

**LAND TITLE ACT BRITISH COLUMBIA
FORM 17 CHARGE, NOTATION OR FILING
LAND TITLE AND SURVEY AUTHORITY**

PAGE OF PAGES

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- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application,and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
 - Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
 - the supporting document is identified in the imaged copy of it attached to this electronic application;
 - the original of the supporting document is in your possession; and
 - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.

Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

1. APPLICANT: (Name, address, phone number of applicant, applicant's solicitor or agent)

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [legal description]

STC? YES

3. NATURE OF CHARGE, NOTATION, OR FILING: AFFECTED CHARGE OR NOTATION NO:

ADDITIONAL INFORMATION:

NATURE OF CHARGE, NOTATION, OR FILING: AFFECTED CHARGE OR NOTATION NO:

ADDITIONAL INFORMATION:

4. PERSON TO BE REGISTERED AS CHARGE OWNER: (including occupation(s), postal address(es) and postal code(s))

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES

DECLARATION OF BUILDING SCHEME

NATURE OF INTEREST: CHARGE: BUILDING SCHEME

Address of person entitled to apply to register this building scheme:
13450 104 Avenue, Surrey, BC V3T 1V8

Full name, address and telephone number of person presenting application:

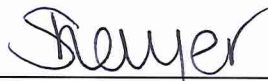
SIGNATURE OF APPLICANT, OR
SOLICITOR OR AUTHORIZED AGENT

I, CITY OF SURREY, declare that:

1. I am the registered owner in fee simple/lessee of the following land (hereinafter called the "Lots")
No PID
Lots 1, 2 & 3 Block 8 Section 36 Block 5 North Range 3 West New Westminster District Plan EPP58440
2. I hereby create a building scheme relating to the Lots.
3. A sale of any of the Lots is subject to the restrictions enumerated in the schedule attached or annexed hereto.
4. The restrictions shall be for the benefit of all the Lots.

EXECUTION(S):

Officer Signature(s)



(As to the signature of the City Clerk)

Sonya Hayer
13450 - 104th Avenue
Surrey, BC V3T 1V8
A Commissioner for taking Affidavits
for British Columbia
Expiry Date 31/07/2022

Execution Date

Y	M	D
19	10	24

Registered Owner(s) Signature(s)
CITY OF SURREY by their authorized
signatories

NICHOLAS RAWCLIFFE, Manager
Realty Services Division



JENNIFER FICOCELLI, City Clerk

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c. 124, to take affidavits for British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

BUILDING DESIGN GUIDELINES

Neighbourhood Evaluation Boundaries:

North : 96 Avenue
South : 96 Avenue
West: 116 Street
East: 11700 Block

Civic address of parent parcel: 11659 - 96 Avenue, Surrey, B.C.

Subdivision (no rezoning) of
one "Single Family Residential Zone" (RF) lot
into three "Single Family Residential Zone" (RF) lots.

No existing structures to be retained.

Developer: City of Surrey Realty Services Division

Surrey Project Number: 7915-0080-00

Version 1 : December 1, 2015

Version 2 : November 4, 2016

This cover page is for identification purposes only, and does not
comprise part of the "Building Scheme Schedule of Restrictions"

Schedule A



SURREY
CITY OF PARKS

BUILDING SCHEME SCHEDULE OF RESTRICTIONS

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CITY OF SURREY BUILDING SCHEME

SCHEDULE OF RESTRICTIONS

SECTION 1

GENERAL RESTRICTIONS

1.1 Definitions

In this *schedule*:

"**City**" means the *City of Surrey*;

"**construct**", and any variation of that term, means to *construct*, improve, install, affix, place, or alter, or to permit construction, *improvements*, installation, affixation, placement or alteration;

"**consultant**" means an architect in good standing with the Architectural Institute of British Columbia or any successor body, or a registered design *consultant* in good standing with the National Home Designers Association or any successor body, or a registered building designer and/or a certified residential building designer in good standing with the Applied Science Technologists and Technicians of British Columbia or any successor body, who is appointed by the *developer* and who is authorized by the *City* in writing;

