



2023 Architectural Guidelines

Introduction

Like most automatic-membership communities, the Crystal Beach Tennis & Yacht Club (“CBTYC”), a not-for-profit corporation, has the power and responsibility of design review to preserve its architectural and aesthetic integrity. Design review is as basic a community function as maintenance of the common areas, collecting fees and paying bills.

Properly exercised, design review can create and preserve an attractive, liveable community for the benefit of all its members. One essential element of a successful design review process is recognition by all members of the community that it is a benefit and not a burden. One of the main functions of architectural standards in a community is to help maintain property values. The consistent appearance of our properties contributes to the general curb appeal of CBTYC. The Architectural Committee is in place to help guide homeowners as well as uphold our deeded restrictions.

The Architectural Guidelines govern the exterior appearance of all additions, alterations and modifications affecting the exterior appearance of improvements on a lot, including changes in materials and colours. They are intended to complement and supplement, but not supplant, the CBTYC Registered Restrictions, copies of which are available on the CBTYC website. Should there be a conflict between the Registered Restrictions and the Architectural Guidelines, the Registered Restrictions control. Likewise, should there be a conflict between the CBTYC By-laws and the Architectural Guidelines, the By-laws control. Resolution of any such conflicts and interpretations of both the Registered Restrictions and the Architectural Guidelines, is the responsibility of the CBTYC Architectural Committee in the first instance and ultimately of the Board.

The Architectural Guidelines are designed to be a user-friendly and timely resource. If you have suggestions for improving this document, please feel free to share them with any member of the CBTYC Architectural Committee or Board. Similarly, if you would like to serve on the Architectural Committee, please contact a Committee or Board member because we are always looking for energetic and conscientious volunteers.

Thank you for doing your part to ensure the architectural integrity of our beautiful community, while simultaneously preserving the considerable financial investment each one of us has made.

Raimondo and Associates Architects Inc. was retained to review and provide feedback on our Architectural Guidelines. The following is a message from the firm regarding the importance of architectural standards and design review.

Members of CBTYC,

We believe well developed guidelines preserve and enhance value by creating continuity, uniformity and shared expectations around design review. We also believe that, when all is said and done, adding value is what good design is about.

There are different types of value that can be added by good architectural guidelines - financial, social and environmental, which work together to benefit residents, visitors and our planet. When design guidelines focus too much on one of these types of value or one set of stakeholders, without taking the others sufficiently into account, this is not good design. The good news is that thoughtful design processes such as those in place at CBTYC can deliver all types of value simultaneously.

The CBTYC Architectural Guidelines are intended to assist the owners in making good choices regarding design, material selections and products in order to simultaneously add value to the individual homes and the broader community. We salute you for working so hard to maximize the value and beauty of CBTYC.

EMILIO RAIMONDO, Architect
FRAIC, OAA, ANY, NCARB, B.ARCH, B.E.S.
President

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I The Role of Architectural Guidelines In CBTYC’s System Of Governance

When people choose to live in CBTYC, they become part of an indisputably unique community. They take on many responsibilities relating to promoting harmony and protecting property values. They are expected to knowingly and willingly accept the restrictions, By-laws, rules and regulations of our community, even though these documents place limits on them. This is considered a small concession in exchange for the advantages gained as members of an association of owners, such as:

- Cultivating mutually respectful relationships with our neighbours
- Sharing in association governance and activities
- Preserving and safeguarding our common interest
- Maintaining our properties to a consistent minimum standard and therefore protecting and increasing our property values

Governance Overview

CBTYC is a planned common interest community, founded on a “Seaside” theme that is tied to both a look for lots and structures and a lifestyle that is linked to a lakeside relationship (Lake Erie).

An owner owns his or her deeded lot and single-family dwelling unit. The CBTYC owns all the common areas, including the land, roads, buildings, beach, amenities and equipment for the use and benefit of the lot owners, their guests and renters.

The community (through its governing structure) seeks to employ a unified and consistent approach in the development and redevelopment of the community. This approach is grounded in express or implied principles contained in the CBTYC governing documents and applies to original construction on individual lots or Club property, as well as to subsequent improvements or replacement needs that range from minor to more major projects. A uniform and disciplined application of these principles is critical to the long-term success of our community and, in particular, its architectural and aesthetic success and integrity, its ability to maintain a high quality of life, and the preservation of significant financial investments, both collective and individual.

1) Subdivision Agreement

The Subdivision Agreement between the Town of Fort Erie and the developer Crystal Beach Park Limited and its successor corporation CBTYC, entered into on April 7, 1993 and subsequently amended on January 29, 2004, details the responsibilities of each of the parties in developing the sub division described therein.

2) CBTYC Rules & Regulations

The CBTYC Rules & Regulations address day-to-day expectations of members and their guests, including golf carts, parking, the beach, the pool, tennis courts, clubhouse, fitness room, renters and pets. While many of these rules come directly from the Registered Restrictions, the Rules & Regulations themselves are promulgated by the CBTYC Board. Please [click here](#) for CBTYC Rules and Regulations.

