

GOOD NEIGHBOUR DEVELOPMENT POLICY – PLANNING & DEVELOPMENT

Council Approval Date: September 3, 2019

1.0 PURPOSE

This policy outlines the City’s expectations of developers to follow Good Neighbour Development practices during the design, construction and through to the occupancy phases of development. The purpose of this policy is to:

1. Highlight City regulations relevant to Good Neighbour Development practices;
2. Place greater onus on the developer to follow those regulations;
3. Manage and monitor development for compliance with all applicable requirements;
4. Encourage early and ongoing communication between the developer and neighbours from the design stage and through the construction process;
5. Ensure quality and respectful design along property edges;
6. Support the quality of life and enjoyment of existing residential neighbourhoods; and,
7. Protect and enhance the health of the natural environment.

While the City has a number of existing bylaws, policies, regulations and guidelines to address these issues, collecting them into one policy document is important for clear, transparent communication of expectations and requirements. City staff have a system in place to provide coordinated response and enforcement through the City’s Engineering and Public Works, Building Permits, and Bylaw Enforcement departments.

2.0 BACKGROUND

The City is occasionally asked to intervene in private property issues on behalf of a property owner adjacent to a new development due to concerns regarding actual or potential damages, neighbourhood disturbance, or potentially unsafe work. Many of the issues and complaints are on low to medium density infill residential projects, such as single family houses, Heritage Revitalization Agreement projects, Housing Choices projects, and townhouse developments.

Common issues that arise for low-to-medium density infill residential projects fall into two categories:

1. **Construction impacts** (e.g., unsightly construction sites, tracking of dirt and debris onto roadways, airborne dust, heavy use of on-street parking by contractors and workers, construction noise and activities outside of allowable hours, encroachment of construction activities and excavation onto City or private property, siltation and runoff, site safety and security, lack of communication with neighbours, damage or removal of existing vegetation or trees, and damage or removal to existing fences and retaining walls).
2. **Concerns with the development** (e.g., the size and scale of the new buildings, the design of fences and retaining walls, the design of new buildings).

3.0 SCOPE

This policy aims to address low-to-medium density residential projects, from single family developments to townhouses, noting that denser and more complex projects generally require more detailed construction management plans.

The policy applies to many types of development applications, including rezoning, subdivision, development permit, demolition permit and building permit.

In the earlier stages of a project involving a pre-application, rezoning, development permit, or subdivision, developers will be notified of the policy through the application review letter prepared by staff.

At the demolition or building permit stage, developers or their agents will be responsible for reviewing the Good Neighbour Development Policy and acknowledging, through a signed declaration, the expectations and regulations they, their contractors, and all sub-trades are to be held to throughout the entirety of the construction and occupancy process. They would also be responsible for disseminating the information and regulations to all parties involved in the development and acting as the primary point of contact with the City.

Should a new agent take over the project, that new agent is also required to sign the declaration and assume all of the roles listed above.

4.0 RELEVANT BYLAWS

All development that takes place in Coquitlam is expected to adhere to all of the City's bylaws, policies, regulations and guidelines, many of which are directly relevant to construction and development. Depending upon the infraction that may occur, one or more of these bylaws may be used as an enforcement tool to ensure that development takes place in a manner that respects the neighbourhood. Property owners, developers, general contractors, and sub-trades are all subject to these bylaws. Note that the list below is provided for convenience only; it is not a comprehensive list of all relevant bylaws, nor do the details of the list supersede the bylaws themselves.

Disclaimer: The City is unable to control or resolve private disputes between property owners, such as trespassing, breach of contract or damage to private property.

- **Zoning Bylaw**

- In addition to regulating key land use issues like density, permitted uses, and building height and siting, the Zoning Bylaw also regulates specific issues that can directly affect the interaction between neighbouring properties, such as the height of fences and retaining walls and the location of outdoor mechanical equipment.
- The regulations found in the bylaw exist as both general requirements of all zones (such as those found in Part 5 – General Regulations or Part 7 – Off-Street Parking and Loading) and specific requirements of the zone under which the development

is taking place. All development in the city must comply with the Zoning Bylaw unless otherwise authorized.