"**developer**" means the registered *owner(s)* of the fee simple or leasehold estate of all of the *lots* as of the date this *schedule* is registered in the Land Title Office;

"**improvements**" means any building, accessory building in excess of 10 square metres [105 square feet], fence or retaining wall *constructed* or to be *constructed* on a *lot*;

"**lot**" means each *lot* identified in either the Form 35 or the Form C to which this *schedule* is attached and any portions or portion of such *lot* which may be subdivided or consolidated whether by subdivision plan, strata plan or otherwise and "*lots*" means the aggregate of them;

"**owner**" means the registered *owner* of the fee simple or leasehold estate of a *lot*;

"**person**" means any individual, corporation, society, association, co-operative, joint venture, partnership, trust, unincorporated organization, government, or other legal entity, and includes the *owner* of a *lot* and the *developer*;

"**schedule**" means this *schedule* of restrictions and any further *schedules* or exhibits attached to it (if any);

1.2 Expiry

This *Schedule* shall have no further force and effect after twenty (20) years from the date of registration of this *schedule* in the Land Title Office, and shall be discharged from all of the *lots* by the passage of this time.

SECTION 2

BUILDING DESIGN RESTRICTIONS

For all of the subsections in Section 2, a *person* will not ***construct improvements, or develop the lot before, during or after construction of the improvements, unless:***

2.1 Building Siting

- (a) that *person* sites the *improvements* in accordance with the *lot's* natural characteristics, existing trees, and neighbouring *improvements*, in relation to the over view or over shadowing of neighbouring *lots* and *improvements*;
- (b) the siting of the *improvements* complies with the *consultant's* requirements, which may be based on the creation of interesting streetscapes, maximization of privacy, or may be in response to conditions imposed by adjacent *improvements*;
- (c) that *person* situates the *improvements* in a location that does not conflict with the location of all requirements of easements and rights-of-way; and
- (d) that *person* does not ***construct improvements*** that conflict with the physical location of driveway and curb let-downs, significant trees, cable service boxes, electrical boxes, and streetlights.

2.2 Lot Grading

- (a) established overland flows and/or underground storm sub-surface systems are maintained only in accordance with completed swales and *lot* grading in accordance with the *lot* grading plan accepted by the *City* for the *lots*;
- (b) the design of the *improvements* is in substantial compliance with the *lot* grading plan for the *lots* which has been reviewed by the *consultant* and accepted by the *City*, and the said plan specifies all finished grade elevations as derived from the *lot* grading plan for the *lots* accepted by the *City* and grade elevations in respect of that *lot*;
- (c) the proposed *lot* grading is in accordance with the *lot* grading plan for the *lots* accepted by the *City*, which *lot* grading plan will be available from the *City*; and

- (d) that *person* provides that any changes made to the *lot* do not affect the drainage pattern for the area.

2.3 Retaining Walls

- (a) there is no retaining wall, except if permitted in the *lot* grading plan accepted by the *City* for the *lots*, or if accepted by the *City*. A low profile retaining wall that is no more than 20 cm [7.9 inches] in height, such as landscape ties, is not restricted, provided that such a low profile retaining wall does not result in terraced landscaping;
- (b) the maximum height of a retaining wall is no more than 0.6 metres [2.0 feet], except for a retaining wall below existing grade, including concrete stairwells and covered patios under sundecks;
- (c) notwithstanding requirements as specified in clause 2.3(b) herein, a retaining wall on *lot* 1 shall not exceed a height of 0.9 metres [3 feet], and shall be stepped and landscaped as determined by the *consultant*;
- (d) retaining walls visible from the street are *constructed* of architecturally treated masonry, boulders, "Allan Blocks", "Pisa Stone", or boulders of a minimum 0.4m [16 inch] diameter;
- (e) a retaining wall that faces the street, if permitted, is landscaped; and
- (f) retaining walls not visible from the street, if permitted, shall be *constructed* of boulders, or architecturally treated masonry, or masonry blocks, or 4x4, 4x6, or 6x6 pressure treated lumber, or pressure treated landscape ties, except for a retaining wall below existing grade including concrete stairwells, window wells, and covered patios under sundecks.

