



**Addressing Potential Development
Conflicts with Neighbouring Side
Yard Trees in Single-Family and
Duplex Zoning**

No.: TREE-09
Date: 2011-06-22
Revised: 2019-06-10

Purpose:

To inform owners, builders and designers of options for resolving potential development conflicts relating to the effect of raising the grade of a development site on side yard trees located on neighbouring properties within 2m of a shared property line.

Background:

The Tree Protection Bylaw 8057 was adopted on May 9, 2006 to regulate, prohibit and safeguard trees on private and City land from being unnecessarily removed or damaged.
The Floodplain Designation and Protection Bylaw 8204 was adopted on September 8, 2008, introducing new requirements for minimum habitable floor elevations.

Trees located in narrow side yards between two buildings will eventually require removal as building conflicts become unavoidable as the trees reach full size at maturity. As the trees grow, conflicts with lateral branches and structural roots may also result in damage to existing adjacent structures.

When the finished floor elevation of a development site is raised in compliance with the Floodplain Designation and Protection Bylaw, the side yard elevation will typically also require raising in order to support the building foundation and accommodate below grade storm water and perimeter drainage piping. This increase in side yard elevation may have negative impacts on trees located on neighbouring properties.

Implementation:

To address potential conflicts prior to building permit issuance, the builder/applicant shall first approach all neighbouring property owners whose trees may be impacted by the proposed new construction and obtain a signed Letter of Authorization (in the City's standard form) to remove and replace the tree from each impacted adjacent property.

The builder/applicant shall then submit a Non-Development Tree Permit Application to the City identifying the reason for removal as "conflict with new construction".

City staff will review the application and:

- when no reasonable options for tree retention are available;
- the City has received a completed Letter of Authorization from all applicable neighbouring property owners;
- the applicable fees have been paid; and
- all other applicable provisions of the Tree Protection Bylaw and other relevant bylaws and City requirements have been complied with,

the City shall issue a tree permit for the removal of applicable trees. In addition, the builder/applicant may be required to provide replacement trees (at the builder/applicant's cost) as determined by the City.

See over →

Note: It is the builder/applicant's responsibility to obtain the Letters of Authorization from all applicable neighbouring property owners and to resolve any conflicts with them prior to, during and after construction, with respect to the removal and replacement of the trees on the neighbouring properties.

Alternate Procedure. If removal and replacement of the trees on the neighbouring property cannot be secured, the following arboriculture best practices should be followed:

- the builder/applicant submit to the City specifications (illustrated in plan and sections at minimum 1:50 or ¼" scale) identifying ¾" crushed drain rock within the side yard as part of the Building Permit/Tree Permit submission package. Non-compacted drain rock should be illustrated to the length of the tree's dripline.
- provide a letter to the City from a Certified Arborist confirming their concurrence with the above noted specification and the provision of a site supervision schedule.

(The use of large aggregate, non-compacted drain rock to raise the grade adjacent to an existing tree provides an opportunity for oxygen to reach the impacted root zone allowing new root development in response to grade changes.)

Note: The City of Richmond shall not be responsible if any trees, lands, buildings, structures, surfacing, gates or other improvements (including those located on neighbouring properties) are damaged due to any tree removal and/or replacement permitted by an approved tree permit application. The builder/applicant shall be fully responsible for such damage.

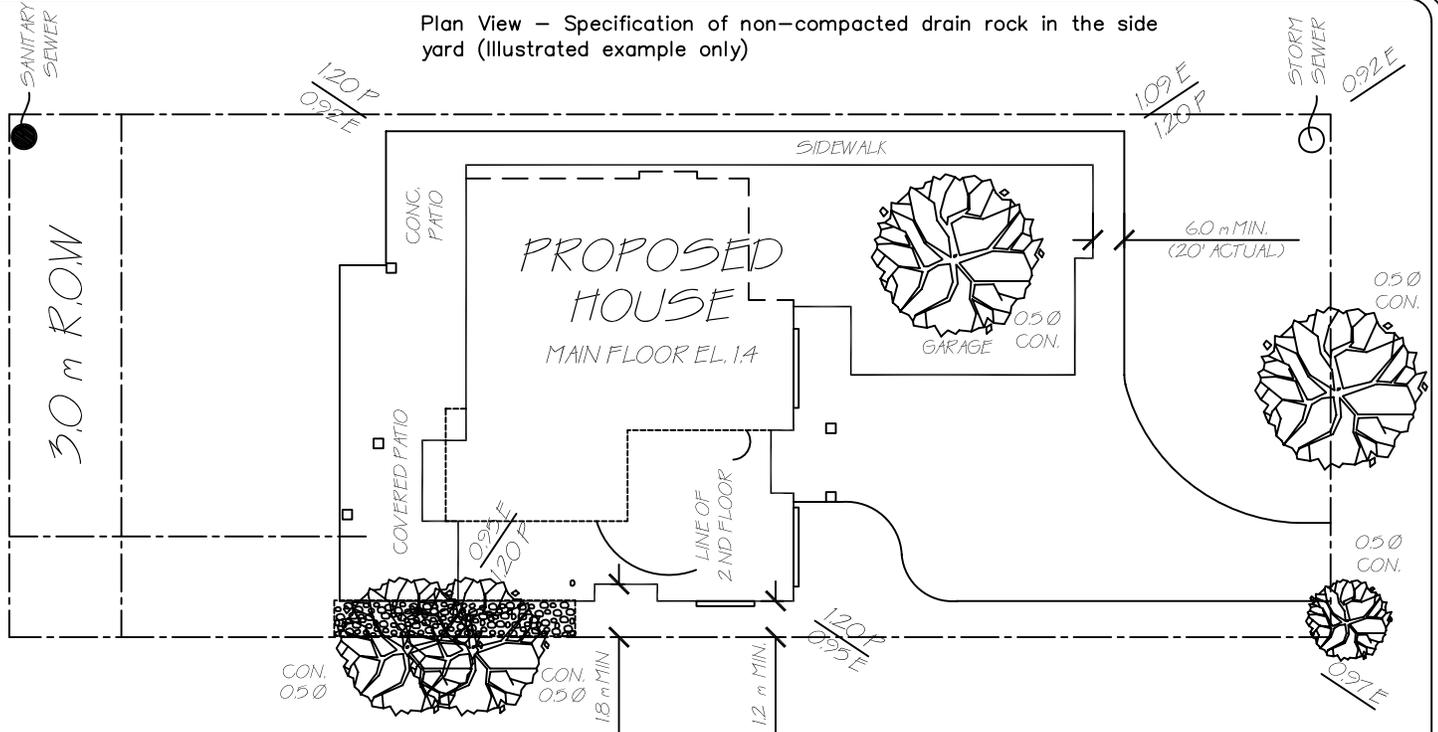
This bulletin is provided for information purposes only and the provisions of the Tree Protection Bylaw 8057, as amended or replaced from time to time, the Floodplain Designation and Protection Bylaw 8204, as amended or replaced from time to time, and all other laws and other relevant City bylaws shall always take precedence.

