

## 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:** Vegetation/Weeds, Trees and Grass

### 1. CURRENT SPRUCE GROVE BYLAW

Overgrown yards are presently dealt with under [Spruce Grove Nuisance, Unsightly and Untidy Property Bylaw](#).

[Spruce Grove Tree Protection Bylaw](#) addresses the protection of trees in public areas and disease control for Elm trees.

#### *Disease Control*

- 6.1 A Person who removes an Elm Tree from within the City shall ensure the following occurs:
  - a) the stump is removed to a minimum depth of 15 centimeters below the soil line; or
  - b) the stump is treated in a manner acceptable to the Manager; and
  - c) the Elm Tree be disposed of in a manner authorized by the Manager
- 6.2 Subject to section 6.3, an owner of an Elm Tree shall keep the Elm Tree Pruned:
  - a) so that the Elm Tree is free of wood that is dead or dying; or
  - b) within a reasonable time after damage to the Elm Tree occurs so that the Elm Tree is free of wood that is dead or dying.
- 6.3 No Person shall Prune an Elm Tree between April 1 and September 30 in any year unless Pruning is explicitly authorized in writing by the Manager pursuant to section 6.4.
- 6.4. Where the Manager is satisfied that it is safe, having regard to the control of Dutch Elm Disease, to Prune an Elm Tree,
  - a) which is an Infected Tree or a Hazard Tree, or
  - b) between April 1 and September 30 in any year,the Manager may give written authorization to a Person to Prune the Elm Tree and may grant such authorization subject to such terms and conditions as the Manager deems appropriate.

6.5. A Person receiving an authorization by the Manager to Prune an Elm Tree shall comply with all terms and conditions imposed thereon.

6.6. No Person shall transport Elm Tree pieces into the City.

([Spruce Grove Tree Protection Bylaw](#), ss. 6.1-6.6)

## 2. SPRUCE GROVE CONTEXT

Public Works has appointed a Weed Inspector who will be able to identify and issue orders, as required. Although not a significant concern, this will help clarify and strengthen the City's ability to address noxious weeds.

Some members of the Committee have inquired about the protection of heritage trees.

## 3. OTHER JURISDICTIONS

### Edmonton

- Nuisance regarding vegetation is addressed in [Edmonton CSB](#)
  - s.6 (2)(d) - no grass or weeds higher than 10 cm
  - s.6 (2)(g) - any tree, shrub, other type of vegetation or any structure
  - s.31 - 38 - addresses Elm trees, pests, and protection.

### *Naturalized Yard*

A natural yard is an ecologically inspired landscaping approach that creates a more natural looking landscape than a conventional turf-dominated yard. These yards emphasize native plant species, support local wildlife, and avoid chemical use when possible. [Edmonton Natural Property](#)

### *What a Naturalized Yard is Not*

You do not create a natural yard by not mowing your existing lawn nor by allowing 'nature' to do what it will with bare soil areas.

This is important to avoid because:

- This will result in a weedy yard, not a natural yard.
- Native plants do not just grow on their own; natural yards will not thrive if not carefully planned.
- Poor aesthetics have the potential for neighbour complaints.
- The City of Edmonton requires residents to keep their grass to a maximum height of 10 cm. This bylaw is in place to help ensure that neighbourhoods remain free of unkempt yards that look abandoned. [City of Edmonton Natural Property website](#)

### Beaumont

Beaumont's definition of Nuisance (with respect to vegetation) includes the following:

23. (v) grass or weeds higher than 20 cm

(ix) use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas;

(x) any tree, shrub, other type of vegetation or any structure:

(1) that obstructs any Sidewalk adjacent to the land;

(2) that encroaches onto or covers any Sidewalk;

(3) that impairs the visibility required for safe traffic flow at any intersection adjacent to the land or access to the land; or

(4) that has any rot or other deterioration;

(5) the failure to destroy prohibited weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds; [Beaumont CSB](#) (ss. 23(b)(v)(ix)(x))

- Tree maintenance is addressed in s. 36 of [Beaumont CSB](#)

### **Strathcona County**

- Grass/vegetation height not specified, just reasonable height and discretion of enforcement [Strathcona CSB](#), s. 2(t)
- No bylaw on tree protection.

### **St. Albert**

- No grass or weeds higher than 15 cm unless part of naturalized area (naturalized area does not include the front lawn of a property) [St. Albert CSB](#), s. 5 (2) (f)
- No bylaw on tree protection.

### **Town of Strathmore**

#### *Heritage Trees*

- “Heritage Tree” means a typically large, individual tree with unique value, which is considered irreplaceable. The major criteria for heritage tree designation are age, rarity, and size, as well as aesthetic, botanical, ecological and historical value.
- Designated Registered Heritage Trees within the Town of Strathmore shall be protected under Heritage Tree Foundation of Canada, and at no time shall a Heritage Tree be removed, moved, cut, pruned, or tampered with in any way, other than to be maintained by authorization of the Managing Director. This requirement shall not apply with respect to the Town’s authority to remove decayed, damaged or dangerous trees or branches if in the opinion of the municipality the trees or branches pose a danger to the health and safety of any person.

- ...If it comes to the attention of the Managing Director that a tree that is to be removed by the Town under this Bylaw is, or may be, a Heritage Tree, the Managing Director shall provide a stop work order until such a time as appropriate research can be conducted.

[Strathmore Tree Protection Bylaw](#), ss. 2.1e, 4.3-4.4

**Note:** Strathmore's Tree Protection Bylaw pertains only to trees in public spaces owned or controlled by the town. It does not extend to private land.

#### 4. ADMINISTRATION'S RECOMMENDATIONS

##### **Minimum Standards**

##### **Naturalized Yards**

- Edmonton's definitions of naturalized yards and "what a naturalized yard is not" (above).
- The length of grass and weeds could be set at 15 cm (consistent with Administration's recommendation for length of grass in boulevards).

##### **Weeds, Trees, Shrubs**

- Weeds are to be defined by the *Weed Act* in addition to those weeds prescribed under the current process of weed management on municipal land.
- Dandelions are no longer considered a noxious weed under the *Weed Control Act*. [Government of Alberta - Provincially Regulated Weeds](#)
- Administration recommends adapting Beaumont's wording in their CSB ss. 23(b)(v)(ix)(x) with respect to nuisance vegetation (above).

##### **Tree Protection**

- [Spruce Grove Tree Protection Act](#) s.6.1-6.6 relates to disease control (above). Should tree disease such as Dutch Elm disease apply to private property?
- Black Knot is not regulated through any legislation. It is a native plant disease that is well established throughout the province; consequently, it is highly unlikely that a regulation such as a bylaw would be able to help to eradicate the disease. [City of Edmonton - Black Knot](#)

##### **Committee Questions:**

- Is there desire to address maintenance of trees/shrubs on private land?
- What should be done about heritage trees in yards?
- Is there desire to apply the same treatment to front/side and backyards with respect to vegetation?

#### 5. FINANCIAL AND OPERATIONAL IMPLICATIONS

Additional enforcement measures may be required depending on the direction of the Committee.