- **Building Bylaw**
 - The Building Bylaw regulates construction within the city in the general public interest, and provides the authority to Building Inspectors to carry out on-site inspections and, when necessary, suspend a permit issued under the bylaw.
- **Street and Traffic Bylaw**
 - Development activities, such as demolition, excavation and construction, may result in changes to traffic volumes in a neighbourhood.
 - Delivery of construction materials and equipment is limited to between 7:00 am and 6:00 pm Monday through Friday and between 8:00 am and 5:00 pm on Saturdays.
 - Developers are expected to provide for the parking of trade workers' vehicles in such a way as to not disrupt traffic flow, obstruct neighbouring properties and driveways, or use all of the on-street parking available on a block. Alternative arrangements, such as car-pooling or shuttling from a nearby parking lot where that property owner has agreed to provide that service are encouraged.
 - Any dirt or debris that is tracked from the development site onto the street or boulevard by a vehicle must be cleared by the end of day.
 - The developer must prevent the flow of any water or debris from the site onto the street to prevent damage to City infrastructure or enter the City's storm water system.
 - No storage of equipment or materials is permitted on City property (boulevards, sidewalks, streets or lanes) without prior authorization from the City.
 - Developers requiring road closures as a part of the construction process must obtain a permit in compliance with the Street and Traffic Bylaw.
- **Boulevard Maintenance Bylaw**
 - Throughout the excavation, demolition, and construction processes, developers are expected to keep the boulevard (the area from the property line to the curb) clean and clear of rubbish or debris, protect existing boulevard trees from damage, and clear snow and ice from sidewalks bordering the property.
 - Any material on the boulevard is to be cleared by the end of each work day.
 - Following completion of construction, the Boulevard Maintenance Bylaw also stipulates what types of materials and landscaping may be used in the boulevard area.
 - Safe pedestrian passage past the site must be maintained at all times, even on unimproved roads.
- **Litter and Desecration Prohibition Bylaw**
 - The appearance of the public realm surrounding an active development site plays a key role in the well-being of the community and the relationship of that community with the developer. Throughout construction, developers must not dispose of waste (such as plant material, construction debris, food or liquid waste) in a public place, nor shall any damage to public places be done, such as removing or damaging a tree not located on private property.

- **Unsightly Premises Bylaw**
 - All properties within the city are required to be held to an appropriate level of cleanliness at all times, including during the construction process. Developers are required to maintain an orderly site and prevent the build-up of water, dead plant material, dirt, rubbish, and construction materials. Work sites must be left in a clean and orderly state at the end of each work day.
- **Stream and Drainage System Protection Bylaw**
 - Without proper sediment control measures being put in place, water, dirt or debris may be washed from a development site during rainy periods, potentially damaging City infrastructure or creek habitats. All construction sites are required to have an Erosion and Sediment Control Plan in place to prevent the discharge of water, excavation wastes, cement, concrete or other substances mixed with water from entering the City’s drainage system or sensitive environmental areas.
- **Noise Regulation Bylaw**
 - While some construction noise is expected, to prevent excessive neighbourhood disturbance, the Noise Regulation Bylaw limits the hours during which construction-related noise is permitted to between:
 - 7:00 am and 8:00 pm on Monday through Friday
 - 9:00 am and 6:00 pm on Saturdays
 - Exceptions to these times, such as home owners undertaking renovations or work impossible or impractical to undertake during the above times, may be permitted. However, no excessive or disturbing noise is permitted on Sundays or statutory holidays.
 - Workers at a work site are expected to behave in a manner that is respectful of the neighbourhood, and refrain from playing loud music, using foul language, or otherwise disturbing the quiet, peace, rest or comfort of those in the neighbourhood.
- **Tree Management Bylaw**
 - While all efforts should be made through building or site design to protect existing trees, new development often necessitates removal of some trees on site. Trees 20 centimetres or more in diameter measured 1.4 metres from the base of the tree stem are considered “protected trees”, and must therefore meet certain criteria before they may be removed. The Tree Management Bylaw lays out those criteria, such as allowing for the removal of up to two protected trees per year on lots with fewer than 40 trees, or on sites undergoing a development application in a neighbourhood plan area. Tree cutting permits and tree replacement plans may be required as part of the development of a site.
 - Trees on neighbouring properties may also be affected by development. Precaution should be taken to protect neighbouring trees during construction, including both the canopy and the root zone; both of which may extend into the development site. Hiring a consulting arborist can greatly increase the chance of safely retaining trees. Should those trees on a neighbouring property need to be removed, a signed civil agreement with the neighbouring property owner is required to allow for removal.

