

## Community Standards Bylaw Policy Review

The City is developing a Community Standards Bylaw (CSB). The CSB will serve to regulate and enable activities that pertain to the safety, health, and welfare of residents on private and public property.

To inform a policy discussion on each of the topics, information has been assembled in the template below on what the current local context is, what other comparator municipalities have done, Administration's recommendations concerning minimum standards, as well as potential financial and operational implications.

**TOPIC NAME:** Landscape Obstructions

### 1. CURRENT SPRUCE GROVE BYLAWS

[Spruce Grove Traffic Bylaw](#), s. 1.27 indicates that:

- "Obstruction" means an encroachment, excavation, structure, material or other obstacle, including a tree, shrub or hedge, that:
  - (a) interferes with or prevents the vision, passage, maintenance or use of Highway by Vehicles or Pedestrians; or
  - (b) interferes with or prevents the proper operation of a public work

[Spruce Grove Traffic Bylaw](#), s. 8.1 addresses highway obstructions:

(a) No owner of a Vehicle or Person operating a Vehicle shall stop a Vehicle or allow a Vehicle to be left upon any Highway in such a manner as to block, obstruct, impede, or hinder Vehicle or Pedestrian movement thereon. Where the Obstruction is unavoidable due to mechanical failure the operator will not be in breach of this subsection provided that immediate actions are taken to remove the Vehicle from the Highway.

(b) No Person shall Park an inoperable Vehicle on any part of a Highway.

(c) No Person shall make, place, cause or allow an Obstruction of any kind in, upon or above a Highway unless they have obtained a Permit authorizing the placement of the Obstruction.

[Spruce Grove Traffic Bylaw](#), s. 8.2 addresses landscape obstructions (including instances where alleys are obstructed)

- a) No Person shall allow trees, hedges, shrubs, or other vegetative growth on Private Property owned by them within five (5) metres of a Highway Intersection, whether planted before or after the date of the passing of this bylaw, to grow to such a height, overhang or breadth that they interfere with good visibility for safe traffic flow.

(b) No Person shall allow trees, hedges, shrubs, or other vegetative growth on Private Property owned by them whether planted before or after the date of the passing of this bylaw, to grow to such a height, overhang or breadth that they interfere with the safe and convenient use of a Highway, public Sidewalk or public Pathway.

(c) The owner of Private Property that abuts a Highway that is also an Alley shall maintain the Verge of the Alley so to not allow any type of vegetation to grow to such a height, overhang, or breadth that it interferes with the safe and convenient use of the Alley.

(d) The owner of Private Property shall provide ongoing maintenance of the Turfgrass within a Boulevard that abuts their Private Property unless the Boulevard is part of an Arterial Roadway.

(e) The owner of Private Property shall provide ongoing maintenance to Boulevards that abut their Private Property and keep Boulevards that abut their Private Property free of landscape developments including, but not limited to rocks, shrubs, concrete, rubber, plastic, wood, metal, or things other than Turfgrass.

(f) Only the City may cause a tree to be planted in a Boulevard on Public Property and all such trees shall remain the property of the City.

[Spruce Grove Land Use Bylaw](#), s.50(2) indicates that no fencing, landscaping, or screening shall obstruct sight lines at intersections.

## 2. SPRUCE GROVE CONTEXT

Generally speaking, there have not been too many complaints involving landscape obstructions. Section 50(2) in the Land Use Bylaw (above) is used when assessing site plans as part of the development permit process. The only time this section is enforced is if a titled property does not have a corner cut off and there is fencing, landscaping or screening that impedes sight lines, usually in older neighbourhoods. It only applies to a corner of a lot adjacent to an intersection, see red triangle (diagram). This bylaw section does not apply to overgrown trees or other landscaping obstructions elsewhere along roads. The City receives approximately two complaints per year on this specific issue.



Other complaints are due to rocks or landscaping in the boulevard that impede repairs to shallow and deep utilities, as well as snow clearing operations.

## 3. OTHER JURISDICTIONS

### Edmonton

- No tree, shrub, or other type of vegetation or any structure that interferes with public work/utility shall obstruct sidewalk or impair visibility for traffic ([Edmonton CSB](#), s. 6 (2) (g))

### Beaumont

- Wording is the same as Edmonton (above) but without “public work/utility” ([Beaumont CSB](#), s. 23 (b) (x) (1) - (3))

## **Strathcona County**

- Wording is same as Edmonton (above) in [Strathcona CSB](#), s. 40

## **St. Albert**

- Wording is the same as Edmonton, but states that boulevards are exceptions [St. Albert CSB](#), s. 5 (2) (l)

## **4. ADMINISTRATION'S RECOMMENDATIONS**

### **Minimum Standards**

The recommended minimum standards are those found in existing Spruce Grove legislation with respect to obstructions, landscape, and highway obstructions (above).

**Council Question:** Is there a desire to address anything else beyond these standards specifically?

## **5. FINANCIAL AND OPERATIONAL IMPLICATIONS**

As the topic of landscape obstructions touches on several pieces of City legislation and crosses several City departments, a review will be done to ensure consistency of process, policies, and range of fines throughout. Additional enforcement measures may be required depending on Committee's direction.