2.4 Tree Preservation

- (a) that *person* does not cut down or remove from the *lot* any existing trees, except if that *person*:
 - (i) obtains a tree cutting permit from the *City*,
 - (ii) in respect of any tree identified on the tree location plan, obtains a written recommendation by an accredited arborist or other tree specialist authorized by the *City*, stating that the tree is diseased and/or hazardous and should be removed and provides such certification to the *City*, and

- (iii) if required by the *City* as part of the tree cutting permit, replaces any removed tree with a minimum of two other trees elsewhere on the *lot* which will be a minimum of three metres [10 feet] tall if coniferous, or five centimetres [2 inches] calliper if deciduous.

2.5 Landscaping

- (a) all street fronting yard areas on the *lot* are landscaped;
- (b) that *person* completes the front yard landscaping within 60 days of the completion of the *improvements*, except if weather conditions make it impossible to do so, in which case that *person* will complete that landscaping as expeditiously as possible, and prior to final inspection;
- (c) that *person* cleans and grades side and rear yards within 60 days of the completion of the *improvements*, and prior to final inspection;
- (d) that *person* installs the following planting materials:
 - (i) Shrubs: on each *lot* provide a minimum of 20 shrubs (3 gallon pot minimum); and
 - (ii) Sod: provide sod from the street to the front face of the home;
 - (iii) on the west side of *lot* 1, the area between any stepped retaining walls shall be landscaped with shrubs of a minimum 2 gallon pot size planted at intervals not exceeding 0.9 metres [3 feet] centre to centre along the full length of the retaining wall;
- (e) the maximum impervious surface area of each *lot* shall not exceed 40 percent of the total *lot* area. Impervious surface areas include buildings, sidewalks, driveways, parking areas, patios, decks, and any other surfaces that do not allow rain water to permeate below the ground surface;
- (f) a minimum 300 mm thick layer of topsoil is required in all pervious surface areas including but not limited to lawn areas and planter beds, except within any root protection zone protected by covenant, wherein the existing soil shall remain undisturbed;
- (g) roof rain water leaders shall discharge onto the lawn via a concrete splash pad or to an approved on-site rainwater management facility. Roof rain water leaders shall not be connected directly to perimeter drains nor to a storm sewer; and
- (h) all landscaping on the *lot* shall be completed within one year from the date of occupancy of the *improvements*.

2.6 Driveways and Walkways

- (a) only the following *construction* materials for the driveway are used:
 - (i) exposed aggregate concrete, or
 - (ii) interlocking masonry pavers, or
 - (iii) stamped concrete.
- (b) the location of the driveway and walkways avoids significant trees, streetlights, or service boxes, and does not conflict with drainage swales on the *lot* grading plan;
- (c) the front entry walkway material does not differ from the material used for the driveway; and
- (d) asphalt surfacing materials are not used anywhere on the *lot*.

2.7 Building Design Repetition

- (a) the exterior design of a single family dwelling to be erected on a *lot* shall not be identical or similar to that of an existing or proposed *single family dwelling* on a *lot* on the same side of the fronting highway within four *lots* measured from the closest *lot* lines. A single family dwelling is deemed to have a similar exterior design to an existing single family dwelling when:
 - (i) the front elevation designs are identical or have insignificant variations in the disposition and articulation of design features; or
 - (ii) the front elevation designs are a mirror image to each other, with or without any variation in architectural details.

2.8 Building Massing

- (a) the building massing of the *improvements* does not create a canyon effect in relation to the open space between the *improvements* above the first storey;
- (b) the building massing for *improvements* on the subject *lot* is to be compatible with the *lot* grading plan and the building massing of *improvements* on adjacent *lots*, in relation to roof design and transition in building height; and
- (c) a dwelling on *lot* 1 shall conform to the following specifications:
 - (i) the top side of the basement slab shall be set at the Minimum Basement Elevation (MBE) specified on the final *lot* grading plan accepted by the *City*;

