

# *EMERALD WATERS ESTATES*

## **A Master-Planned Community of Craftsman Styled Homes.**

**Vernon, B.C.**

February 12, 2007

SECTION – A -	DESIGN GUIDELINES / LANDSCAPE GUIDELINES
SECTION – B -	DESIGN REVIEW PROCESS
SECTION –C -	CONSTRUCTION REGULATIONS
SECTION –D -	CONCLUSION

<b>Section A: DESIGN GUIDELINES</b>		<b>Page</b>
<b>A.1</b>	<b>INTRODUCTION</b>	4
	A.1.1 Home Design	4
	A.1.2 Geothermal	4
<b>A.2</b>	<b>HOME SITING CONSIDERATIONS</b>	5
	A.2.1 Zoning	5
	A.2.2 Home location	5
	A.2.3 Driveway Location	5
	A.2.4 Retaining Walls	5
	A.2.5 Lot Grading	5
	A.2.6 Drainage Protection	5
<b>A.3</b>	<b>ARCHITECTURAL DESIGN</b>	6
	A.3.1 Architectural Style	6
	A.3.2 Streetscape	6
	A.3.3 Repetition	6
	A.3.4 Uphill Lot Architecture	6
	A.3.5 Rear Yard Architecture	6
	A.3.6 Size	6
	A.3.7 Corner Lot Sites	6
	A.3.8 Height of Structures	7
	A.3.9 Roof Structure	7
	A.3.10 Garages	7
	A.3.11 Driveways	7
	A.3.12 Exterior Home Lighting	8
	A.3.13 Exterior Materials and Finishes	8
	A.3.14 Accessory Buildings	9
	A.3.15 Antennas	9
	A.3.16 Kennels	9
	A.3.17 Recreation Equipment & Commercial Buildings	9
	A.3.18 Screening	9
	A.3.19 Fencing	9
<b>A.4</b>	<b>LANDSCAPING GUIDELINES</b>	10

*Emerald Waters Estates Design Guidelines*

<b>Section B: DESIGN REVIEW PROCESS</b>	10	
B.1 Pre-Design Consultation		11
B.2 Preliminary Review Submission	11	
B.3 Formal Submission		11
B.4 Approval		12
B.5 Construction Completion Requirements	12	
<b>Section C: CONSTRUCTION REGULATIONS</b>		13
C.1 Legal Survey		13
C.2 Site Preparation and Excavation	13	
C.3 Site Grading Plan		13
C.4 Garbage Pick-up		13
C.5 Driveways		13
C.6 Waste Material and Litter on Building Sites		13
C.7 Damage to Utilities		14
C.8 Foundations		14
C.9 Hours of Construction		14
C.10 Truck Routes		14
C.11 Miscellaneous and General Practices		14-15
<b>Section D: CONCLUSION</b>		16
D.1 Severability		16
D.2 Liability		16
D.3 Kelowna Pacific Railway	16	
<b>Section E:</b>		
E.1 Application for house plan approval form	17-18	

*Emerald Waters Estates Design Guidelines*  
**Section A: DESIGN GUIDELINES**

**A.1 DESIGN GUIDELINES**

**INTRODUCTION**

*Emerald Waters Estates* design guidelines are based on upper scale Craftsman/Prairie architecture. Thus, each unique home will compliment all others within this family orientated development. High quality materials combined with an upper scale architectural theme will ensure all homes stand the test of time and may be enjoyed by residents for centuries to come.

The Design Review Consultant shall have final say on what he deems to be compatible with the intent of this document. As such these guidelines are generally goals and objectives combined with some minor prohibitions and requirements.

It should be noted that the information contained in this document is a guideline. Variations may be approved if deemed appropriate by the Design Consultant.

**These guidelines do not take the place of any Provincial or Municipal laws or regulations.** The Building Scheme Declaration is registered against the title to each of the lots. In the event there is an ambiguity between the Guidelines and the Building Scheme, then the Building Scheme shall govern and take precedence. These “Design Guidelines” are considered the minimum standard for prospective home owners to aid in architectural design and materials selection and are subject to change as determined by the Design Review Consultant..

All plans and specifications shall be submitted to *Martel Properties Ltd.* (Herein called the Design Consultant) for review and approval.

**(A.1.1) Home Design**

Architectural elements have been identified within the guidelines. Subsequently, the implementation of design and materials selection is encouraged as outlined within these guidelines. These elements include, but are not limited to, prominent front entries, pitched roofs, non-dominant garages, and selected finish materials.