3) CBTYC Architectural Guidelines

As set forth above, the Architectural Guidelines are intended to manage the architectural aesthetics of the community, from commonly owned property down to the individual lot level. This document is critical to the integrity of the community and the ability to direct investment in a positive manner, thereby increasing property values.

Among the core architectural elements of CBTYC governed by the Architectural Guidelines are the following:

- Type/Style of Housing
- Corrugated, colourless, galvanized steel roofing
- Interlocking salmon-coloured or salmon mix paver bricks for driveway and parking areas
- White window frames, door frames and railings
- Low maintenance white support posts
- Vinyl, PVC, or cement board siding within acceptable seaside palette
- Tree-lined streets
- Manicured lawns and flower beds
- White picket fencing
- Front and rear-yard verandahs and/or decks
- Regulated shed, landscaping and structure placement
- Use and structure prohibitions/restrictions
- Screening requirement for garbage and recycling

II The Objectives of the Architectural Committee

The Architectural Committee (“Committee”) is a permanent CBTYC committee, required by the Registered Restrictions. The Committee is charged with reviewing and making recommendations to the Board of Directors (“Board”) regarding proposed additions, modifications or alterations to the exterior appearance of any improvements or any proposed change in the use of a Lot. The Committee also is charged with reviewing and making recommendations to the Board regarding proposed new-builds within our community.

The Committee is composed of at least three (3) members of the Club, each of whom is

appointed by the Board for a two-year term. The Committee generally meets every month between May and September and as needed during the off-season. Residents are welcome to attend the meetings to discuss their proposed projects or simply to learn more about projects that may affect them.

III Design Review Process Overview

Whether you are building a new home at CBTYC or planning exterior architectural enhancements to your existing home, it is important that you work with the Architectural Committee to ensure that your plan is consistent with the Seaside style that has distinguished our community since its founding. Our collective compliance with the design review process is critical to maintaining the high architectural standards that have made CBTYC the unique architectural gem it is today.

A. Documenting Your Plans

Once you have decided upon your project, whatever the scale and scope, it is important that you capture the design in a document or documents capable of review by the Committee and Board. While professionally prepared plans are not necessary, scaled drawings and plans are critical for allowing the Committee and Board to understand the scope of your project. What matters most is that your submission accurately depicts the project for which you are seeking approval because, in all but the rarest cases, your submission will be all that the Committee and Board have to work with when considering the merits of your proposal.

B. Submitting Your Application For Approval

When your plans are ready, you are required to fill out the online application form, which can be found on the CBTYC website www.cbtyc.com.

Please be sure to furnish all of the information requested on the application, and remember to include, if applicable, the application fee and refundable deposit associated with your project. This will reduce the chance of delays in the processing of your application.

Construction easements exist on each of our properties to allow us to perform necessary construction work. But it is important that neighbours know about and, where appropriate, can plan for any burden your project may impose on them. To assist and simplify this application process, the Architectural Committee, upon receipt of your application, will notify your adjacent neighbours on your behalf.

The next section of these Guidelines contains application requirements for specific project

types. Note, however, that a complete application for any project includes the identity and contact information of your licensed contractor (unless you are doing the work yourself) and proof of insurance for the contractor. The contractor certificate of insurance must designate CBTYC as a co-insured with coverage of at least \$1 million. Strict adherence to this requirement is critical for the physical safety and financial security of our community.

C. Committee Review And Board Approval

Upon receipt of your application, the Committee will carefully review all aspects of the proposal to ensure compliance with these Guidelines and the Registered Restrictions. This phase generally is completed within 30 days of receipt of your application. If your application is not complete or if it raises questions for the Committee, a member of the Committee will promptly contact you in an attempt to remedy the perceived deficiency. Once its review is complete, the Committee will make its recommendation for approval or disapproval to the Board, which will take up the matter at its next regularly scheduled meeting. In extraordinary circumstances, the Board may convene a special meeting for the purpose of acting on an Application for Architectural Change or may address the application via e-mail.

Please note that approval of a project by the Board should in no way be construed as confirmation that the project is properly designed or that it complies with applicable Town codes or ordinances. Board approval means only that the project as proposed conforms to the requirements of the CBTYC Registered Restrictions and Architectural Guidelines. Neither the Board nor the Committee shall have any legal liability in connection with any submission, approval or disapproval of plans. Any applicant submitting plans to the Committee agrees, by the act of submitting an application, not to commence any legal action against CBTYC, the Board or the Committee in connection with the submission.

Residents should not involve the Architectural Committee, the Board of Directors or the Onsite Manager in neighbour-to-neighbour disputes that do not involve violations of these Guidelines, the Registered Restrictions or the CBTYC By-laws.

