

**APPENDIX 1
STILLWATER FENCE DETAIL**

Privacy Fence Section & Panel

STILLWATER GUIDELINES

1. DEFINITIONS USED IN THESE GUIDELINES

- 1.1 “Committee” means any committee appointed or designated by the Developer to assess compliance with these Guidelines;
- 1.2 “Developer” means Mattamy (Stillwater) Limited, formerly 1814429 Alberta Ltd., or any successor in title to the Dominant Lands, including the Stillwater Home Owners Association;
- 1.3 “Dominant Lands” means those lands legally described as the dominant lands in the Restrictive Covenant;
- 1.4 “Dwelling” means any residential dwelling constructed on a Lot and includes any attached garages;
- 1.5 “Front Yard” means that portion of a Lot from the front lot boundary to the nearest walls of the Dwelling, not including any projections;
- 1.6 “Guidelines” means these Stillwater architectural and community guidelines prepared by the Developer, as may be modified and amended from time to time by the Developer in its sole and unfettered discretion;
- 1.7 “Lot” means an individual lot created by a plan of subdivision;
- 1.8 “Owner” means the registered owner of a Lot;
- 1.9 “Private Yard” shall mean any yard on a Lot that is not readily visible to the public;
- 1.10 “Public Yard” shall mean any yard on a Lot that is readily visible to the public, which shall always include Front Yards, and may include Rear Yards and Side Yards adjacent to public areas, as the case may be;
- 1.11 “Rear Yard” means that portion of a Lot from the rear lot boundary to the nearest walls of the Dwelling, not including any projections;
- 1.12 “Restrictive Covenant” means that agreement registered on title to the Servient and Dominant Lands as a restrictive covenant and which references these Guidelines;
- 1.13 “Retaining Wall” means any wall constructed on a Lot for lateral support and/or erosion control;

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- 1.14 “Side Yard” means that portion of a Lot from a side lot boundary to the nearest walls of the Dwelling, not including any projections; and
- 1.15 “Servient Lands” means those lands legally described as the servient lands in the Restrictive Covenant.

2. INTRODUCTION

These Guidelines regarding development in Stillwater will be administered and enforced by the Developer via the Committee. The Developer reserves the right to revise these Guidelines at any time.

All requests submitted to the Committee pursuant to these Guidelines must be in writing and provide enough detail for the Committee to make its decisions. The Committee may request further particulars as needed.

The Committee may, in its sole and unfettered discretion, permit development on a Lot in variation of the provisions of these Guidelines, provided that such variation is first approved in writing by the Committee.

The Restrictive Covenant is, or will be, registered on the title to each individual Lot in Stillwater. The Restrictive Covenant allows for the enforcement of these Guidelines by the Developer, or its successors in ownership of the Dominant Lands.

All developments on a Lot must comply with all City of Edmonton By-laws in effect from time to time and the Alberta Building Code. Conformity with these Guidelines does not supersede any requirements in municipal, provincial or federal rules, bylaws or statutes.

3. DWELLING APPEARANCE

- 3.1 **GENERAL:** No alterations or additions to the exterior appearance and architecture of a Dwelling as it was originally constructed by the Developer shall be made without prior written approval from the Committee.
- 3.2 **EXTERIOR PAINT COLORS:** No changes to the exterior colours of a Dwelling from the original Developer colours shall be made without prior written approval from the Committee.
- 3.3 **AWNINGS:** An Owner shall not install awnings without prior written approval from the Committee.
- 3.4 **GUTTERS AND DOWNSPOUTS:** Alterations or replacement of gutters and downspouts as installed by the Developer, will be considered for written Committee approval if the finish matches the color of the home. Owners shall not permit their gutters and downspouts to be blocked and proper maintenance of the same is required. Downspouts must not be directed so as to drain on neighboring

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properties. Any alterations to the gutters and downspouts as constructed by the Developer must have written Committee approval.

- 3.5 **ROOF AND ROOF STRUCTURES:** No heating, air-conditioning, ventilation equipment, or any other equipment or structures shall be located or installed on any roof without prior written approval from the Committee.
- 3.6 **WINDOWS:** No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows. Exterior window coverings or treatments used to decorate openings must be compatible, with respect to materials and color, with the style, character, and color of the Dwelling. Permanent draperies or window treatments are not to negatively affect the architectural character of the Dwelling and the Stillwater community.