- Special regulations exist for trees near streams and watercourses, and further details should be sought from City staff to ensure the proper protection of trees and environmentally sensitive areas.
- **Bylaw Notice Enforcement Bylaw**
 - The enforcement of City bylaws is undertaken by Bylaw Enforcement Officers, and may include verbal or written warnings, as well as fines. Further infractions may result in inspection holds, permit holds, or work stoppages.
- **Business Licence Bylaw**
 - Anyone carrying on a business in the city must apply for and maintain a business licence, and must post that licence in a conspicuous place. For licensees that do not maintain a premises, vehicle, or other place in the city related to the business licence, they must carry that licence on their person while conducting their business.
- **Development Permit Guidelines**
 - In order to strive for the best form of development in our neighbourhoods, the City's Official Community Plan includes Development Permit Guidelines that specifically address Good Neighbour Development principles for development. While certain forms of development (e.g., single family homes) do not require a development permit, the guidelines should be consulted during the design and permit application process to ensure high quality design for all current and future residents of the city. Low-to-medium density projects (i.e., duplex up to townhousing) require a development permit and must conform to the approved Development Permit plans and specifications.

5.0 COMMON COURTESIES

The following are common courtesies that will help to maintain a positive relationship between developers and the neighbourhoods they work in.

- Maintain frequent and open communication with nearby residents and businesses as to the nature of ongoing work, planned road or sidewalk closures, and other expected disturbances. If contacted by a resident or business owner, respond promptly to work with them to answer questions and help address any concerns.
- Developers, contractors, and sub-trades should perform their duties on site with the care, attention and respect as if their families lived on the neighbouring properties. Avoid using foul language, especially when neighbours or children are nearby.
- Provide temporary power and avoid the use of power generators to reduce noise disturbances.
- No trespassing: always ask permission to enter a neighbour's property or to use their water supply or power.
- Develop a plan for parking trade workers' vehicles so they don't obstruct other properties, boulevards, or driveways, or use up all available on-street parking.
- Provide a bathroom facility on site for trade workers, and ensure its placement will not cause a nuisance for neighbours.
- Secure the property to protect adjacent properties and prevent unauthorized access. Additional measures may be necessary at sites adjacent to schools or parks.

6.0 PRE-CONSTRUCTION REQUIREMENTS AND RECOMMENDATIONS

Prior to being issued a permit for demolition, excavation or construction for projects under the Good Neighbour Development Policy, developers/builders are required to sign a declaration and communicate with neighbouring properties as outlined below.

Acknowledgment and Declaration

A signed declaration (see Section 10.0 of the Policy Handout) is required to ensure developers/builders have read, and agree to uphold, the Good Neighbour Development Policy. This declaration effectively serves as a “warning” with respect to potential future bylaw or policy infractions; the first on-site infraction may immediately proceed to a fine, hold, or stop work order being issued without a verbal or written warning. The developer is also required to provide photos of the existing condition of any fences, retaining walls, or trees within 4 metres of a property line, along with written documentation of how those conditions will be replaced or preserved. Photos of those same items are required prior to the finalization of the demolition permit.