D. Completing Your Project

Upon receipt of a letter of approval or qualified approval from the Committee, you may begin the construction of your proposed design. Work must start within thirty (30) days of the date the approval is received and be completed within the year or as otherwise stated in the application. If a project has not commenced within one year of approval, an amended application is required.

Please note that all new construction, as well as certain home modifications, will require building permits from the Town of Fort Erie, as well as other local and provincial jurisdictions. It is the resident's responsibility to ascertain from the Town whether a permit is necessary, and

to obtain any required permits.

All permits are to be posted conspicuously on the job site throughout the course of your project. A member of the Committee or Board may visit the job site during the project to ensure that work is being performed consistent with your application and these Guidelines.

It should be remembered that the Town of Fort Erie and various local utilities are responsible for providing sewer, water, electrical and other services to your lot; construction problems or problems with your lot or home are not the responsibility of CBTYC or its Board or Architectural Committee.

There shall be no exterior construction of any dwelling unit or other substantial exterior construction or renovation from June 15th through September 15th of each year, with no exterior construction, improvement or repair on Weekends after May 15th, and no outdoor construction, improvement or repair on holidays such as Victoria Day and Memorial Day.

E. Site Inspection

Using the Completion Date provided in your approved application, a designated representative of the Committee will perform a final site inspection to ensure that the completed construction conforms to the approved drawings. If everything is satisfactory, a homeowner may request a Certificate of Compliance to be issued by the Committee following inspection. A copy of this Certificate and photographs of the completed project will be placed in your lot's permanent CBTYC architectural file.

IV Architectural Changes Requiring Approval

The Registered Restrictions provide that no existing residence or lot may be altered in any way that materially affects the exterior appearance of the property unless those alterations have been approved in advance by the Architectural Committee.

The following projects are considered sufficiently significant in scope as to require compliance with the Architectural Committee approval process. Please note that this list is illustrative and not exhaustive. If you have any questions as to whether your proposed project requires approval, please ask any member of the Committee or Board, or the CBTYC Onsite Manager in writing.

- New houses
- Additions
- Porches (open or closed)
- Decks/Patios
- Railings

- Dormers
- Windows (new or replacement)
- Carports
- Storage sheds
- Fencing
- Roof modifications
- Driveways
- Permanent/custom garbage and recycling options

An addition to, or alteration of, an existing structure should always match the existing house with respect to:

- Scale, materials and colour
- Roof pitch and overhang and matching galvanized roofing
- Windows, doors and trim details
- Overall continuity of building lines

Please be aware that, in considering your application, the Architectural Committee and Board will take into account such factors as distance or location from adjacent homes, as well as proximity to the parkette and other public access points.

Grandfathered (Nonconforming) Elements

Legal nonconforming - refers to any AC and Board approved structure or improvement that was legal when established but does not meet the current Architectural Guidelines. Once an application is submitted to modify or reconstruct a legal nonconforming improvement, the element must come into current compliance with approval from the AC and Board.

Illegal nonconforming - if your existing structure or improvement was constructed without an application, or the application was denied, you are deemed to have an illegal nonconforming element.

When planning for your project, it is important to note that there are many legal and illegal nonconforming improvements in the community. Please inquire with the current Architectural Committee or review the Guidelines to confirm what is acceptable.

These current guidelines were edited and approved on August 15, 2023. Therefore, all structures or improvements that were previously approved by past and current Architectural Committees and Boards will be considered “Grandfathered.” Any improvement that did not seek approval or was denied, is deemed illegal nonconforming and will not be considered “Grandfathered.”

Emergency Projects

Finally, these Guidelines and the procedures set forth herein pertain to planned projects, not emergency projects necessitated by mechanical failure, fire, severe weather and the like. In such extenuating circumstances, the Board and the Committee will work directly with the owner to ensure that any and all repair work complies with the Guidelines and Registered Restrictions, with approvals as necessary. Emergency work may begin prior to approvals. However, it is imperative that you let the AC know at the earliest opportunity of the damage and necessary repairs.

A. New House Construction

Application Fee: \$500.00

Refundable Deposit: \$1500.00

All new construction must comply with the zoning and building codes of the Town of Fort Erie, and new houses must have a minimum habitable living area of 650 square feet. The builders for new home construction must submit final plans and specifications to the Architectural Committee for approval prior to construction.

The colour schemes, materials and architectural features from adjacent neighbours' homes must be taken into account, and the predominant theme of the Club. Siding colours must be in keeping with the seaside aesthetic of CBTYC. Red, purple, brown, black, dark green, orange siding is prohibited. Colours for windows, all trim, fascia, eaves, downspouts, posts, and railings must be white. The colours of doors can vary but should complement the colour of the house.