4. LANDSCAPING AND GRADING

- 4.1 **LANDSCAPING:** The Rear Yard of each Lot shall be completely landscaped by the Owner of such Lot within 365 days of possession. Prior to installation of such landscaping, the Owner shall maintain the portions of such Lot required to be landscaped in a weed-free condition consistent with municipal standards. If the Developer provided landscaping is removed in any Public Yard, any replacement plants, trees or sod planted by an Owner must be of equivalent size, quantity and quality.
- 4.2 **TURF:** Artificial turf may be installed in Rear Yards. Such artificial turf shall be of a high quality material, installed per manufacturer's recommendations and maintained in a good state of repair at all times. Artificial turf in Public Yards will not be allowed.
- 4.3 **ROCK GROUND COVER:** If landscape rock is used, it must be of an "earth tone" color and not painted white, green, blue or other bright colors. Utilization of more than two (2) different colors of rock shall not be permitted without prior written approval from the Committee. Landscape rocks shall not spell out any words or names. Rock areas must be kept in a weed free state.
- 4.4 **RETAINING WALLS:** An Owner shall not install any Retaining Wall without prior written approval from the Committee. Any required engineering is the responsibility of the Owner.

5. DRIVEWAYS AND SIDEWALKS

- 5.1 **DRIVEWAY EXTENSIONS:** No additions or extensions to driveways installed by the Developer, whether hard surface or gravel, shall be permitted without prior written approval from the Committee.

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5.2 **ADDITIONAL SIDEWALKS:** Sidewalks installed to utilize a side gate are permitted and do not need to be submitted to the Committee if all the following conditions are met:

- (a) The additional sidewalk is four feet (4') or less in width;
- (b) Proper drainage must be maintained or created; and
- (c) Additional sidewalks in any other location must be submitted for written approval to the Committee.

6. FENCES & GATES

6.1 No fence shall be constructed on a Lot unless the fence meets the design and technical requirements as outlined in the attached Appendix 1 - Stillwater Fence Detail.

6.2 Any fence that has been constructed by the Developer cannot be removed, altered, or painted a different colour without prior approval from the Committee, with the exception of adding black privacy slats to provided chain link fencing, which can be done without Committee approval.

6.3 All requests for gates other than those which were erected by the Developer must be submitted for written Committee approval, except gates accessing the Rear Yard from a Side Yard, which do not require Committee approval. Gates are to be finished to match the fence design as outlined in the Appendix 1 - Stillwater Fence Detail.

6.4 Gates of any kind on Lots bordering public areas, other than those installed by the Developer, are not permitted.

7. EXTERIOR ACCESSORIES

7.1 **ANTENNAS & SATELLITE DISHES:** A satellite dish, antenna or receiver of up to 1 meter or less in diameter may be installed on a Dwelling within a Rear Yard or Side Yard, unless the Side Yard is on a corner lot facing a road in which case prior written Committee approval is required, and may be installed within a Front Yard only with prior written Committee approval. No satellite dish or antenna greater than 1 meter in diameter may not be installed anywhere on a Lot.

7.2 **FLAGS:** A flag may be displayed on any Lot, provided that:

- (a) such flag is displayed from a pole attached to a Dwelling on the Lot and that pole is no longer than ten feet (10') in length and does not extend more than ten feet (10') from the edge of the Dwelling;
- (b) the pole is no higher than the top of the Dwelling;