Sample Section and Plan view illustrating non-compacted drain rock in the side-yard are attached.

Should you have any questions, comments or suggestions concerning this bulletin, please reference the bulletin number and email treeprotection@richmond.ca or call 604-247-4684.

See attached →

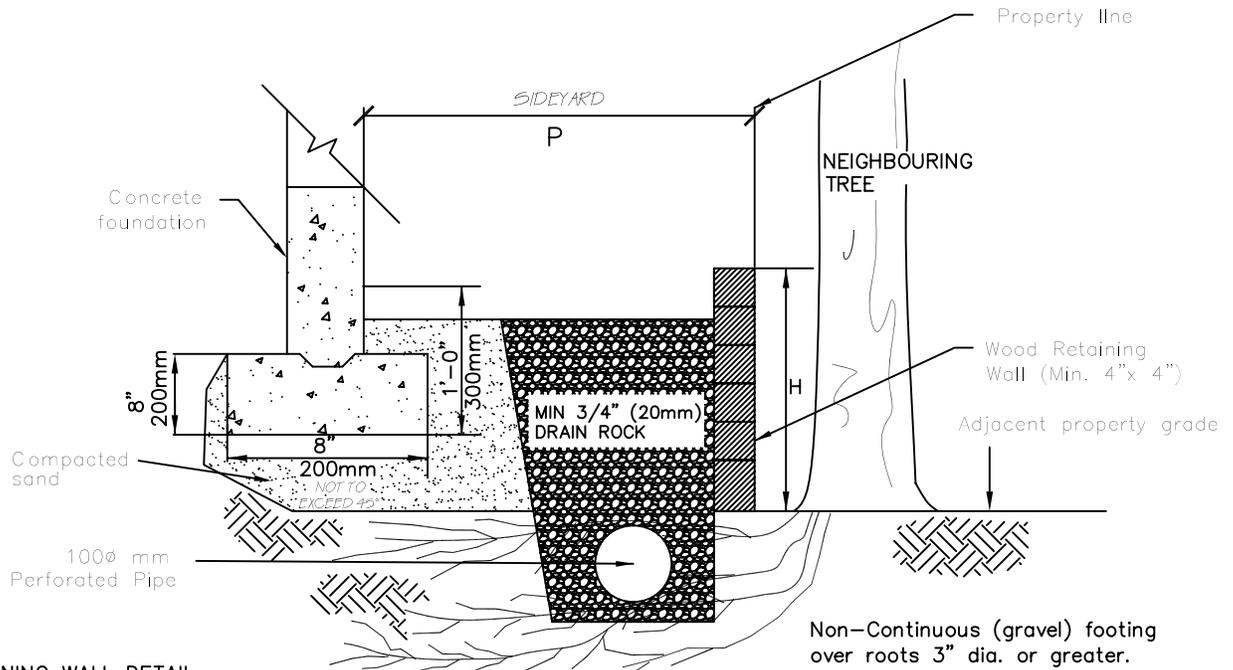
Plan View – Specification of non-compacted drain rock in the side yard (illustrated example only)



Non-compacted drain rock (min. 20mm (3/4" aggregate crushed drain rock) in the side yard (see section detail).
 Note: Excavation (other than hydro excavation or hand digging) within the dripline of neighbouring trees is prohibited.

See Detail "A" Graphic Section illustrating non-compacted drain rock in the side yard.

P	Max. H
4'0" (1200 mm)	22" (550mm)
4'6" (1350 mm)	27" (675mm)
5'0" (1500 mm)	33" (825mm)
5'7" (1675 mm)	39" (975mm)
Min. 5'7" (1675 mm)	40" (1000mm)



FOR WOOD RETAINING WALL DETAIL REFER TO BULLETIN BUILDING – 07.

Notes:
 1. retaining walls over 40" (1000 mm) require design by registered professional engineer.

Hand digging or hydro-excavation is required when trenching for perimeter drainage within the dripline of existing trees.
 Note: Any excavation (or the altering of grades) within the dripline of existing trees should be to the approval of a Certified Arborist.

City of Richmond

TITLE: ADDRESSING POTENTIAL DEVELOPMENT CONFLICTS WITH NEIGHBOURING SIDE YARD TREES

DESIGN:		
DRAWN:	DWG. No.	
CHECKED:	SCALE:	DATE:
ENGINEER:	SEC. No:	SHT. No: