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# RESTRICTIVE COVENANTS – MISSION HEIGHTS S.E. PHASE 1B

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## PLAN NUMBER # 042-5571

### DWELLING

#### TYPE:

The said lands shall be used for the construction on each lot of a single detached residential dwelling only (hereinafter referred to as "the residence").

Exceptions to this would be lots 11 thru 26 of Block 22 and lots 117 thru 132 of Block 5 where semi detached residential dwellings are allowed.

### CONSTRUCTION

#### STANDARD:

Any residence shall be of new construction and shall be built to standards and designs approved by the developer. Additionally, the developer shall approve the plot plan for any construction.

### EXTERIOR

#### WALL FINISH:

Only wood, aluminium or vinyl siding, stucco, hardboard, brick, natural stone or cultured stone shall be utilized as exterior wall finishes and trim materials.

### DESIGN

#### CREATIVITY:

Each house must have a minimum of 15% brick or stonework on the front façade or alternatively, must display design creativity which offsets the need for brick or stone.

### ROOFING

#### MATERIALS:

Asphalt shingles are accepted as a minimum standard on lots 53 thru 71 of Block 18, lots 81 thru 101 of Block 13, lots 1 thru 6 and lots 11 thru 26 of Block 22 and lots 117 thru 132 of Block 5.

Cedar shakes, pine shakes, clay tile, slate or cembrit slates, (or a product considered by the developer to be equivalent) shall be used on lots 102 thru 104 of Block 13, lots 90 thru 115 of Block 5, and lots 9 and 10 of Block 22.

### ROOF SLOPES:

All roof slopes shall be a minimum rise of five (5) feet for each twelve (12) feet on run, including garages.

### FIREPLACES:

Where a fireplace is installed, there shall be no exposed chimney pipe on the exterior of the residence, except above the roof line.

### HOUSE SIZE:

Maximum site coverage shall conform to The City of Grande Prairie requirements. Minimum total floor areas shall be:

A. Lots 52 thru 71 of Block 18, lots 81 thru 104 of Block 13 and lots 1 thru 6 of Block 22.

Bungalow	900 sq. ft. (on main level)
Bi-Level	900 sq. ft. (on main level)
Split-Level	900 sq. ft. (main plus upper level)
2-Storey	1300 sq. ft. (total)

**B.** Lots 102 thru 104 of Block 13, lots 90 thru 115 of Block 5 and lots 9 and 10 of Block 22.

Bungalow	1200 sq. ft. (on main level)
Bi-Level	1200 sq. ft. (on main level)
Split-Level	1200 sq. ft. (main plus upper level)
2-Storey	1600 sq. ft. (total)

**C.** Lots 11 thru 26 of Block 22 and lots 117 thru 132 of Block 5.

Bungalow	900 sq. ft. (on main level)
Bi-Level	900 sq. ft. (on main level)
Split-Level	900 sq. ft. (main plus upper level)
2-Storey	1200 sq. ft. (total)

At the discretion of the Architectural Coordinator acting reasonably, the minimum square footage may be reduced by 50 sq. ft. if the entire building pocket frontage is utilized and massing is superior.

**GARAGES:**

Attached double garages are required at all residences. Garages are to be finished with similar design and materials to the house.

Exception to this would be lots 11 thru 26 of Block 22 and lots 117 thru 132 of Block 5, where a single car attached garage is allowed. Lots 53,54 and 55 of Block 18, where a garage is optional, must be located at the rear of the lot with access from the rear lane.

**DRIVEWAY:**

Concurrent with the construction of the dwelling – a concrete, cobblestone, interlocking brick or stamped asphalt driveway beyond the gravel level shall be constructed.

Exceptions to this would be lots 53,54 and 55 of Block 18, where a rear driveway off the rear lane is required and gravel as a finish is accepted. A front driveway is not allowed on Blocks 53,54 and 55 of Block 18.

**SIDEWALKS:**

Concurrent with the construction of the dwelling, an entry sidewalk from either the front street or driveway shall be constructed of cobblestone, interlocking brick, or poured or precast concrete.

**LANDSCAPING:**

Within twelve (12) months of occupancy, all front yards shall be seeded or sodded to lawn grass, except for those portions used in other decorative landscaping techniques, such as flower beds, shrubs, and washed or tile rock. All lawns must be completed to the front street curb.

**ON CORNER LOTS**, the homeowner is required to sod/landscape to the side curb and maintain the area.

**RV'S AND  
MOTORHOMES:**

RV's and motor homes are not allowed to park on the street or on driveways in front of the garage for longer than 24 hours.

**MODULAR OR  
MOBILE HOMES:**

No modular or mobile home shall be parked or moved onto the said lands.

**NON-OPERATIVE**

**VEHICLES:** Non-operative motor vehicles, waste, garbage or rubbish shall not be stored or placed on any lot nor shall anything be done which may be a nuisance or annoyance to neighbouring properties.

**ACCESSORY BUILDINGS:** No accessory buildings, except garages, shall be located in the front yards. All accessory buildings should be finished in the same exterior materials and colours as the residence.

**SATELLITE DISHES:** Satellite dishes with a diameter in excess of 30” are not permitted. Satellite dishes with a diameter less than 30” are permitted in side and rear yards only.

**PETS:** No birds or animals shall be kept on the said lands except dogs, cats and birds as household pets.

**SIGNS:** No signs or advertising material of any kind shall be placed or erected on a lot, except:

- a) one sign on each lot of not more than five (5) sq. ft. advertising the property for sale or rent;
- b) signs used by a building contractor during construction;
- c) any personal name plate on each lot not more than two (2) sq. ft. denoting the owner's name and address only;

**LOT MAINTENANCE:** Should any lot herein not be built upon, the owner shall thereafter until built on, keep the same in good repair and weed free.

**COMPLETION PERIOD:** Any exterior construction on the residence, property improvements or any deck or fence construction in the yard, shall be completed within nine (9) months from the date of commencement. Upon completion, the property shall be cleaned up so as not to constitute a nuisance or annoyance to neighbouring properties.

**SOIL CONDITIONS:** All lot owners shall be aware that the soil conditions in this area varies considerable from lot to lot. The owner shall satisfy himself either through personal investigation or through the assistance of a geotechnical consultant that the footing size, water intrusion and any other geotechnical concern that may arise due to the construction of homes or any other building, is properly investigated and dealt with prior to the purchase of the lot. The developer of the land shall not be held legally responsible for any geotechnical problems that may arise because of variable soil conditions.

**BREACH OF COVENANTS:** Should any owner of any lot breach any of the covenants herein, then any other owner, adjoining or otherwise of any of the lands in Schedule "A", may proceed in law against the offending owner to enforce these covenants, provided however, that no obligation, action or claim lies against the developer other than as a registered owner in the event of such breach. This covenant shall constitute an absolute defence to claim or action against the developer.

**FENCING:** Any fence erected on the lands shall be no more than six (6) feet in height and shall be of chainlink construction or alternately, of wooden construction following the general specifications set out in Appendix "B" hereto. No fence shall protrude or be

constructed closer to the roadway than the front of the residence. Masonry posts to match existing house masonry are acceptable.

Corner lots shall all have a tiered wood fence built by the developer along the street side starting adjacent to the front of the house and extending to the rear property line. The fence shall be 6 ft. in height at the rear property line and shall drop to 5 ft. at the rear corner of the house and again drop 4 ft. approximately half way to the front corner of the house.

Corner lots would include:

- Lots 58 and 68 of Block 18
- Lots 81, 83, 92, 94, and 104 of Block 13
- Lot 114 of Block 5
- Lots 1, 6, 9 and 26 of Block 5
- Lots 114 and 132 of Block 5

As well a fence 6 ft. in height shall be constructed by the developer in the following locations:

Along the west property line of lots 83 and 84 and likewise the east property line of lot 82, all of Block 13.