Applications pertaining to new home construction must include the following:

- Completed application.
- Survey of the property and any existing improvements.
- Survey and site plan showing the proposed construction in relation to any existing improvement and property lines.
- Exposed foundation to be no more than 12". In some cases, that may require the installation of foundation chases to avoid large exposed areas of concrete.
- Front, back and side view drawings indicating colours, materials, details, etc. All pertinent dimensions must be indicated and shown to scale. Any existing construction must be shown on these drawings. Architect or contractor's drawings are preferred for this requirement.
- Floor plan(s) showing new work in relation to any existing structure(s).
- Stain, colour chips, or material samples of the proposed house siding and trim details.
- Please note that corrugated, colourless, galvanized steel roofing is mandatory for

aesthetic and practical reasons.

- Indications (on drawings) of all colours for doors, shutters, windows and trim
- Greenspace plan, including plantings and landscaping appropriate to scale and size of structure.
- Schedule of work (starting date and substantial completion date). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie.
- Before digging, Ontario One Call should be contacted

Approval by the Board does not imply structural soundness and/or safety of the project. The purpose of the architectural review process is to ensure compliance with the Registered Restrictions and these Guidelines only, i.e. the aesthetic integration of the project with existing neighbours and the neighbourhood.

The Registered Restrictions also require that the common roads and the lot where the work is being performed be kept clear of mud and construction debris. If any of the common roads are damaged due to the construction activities on the lot, the resident doing the construction shall be held financially responsible for the repair of the damage.

Residents are required to “finish grade,” plant trees and plant grass seed on their lot either by the July 1st or October 1st immediately following the purchase of their lot or upon completion of the proposed construction, whichever applies.

B. Exterior Additions or Alterations

Application Fee: \$150.00

Refundable Deposit: \$750.00

(\$1500.00 if poured concrete foundation is required)

When planning exterior additions or alterations, the colour schemes, materials and architectural features from adjacent neighbours’ homes must be taken into account, and the predominant theme of the Club. Siding colours must be in keeping with the seaside aesthetic of CBTYC. Red, purple, brown, black, dark green and orange siding is prohibited. Colours for windows, all trim, fascia, eaves, downspouts, posts, and railings must be white. The colours of doors can vary but should complement the colour of the house.

Applications for exterior additions or alterations must include the following:

- Completed application.
- Front, back and side view drawings indicating colours, materials, details, etc. All pertinent dimensions must be indicated and shown to scale. Any existing construction

must be shown on these drawings. Architect or contractor's drawings are preferred for this requirement.

- Floor plan(s) showing new work in relation to any existing structure(s).
- Stain, colour chips or material samples of the proposed house siding and trim details.
- Please note that colourless, corrugated, galvanized steel roofing is mandatory.
- Indications (on drawings) of all colours for doors, shutters, windows and trim.
- If applicable, a greenspace plan, including paintings and landscaping appropriate to scale and size of structure.
- Schedule of work (starting date and substantial completion date). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by Town of Fort Erie.
- Before digging, Ontario One Call should be contacted

Please note that while professionally prepared renderings are not required for alterations and additions, applications with poor-quality drawings or incomplete information will be returned to the applicant for clarification, thereby delaying the project's review.

Approval by the Board does not imply structural soundness and/or safety of the project. The purpose of the architectural review process is to ensure compliance with the Registered Restrictions and these Guidelines only, i.e. the aesthetic integration of the project with existing neighbours and the neighbourhood.

The Registered Restrictions also require that the common roads and the lot where the work is being performed be kept clear of mud and construction debris. If any of the common roads are damaged due to the construction activities on the lot, the resident doing the construction shall be held financially responsible for the repair of the damage.

Residents are required to "finish grade," plant trees and plant grass seed on their lot either by the July 1st or October 1st immediately following the purchase of their lot or upon completion of the proposed construction, whichever applies.

C. Decks, Patios and Railings

Refundable Deposit: \$500.00 if concrete truck is required

Decks and patios may have a significant effect on the overall appearance of a house and thus require prior approval from the Architectural Committee. Because of the severe weather to which CBTYC decks are exposed, it is recommended that they be constructed of pressure-treated wood. Composite wood or simulated wood decks are also acceptable. As for backyard patios, Unilock-style pavers and stamped concrete are acceptable materials. Because a change to a different paver or different patio substrate for your backyard cannot alter the front

(or side for corner lots) uniform streetscape, only salmon or salmon mix pavers may be placed forward of the midpoint of the house.

Decks and patios should be compatible with the structure they are designed to improve. Generally speaking, natural tones and grey are recommended. Modifications to existing decks and patios must match the existing construction in colour and design. As a matter of neighbourly courtesy, the privacy of your adjacent neighbour(s) should be given consideration when planning the deck location. In your design process, please consider that decks higher than 18 inches above grade require a railing and steps to the deck should have a handrail.

In keeping with CBTYC's architectural theme and uniform streetscape aesthetic, front elevation railings, posts, and pickets must be white and must have a minimum of 66% of the surface area open. Additionally, for durability and maintenance reasons, it is strongly recommended that PVC, aluminum or similar synthetic material be used.