Owners are encouraged to clarify any specific guideline concerns as early as possible in the review process. Meetings are incorporated into the design review process to review the owners’ home design with reference to the design guidelines.

**(A.1.2) Geo-thermal**

*Emerald Waters Estates* encourages all homeowners to consider the environmental and economical benefits of geothermal heating and cooling.

Terrasource Geothermal Utility Services is the geothermal utility company of choice within *Emerald Waters Estates*. A complete information package is available directly from Terrasource. (Roy Sinden – 250-762-2365)

## **A.2 HOME SITING CONSIDERATIONS**

The Design Consultant has taken each individual lot into consideration. Setbacks are governed by the District of Coldstream Bylaw R.1 zoning requirements.

### **(A.2.1) Zoning**

*Emerald Waters Estates* is zoned R.1 as per the District of Coldstream Bylaw.

### **(A.2.2) Home Location.**

Restrictive Covenants may apply to individual lots to serve the best interest of the neighboring properties. Thus, to achieve the best lake views possible for each individual lot and not obstruct the lake views of neighboring lots.

### **(A.2.3) Driveway Location**

Driveway locations must take into consideration the cut and fill situations, retaining walls, service locations, aesthetics and the impact on adjacent lots.

### **(A.2.4) Retaining Walls**

Retaining wall height and size restrictions are governed by the District of Coldstream Building Bylaw. In general, they should not exceed an exposed height of four feet. Walls shall be stepped at a maximum height interval of 4' to achieve as minimal an impact as possible. The District of Coldstream may require stamped engineered drawings for approval.

Where a retaining wall is required, each lot will be responsible for one side of their property and must be located within the lot lines.

Natural dry stacked stone placed walls are desirable. Walls shall be uniform, tight fitting and of consistent color and size. Wall locations, height and materials selection will be reviewed and approved by the Design Review Consultant.

### **(A.2.5) Lot Grading**

Drainage flow patterns should be identified on the proposed site plan to show positive drainage patterns away from structures and adjoining lots.

Lot slopes should be integrated within the building massing as much as possible to minimize the need for grades steeper than 4:1.

The proposed grading shall create a naturally sloped or terraced effect (if necessary) resulting in varied footprints that conform to the topography and reduce the need for large visible retaining or skirt walls.

Lot grading must conform to the Emerald Waters Estates lot grading plan. A copy of which can be obtained from the Design Review Consultant.

### **(A.2.6) Drainage Protection**

Perimeter, storm and ground surface drainage shall conform to the BC Building Code and the District of Coldstream Bylaw. No drainage shall impact the adjacent properties by increasing/directing the water flow to adjacent properties in any way shape or form. Drainage must conform to the approved site grading plan.

### **A.3 ARCHITECTURAL DESIGN**

#### **(A.3.1) Architectural Style**

Each unique home will compliment all others within this family orientated development. No one residence or structure shall construe from the design guidelines within *Emerald Waters Estates*. High quality materials combined with an upper scale architectural theme will ensure all homes stand the test of time and may be enjoyed by the residents for centuries to come.

#### **(A.3.2) Streetscape**

The height, style, and siting of a proposed house will be compatible with the homes on adjacent lots to ensure a gradual transition from one type of house to another. Coordination of architectural detail may be required to achieve this, particularly where a bungalow may be requested between adjacent two-storey homes. Abrupt changes in heights of eaves and fascias should be avoided from house to house.

#### **(A.3.3) Repetition**

Exact replication of exterior elevation of any approved house within the neighborhood will not be permitted. The same house plan with “approximately” the same front elevation shall not be repeated within a 4-lot radius on either side of the street. While similar house plans and forms may occur along a section of the street in response to similar site conditions, modifications such as changing the direction of roof slopes, size, and location of windows/doors and color selection will be required.

#### **(A.3.4) Uphill Lot Architecture**

Special attention must be given to the architecture of homes on uphill lots, in particular the location and design of the front entry and landing. The “basement entry” style of homes will be discouraged in favor of mid floor or main floor entry style homes. Owners are encouraged to discuss the various design options for homes on uphill lots with the Design Review Consultant as early as possible in the review process.

#### **(A.3.5) Rear Yard Architecture**

Consistency of materials and detail shall be implemented into the rear yard home design. The continuation of the architectural style around to and including the rear elevation is essential. This includes the treatment of rooflines, walls, and projections, window placement, and a varied use of materials.

