

East Section 4

SCHEDULE OF RESTRICTIONS

1. **USE.** No trade manufacture business or commercial undertaking (including the business of a guest house proprietor boarding house keeper or hotel operator) shall be carried on on any lot of land or in the said Subdivision nor shall any building be constructed or erected on any lot of land in the said Subdivision or used for any purposes other than that of a private dwelling and appurtenances thereto.
2. **WALLS & FENCES.** No boundary walls or fences to be built on any lot in the said Subdivision of a greater height than Six (6) feet Six (6) inches from the ground.
3. **APPROVAL OF PLANS.** No building or structure of any kind shall be built on any lot of land in the said Subdivision nor shall there be any alteration of any building or structure of any kind, unless and until the exterior elevation plans and the proposed type of construction and the proposed location of such buildings or structures upon the said lot of land shall have been submitted to the Vendor and approved of in writing by them. Every application to the Vendor shall be in writing and shall be accompanied by the said exterior elevation plans and brief details of the proposed type of construction and a plot plan showing the location of such buildings or structures on the said lot of land such plans must be prepared by a qualified professional architect and shall be delivered at or forwarded by registered post to the Registered Office of the Vendor in the Colony. If within Thirty (30) days after the delivery of such plans and details as aforesaid to the Registered Office of the Vendor no written objection shall have been received by the Owner of the lot of land upon which it is proposed to build such buildings or structures then such plans and other details as aforesaid shall be deemed to have been approved of by the Vendor.
4. **WASTE.** No earth closet or open pit closet cesspit septic tank or other form of sewage disposal shall be constructed erected maintained or used on any lot unless the same shall first have been approved of in writing by the Vendor which approval may be arbitrarily withheld or may be granted subject to such restrictions and conditions as to the time during which such facility may be maintained or otherwise as the Vendor shall see fit.
5. **TEMPORARY BUILDINGS.** No temporary building of any kind (including any tent or trailer used for sleeping accommodation) shall be built or maintained on any lot of land in the said Subdivision except sheds or workshops to be used only for the works incidental to the erection of any permanent building thereon.
6. **ANIMALS.** No swine, cows, horses, poultry, objectionable animals or creatures shall be kept, raised or maintained on any lot of land in the said Subdivision Provided Always that dogs and cats shall not be deemed to be objectionable animals.
7. **UNLAWFUL USE.** No unlawful or objectionable use shall be made of any lot of land in the said Subdivision.
8. **WELLS.** No well for the taking of water shall be bored, dug or sunk on any lot of land in the said Subdivision without prior written permission and approval of the Vendor in writing and then it shall not be at less distance than Fifty (50) feet from any septic tank or sewerage disposal system which may be constructed on any such lot.
9. **SETBACKS.** No building or structure including porches or projections of any kind shall be built on lots One to Fifty-six (1-56) inclusive and lots Seventy-four to Two Hundred and Sixty-Three (74-263) inclusive at a less distance than Twenty (20) feet from any street or road boundary line and at a less distance than Ten (10) feet from a side boundary or less than Fifteen (15) feet from a rear boundary line save where a living room window faces onto such space in which event the setback shall be Twenty-five (25) feet.

10. **SETBACKS**

No building or structure including porches or projections of any kind shall be built or constructed on lots Fifty-seven to Seventy-three (57-73) inclusive which do not conform to the following setback regulations:

- A. No building including porches or projections shall be built at less distance than Eight (8) feet from a property boundary except that this dimension shall be increased where the principal window to a habitable room faces a property boundary in which case the setback shall be not less than Twenty-five (25) feet or Fifteen (15) feet if suitable screening is provided.

- B. No principal window to a habitable room facing the principal window to another habitable room shall be less than Fifty (50) feet apart or Thirty (30) feet apart if suitable screening between the buildings is provided.
- C. Where the principal window to a habitable room faces a secondary window to a habitable room or window to a non-habitable room or flank wall the space between the buildings shall be not less than Thirty (30) feet.
- D. Where flank walls or windows to non-habitable rooms face each other the space between them shall be not less than Fifteen (15) feet.

For the purpose of this clause the following definitions shall apply:

Habitable Room: Any room in a dwelling unit generally used for eating, sleeping or living including living rooms, dining rooms, bedrooms and family rooms.

Principal Window: Principal window shall mean the main window to a living, dining, bed or family room.