Railings in the rear of the property may vary from white picket style or white framed glass (posts, top and bottom rails). This includes uncovered decks and patios. Applications for glass railings on the front street-facing railings will be reviewed on a case-by-case basis in regards to design and percentage of glass. Glass railings must meet all safety regulations for installations.

Houses with rear covered or screened porches (adjoining the house) may have a solid railing constructed of the matching exterior siding or white siding material.

Applications for deck or patio improvements must include the following:

- Completed application.
- Drawings showing location relative to existing structures and property lines. Your plans should also include references to colours, materials, details, etc. All pertinent dimensions must be indicated and shown to scale.
- Schedule of work (starting date and substantial completion date). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Landscaping plans if proposed work is at the front of your home.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie.
- Before digging, Ontario One Call should be contacted

D. Fences, Arbors and Gateways

All proposed fences, except decorative garden fencing shorter than 24 inches, require prior approval from the Architectural Committee. No proposed fencing may be more than four feet high at its highest point and must have a minimum of 66% of the surface area open. The

appearance and material of the fence shall be in keeping with our architectural theme of “white picket fences.” Additionally, for durability and maintenance reasons, it is strongly recommended that PVC, aluminum or similar synthetic material be used. Please note that solid, chain-link or chain-wire fencing is not permitted.

Applications for fences must include the following:

- Completed application.
- Combined survey and site plan showing the proposed fencing in relation to any existing improvements and property lines.
- Manufacturer’s catalogue “cuts” indicating fence design and quality of construction.
- Schedule of work (starting date and substantial completion date). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Contact information and proof of insurance for licensed contractor.
- Before digging, Ontario One Call should be contacted

E. Tree Removal And Planting

The CBTYC Registered Restrictions prohibit the removal of any tree whose trunk diameter measures four inches or more without the prior approval of the Board. At the same time, no street-lining – i.e., front yard – trees may be removed without prior approval. Please note that because of a community-wide desire for architectural consistency, only four species of trees have been approved for CBTYC front yards: Honey Locust, Katsura, Bradford Pear and Oxydendrum (“CBTYC Approved Trees”). New tree plantings must be a minimum of 6’ tall, with a 1” diameter. Every home with a front or side yard with a plantable green space must have one (or two for corner lots) of the CBTYC Approved Trees. Any departure from the CBTYC Approved Trees standard must be approved by the Board.

Please refer to the “Street Tree List” document for more details:

<https://cbtyc.com/pdf/tree-planting-list-2.pdf>

If a tree must be removed because of old age, disease or severe damage, a replacement tree is to be planted somewhere on the property. If such a tree poses a safety or infestation risk to the community and the homeowner fails to take appropriate steps to address the situation, the Board will take the necessary remedial steps.

All tree removal shall be done by a qualified tree service that carries the appropriate insurance for the type of work required.

Applications for tree removal must include the following:

- Completed application.
- Combined survey and site plan showing the location of the tree to be removed, and the location of the replacement tree, in relation to any existing improvement and property lines.
- Identification of the pre-approved species of the tree(s) proposed for removal and of any replacement tree(s).
- Physical identification of the tree to be removed. (A brightly coloured marker tied around the tree is ideal.)
- Proposed date of removal and planting.
- Contact information and proof of insurance for licensed contractor
- Before digging, Ontario One Call should be contacted

F. Add-On Chimney

Add-on chimneys must be enclosed in a chase, which is to be finished with the same siding used on the rest of the structure. Exposed metal chimney flues running the height of the house are not allowed.

Applications for add-on chimneys must include the following:

- Completed application.
- Front and side elevations. All pertinent dimensions must be indicated and shown to scale.
- Samples or detailed descriptions of materials to be used.
- Schedule of work (starting date and substantial completion date). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie.

G. Driveways (Front and Side)

Refundable Deposit: \$500.00

Any change to existing driveways requires prior approval. Note that the Unilock-style salmon or salmon mix pavers similar to those used on all CBTYC driveways are the only acceptable driveway material. If a front widening of a driveway is desired and existing landscaping is removed, a landscape drawing must be provided indicating where replacement of softscaping will be added to balance the hardscaping. When lengthening driveways beyond the structure of the house, as a matter of neighbourly courtesy, the privacy of your adjacent neighbour(s) should

be given consideration. No boats or automobiles should be parked beyond the rear wall of your house.

Applications for changes to existing driveways must include the following:

- Completed application.
- Combined survey and site plan showing location relative to existing structures and property lines. All pertinent dimensions must be indicated and shown to scale.
- Schedule of work (starting date and substantial completion date). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Landscaping plans if proposed work is at the front of your home.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie.
- Before digging, Ontario One Call should be contacted

H. Permanent Storage Sheds

Refundable Deposit: \$500.00

Requests for permanent storage sheds or outbuildings will be reviewed on a case-by-case basis. No prefab sheds are permitted at CBTYC. Generally, the structure of the permanent storage shed or outbuilding should match the colour and architectural style of the main house, including a corrugated, galvanized steel roof similar to the main house, and should be in scale with the house and lot. Depending on where the structure is located, it may have to be visually buffered by plantings to “soften” its effect on the neighbourhood.