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- (c) the flag is no more than twenty-four (24) square feet in size;
 - (d) any flag lighting is in compliance with the Lighting section below; and
 - (e) the flag is maintained in good condition at all times.
- 7.3 **BASKETBALL NETS:** No basketball net, pole, or backboard shall be attached to a roof and/or installed directly to a Dwelling. No permanent basketball pole shall be installed within a Front Yard without prior written approval from the Committee. Portable basketball nets are permitted on Lots, and must be maintained in good operating condition.
- 7.4 **CLOTHES DRYING STRUCTURES:** The use or installation of outside clotheslines or other outside facilities for drying or airing clothes requires prior written approval from the Committee.
- 7.5 **DECORATIVE ITEMS:** “Lawn Art” includes, but is not limited to, iron, ceramic, plastic, clay or wood figures, carts, wagons, or other unnatural or man-made decorative items. Lawn Art that is not visible from a neighboring property is permitted. Decorative art located in a Public Yard may be requested to be removed by the Committee if deemed to negatively affect the architecture of the Dwelling or the Stillwater community. Potted plants are not considered yard art; however, pots that are larger than four (4) feet tall or four (4) feet wide or that are in non-natural or non-neutral colors must be submitted for written approval to the Committee if visible from a neighboring property.
- 7.6 **WATER FEATURES, FOUNTAINS, STATUARY, ETC.:** Items such as fountains, statuary, etc., are permissible within Private Yards and do not require the approval of the Committee. Water features in Private Yards with chain link fencing may not exceed four and one half feet (4-½’) in height and require prior written approval of the Committee. It is required that water features be chlorinated or water must be kept moving so as to not allow for the breeding of pests.
- 7.7 **HVAC INCLUDING EVAPORATIVE COOLERS:** Except as initially installed by the Developer, no heating, air conditioning or evaporative cooling equipment shall be placed or constructed on a Front Yard, however placement on the front balcony of a townhouse is permitted. Such equipment may be placed or constructed within Rear Yards or Side Yards, unless the Side Yard is on a corner lot facing a road, in which case prior written Committee approval is required.
- 7.8 **LIGHTING & SECURITY FEATURES:** Except as initially installed by the Developer, no spotlights, floodlights or other high intensity lighting shall be placed or utilized upon any Lot or any structure erected thereon, including a Dwelling, which in any manner will allow light to be directed or reflected on any other property except as approved in writing by the Committee. Landscaping

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lighting other than low voltage landscape lights must be approved in writing by the Committee.

Security features including, but not limited to, security screens or heavy reinforced doors and windows, must be submitted for written approval by the Committee.

- 7.9 **PLAYGROUND EQUIPMENT:** Installation of playground equipment on yards, other than in Private Yards, must have prior written approval of the Committee.
- 7.10 **STORAGE SHEDS:** Storage sheds will only be permitted in Rear Yards and need not be submitted for written Committee approval, provided that they do not negatively affect the architectural character of the Dwelling and community.
- 7.11 **SOLAR PANELS AND EQUIPMENT:** No solar energy collecting unit or panels shall be placed, constructed or maintained upon any Lot without the prior written approval of the Committee. Solar roof panels should not negatively affect the architectural integrity of the Dwelling and community.
- 7.12 **SIGNS & ADDRESS PLAQUES:** No sign of any kind which is visible from a neighboring property shall be installed or displayed on any Lot without the prior written approval of the Committee as to size, color, design message content, number and location except:
- (a) Signs required by legal proceedings;
 - (b) Project identification signs and other marketing signs installed by Developer or the Association; and
 - (c) No more than one (1) professionally lettered “For Sale” or “For Rent” or “Open House” sign.

