

# Appendix “B”

## PRITCHARD FARM PROPERTIES DESIGN CONTROL GUIDELINES

Legal Lot Phase 3 Stage 1, 2 & 3 - September 7, 2001

Marketing Phase 5, 6 & 7

### 1.0 INTRODUCTION

#### 1.1 Design Guideline Objectives

It is the intention of the Developers of Pritchard Farm Properties to ensure a well coordinated, attractive subdivision through the exercising of these Design Controls and to ensure the highest standards of architectural design and materials throughout the community including all aspects of site development, landscaping, fencing and finishes.

This document represents a minimum set of standards over and above those required by East St. Paul for use by builders to meet the above objectives and achieve a marketable product attractive to the buying public.

The Developer or their Consultant will verify satisfactory compliance to these guidelines and has the authority to reject unsatisfactory housing proposals or recommend changes required to meet the intent of the controls document. Further to this the Developer or their Consultants shall provide a final inspection upon completion of each house to ensure that it is built as approved by them. Infractions noted at this time by the Developer or their Consultants will be penalized by full or partial loss of the Design Compliance Deposit. The Developer or their Consultants shall be considered to be the judge of any infractions to these guidelines in whole or in part.

It is understood that the responsibility and costs for achieving the following “design control guidelines” shall be borne by the builder/owner solely.

It is the responsibility of every builder/owner to check and verify all information and ensure that the required controls documentation has been completed prior to construction.

### 2.0 DESIGN GUIDELINES

#### 2.1 Architectural Theme

The Pritchard Farm Properties “theme” is the creation of a community of houses that reflect the country location of the development. These guidelines, together with thoughtful designs, will establish a concept of housing designs that will compliment each other, with the result being a community of houses that add value to each other and to the community of East St. Paul.

##### 2.1.1 General Guidelines

- Continuity of design, detail, and materials on exterior elevations is essential.
- All residences shall be designed to include minimum two-car attached garages. No carports are allowed.

- No residence shall exceed two storeys in height when viewed from the street. Minimum roof slopes of not less than 6 in 12.
- Due to significant lot sizes, minimum house width to be 50 feet except on cul-de-sac bulb where the width may be 48 feet.
- Design details such as front porches, cupolas, window grills, are encouraged.

**2.2 Setbacks and Yard Requirements**

- 2.2.1** The minimum setbacks required by the RM of East St. Paul shall apply, except where exceeded by the guideline setbacks and yard requirements as determined by the Developer.
- 2.2.2** Front yard setbacks shall be a minimum of 45 feet, maximum 55 feet, except for lots fronting on the arc of the cul-de-sac where setback shall be a minimum of 40 feet, maximum of 45 feet, from the nearest point of the front property line.
- 2.2.3** Side yard setbacks shall be 10 feet. Corner lot side yard shall be 15 feet.
- 2.2.4** Rear yard shall be minimum 25 feet except along linear parkway where rear yard shall be 60 feet from nearest rear property line and for Block 1, **Plan 38502** lots 1-13, 16-18 where minimum setback shall be 33 feet.
- 2.2.5** Setbacks and yard requirements shall be measured from property lines to exterior face of building. Encroachments such as cantilevers, bay windows, chimneys and overhangs into the setback are permitted but must comply with RM of East St. Paul regulations.

**2.3 Minimum Floor Areas**

- 2.3.1** Areas shall be calculated at main floor level only for bungalows and bi-levels. Areas shall be calculated as total developed floor areas above ground for one and one half storey units, split-levels, two storey/split-levels and two storey units.

Garages, porches and decks shall be excluded from all floor area calculations. The following list indicates minimum square footage requirements for homes. No objection will be made to increase these floor areas.

	<b><u>Lots Fronting or Flanking Pritchard Farm Road</u></b>	<b><u>Interior Lots</u></b>	<b><u>Lots Backing on Parkway (excluding Pritchard Farm Road)</u></b>
Bungalow - minimum area of house	1,300 square feet	1,550 square feet	1,550 square feet
Split-level - minimum area of house (three levels)	1,700 square feet	1,700 square feet	1,900 square feet
Bi-level - minimum area of house	1,400 square feet	1,400 square feet	1,600 square feet
Two-storey - minimum area of house	1,700 square feet	1,800 square feet	2,000 square feet

**2.4 Corner Lots**

Houses on corner lots must have similar treatment on elevations exposed to both streets. One-storey elevations on flanking streets are required. Additional glazing and bay windows on side elevation are also encouraged. Homeowner is required to sod and maintain both the frontage and flankage boulevard to the street curb.

