



Three Brooks Protective Covenants

Three Brooks' protective covenants govern the usage of residential properties as well as the common land and nature reserves within the community. The protective covenants run with the land. They govern each new owner upon the transfer of title to each property.

Administration of the protective covenants will be carried out by the Developer until the first 100 properties are sold at which time the Three Brooks Community Association (the Association) will be established. Responsibility for administration of the protective covenants will then be transferred to the Association. The Association will also administer community recreational activities and the maintenance and operation of common facilities.

1. In order that planned residential density will not be exceeded and to protect property values, no more than one residential unit will be constructed and used on each property and no property shall ever be subdivided.
2. To protect wildlife, and the natural tranquility and safety of residents, there shall be no hunting, trapping or killing of wildlife on the Lands, and there shall be no use of hunting bows or discharge of firearms on the Lands.
3. To protect the purity of water and the natural environment there shall be no application of herbicides or pesticides on the Lands where practical alternatives are identified by the Developer or the Association.
4. To protect the beauty and naturalness of the forest cover members agree not to unnecessarily remove large trees except as part of the careful and considerate planning of the home site and surrounding amenities and, accordingly, no tree greater than 3 inches butt diameter shall be cut from the lands except with the prior written approval of the Developer or the Design Committee of the Association.
5. To respect natural drainage patterns of the land and so as not to inconvenience neighbours the Lands shall not be re-graded in a manner that will block or impede any watercourse or swale or cause water to pond or build up on any abutting property.
6. Out of respect for the fragile nature of the lakeshore and stream banks, there shall be no use of motorized equipment to remove any rocks other material within 100 feet of any lake or stream except with the prior consent of the Developer or the Association.
7. To preserve an attractive visual environment, no signs, billboards, notices or other advertising matter of any kind shall be placed on any part of the Lands or upon any buildings or on any fence, tree or structure on the Lands, except "property for sale" signs; and no major repairs to motor vehicles shall be effected except within a wholly enclosed garage; and no refuse, building waste, car bodies or other obnoxious material of any kind shall be dumped or stored on the Lands except clean earth.

8. To protect the community against the danger of forest fires, and for environment reasons, no incinerator or other refuse burning device shall be operated upon the Lands and no burning of slash, brush, or open fires shall be permitted. The Developer and/or Association will schedule a commercial chipping machine and operator to go through the community on a regular basis, with prior notification to property owners, so that excess brush and cuttings can be chipped.
9. To control commercial activity within Three Brooks, notwithstanding any Municipal By-Law or Regulation permitting the same, no dwelling shall be used for the purpose of any trade, employment, service, manufacture, profession or business of any description including day care, hostel, church, nursing home or place of public resort except with the prior written consent of the Developer or the Association, which shall not however unreasonably withhold consent to the practice of professions by homeowners who do not employ others and whose activities do not create a nuisance for their neighbours.
10. To protect the lakes and brooks, there shall be not part of any building nor any roads or laneways constructed within 100 feet of any lake or stream except with the prior written consent of the Developer or Association.
11. To protect the aesthetics of the community, no part of any building nor any fences shall be constructed within 50 feet of any common roadway except with the prior written consent of the Developer or Community Association.
12. No livestock, commercial pet breeding or animals other than household pets normally permitted in private homes in urban residential areas shall be kept on the Lands.
13. No owner of a dog or cat shall permit it to run at large at any time of the year in such a way as to contravene any Halifax County By-Law. To protect nesting birds and their young no dog or cat shall be permitted to run unsupervised between May 1 and July 15 of any year. Cats shall be "belled" as a measure to protect wildlife.
14. To protect the natural environment and the tranquility enjoyed by residents, there shall be no use of snowmobiles, ATVs, one or two cylinder motorcycles or any off-road motor vehicles on the lands, except for the use of motor vehicles on roadways constructed for that purpose.
15. To reduce noise pollution on the lakes there shall be no use of motorized boats, snowmobiles or other motor vehicles on Hubley Big Lake or Five Island Lake by residents, their family, friends or guests other than small boats with electric motors. To provide times of total tranquility there shall be no unreasonable noise or operation of gas powered chainsaws, between 7 PM and 9AM, Monday through Saturday, or anytime of Sunday unless such operations are essential to new home construction.
16. To protect property values in the community and to preserve its general attractiveness, mobile homes, recreational vehicles or trailers used for living, sleeping, or eating will not be kept permanently on the Lands and, if stored, shall not be parked within 100 feet of the shore or any common roadway or 30 feet from any property boundary line.
17. Before building a home or laneway, residents agree to submit their plans to the Developer and/or the Design Committee of the Three Brooks Community Association, to ensure that environmental concerns are addressed, and to help protect the owners' and neighbours' property values, and accordingly, there shall be no siting or construction of any building, driveway or laneway, including additions or renovations, on the lands except with the prior consent of the Developer or the Design committee.
18. To protect the beauty of the community, no fences, clotheslines or drying racks or storage of firewood will be permitted between a home and the roads.

19. To protect the water quality from chemical poisoning, there shall be no storing or use of wolmanized, creosoted or other treated lumber within 100 feet of any lake stream.
20. To protect the water quality, there shall be no part of any septic system within 150 feet of any lake or stream except with the prior written consent of the Developer or the Design Committee, and, of course, there shall be no construction of any well or septic system which contravenes any regulation of the Nova Scotia Department of Health.
21. There shall be no occurrence or activity on the Lands which contravenes any applicable Municipal, County, Provincial, or Federal regulation or law.
22. To ensure that all property owners will be members of the Association, there shall be no owner of any lot who is not also a member of the Association.
23. If Municipal services such as sidewalks, sewers or water mains are petitioned for by the Developer or the Association, no resident will withhold consent to such construction.