Building Scheme; and upon any such special approvals being given, the provisions of the Developer's Statutory Building Scheme shall be deemed to be modified, amended or enlarged to allow such special approvals on such specific lots.
- 12.3 Miscellaneous
- No, trailer, camper, mobile home, boat, motor vehicle, machinery, motorcycle, bicycle, snowmobile or other mode of recreational transportation shall be located, kept or stored on permitted on any such Lot except in the course of delivering goods or services to the occupant of the Lot concerned.
- 12.4 Right to Release
- None other than the Developer, save as hereinafter provided, in its absolute discretion from time to time by any deeds, may waive or vary or release any of the said conditions of the Statutory Building Scheme in respect of any unsold lots in the subdivision or to sell and convey any part or parts of such unsold lots free from any and all of the said restrictions and conditions and either subject or not subject to any different restrictions and conditions, provided however that under no circumstances may the conditions set out in the paragraph 2.11 herein, relating to the National Building Code, be waived, varied or released.
- 12.5 Disclaimer
- No restriction or requirement contained herein, or any action by the Developer or its agent to fulfill the same, shall be construed or implied as imposing upon the Developer, or its agent.
- 12.6 Schedule of Restrictions Expiration
- Nothing shall prevent the provisions contained within this Schedule of Restrictions to cease and be at an end on or after thirty years after the date of registration. Any time thereafter, the charge created hereby may be expunged and discharged from title to a lot so charged, upon application to the Land Title Office by the owner of such a lot without further consent from any party having benefit of this Schedule of Restrictions.

END OF DOCUMENT