



## **2.0 BACKGROUND**

The City of Burnaby currently has no restriction on the height of hedges with the exception for vision clearance areas at road and lane intersections as defined in Section 6.13 of the Burnaby Zoning Bylaw. Fence height restrictions are addressed in Section 6.14.

Prior to 1983, there was a provision within the Zoning Bylaw that sought to control the height of hedges by reference to hedges in the same regulation that limited the height of fences and walls. At that time, fences and hedges were limited to a maximum of 1.8 m (6 feet) to the rear of a required front yard and to a maximum of 1 m (3.5 feet) in a front yard. The Bylaw was amended in 1983 September by deleting the reference to hedges in recognition of the impracticality of attempting to legislate and enforce a height limit applied to natural, growing things and also in recognition of the contribution to the ambience, quality, and character of the residential environment that hedges help to create.

## **3.0 HEDGES**

Hedges can be difficult to define. A hedge can vary between a discontinuous grouping of trees that has been allowed, through design or accident, to form some type of vegetated buffer or spatial element, to a continuous well-maintained horticultural component of a larger landscape. Hedges are frequently used in place of fences for the purpose of screening/privacy or spatial definition, and through flowers, fragrance, texture, fruit, colour and ability to be shaped can enhance outdoor space. The ground water uptake provided by the root system of a hedge can assist in correcting problems in damp, low areas. As hedges are typically thicker than fences, they are commonly perceived to absorb noise better than fences, although this is questionable from a scientific point of view.

Many quality residential areas have developed a special ambience due to the presence of hedges of a variety of types and sizes. Good examples are found in Southwest Marine Drive, Shaughnessy/Kerrisdale and British Properties as well as in the established Burnaby neighbourhoods of Deer Lake and Government Road areas. The character of these areas is greatly influenced by the spatial structuring afforded by major hedges as well as the variety of colour, texture, and seasonal variations that are displayed.

## **4.0 DISCUSSION**

Over the years Council has received a number of requests to enact a bylaw which would regulate the height of hedges as well as mature trees. Concerns are typically related to issues of privacy, maintenance, minor property damage, stability/safety of large trees, excessive shade, impacts on views, and perceived impacts on property values.

Notwithstanding the previously stated issues, in response to these requests staff has consistently recommended that the City not attempt to consider a bylaw which would limit the height of hedges and trees outside of vision clearance areas as defined by Section 6.13 of the Burnaby Zoning Bylaw. To do so would contradict the significant effort that has been and continues to be made toward the preservation and promotion of the urban forest which provides many environmental and aesthetic/character benefits to the City. The pruning of hedges on private property is considered to be a civil matter between property owners where the City has no responsibility to mediate differences. In addition, the growing, living nature of hedges and limits on staff resources would make enforcement of such a bylaw problematic. The current City policy is similar to other jurisdictions elsewhere in the Lower Mainland.

## 5.0 CONCLUSION

Hedges are a desirable component of Burnaby's urban landscape and forest. In light of this as well as other issues discussed within this report, it is recommended that Council maintain the current policy of unregulated hedge heights with the exception of vision clearance areas as defined in Section 6.13 of the Burnaby Zoning Bylaw. Such policy is consistent with the City's recognition of values of natural vegetated growth of the City, as well as other Lower Mainland jurisdictions. Enforcement of a restricted hedge height bylaw would prove to be difficult and impractical due to the living nature of hedges, lack of City jurisdiction over civil issues, and limits on staff resources. Staff, if requested, would continue to encourage and educate property owners towards responsible hedge maintenance consistent with accepted pruning and crime prevention through environmental design (CPTED) principles. To aid in resolving disputes between neighbours over such issues, property owners are encouraged to meet with neighbours, and in a spirit of cooperation and "neighbourliness" seek to work out the best solution to meet their respective interests.

This report is provided for the information of Council.



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