Along the rear (south) property line of lots 66, 67, and 68, and likewise the north property line of lot 69, all of Block 18.

Along the rear (west) property line of lots 69, 70, and 71, and likewise the east property line of lot 65, all of Block 18.

Along the rear (north) property line of lots 9 and 10, and lots 11 thru 26, and likewise the rear (south) property line of lots 2, 3, and 4, all of Block 22.

Along the rear (south) property line of lots 114 and 115 and likewise the north property line of lot 113, all of Block 5.

Along the rear (west) property line of lots 109 thru 113 of Block 5.

Along the west property line of lot 115 of Block 5 and lot 10 of Block 22, and the east property line of lot 117 of Block 5 and lot 11 of Block 22. This fence shall extend from the rear property line to a point adjacent to the front of the house/garage.

Along the rear (east) property line of lots 4, 5 and 6 of Block 22.

Along the rear (south) property line of lots 117 thru 132 of Block 5.

Along the rear (west) property line of lots 59 thru 61 of Block 18.

Along the west property line of lot 1 of Block 22.

Wood walk-in gates approximately 36" in width shall be installed as part of the fence construction at the rear of the following lots:

Lots 4, 5, 6, 9, 10, 11, 12, 13, 14, and 15 of Block 22.

Lots 59, 60 and 61 of Block 18.

Lots 109 thru 113 of Block 5.

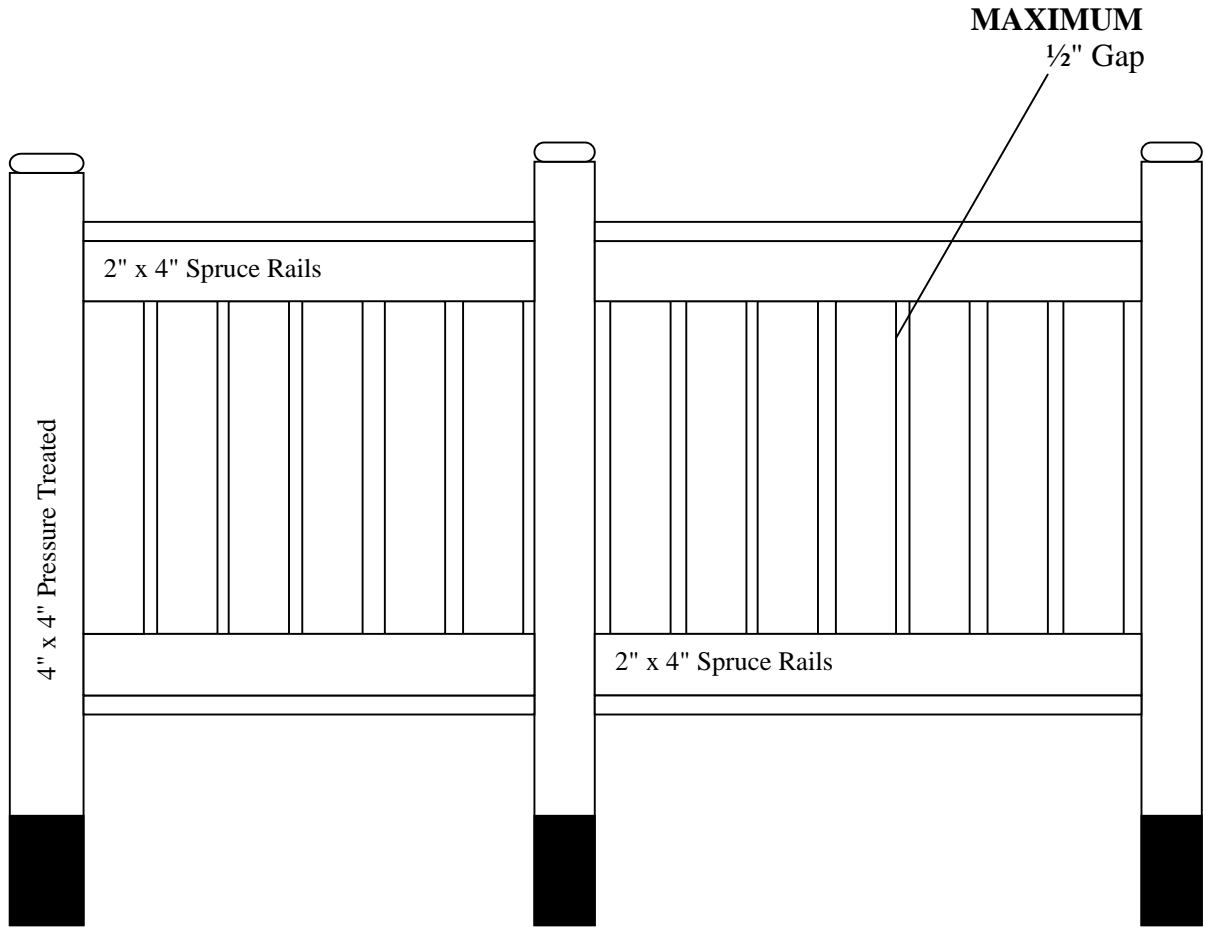
Fences built by the developer cannot be removed or obstructed by another fence. The homeowner is required to maintain the fence in good quality standards, including using only the original stain named "Monteray Grey". Original grade at the rear as established by developer must not be changed by homeowner.

## CREEK BANK LOTS

Lots 90 to 108 inclusive in Block 5 shall have the following special requirements:

1. Development setback requirements of 10 meters are as illustrated on Figure 1. In general, and in order to reduce the risk of slope failure, there shall be no disturbance of the native soils within the setback zone and any activities or landscaping which introduce more water into the soils beneath the development should be avoided. Placement of fill shall generally be minimized within the specified setback distances from the crest of the creek.  
  
Should grading design indicate that fill thickness in excess of 1 meter be required, an engineer shall be contacted to review the details of the proposed development and re-confirm the recommendations for the subject project.
2. Temporary stockpiles of construction materials shall not be placed in the designated setback zones along the slopes. Water run-off shall not be channelled/directed onto the slopes during the construction period, or anytime thereafter. Water accumulation in the basement excavations, if any, should be pumped out as it occurs into the storm sewer system.
3. No channelized storm water shall be discharged down the valley slopes.
4. Underground lawn irrigations systems shall not be installed. In general, it is recommended that the area between future residences and the top of the slope be landscaped with vegetation and plants which are drought-resistant and do not require additional watering once the root system has been established.
5. Roof drainage and all weeping tile or sump drainage should be discharged to the west away from the slope for the top of the bank properties. In general, proposed lots should be graded to shed water away from the creek slopes to the maximum extent possible.
6. Swimming pools, below-grade hot tubs and/or ornamental ponds of any kind shall not be located within 30 meters from the crest of the slope. In this regard, any water reservoir should be provided with a subsurface leak detection system and designed by an experienced engineer. In this case, it is important that the leak detection system discharge into a collection system and/or pumpout tank to ensure that any leakage that may occur from the water reservoir is controlled and will not increase groundwater levels and/or seepage.
7. All underground utilities lines should be carefully installed to ensure that leakage does not occur. Installation and adequate functioning of such buried lines should be closely inspected, monitored and documented by an experienced inspector.
8. Existing vegetation on the slopes below the tip of the bank should not be disturbed.
9. Individual lot/unit owners shall obtain geotechnical advice in regard to locating, designing and constructing the foundation system for the residences in this portion of the development.

**APPENDIX "B"**



10" Diameter x 4'0" Concrete Piles (Typical)  
1" x 6" Spruce Boards