- (ii) the maximum basement ceiling height is 2.46 metres (8'-0.3/4") above the basement slab elevation;
- (iii) the maximum main floor ceiling height is 2.76 metres (9'-0.3/4") above the main floor subfloor, except in areas open to the upper floor;
- (iv) the maximum upper floor ceiling height is 2.46 metres (8'-0.3/4") above the upper floor subfloor, except vaulted ceilings inside which have no impact on the height of the roof outside are permitted;
- (v) the west wall face at the main floor and basement levels shall be set back not less than 2.4 metres from the west *lot* line;
- (vi) at the west wall face closest to the west *lot* line, the upper floor shall be set back not less than 3.6 metres from the west *lot* line, and the upper floor shall be offset toward the east by not less than 1.2 metres from the west main floor wall; and
- (vii) the maximum roof slope on the upper floor trusses with the longest span and highest ridge shall not exceed 6:12, and said ridge shall not be exceeded in height by any other roof ridge.

2.9 Corner *Lot* Design

- (a) this section is not applicable.

2.10 Roof

(a) Design

- (i) the *improvements* have a varied roof form and design, in relation to the roof form and design of *improvements* on adjacent *lots*.

(b) Pitch

- (i) the minimum roof pitch is 6:12, except as provided in clauses 2.10(b)(ii), 2.10(b)(iii), and 2.10(b)(iv) herein;
- (ii) the slope of the upper-most roof system shall be reduced where it is determined by the *consultant* that a roof slope reduction would reduce over-shadowing of neighbouring *lots*, or would preserve view corridors for neighbours;
- (iii) the roof pitch is constant, in accordance with clause 2.10(b)(i), except an increased roof pitch is permitted on roofs above street facing wall projections and a decreased roof pitch is permitted at a covered entry veranda or a dormer; and

- (iv) the slope of feature roof projections may be reduced where it is determined by the *consultant* that the roof slope reduction results in:
- internal consistency in the front façade, and
 - proportionately consistent volume allocations to various projections on the front façade, and
 - overall balanced massing across the façade, and
 - massing transitions from the roof of any dwelling to the roof of the dwelling on an adjacent *lot* as determined by the *consultant*.

(c) **Material**

only the following roofing materials are used:

- (i) Treated cedar shakes or cedar shingles, or
- (ii) Concrete roof tiles, which are in a “shake profile” only, or
- (iii) Asphalt shingles in a “shake profile” only, with a 30 year or greater warranty, which are accompanied by a pre-formed (manufactured) raised ridge cap, or
- (iv) Environmentally sustainable roofing products in a shake profile only, that meet or exceed the thickness of roofing products specified in clause 2.10 (c)(iii) herein,
- (v) Roll roofing where the slope of any feature roof is less than 3:12, or
- (vi) metal roofing on feature roofs only, in dark brown and grey hues only, subject to *consultant* approval of the design integrity of the metal feature, and approval of the surface profile.

(d) **Colour**

- (i) only the following roof colours are used: grey, brown, or black.

(e) **Skylights**

- (i) skylights which are bubble style are not permitted on street facing elevations.

2.11 Covered Parking

- (a) the parking structure is limited to a two vehicle garage and cannot be a carport;

- (b) the parking structure is equipped with vehicular entrance doors that close;
- (c) the panel design on garage doors visible from a street adjacent to the *lot*, is of a “raised panel” type that is compatible with the panel design on the front entry doors; and
- (d) the garage is of a design which reduces the exposed wall mass above the garage door to not more than 0.86 metres [2'-10"].

2.12 Balconies

- (a) there are no balconies, patios, decks, etc. on the front or sides of the single family dwelling, except:
 - (i) covered entry verandas are permitted at the main floor at the front side of the home.

2.13 Foundation Exposure

- (a) exposed concrete foundations do not exceed 0.4 metres [16 inches] in height measured from the finished grade to the underside of the siding, except for stepped foundations to accommodate the finished grade of the *lot*.

2.14 Fascia Boards

- (a) fascia boards and barge boards are fully finished on all exposed sides;
- (b) where fascia boards are used, the fascia boards are of a minimum dimension of 2x8 nominal; and
- (c) where barge boards are used, the barge boards are of a minimum dimension of 2x10 nominal, and are accompanied by 1x4 or larger trim applied to the top side of the barge board.