Communication with Neighbours

Developers are required to provide the following information to, at a minimum, any neighbouring property that shares a property line with the subject site:

- A copy of the Good Neighbour Development Policy Handout
- A copy of the site topographic plan, showing the location of:
 - The new building.
 - All existing and proposed fences and retaining walls with top and bottom elevations, including those on neighbouring properties within 4 metres of the subject site. The developer will require consent from the neighbours to have a surveyor enter any adjacent properties.
 - All existing trees, including those on neighbouring properties within 4 metres of the subject site, with indications of tree protection zones for trees that are to be retained.
- A letter on company letterhead outlining the following information:
 - Description of the project and the construction activities that will be occurring.
 - Expected timelines and duration of demolition, excavation, and construction.
 - Approximate extent of excavation on the property, including distances from property lines.
 - Details on what (if any) fences or retaining walls shared by the two properties are proposed to be removed, and how they will be replaced.
 - Details on how any trees that share a root zone or drip line between the two properties will be protected, removed, and/or replaced.
 - Contact information for the developer, property owner, and lead contractor.

Developers are encouraged to enter into a civil agreement prior to the start of work with any neighbours sharing a fence line, retaining wall, or tree to ensure that expectations for protection, retention, and/or replacement of those elements are established. Removal or a

change to any of these shared site elements will require permission from the neighbour(s). It is recommended that this agreement include photos of the existing conditions of those shared elements. This could help to protect both parties from future disagreements over the intended final condition of the two sites. When retaining walls are involved, drainage issues can often arise, so expectations around how drainage will be addressed should also be included in this agreement.

7.0 INSPECTION AND ENFORCEMENT

Throughout the demolition, excavation, construction and occupancy processes, regular inspections are scheduled to ensure that development is taking place in line with all of the applicable permits, policies and bylaws. Inspections may also take place during a routine patrol or following a complaint from a resident.

Developers and contractors should work with the City's Bylaw Enforcement Officers, Environmental Services and Work Site Bylaw Officers, and Construction Site Officers to address any issues that arise.

Should an infraction be discovered during an inspection, the City may impose one or more of the following:

- Bylaw enforcement tickets (fines) as detailed in the Bylaw Notice Enforcement Bylaw. Additional penalties may be issued if the offence is not quickly resolved.
- Illegally or unsafely parked vehicles may be towed.
- Permit or inspection holds can be put in place by inspectors or construction site officers. Following a hold, a permit would not be released, or an inspection granted, until compliance is demonstrated.
- A stop work order may be issued for all work or a portion of the work. Until the issue is resolved, no further work can be undertaken on site.

8.0 ASSOCIATED DOCUMENTS

- Good Neighbour Development Policy Handout and Declaration (Doc# 3411579)
- Good Neighbour Development Template Letter (Doc# 3411604)
- Good Neighbour Development Brochure (Doc# 3411582)

9.0 KEY CITY CONTACTS

- For issues pertaining to zoning, site layout, or form of development:
Planning and Development
planninganddevelopment@coquitlam.ca
604-927-3430
- To apply for building permits, schedule inspections, or for questions about excavation, demolition or construction:
Building Permits
permits@coquitlam.ca
604-927-3441

- For issues around dirty or damaged boulevards and City utilities, damaged street trees, or run-off from a construction site on the street:
Engineering and Public Works
epw@coquitlam.ca
604-927-3500
- For concerns about the health or loss of on-site trees:
Urban Forestry
urbanforestry@coquitlam.ca
604-927-3482
- For enforcement of bylaws, such as the Noise Bylaw or Unsightly Premises Bylaw and parking enforcement:
Bylaw Enforcement
bylaw_enforcement@coquitlam.ca
604-927-7387 (7 days a week)