The maximum allowable floor plan size for a storage shed on a lot is 9’ x 12’, with a maximum height of 13 feet. For lots abutting the parkette, please note that sheds must be placed to the corner of the lot on the driveway side (shortest wall facing the street), to maintain homeowners' views and consistency throughout the parkette. Note that all permanent storage sheds must be constructed atop a concrete pad.

Applications for storage sheds must include the following:

- Completed application.
- Survey and site plan showing the proposed storage shed in relation to any existing Improvements, property lines and neighbouring structures. Note that no element of a shed (e.g., eaves or pad) may cross property lines.
- Front, back and side view drawings indicating colours, materials, details, etc. All pertinent dimensions must be indicated and shown to scale. Any existing construction must be shown on these drawings.
- Schedule of work (starting date and substantial completion date, at a minimum). No

exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.

- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie
- Before digging, Ontario One Call should be contacted

I. Gutters

If gutters are replaced on any dwelling or shed, the replacement gutters must be white.

J. Storm/Screen Doors, Windows & Garage/Shed Doors

Any replacement doors should be in keeping with the architectural theme of the homes and community. Durable, low-maintenance materials are encouraged in an acceptable seaside colour. A percentage of glass should be considered. Windows must be white. It is strongly recommended that front or street-facing windows have muntins (grilles), again in keeping with the aesthetic of CBTYC.

Applications for a different style of door or window must include the following:

- Completed application.
- Front, back and side view drawings indicating colours, materials, details, etc. All pertinent dimensions must be indicated and shown to scale. Any existing construction must be shown on these drawings.
- Schedule of work (starting date and substantial completion date, at a minimum). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie.

K. Window and Door Shutters

To replace shutters, Architectural Committee approval is required. The width of proposed shutters for windows or doors should be approximately half the width of the window or door they flank.

Applications for a different style of shutter must include the following:

- Completed application.

- Front, back and side view drawings indicating colours, materials, details, etc. All pertinent dimensions must be indicated, and shown to scale. Any existing construction must be shown on these drawings.
- Schedule of work (starting date and substantial completion date, at a minimum). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie.

L. Air Conditioner Compressors and Whole House Generators

Unless you are replacing your existing air conditioner compressor with an identical product in the same location it currently occupies, Architectural Committee approval is required. Common sense should be exercised in the location of air conditioner compressors. Because the noise from the compressors can disturb neighbours, care must be taken to locate the unit. Landscaping should be planted to screen ground or raised compressors, to buffer from the streetscape. If permanent generators (whole house type units) are installed, landscaping or low white decorative screening, no higher than 4' may be required, again to buffer from the streetscape. The placement of generators will be reviewed on a case-by-case basis due to wind, water and snow issues.

Applications for new air conditioner compressors/whole house generators must include the following:

- Completed application.
- Survey and site plan showing the proposed air conditioner compressor in relation to any existing improvements and property lines, as well as adjoining houses.
- Schedule of work (starting date and substantial completion date, at a minimum). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie.

M. Landscaping

Refundable Deposit: \$1500.00 for major projects only

Landscaping design is up to the discretion of the homeowner but should be in keeping with the architectural theme of the community. The use of natural materials is strongly encouraged. Scale and aesthetics in relation to the property must be considered. Vegetables and raised vegetable gardens should be planted or located in backyards, not front gardens that affect the uniform

streetscape.

Residents who plan to do “more” than the normal type of landscaping (e.g., softscape, flowerbeds, shrubs and trees, etc.) must file an application with the Architectural Committee. Types of projects requiring prior approval include the use of landscape timbers, large rocks, decorative ponds, retaining walls and projects that may alter existing drainage patterns. Any project located near the common roadway must be constructed so as not to interfere with vehicles' sight lines.

Applications for landscaping changes must include the following:

- Completed application.
- Site plan showing the proposed landscaping in relation to any existing improvements and property lines.
- Schedule of work (starting date and substantial completion date, at a minimum). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie.
- Before digging, Ontario One Call should be contacted

N. Shade Structures

Shade structures in backyards must be in a neutral tone that fits well with the architectural theme of the community. Additionally, for durability and maintenance reasons, it is strongly recommended that maintenance-free material be selected. The structure must be of a size, configuration and placement that are appropriate for the lot. Permanent structures must have galvanized metal roofs and require an application.