#### **(A.3.6) Size**

Homes that are excessively narrow or wide for their sites can distract from the setting and will be discouraged. The minimum main floor size will be 1,200ft. The minimum total square footage of all living space is 2300ft (excluding basement area). Homes that are less than the minimum size (within 5%) may be allowed at the sole discretion of the Design Review Consultant.

#### **(A.3.7) Corner Lot Sites**

Homes on corner lot sites are highly visible with two fully exposed elevations and a rear elevation that is also easily observed from the street or lane

The front door of the house must be located on the fronting street. Wrap around porches will be considered to create consistent aesthetic profile. The quality of architectural design and consistent material finishes must be implemented on all exposed elevations.

**(A.3.8) Height of Structures**

The height of any structure is to conform to the height limits allowed under the District of Coldstream Bylaws and Covenants registered on Title. 0.9 m of exposed foundation will be allowed between the adjacent finished grade and top of foundation. The Design Review Consultant will consider suitability of building height to the site and its surroundings in order to minimize the impact of structures on neighboring lots.

**(A.3.9) Roof Structure**

The roof is viewed as an important architectural aspect of the home. A blend of intersecting gable and hip roofs within an individual design is recommended with the preference to the traditional gable roof and dormer design where applicable (two story home design).

All homes on the low side of the street must have pitched roofs with a maximum pitch of 4/12.

All homes on the high side of the street must have pitched roofs with a minimum pitch of 5/12 and the maximum allowed pitch will be 6/12.

Roof overhangs shall generally be a minimum of 24 inches for the main roof structure. Finished fascia treatments will be a minimum dimension of 8 inches height with a bottom profile of 1”.

**(A.3.10) Garages**

Detached garages that complement the house will be considered.

Natural wood doors are encouraged. The color of the garage door should be subtle and complimentary to the color of the home. High contrast colors for garage doors should be avoided.

All houses are to have at least a double car garage, preferably with 2 single doors. A maximum 3-bay garage shall be permitted on any façade facing a front street. Single width garage doors and staggered setbacks add extra dimension to the street elevations and are preferred. Garage door height should not exceed 8 feet.

Garages must be a minimum square footage of 475ft. Maximum garage square footage is 800ft.

Provision is to be made for a minimum of two additional cars to be parked on the lot. Driveway width should not exceed the width of the garage structure at any point.

**(A.3.11) Driveways**

Driveways are to be constructed using exposed aggregate, stamped concrete and/or brick pavers. Smooth or broom finish concrete will only be considered when used in combination with any of the approved finishes. Asphalt or gravel is not acceptable. Color should be compatible with the home’s color scheme or to match any dominant stone/brick elements on the home. Driveway banding should be a minimum 12 inches wide.

## *Emerald Waters Estates Design Guidelines*

### **(A.3.12) Exterior Home Lighting**

Each home shall have a minimum of three exterior mounted lights.

Each front yard shall incorporate a minimum of one authentic style lamp standard (A manufacturer's specification for the lamp standard will be submitted to all home owners) up to a maximum of two lamp standards). The lamp standards shall be located directly adjacent to the driveway and situated to within 2' of the fronting property line. The lamp standards are to a minimum 100 watt and light source hardwired to a photocell and without manual switching capability.

Soffit lighting is encouraged at both the front and rear of the home.

### **(A.3.13) Exterior Materials and Finishes**

The use of natural materials and warm colors are encouraged. All exterior materials shall be protected against deterioration from sunlight and weather. Manufacturers warranty on all products and materials is recommended. Any defects and/or deterioration to any exterior materials shall be repaired, replaced and maintained as required throughout time. Thus, maintaining the homes weather ability and architectural appearance.

Exterior building surface materials are to compliment the natural character of the site and as such the following materials will be allowed:

#### **Walls:**

- ✓ Hardiplank or approved cement fiber siding only in the form of; plank, shingles and/or board and batten.
- ✓ Maximum exposure for horizontal siding is 8". Minimum exposure for horizontal siding is 3". Shingle siding exposure shall be 6" (+/- 1").
- ✓ Smart trim or approved equivalent trim only shall be used on outside corners, around windows and doors and for horizontal band trim. Vertical trim shall be 4" to 6" in width. Horizontal trim shall be 6" to 12" in width.
- ✓ Natural wood trim and/or timber accents on gable ends are encouraged.
- ✓ Vertical board & batten shall be; 12" to 18" board complete with a 2" to 3" wide batten over top the board joints.
- ✓ Real natural stone, cultured or composite type stone work is permitted.

**Color:** Predominant exterior colors will be rich tones that compliment the natural setting. White and black colors are to be avoided as the primary exterior color.

**Windows:** All windows will be considered except aluminum.

**Doors:** Natural Wood doors are encouraged and shall be stained natural with the highest quality clear staining materials to avoid deterioration due to sunlight and weather conditions. Thus, allowing the wooden doors natural characteristics to be visible and apparent. Transoms and sidelights are encouraged.

**Roofs:** Concrete tile with butt and flashed fascia is encouraged or 30 year fiberglass shingles with raised ridges and cut & flashed valleys. Charcoal color and profile is encouraged to instate a color consistency throughout the entire neighborhood, as determined by the Design Review Consultant. Individual contrasting roof shades and colors will not be approved

**Chimneys:** Chimneys running up the exterior of the home are encouraged as a natural stone feature.

### *Emerald Waters Estates Design Guidelines*

Trim: As noted under Walls above. The use of heavy trim elements is strongly encouraged. Trim should visually read as a strong element on wall surfaces to provide interest and “layering” of the façade materials. Trim should utilize a combination of different materials, colors, and textures.

#### **(A.3.14) Accessory Building**

Only one detached garage and one approved accessory building of materials consistent with the principal dwelling and suitable for residential purposes only (i.e. garden storage, pool equipment, etc.). **OR:**

Two accessory residential buildings other than domestic garages.

No metal storage sheds or carports will be permitted.

#### **(A.3.15) Antennas**

No exterior radio antenna, C.B. antenna, television antenna or other antenna of any type shall be permitted on any buildings or on any of the lots. No satellite dish above 0.76 meters (2.5 feet) in diameter shall be allowed. Satellite dishes should not be visible from the fronting street.

#### **(A.3.16) Kennels**

Dog kennels, must be screened and constructed with the long dimension contiguous to the adjacent dwelling and not visible from the street.

#### **(A.3.17) Recreation Equipment and Commercial Vehicles**

No commercial vehicles greater than 1 ton will be allowed to be stored in the front yard or driveway. No recreational vehicles or equipment (including pool equipment) may be stored in the front yard.

#### **(A.3.18) Screening**

Screening by means of appropriate landscape elements is desirable.

#### **(A.3.19) Fencing**

To ensure the natural esthetics of *Emerald Waters Estates*,

- \* All fencing must first be approved by the Design Review Consultant,
- \* All fencing must be contained in the rear yard and height to be determined by the Design Review Consultant.
- \* All fencing that is visible from the street is to have a 6’ cedar hedge planted in front of it so as to enhance the appearance of the neighborhood.

## *Emerald Waters Estates Design Guidelines*

### **A.4 LANDSCAPING GUIDELINES**

To enhance a settled appearance in the neighborhood, *Emerald Waters Estates* requires the Owner/builder to complete front yard & back yard landscaping within 6 months of completion unless weather conditions make it impossible to do so.

#### **(A.4.1)**

Lot Owners will be required to submit a landscape plan for approval by the Design Review Consultant.

#### **(A.4.2)**

All areas, front, sides and back are to be landscaped, with emphasis on the front and visible portions of the side yards.

#### **(A.4.3)**

All street fronting yard areas shall be landscaped with trees, lawns, shrubs and flowerbeds.

#### **(A.4.4)**

Lots shall be sodded, not seeded.

#### **(A.4.5)**

The front elevation of the home must incorporate shrub planting. Lawn only is not adequate.

#### **(A.4.6)**

No hedge will be permitted ahead of the front plane of the home.

#### **(A.4.7)**

Street boulevards shall also be incorporated as an integral component of the overall landscape plan and irrigated by the owner at the same time as front yard landscaping is carried out.

#### **(A.4.8)**

So as too protect the lake view on all properties, no tree will be allowed to grow higher then 12 feet without the approval of the Design Review Consultant.

## **SECTION - B -**

### **DESIGN REVIEW PROCESS**

The design review process has been structured to assist home Owners and their builders with successfully interpreting the requirements of the guidelines and forwarding approval of plans as quickly as possible. All home plans for this subdivision must be submitted to the Design Review Consultant for review and approval.

## *Emerald Waters Estates Design Guidelines*

### **B.1 PRE-DESIGN CONSULTATION**

A pre-design consultation between the Design Review Consultant and the Owner or his agent is recommended and should precede the commencement and submission of design plans. The pre-design consultation is intended to cover the scope of the guidelines as applicable to the lot in question. Additionally, relevant architectural character and general development opportunities and constraints will be discussed as noted herein.

### **B.2 PRELIMINARY REVIEW SUBMISSION**

The Owner or his agent shall submit the following plans, drawings, and other information as required to the Design Review Consultant for approval:

- i) One copy of a site plan (at 1/16" = 1'-0") with the following information indicated:
  - a) Existing topography and the location of the exterior wall at each floor;
  - b) Proposed floor levels;
  - c) The driveway location with slope calculations; and
  - d) Two typical cross-sections perpendicular to each other draw thru the center of the home.

One cross-section lengthways front to back across the entire length of the property including adjacent sidewalks and streets and one cross-section across the width of the property.

- ii) A front elevation or perspective sketch(s) indicating the architectural character of the house.

Upon receipt of a preliminary approval application, a meeting with the Design Review Consultant will be arranged to review the proposal and identify deficiencies to be addressed at formal submission.

### **B.3 FORMAL SUBMISSION**

Once the Design Review Consultant has granted preliminary approval, the Owner or his agent shall prepare a full design submission for the Design Review Consultant's review and approval prior to making an application for a building permit. The submission will include the following:

- i) Two sets of 11 x 17 drawings containing the following:
  - a) Position of the house on the lot;
  - b) A typical cross section indicating the final setting of the house on the lot and its relationship to the facing street;
  - c) Position of statutory rights of way, easements and covenants (such as no disturb areas) etc.
  - d) Position of accessory buildings, fences, pools, retaining walls, etc.
  - e) Driveways and walkways;
  - f) Grades and slopes;
  - g) Floor plans showing all levels;
  - h) Elevations illustrating all sides of the house;
  - I) Garage floor and first floor finished elevation to the site datum;
  - j) Elevations of roof peaks;
  - k) Exterior materials; and
  - l) Confirmation of guideline specified roof material.
- ii) A set of photos of the entire site and adjacent lots/homes may be requested at the discretion of the Design Review Consultant.

#### **B.4 APPROVAL**

The Design Review Consultant shall, within 10 working days of receipt of the full design submission, make a decision at its absolute discretion to approve or disapprove the plans submitted.

And it is hereby expressly declared that:

- i) The Design Review Consultant may arbitrarily withhold approval in the event that said plans and specifications are not drawn and stated in strict accordance with these mandatory Design Guidelines;
- ii) The Design Review Consultant, acting reasonably, may withhold approval in the event that said plans and specifications are not drawn and stated in accordance with such other controls as the Design Review Consultant may, from time to time, impose.

And the refusal or failure of the Design Review Consultant acting in accordance with the terms of this declaration shall not be actionable by any person under any circumstances, it being the sole discretion of the Design Review Consultant to grant or withhold said approval subject only to the provisions herein stated.

#### **B.5 CONSTRUCTION COMPLETION REQUIREMENTS**

Owners will have two years from date of the original lot sale contract of purchase between *Martel Properties Ltd.* and the prospective owner to start house construction. The owner will then have 9 months in which to complete his home and request final inspection of the completed home. The Owner or his agent will have a period of 6 months from date of approval of completed home construction to request inspection of the completed landscape works. An extension may be granted due to weather conditions. During this 39 month period the owner is responsible for keeping the property free of weeds and debris or Martel Properties Ltd. will clean up the site and bill the property owner.

The Design Review Consultant will conduct an inspection of the civil works adjacent to the lot (sidewalks, curbs, streetlights, service boxes, parking pads, etc.) after home construction. If damage to the civil works is identified and, in the opinion of the Design Review Consultant, the damage is a result of home or landscaping construction, *Martel Properties Ltd.* will holdback the compliance deposit until such time as the damage is corrected by the Owner. The Owner is required to correct the damage in a timely manner and to the satisfaction of the Design Review Consultant. Should the owner fail to correct the damage in a timely manner, the Design Review Consultant reserves the right to proceed with correcting the damage and deducting the actual cost of this work from the Compliance Deposit.