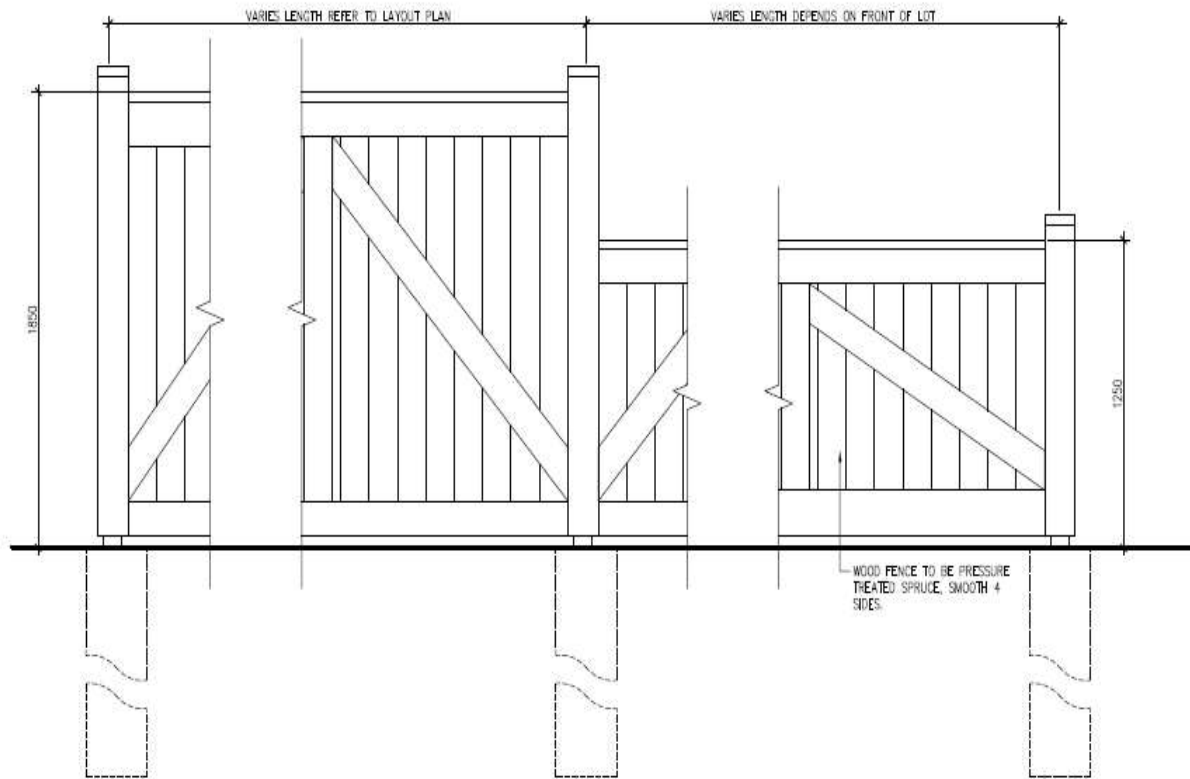
All signs shall conform to applicable municipal ordinances and other governmental requirements. Any alterations or replacement of address plaques as provided by the Developer must have written approval of the Committee.

8. OTHER RESTRICTIONS

- 8.1 **YARD SALES:** Garage sales or any similar type of sales or organized activities are permitted on an intermittent and temporary basis only.
- 8.2 **ANIMALS:** It shall be the responsibility of the Owner of a Lot to immediately remove any droppings from pets residing at or visiting their Lot.

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1 ELEVATION: OVERALL STEPDOWN PRIVACY FENCE
1:20

NOTES:

ALL WOOD TO BE PRESSURE TREATED SPRUCE. SMOOTH 4 SIDES. BE FREE OF ALL CHECKS, SPLINTS, OPEN JOINTS, CRACKS, KNOT HOLES OR LOOSE KNOTS AND OTHER DEFECTS.

ALL HARDWARE/ NAILS/ SCREWS TO BE HOT DIPPED GALVANIZED IN ACCORDANCE WITH CSA SPECIFICATIONS. UNLESS OTHERWISE SPECIFIED. COUNTERSINK NAILS/ SCREWS/ BOLTS.

ALL POSTS AND BOTOM RAILS TO BE PRESSURE TREATED. PRESSURE TREATED POSTS TO BE TREATED WITH A SOLUTION OF PENTACHLOROPHENOL AND PETROLEUM TO CSA-080.

TREAT ALL WOOD BELOW GRADE WITH A CLEAR PRESERVATIVE CONFORMING TO CITY OF EDMONTON ROADWAYS DESIGN STANDARDS CONSTRUCTION SPECIFICATIONS. ENSURE THAT ALL DRILLED, SAWN OR ROUTED EDGES ARE FREE OF SPLINTERS, BURRS AND SAND SMOOTH IF REQUIRED.