2.15 Building Exterior

- (a) General
 - (i) not more than three different cladding materials, excluding trim, may be applied to any elevation.

(b) Materials

- (i) only the following materials are used, with required accent materials measured as a percentage of the exposed wall face on the front facade, including window and door area:

Main cladding material	Minimum Required Accent materials
Stucco	20 percent brick or stone
Stucco	33 percent cedar, wood shingles, or hardiplank
Stucco	20 percent cedar plus 8 percent brick or stone
Cedar	None
Vinyl	20 percent brick or stone
Vinyl	33 percent cedar, wood shingles, or hardiplank
Vinyl	20 percent cedar plus 8 percent brick or stone
Fibre-cement board	15 percent brick or stone
Fibre-cement board	20 percent cedar or wood shingles
Fibre-cement board	15 percent cedar plus 10 percent brick or stone

- (ii) notwithstanding wall cladding materials specified in clause 2.15(b)(i) herein, wall surfacing materials including metal and concrete may be approved, subject to specific *consultant* approval;
- (iii) Brick or stone veneer shall be even toned in brown or grey hues only with grey or earth tone mortar.

(c) Colours

- (i) only the following range of colours are used on exterior cladding materials:
- colours from a neutral and natural (earth tone) colour palette including white, cream, greys, charcoal, browns, clay, sage, and other earth tones; and
 - trim or wall cladding colours outside neutral and natural colour palettes including navy blue, "dark colonial red" and forest green, providing these colours are used only if accompanied by neutral trim colours including white, cream, and greys or natural colours as specified in the clause above;

- (ii) only the following range of colours on the trim are used:
 - lighter or darker shades of colours as specified in subsection (i) above.
 - primary derivative colours in dark tones as determined by the *consultant*.
- (iii) cedar trim is used only if it is sealed to prevent the leaching of stains onto the cladding material.

2.16 Accent Materials and Trims

- (a) accents such as brick or stone are not used unless they turn the corner and extend a minimum of 0.9 metres [3.0 feet] or to a vertical break in the return wall such as a chimney or a wall projection, except that where a stone or brick return is designed to simulate a column, the return shall be at least equal to the width of the column face;
- (b) brick or stone are not used as an accent on the front face unless it covers at least 20% of the exposed face, preferably located at the base of the wall face, or is in accordance with the table in clause 2.15(b) herein;
- (c) brick or stone on the street face is used only if the colour, pattern, and texture are compatible with the siding;
- (d) there is no use of concrete blocks or jumbo blocks which are exposed to the exterior;
- (e) only 1 x 4 nominal or 1 x 6 nominal trim is used on all street facing elevations;
- (f) mortar shall be grey or earth tone colours only;
- (g) the base of the structure at the front of the home is defined by the use of 2x10 nominal raised base trim, or by the use of a soldier course of brick, or by the use of a stone accent material;
- (h) not less than three of the following detailing elements shall be included on all dwellings: furred out wood posts, articulated wood post bases, wood dentil details, louvered wood vents, decorative wood braces, articulated gable ends, and generous trim around windows and doors which include layered or crown moldings above the entrance door and key focal openings, or other elements suitable to the design as determined by the *consultant*; and
- (i) all trim elements specified on the *final drawings and specifications* are applied as indicated to the structure.

2.17 Windows

- (a) window openings on the front facade are only of a consistent geometrical shape with the exception that a maximum of two feature windows on the lower floor may be of a different shape; and
- (b) there are no basement windows on the front facade, except to complement unique site grading.

2.18 Front Entry Design

- (a) the single family dwelling does not have a front entrance exceeding a height of 3.66 metres [12'-0"] measured from the top of the stoop slab to the underside of the entry roof.

2.19 Chimneys

- (a) all exterior chimneys visible from the street adjacent to the *lot* are *constructed* only if they are continuous to grade, with a foundation; and
- (b) the single family dwelling does not include cantilevered chimney chases (including direct vent fireplace with framed chases) if such chases are visible from the street.

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