No inspection performed by the Design Review Consultant is in any way a structural inspection nor is it in lieu of inspections required by the District of Coldstream. Furthermore, failure by the Design Review Consultant to identify infractions of these Guidelines does not, in any way, relieve the owner or his agent from its obligation to abide by the Guidelines and the restrictions herein contained.

## **CONSTRUCTION REGULATIONS**

To provide a well-planned and attractive neighborhood that minimizes disruptions and nuisances to existing home Owners and the surrounding neighbors will require the cooperation of every Owner, builder and subtrade.

### **C.1 LEGAL SURVEY**

The Owner or his contractors should compare the approved tentative plan with the registered plan to ensure that any variations do not affect their site plan. The Owner should first visit the site to note unusual siting or grading problems that vary with grading plans. The site inspection should also reference legal, grade, easement and other engineering plans to ensure that there are no conflicts between driveway/sidewalk locations, hydrants, water-valves, signs, street lighting, electrical, telephone pedestals, etc.

### **C.2 SITE PREPARATION AND EXCAVATION**

No excavation or site preparation shall commence without the written approval of the Design Review Consultant. Furthermore, the house design must be approved by the Design Review Consultant and an approved building permit from the District of Coldstream must be issued prior to any excavation, site preparation and subsequent forming of foundations.

### **C.3 SITE GRADING PLAN**

Site grading must conform to approved site grading plan.

### **C.4 GARBAGE PICK-UP**

Contractors shall ensure that appropriate containers are provided on the building site to adequately contain waste material during construction. Containers shall not be permitted on the street or adjoining property unless with written authorization from the Design Review Consultant.

### **C.5 DRIVEWAYS**

Prior to pouring concrete driveways in the front of the building lot, the owner or his agent must be careful to ensure the correct grade before the driveway has been established. The owner or his agent should examine the curb, gutter and sidewalk to make sure it does not settle in front of the driveway.

As well, the Owner or his agent should ensure that all work by the shallow utility companies is complete prior to placing driveways. For example, streetlights should be in prior to driveway construction. Driveways should be designed to ensure they do not settle.

Conduits and irrigation piping should be installed under driveways to ensure immediate and future landscape and lighting requirements can be easily achieved.

### **C.6 WASTE MATERIAL AND LITTER ON BUILDING SITES**

Contractors are requested to maintain daily a clean work site and control waste materials and litter on each site to avoid dispersal by wind. If proper clean up does not occur the Design Review Consultant will have the debris removed and charge the Purchaser.

## **C.7 DAMAGE TO UTILITIES**

The cooperation of all contractors and subtrades is requested to minimize damage to curb boxes, water valves, pedestals (power and phone), street light terminals, natural gas lines, hydrants, streets, sidewalks, manholes, curbs and other structures. Should damage occur to services adjacent to any specific lot, charges for repair may be deducted from the compliance deposit.

To protect utilities on and around the site, the Owner or his agent is recommended to undertake the following precautions, thereby saving time and money:

- a) When excavating basements, the Owner or his agent should have excavators place a minimum of 16" of excavation material on curb and sidewalk to create a ramp for material deliveries;
- b) Brief sub trades, deliverymen and all others on the importance of being careful around utility installations. If damage occurs, it should be understood that repair costs will be borne by the Owner,
- c) Master plumbers should be instructed to replace water valve markers when house connections are complete. The Owner will be responsible for expenses to locate or to repair water valves.

## **C.8 FOUNDATIONS**

It is the responsibility of the Owner or his agent to determine the bearing capacity of soil on which he intends to build and design the foundations. Foundation design should minimize excavation and take advantage of natural grades wherever possible. Owners are advised to secure professional soil investigations and foundation design recommendations as necessary for proposed buildings.

## **C.9 HOURS OF CONSTRUCTION**

Hours of construction for all exterior work shall be as allowed under the District of Coldstream Bylaws.

## **C.10 TRUCK ROUTES**

Construction vehicles are to respect the use and regulations of the District of Coldstream regarding truck routes and times.

## **C.11 MISCELLANEOUS AND GENERAL PRACTICES**

On site activity shall be free of all obscenities or indecent behavior. All Owners will be responsible and liable for the conduct and behavior of their agents, representatives, builders, contractors and subcontractors while on the premises of the development. Furthermore, the following practices are prohibited:

- a) Changing oil on any vehicle or equipment on site or at any other location within the development.
- b) Careless treatment or removal of any plant material not previously approved for removal by Design Review Consultant.
- c) Allowing concrete suppliers, plasterers, painters, or any other subcontractors to clean their equipment other than at locations specifically designated for that purpose by Design Review Consultant.
- d) Utilizing or removing any rocks, plant material, topsoil, or similar items from any property of others within the development including other construction sites.