Screening: Fencing, walls or planting designed to minimize noise or visual nuisance.

Flank Wall: The end wall of a building containing no windows.

- 11. **DUMPING.** No lot of land in the said Subdivision shall be used as a dumping ground or place for the accumulation of garbage, trash, or other waste matter.
- 12. **NUMBER OF DWELLING UNITS.** Not more than One (1) duplex house containing two (2) dwelling units with appropriate outbuildings shall be built on any lot of land numbered One to Fifty-six (1-56) inclusive in the said Subdivision, and no duplex house including the appropriate outbuildings shall be built on any parcel of land in the said Subdivision which comprises less than a lot of land in the said Subdivision as laid out by the Vendor Provided Always that nothing herein contained shall be deemed to restrict the building of One (1) duplex house on more than one (1) lot of land numbered One to Fifty-six (1-56) inclusive in the said Subdivision.
- 13. **NUMBER OF DWELLING UNITS.** Not more than Twenty (20) dwelling units with appropriate outbuildings shall be built on lots numbered Fifty-seven to Fifty-nine (57-59) inclusive in the said Subdivision, not more than Twenty-five (25) dwelling units with appropriate outbuildings shall be built on lots numbered Sixty to Sixty-two (60-62) inclusive in the said Subdivision, not more than Thirty (30) dwelling units with appropriate outbuildings shall be built on lots numbered Sixty-three to Sixty-six (63-66) inclusive Subdivision. Not more than Thirty-five (35) dwelling units on lots Sixty-seven to Seventy-one (67-71) inclusive in the said Subdivision and not more than Forty (40) dwelling units on lots Seventy-two to Seventy-three (72-73) in the said Subdivision. Provided Always that nothing herein contained shall be deemed to restrict the building of less than the total permitted units on more than one lot of land numbered Fifty-seven to Seventy-three (57-73) inclusive in the said Subdivision.
- 14. **NUMBER OF DWELLING UNITS.** Not more than One (1) single family dwelling house with appropriate outbuildings shall be built on any lot of land numbered Seventy-four to Two Hundred and Sixty-three (74-263) inclusive in the said Subdivision and no single family dwelling house including the appropriate outbuildings shall be built on any parcel of land in the said Subdivision which comprises less than a lot therein as laid out by the Vendor Provided Always that nothing herein contained shall be deemed to restrict the building of One (1) single family dwelling house on more than one (1) lot of land numbered Seventy-four to Two Hundred Sixty-three (74-263) inclusive in the said Subdivision.
- 15. **BUILDING HEIGHT.** No building shall be erected on lots numbered One to Fifty-six (1-56) inclusive or lots Seventy-four to Two Hundred and Sixty-three (74-263) inclusive of over Two (2) storeys or Twenty-five (25) feet in height whichever is the lesser, or on lots numbered Fifty-seven to Seventy-three (57-73) inclusive of Four (4) storeys or Forty (40) feet in height whichever is the lesser.
- 16. **SIGNS.** No sign, billboard, hoarding, or other advertising device of any kind shall be erected or displayed on any lot of land in the said Subdivision.

17. **NUISANCE.** Nothing shall be done on any lot of land in the said Subdivision which may be or become an annoyance or nuisance to the owners of adjoining lots of land in the said Subdivision.
18. **SIZE OF DWELLING UNIT.** No dwelling unit with an interior floor area of less than Eight Hundred (800) square feet shall be built on lots numbered One to Fifty-six (1-56) inclusive in the said Subdivision. No dwelling unit with an interior floor area of less than One Thousand Two Hundred (1,200) square feet shall be built on lots numbered Seventy-four to Two Hundred and Twenty-five (74-225) inclusive in the said Subdivision. No dwelling unit with an interior floor area of less than One Thousand (1,000) square feet shall be built on lots numbered Two Hundred and Twenty-six to Two Hundred and Sixty-three (226-263) inclusive. Garages, carports, porches and patios and terraces shall not be taken into account in calculating the minimum square foot area required by this restrictive covenant.
19. **OFF-STREET PARKING.** No dwelling unit that does not provide off-street car parking on the basis of One (1) parking space per dwelling unit from a driveway access shall be built on any lot of land in the said Subdivision. Such driveway shall not be greater than Twenty (20) feet nor less than Ten (10) feet in width. No driveway access shall be nearer than Thirty (30) feet from a road intersection.