**2.4.1** In order to benefit corner lots and subdivision in general, these lots may be subject to the placement of a decorative corner fence on the property, to be maintained by the purchaser. Placement of any corner fence is at the option of the developer and will be placed at the cost of the developer.

## **2.5 Product Mix**

Two houses of the same type must be separated by at least four (4) other designs. Two similar house designs with less than two (2) lots between them must have substantially different roof configurations, window treatment, materials and colours. Similar designs on opposing sides of the same street are liable to the same restrictions as well.

## **Lot Grading**

**2.6.1** Lot grading must follow the natural land contours and be consistent with the subdivision concept-grading plan.

**2.6.2** Each lot must be graded to handle all storm water falling within property lines without draining to adjacent lots.

**2.6.3** Each principal residence constructed on each site within the “Planned Area” shall provide weeping tile drainage to a constructed sumphole and the discharge of all weeping tile drainage shall be discharged into a two cubic meters rock-filled sump at the rear of the lot. No weeping tile drainage or storm water eavestrough drainage shall be discharged into the sanitary sewer system. A number of lots will have access to a storm drainage system and will not be required to construct the rock-filled sump. These will be identified by the municipal engineer of East St. Paul.

**2.6.4** Purchaser to be aware, at the developer’s discretion, rear yards may be contoured to conform to linear parkway grading.

## **2.7 Exterior Materials**

**2.7.1** Permitted exterior materials include clay brick, vertical or horizontal wood or vinyl siding, stucco, stone, and combinations of the above. Front elevations, with stucco finish, must be accented with built-up detailing around doors and windows and front entry.

**2.7.2** On residences utilizing clay brick veneers in combination with either stucco or siding, finish colours are to be chosen to avoid colour contrasts between materials.

**2.7.3** Exterior materials used on principal elevations should be carried around corners to side elevations (minimum of 1 foot).

**2.7.4** One cladding material must be predominant on the front elevation and cover at least 60% of the facade.

**2.7.5** All fascia to be minimum 7 1/2 inches.

**2.7.6** The dimension between head of garage doors and the underside of garage roof horizontal fascia shall be less than 30 inches.

## **2.8 Roofs**

- 2.8.1** All roof structures are to utilize slope of not less than 6:12. Acceptable roof finished include asphalt shingles, cedar shingles, cedar shakes, pine shingles, pine shakes, concrete or slate tiles.

To maintain development “country theme”, flat roofs are not permitted.

## **2.9 Driveways**

- 2.9.1** Not more than one driveway shall be constructed for each dwelling unit and the driveway shall not have more than one access to street.

- 2.9.2** Permitted materials for driveway construction include interlocking pavers and cast-in-place concrete or combinations thereof.

- 2.9.3** All approaches shall be surfaced with concrete or interlocking brick in accordance with the standards required by the municipal engineer. Where lots front Pritchard Farm Road asphalt approaches and driveways are permitted. All approaches to be completed within 18 months of issuance of building permit.

## **2.10 Exterior Colours**

- 2.10.1** All exterior materials and related colours are subject to review by the Developer and specific samples and colour chips may be requested and kept to confirm compliance with approved colour schemes on site.

- 2.10.2** Colours for roof, siding and trim must be coordinated for each unit to compliment the individual house design and achieve a harmonious visually attractive effect. Repetition of principal colours or colour combinations on front elevations of adjacent houses will be reviewed. Colours and materials of houses will be controlled to avoid visually disruptive contrasts in the streetscape and provide a varied but harmonious ensemble of housing units.

- 2.10.3** Previously approved neighboring residences will be considered as an important factor in colour scheme approvals.

## **3.0 FENCING AND LANDSCAPE ARCHITECTURE**

### **3.1 Fencing (General Guidelines)**

All fencing within the subdivision will be coordinated with respect to (both) design, materials and finishes. Fence designs will be provided by Developer. (See attached sketches).

- 3.1.2** Fencing is permitted only in rear yard and is to be constructed at owner’s expense and is to be consistent with Developer’s fence designs. (See attached sketches).

### **3.1.3 Fence Heights**

#### **a) Lots on Linear Park-way**

Six-foot high solid fencing on side property lines, ending on linear parkway, shall be restricted to 40 feet behind house. The balance of fencing on side property lines shall not exceed four feet in height. Open rail fence height along rear property line shall not exceed four feet. Black vinyl coated chain link fence is permitted along the rear

property line and along the sideyard from a distance 40 feet behind house to rear property line and shall not exceed four feet in height. See fence designs attached

**b) Flanking Lots (Corner Lots)**

Six-foot high solid fencing is permitted on sides and rear property lines. Chain link fencing is not permitted on flanking lots.