Applications for permanent shade structure must include the following:

- Completed application.
- Survey and site plan showing the proposed shade structure in relation to any existing Improvements, property lines and neighbouring structures.
- Front, back and side view drawings indicating colours, materials, details, etc. All pertinent dimensions must be indicated and shown to scale. Any existing construction must be shown on these drawings.
- Schedule of work (starting date and substantial completion date, at a minimum). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.
- Contact information and proof of insurance for licensed contractor.
- Permits, if required by the Town of Fort Erie.
- Before digging, Ontario One Call should be contacted

O. EV Chargers

Electric vehicle chargers must be located on the driveway side of the house. Any electrical wires required to install must be done so inconspicuously and discreetly as to not affect the streetscape.

Applications for EV Chargers must include the following:

- Completed application.
- Contact information and proof of insurance for licensed contractor.
- Schedule of work (starting date and substantial completion date, at a minimum). No exterior construction or renovation from June 15th-Sept 15th, or on weekends after May 15th, or on holidays such as Victoria Day or Memorial Day.

V GUIDELINES FOR MISCELLANEOUS ITEMS

A. General Property Maintenance

The Registered Restrictions and CBTYC By-laws require all property owners to maintain their Lots and Improvements, including specifically their lawns, plantings, driveways and building exteriors. Among the specific responsibilities of each owner are the following:

- Ensure all waste and recycling containers (bins, trash cans and totes) are screened from view at all times between pickups.
- Keep lawns watered.
- Keep children's toys/play equipment neat and orderly.
- Ensure that sheds, fences, roofs, decks and driveways are in good repair and well maintained.

The majority of complaints regarding lot maintenance involve properties that have poorly maintained side lots or poorly maintained siding, driveways, porches, columns and other architectural features. If, after inspecting a given lot, the Architectural Committee decides that the state of disrepair on the lot detracts from the appearance of the adjoining properties or the overall community, the Architectural Committee may deem the condition a violation subject to the Enforcement Procedures set forth herein.

B. Garbage

The CBTYC registered restrictions provide that all waste and recycling containers must be “screened from adjacent and surrounding property” between pickups. This means garbage bags, trash bins and cans, blue and grey recycling bins, and green compost bins cannot be stored on porches, front, side or back yards, driveways, or anywhere on your lot unless they are screened from view.

Click on this link for a list of Suggested Waste Screening Options from the Architectural Committee: <https://cbtyc.com/pdf/waste-screening-options.pdf>

C. “For Sale” Signs

The only signs permitted to be posted on individual lots are “For Sale” signs. “For Rent,” “Political”, and “No Parking” signs are prohibited. “For Sale” signs must meet the following requirements, regardless of whether they are placed by a realtor or the property owner:

- The sign will be 12” x 16”.
- The colour of the sign must be green with white lettering, single-faced.
- A maximum of four (4) lines are permitted.

D. Decorative Yard Accessories

Decorative and ornamental yard accessories (e.g., birdbaths, sundials, statues, etc.) must be of a size, configuration and placement that are appropriate for the lot, consistent with the Seaside architectural theme.

E. Home Business

CBTYC lots and improvements thereon are to be used only for residential purposes. Accordingly, no commercial operations are permitted on any lot. This restriction is not intended to preclude the operation of an in-home office so long as no business signage is posted in connection with that use. Any offensive activities, in terms of sound or appearance, which may be a nuisance or annoyance stemming from the operation of a home business, are expressly prohibited.

F. Noise And Privacy

The Registered Restrictions provide that “No noxious or offensive activity shall be carried out, nor shall anything be done thereon that may be or become a nuisance or annoyance in the area or to the Lot Owners or occupants.” Examples of impermissible nuisances include but are not limited to the following:

- Construction noise except when expressly permitted.
- Noise from air conditioner compressors or other outside equipment located too close to property lines.
- Smoke or embers from uncontrolled outdoor fireplaces.
- Garbage and recyclables stored on lots must be screened from view.

Refer to section B. for suggested screening options.

G. Clothes Lines

No outdoor drying of any clothing or bedding shall be permitted. Outdoor drying of beach towels is permitted, provided they are hung on hooks, not over railings. No outdoor clotheslines or drying racks are permitted.

H. Poles

No free-standing poles (flag poles, light poles, etc.) may be erected without prior approval. House-mounted flagpoles may be erected without prior approval, but the Architectural Committee reserves the right to require the resident to remove or change a flag if it is deemed a nuisance or offensive.

I. Basketball Nets

Freestanding or mobile basketball nets are prohibited.

J. Vehicle, Boat and Personal Watercraft (“PWC”) Parking

The Architectural Committee strives to balance the interests of those residents who own recreational vehicles and watercraft with the interests of those who object to viewing such vehicles parked in the community. As a way to balance these interests as well as safety concerns, the following types of vehicles will not be permitted to remain outdoors overnight on any individual lot (driveway) for more than seven days in any 30-day period, and are PROHIBITED TO PARK ON ANY CBTYC STREET.