*Emerald Waters Estates Design Guidelines*

- e) Pets, particularly dogs, are discouraged; if brought into the development by construction personnel, they shall be bound by leash at all times. In the event of any violation hereof, the Design Review Consultant shall have the right to contact District authorities to impound the pets, to refuse to permit the builder or subcontractor involved to continue to work on the project, or to take such action as may be permitted by law.
- f) Construction access during the time a residence or other improvement is under construction will be over an approved driveway for the lot unless the Design Review Consultant approves an alternative access. In no event shall more than one construction access be permitted onto any lot.
- g) Dust and noise control shall be the Owner or his agent's responsibility, including loud music from the construction site.
- h) Construction signage (temporary) shall be limited to one sign of no greater than 6 square feet of surface area. Signs shall be located within the construction area.

**CONCLUSION**

**(1) Severability**

If any provision herein is determined to be voided or unenforceable in whole or in part, it shall not be deemed to affect or impair the enforceability or validity of any other provision or any part thereof.

**(2) Liability**

The Developer, or its designated Design Consultant, and the District of Coldstream assume no responsibility for the accuracy of the information provided or from any losses or damages resulting from its use. Nothing contained within these Design Guidelines shall impose any liability on the Developer, the District of Coldstream, or the Design Consultant, for damages of any kind, consequential or otherwise, resulting from these building design guidelines.

**(3) Kelowna Pacific Railway**

Given the close proximity of an active railway line, no Residence or Building shall be made, placed, constructed or maintained upon a Lot without due consideration being given to the proximity of the rail line and that activity on the rail line will cause noise, dust, vibration, and other disturbances which may affect the quiet enjoyment of the property.

End of Document

Developer:  
Design Review Consultant

Emerald Waters Estates  
Martel Properties Ltd.  
Dan Martel  
9270 Tronson Road  
Vernon, B.C.  
V1H 1E3

250-549-7160  
250-309-7160 - Cell  
[info@emeraldwaterssestates.ca](mailto:info@emeraldwaterssestates.ca)  
[www.emeraldwaterssestates.ca](http://www.emeraldwaterssestates.ca)

Purchaser has received and reviewed and agrees to the contents of the Emerald Waters Estates Design Guidelines.

Purchaser: \_\_\_\_\_ Date: \_\_\_\_\_

Purchaser: \_\_\_\_\_ Date: \_\_\_\_\_

*Emerald Waters Estates Design Guidelines*  
**EMERALD WATERS ESTATES**

APPLICATION FOR HOUSE PLAN APPROVAL

Lot: \_\_\_\_\_ Civic address: \_\_\_\_\_

APPLICANT:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Fax: \_\_\_\_\_

\_\_\_\_\_ Email: \_\_\_\_\_

\_\_\_\_\_

HOUSE DESIGN:

Total developed floor area: \_\_\_\_\_ Ground floor area: \_\_\_\_\_ Roof pitch: \_\_\_\_\_

SETBACKS AND GRADE INFORMATION:

Setbacks: Front: \_\_\_\_\_ Rear \_\_\_\_\_ Left side \_\_\_\_\_ Right side \_\_\_\_\_

Grades: Front \_\_\_\_\_ Rear \_\_\_\_\_

Left side: \_\_\_\_\_

Right side: \_\_\_\_\_

Entrance: \_\_\_\_\_

Finished landscaped grades at house corners (left and right as viewed from the street.)

Actual top of footing: \_\_\_\_\_ Lowest top of footing: \_\_\_\_\_

Top of main floor joist: \_\_\_\_\_ Front of garage: \_\_\_\_\_

*Emerald Waters Estates Design Guidelines*

EXTERIOR FINISHES

MATERIAL

MANUFACTURER

COLOUR

Roof	_____	_____	_____
Walls - General	_____	_____	_____
Walls – Secondary	_____	_____	_____
Brick or Stone	_____	_____	_____
Trim	_____	_____	_____
Fascia	_____	_____	_____
Soffits	_____	_____	_____
Rainware	_____	_____	_____
Entry Doors	_____	_____	_____
Garage Doors	_____	_____	_____
Driveway	_____	_____	_____

Colour swatches must be supplied with application.