- 3.1.4 Swimming pools must be fenced in 40-foot zone reserved for such purposes.
- 3.1.5 In the event that the Developer or successor in title installs fences along public walkways, such fences shall not encroach upon the lands taken for such walkways and shall be maintained by the owner of the lands upon which they are located.
- 3.1.6 The Developer will contour and install landscaping as approved by the R.M. of East St. Paul on each of the flankage lots along Pritchard Farm Road. The property owners are restricted from altering this landscaping except with express written approval from the R.M. of East St. Paul.

**3.2 Plant Materials and Landscape Architecture**

Applicants are encouraged to develop plans, which preserve existing trees.

**3.2.1** Landscaping should include, at a minimum:

- sod, plants, trees and shrubbery for front yard including boulevard **to the street curb**
- sodding of the rear yard is preferable, however, in the event the homeowner wishes to seed the rear yard, seeding of the rear yards only would be permitted.
- front yard, and flankage landscaping to be completed within one year from commencement of construction.

**3.2.2. Corner Lots**

In addition to the general landscaping guidelines in 3.2.1 above the homeowner is required to sod and maintain the flankage boulevard to the street curb.

**3.2.3.** Lots on Linear Parkway backing on a creek. To preserve the integrity, look and to minimize erosion, the rear yard landscaping must be completed within a year from commencement of construction. (see 3.2.1 re seeding or sodding of rear yards). In the event the homeowner chooses to seed the rear yard the deposit will be returned upon the seeded area having sufficient growth density that no surface sod is visible when the seeded area is cut to a height of 50-60mm.

**3.2.4.** Homeowners on Linear Park backing on to a creek are to maintain the landscape area between the property line and the public walkway. The homeowner may install sod or seed from the property line to the walkway if desired.

The area below the walkway to the waters edge is to remain undisturbed to encourage natural growth.

Homeowners on the Linear Park on a creek but having no walkway between the rear property line and the water's edge should not maintain the vegetation beyond the rear property line to encourage natural growth. If desired the homeowner may maintain a path to water's edge.

Homeowners may not use the creek water for irrigation purposes.

- 3.2.5 Homeowner shall maintain boulevard trees and install and maintain boulevard sodding to the street curb.
- 3.2.6 No wood decks/patios are permitted in front yards.
- 3.2.7 All swimming pools, decks, patios must be located in the rear or side yard portion of each lot and must be screened from public view from street side.

#### **4.0 MISCELLANEOUS RESTRICTIONS**

- 4.1 Satellite dishes, if erected on individual lots, must be sited completely within the rear portion of the lot and be screened from public view from streets and parks. On flanking lots satellite dish must be located along interior property line away from street.
- 4.1.2 Recreational vehicles, trailers, boats, and commercial vehicles cannot be permanently stored in the front yard of driveway of any property between the building line and the curb but may be parked in fenced side yard minimum 5 feet from property line.  

No motor vehicle other than passenger motor vehicles shall be parked upon the lands unless concealed in a wholly enclosed garage excepting one recreation vehicle. The words “passenger motor vehicles” and “parked” shall have the meaning ascribed to them by The Highway Traffic Act. (As per East St. Paul Municipal Guidelines).
- 4.1.3 Freestanding garden/utility sheds, if constructed, must be located only in the rear area of the lot and must be consistent with the exterior materials and colour schemes for the principal residence. On flanking lots garden/utility sheds must be located along interior property line away from the street. On lots backing upon the creek, garden/utility sheds must be located at least 30 feet from the rear property line. Prefabricated metal/vinyl construction pre-packages are discouraged. All freestanding structures may have a maximum size of 10’ x 12’.
- 4.1.4 No person shall make a building permit application for, or commence construction of, any dwelling or dwellings upon any of the lots until the person has submitted to the Developer complete plans and specifications as required by these guidelines.
- 4.1.5 The Developer reserves the right to refuse any plan which lacks attention to design guidelines stated herein.
- 4.1.6 The Developer reserves the right to allow changes from these guidelines in cases where such an exception is deemed appropriate and will not detract from the quality within the development.
- 4.1.7 Nothing herein contained shall be construed or implied as imposing on the Developer any liability in the event of noncompliance with or non-fulfillment of any of the covenants, conditions, or stipulations herein contained, or contained in any conveyance or other agreement pertaining to any of the lots.
- 4.1.8 Nothing contained in the Miscellaneous Restrictions shall be construed as imposing any liability upon the Developer or the owner for damage resulting from structural defects in any structure erected on any lot with approval nor any responsibility in connection with the site selected for any structure by any owner nor for the determination of lot boundaries.