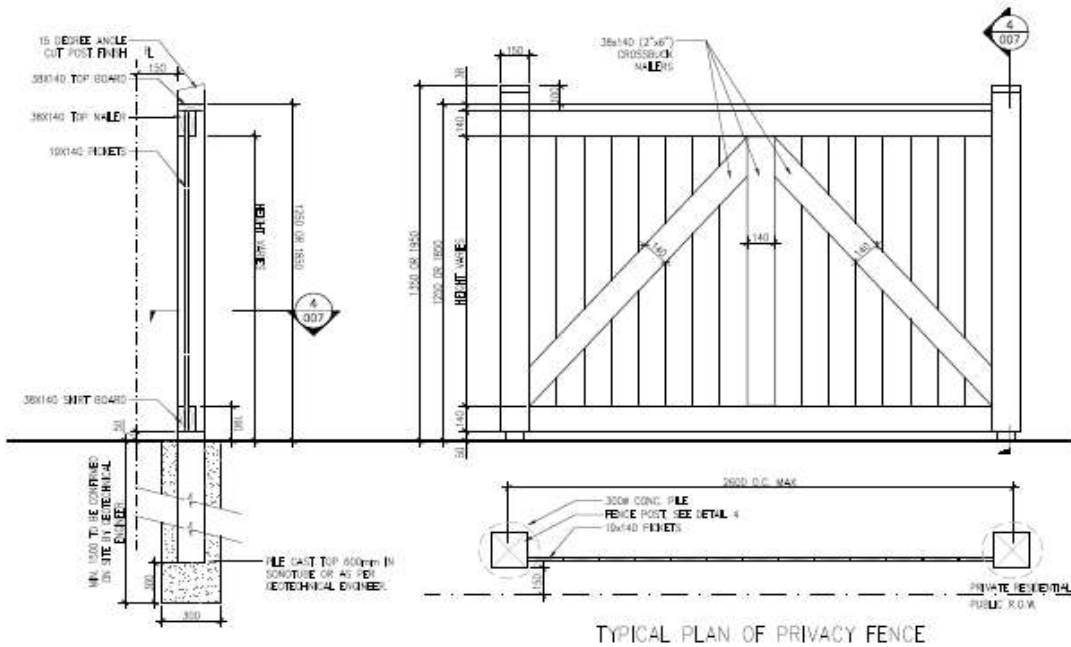
FENCE TO BE PRIMED AND PAINTED (2 COATS) TO COMPLETELY AND EVENLY COVER ALL FENCE COMPONENTS (COLOR AS DIRECTED BY DEVELOPER OR DEVELOPER'S REPRESENTATIVE). REFER TO DRAWING 1001-005 FOR ADDITIONAL NOTES.

Note that 6" x 6" fence posts may be used as an alternate to the steel post specified above.
Fencing to be painted or stained with product number 723-04, color code 049A0115.

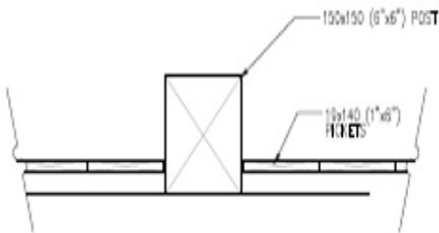
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1 ELEVATION: OVERALL STEPDOWN PRIVACY FENCE
1:20



3 DETAIL: 1.2m HT. & 1.8m HT. PRIVACY FENCE SECTION & PANEL
1:20



2 SECTION: FENCE POST
1:10

GENERAL NOTES:

WIND LOAD:
ONE IN TWENTY-FIVE YEARS WIND LOAD IN ACCORDANCE WITH ALBERTA BUILDING CODE 2006 AND NATIONAL BUILDING CODE (NBC) 2005.

CONCRETE FOR PILES:
CONCRETE STRENGTH TO BE MIN 25 MPa 28 DAY STRENGTH.
CEMENT TYPE 50. SULPHATE RESISTANT. AGGREGATE DIAMETER MAX. 20 mm. SLUMP 10D, AIR 5-7%.

WOOD:
ALL LUMBER TO BE KILN DRIED TO 19% MOISTURE CONTENT PRIOR TO CONSTRUCTION. ALL WOOD MATERIAL TO BE No1/no2 S-P-F.
PRESERVATIVE TREATMENT TO CONFORM TO CAN/CSA-086. LATEST EDITION

Note that 6" x 6" fence posts may be used as an alternate to the steel post specified above.
Fencing to be painted or stained with product number 723-04, color code 049A0115.

Source: Sheet D-3 from L001-007 Privacy Fence Detail (June 20, 2017)