- Oversized vehicles (i.e., unable to fit within a normal-sized vehicle parking space)
- Commercial vehicles (i.e., vehicles which have commercial license plates or commercial signage)
- Recreational vehicles (RV’s), which includes:
 - Motor Homes
 - Campers and camper bodies
 - House trailers
 - “Fifth wheels”
- Unlicensed vehicle of any type
- Snowmobiles or snowmobile trailers
- All-terrain vehicles “ATVs”
- Inoperable vehicles (“junkers”)

In addition, no extensive repair work, including the dismantling of any motor vehicle, boat or machines of any kind is permitted outdoors. This includes vehicles with flat tires, jacked up vehicles, etc., which are considered unsightly.

This being a tennis and yacht club, the committee realizes that there are residents who enjoy trailer-mounted boats and personal watercraft. There are no time restrictions for boats and PWCs in personal driveways, as long as such items adhere to the following restrictions:

Boats and jet skis on trailers must be parked behind the frontmost edge of the main house (not front porch), keeping the streetscape and neighbours’ sightlines clear.

The PWC must be of a size that fits within the front and rear proximity of the main house. Boats and jetskis (as well as vehicles) should never be parked in backyards, regardless of extended driveways, keeping neighbours’ enjoyment of their personal and backyard space in mind.

Boats stored in the off-season must have appropriate covers or shrink wrap. Tarps or tarpaulins must be in a neutral earth-tone colour.

K. Porch Storage

Homeowners must be aware of their neighbours, the enjoyment of their property and the streetscape. Front porches should always be well maintained. Storage of items such as tires, machinery, or anything objectively unsightly is not permitted on front porches. Neutral fitted furniture covers are preferred to tarps and tarpaulins. If used, tarps and tarpaulins should be in neutral tones.

VI ENFORCEMENT PROCEDURES FOR VIOLATIONS

Should a property owner make an architectural change without adhering to the requirements set forth in these Guidelines, the following measures may be taken:

1. Should the Architectural Committee verify a reported violation, a Notice of Violation will be issued by the Committee, placing the owner of the lot on notice of the reported violation. The owner of the lot has seven calendar (7) days from receipt of the notice to advise the Architectural Committee as to what action the owner intends to take to cure the violation. The owner has thirty (30) calendar days from the date of the notice to cure the violation or appeal it in writing to the Board.
2. If the owner of the lot corrects the violation, a Correction of Violation form will be sent to the owner, a copy of the Correction will be placed in the owner's file, and the matter will be closed.
3. If a timely written appeal is taken, the Board will act upon the appeal at its next regularly scheduled meeting. If the appeal is denied, the member will have thirty (30) days from the date the notice of denial is communicated to correct the violation. In the event the appeal is successful, such will be communicated to the owner. If the appeal is unsuccessful, the Board will provide a written decision with direction to the owner as to the actions to be taken by the owner to remedy the situation.
4. In the event the owner fails adequately to address the situation, the Board may take such further action as it deems appropriate under the circumstances and as is consistent with its authority under the CBTYC By-Laws, including forfeiture of any refundable security deposit and legal action.

VII DEFINITIONS (AS SET FORTH IN THE REGISTERED RESTRICTIONS)

1. Architectural Committee: a committee of three or more persons appointed by the Board of Directors of CBTYC to oversee or approve (unless such approval is specifically given to the Board of Directors) the exterior appearance of all additions, alterations and modifications

affecting the exterior appearance of improvement on a Lot including changes in materials and colours.

2. Certificate of Compliance: a document issued and executed by the Architectural Committee that confirms that a certain improvement or dwelling unit constructed on a Lot has been completed in conformity with plans and specifications previously reviewed by and found acceptable to the Architectural Committee.

3. Improvement: any thing or device (other than trees and shrubbery less than two feet high), the placement of which would affect the exterior appearance, including, by way of illustration and not limitation, any building, garage, porch, shed, greenhouse, coop, cage, covered or uncovered patio, swimming pool, clothesline, deck, radio or television antenna, fence, curbing, sidewalk, wall, tree or shrubbery higher than two feet or sign.

4. Lot: (i) Any Lot, i.e. lots nos. 1 through 170 on Plan 59M-208 and (ii) any block, lot or parcel of land on Plan 59 M-208 or on any other filed plan, the owner of which block, lot or parcel has been admitted to membership in the Club pursuant to Section 3.01 of this By-Law.

5. Lot Owner: The registered owner, whether one or more persons or entities, of any Lot, whether or not such owner actually resides on such Lot.

6. Plan 59M-208: The map or plan for the Property or portions thereof filed in the Land Registry Office for Land Titles Division of Niagara South.

7. Registered Restrictions: the document or documents of restrictive covenants or conditions registered in the Land Registry Office for the Registry Division of Niagara South as the same may from time to time be supplemented, extended or amended in the manner provided for in the CBTYC By-laws.