**4.1.9** Neither the Builder or the Developer, nor any of their respective agents, servants and employees shall be liable for any or all loss, costs, liabilities, claims, damages or injury to any person arising out of:

- (a) The approval or deemed approval of any building plans, or
- (b) A failure to enforce any of the provisions herein contained; and whether caused by the negligence or willful act of the Builder, Developer or any of their respective agents, servants or employees or otherwise (herein collectively called the "Liabilities"). Each of the owners of the lots from time to time hereby releases jointly and severally the Builder, Developer, and each of their respective agents, servants and employees, in respect to the Liabilities.

## **5.0 RESTRICTIONS DURING CONSTRUCTION**

### **5.1 Appearance During Construction**

**5.1.1** All building sites are to be kept safe and orderly during construction. All garbage is to be stored out of sight or disposed of in garbage dumpsters. No garbage/trash burning is permitted at any time.

**5.1.2** Exterior work/construction is permitted only between the hours of 7:00 a.m. and 8:00 p.m., Monday through Saturday, unless special arrangements have been made with the Municipality.

### **5.2 Signage**

**5.2.1** All temporary promotional signage is to be approved prior to installation by the Developer.

## **6.0 APPROVAL PROCESS**

### **Step One: Read Guidelines**

Become familiar with guidelines with particular attention to the entire "theme" concept of the development.

### **Step Two: Meet with Designer**

Your personal design criteria, together with these guidelines, will form the basis for the design of your house. As you begin your design process, particular attention should be given to site, location, contour and orientation.

### **Step Three: Submission #1 Preliminary Plan Approval**

When meeting with Consultant to obtain initial approval, the following should be made available:

1. Site plan (scale 1:250 metric or 1"=30') (refer to paragraph 6.0).
2. Floor layout including square footage.
3. Front elevation and side elevation of corner lot.

If Preliminary Plan meets guideline criteria it will be approved at this time. If Preliminary Plan requires modification to meet criteria a meeting will be set up with home owner/builder to discuss required changes.

**Step Four: Submission #2  
Final Plan Approval**

Submit two complete sets of final drawings including site plan to:

Palliser Furniture Ltd.  
50 Furniture Park  
Winnipeg, Manitoba, R2G 1B9  
Attention: Vern Koop, ph. 204-954-7003

**Step Five: Final Approval**

Approval of your plan will be given to you in writing, along with an approved set of plans. Once approval is given, two approved copies, together with an approval letter and a copy of your acknowledgement indicating that you have received a copy of the development agreement, (see item #22 of the offer to purchase), should be taken to East St. Paul for building permit application. Palliser Furniture will retain one copy for their files.

One set of plans is to be retained by the developer. One set will be stamped 'APPROVED' and will be accompanied with an approval form. Both the approved set of plans and the approval form is to be presented to the East St. Paul Municipality upon applying for a building permit. The approved plans and form will be available for pick up during Palliser office hours - 8:30 a.m. to 4:30 p.m., Monday through Friday at the above address.

Upon submission of a plan to Palliser for approval, please expect three to five days for the approval process.

- 6.1** Pre-plotting of more than two adjacent houses shall submit one (1) copy of the composite plot plan (1:250 metric or 1"=30") along with one (1) copy of house type drawings, i.e. plans, sections, and colour sample board, all elevations, completed application form (attached) for each house to the developer at the address given above.
- 6.2** Application for a building permit may be made only after completion of the applicant's approval form by the developer. The approval process will require five working days for most applicants.
- 6.3** Failure to conform to siting, house design, materials, colours or any other portion of the drawings and documentation as approved without the written consent of the proposed revision by the developer is prohibited.
- 6.4** The developer will provide a final inspection upon completion of each house to ensure that each house is built as it was approved and landscape completed or note any infractions thereof. Following this inspection the owner shall receive full or partial refund of his or her respective deposit. Serious infractions of these guidelines will be penalized by a loss of the deposit to the owner. The developer shall be the sole judge of any infractions to approval form or this guideline document. In the event of any discrepancies, the approval form attached, signed by the developer, shall be considered to supersede the Design Guidelines document.



