

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 500

SCHEDULE '3F'

LANDSCAPING REGULATIONS AND STANDARDS

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⁵ Bylaw No. 500.360, adopted January 25, 2011

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PART 1 - INTERPRETATION

1.1 Definitions

In this Schedule unless the context otherwise requires:

designated highway means a road listed in Appendix 1 of this Schedule;

fence means a barrier under 2.0 m in height assembled of wooden planks or panels, rock, concrete or brick or any combination thereof;

introduced vegetation means vegetation planted on a parcel to provide a landscape buffer and includes ground covers, vines, shrubs and trees, but specifically excludes weed species;

landscape buffer means an area of preserved natural vegetation, introduced vegetation or a planted berm or any combination thereof;

landscape plan means drawings and specifications, as required by this Schedule, showing proposed landscape buffer or landscape screen;

landscape screen means an area of trees, fences, evergreen vegetation or planted berm or any combination thereof, intended to block or mask from view certain uses as specified in this Schedule;

landscaping means the design, construction and maintenance of a landscape buffer, landscape screen, fencing, land contouring or drainage works;

natural vegetation means vegetation existing on site prior to clearing or cutting and includes vegetation native to Southwestern British Columbia, but specifically excludes weed species;

planted berm means a mound of earth the surface of which is covered by introduced vegetation.

site improvements means the design, construction or maintenance of physical alterations or improvements to land intended to address the safety and functionality of development, including, but not limited to, parking, access or removal of existing structures or buildings.

PART 2 - GENERAL

2.1 Requirement

- 1) A landscape buffer shall be provided within the setback area of a parcel adjacent to a designated highway to provide vegetative landscape separation between industrial, commercial and multiple dwelling unit development uses of the parcel from a designated highway.
- 2) A landscape screen shall be provided within the setback area of a parcel adjacent to a designated highway to mask outdoor storage and outdoor industrial activity of a parcel where storage or industrial activity is taking place in conjunction with an industrial, commercial or multiple dwelling unit use of the parcel.
- 3) Where an owner proposes to use a parcel of land in circumstances or in a manner that requires a landscape buffer or landscape screen pursuant to Section 2.1.1 or Section 2.1.2 of this bylaw, the owner shall submit a landscape plan to the Regional District at the time of:
 - a) application for a building permit;
 - b) actual commencement of the use;
 - c) application for a development permit;
 - d) with respect to those parts of the Regional District not subject to the provisions of "Regional District of Nanaimo Building Regulations and Fees Bylaw No. 800, 1989" at the time of an application to rezone the property.
- 4) All landscaping shall be permanently maintained in good condition with the same quality and quantity of landscaping as was initially approved and without alteration of the approved design; the owner shall make provision for permanent irrigation works necessary to water the landscaping.
- 5) The design of landscaping shall be such that the growth of roots, trunks and branches of natural or introduced vegetation or the location of planted berms shall not conflict with utilities, structures, necessary access or a required sight triangle.

2.2 Procedure

In satisfying the requirements of this Schedule, the applicant shall complete three steps as follows:

1) Landscape Plan

Drawings and specifications of the proposed landscaping, which shall include a schedule of construction and date of completion, shall be submitted in duplicate to the Regional District for approval before any landscape works or building construction are started.

2) Landscape Works

The applicant shall complete the proposed work in accordance with the plans and specifications approved by the Regional District.

The Regional District will inspect the landscaping from time to time for conformity to these standards. There will be no charge for such inspections. The applicant shall be responsible for construction layouts, detailed field supervision of the work and as-constructed drawings.

3) Completion and Acceptance

Once the work is completed two sets of as-constructed drawings shall be submitted to the Regional District.

Completion of the landscaping in accordance with the approved landscape plan is required prior to final building inspection for works under a building permit where a landscape plan was required.

2.3 Drawings and Specifications

Drawings and specifications required for the review of proposed landscaping shall:

- a) be in duplicate, accurately dimensioned and at a suitable scale;
- b) show the location and dimensions of the parcel on which the landscaping is to occur;
- c) show the location and extent of proposed and existing buildings, structures, services, utilities and circulation, including paved and concrete surfaces;
- d) show the existing and proposed grades at a contour interval of 0.200 m and such grades shall be relevant to existing roadways and/or structures;
- e) show the location, size and species of all natural vegetation clearly indicating vegetation that shall remain and vegetation that shall be removed;
- f) show the location, size, quantity and species of all introduced vegetation;
- g) show the location, extent and materials of any proposed fencing;
- h) include sectional details including cross sections of the landscaping taken at sufficient locations to adequately illustrate the effect of landscaping, planting details, finishes and the location at which sectional details are taken is to be noted on a plan;
- i) include such other information as is necessary to illustrate all essential features and methods of planting and construction;
- j) include an outline of the proposed maintenance schedule.

2.4 Variations from Standards

Where the applicant wishes to vary from these standards, the applicant may submit a development variance permit application or development permit application.

2.5 Applicability⁶

Notwithstanding any other regulation in this Bylaw, the landscaping regulations and standards prescribed herein shall not apply to Electoral Area 'G' of the Regional District of Nanaimo

PART 3 - DESIGN

3.1 Design Standards - Landscape Screen

The following requirements shall be met in providing a landscape screen where required by this Bylaw:

- 1) A landscape screen shall provide at least seventy-five percent screening from grade level to a height of 2.0 m and at least twenty-five percent screening from the height of 2.0 m above grade to 5.0 m above grade, as illustrated in Table 1 of this Schedule.
- 2) The landscape screen shall include planting or retaining one evergreen tree for every 4 m of parcel frontage on a designated highway; such trees shall have a minimum height of 2.0 m and may be grouped or clustered.

⁶ Bylaw No. 500.360, adopted January 25, 2011

3.2 Design Standards - Landscape Buffer

The following requirements shall be met in providing a landscape buffer where required by this Bylaw:

- 1) A landscape buffer shall be a minimum of 5.0 m in width.
- 2) A minimum of 25% of the vegetation shall be evergreen shrubs with a minimum height of 0.5 m, and introduced shrubs shall be a minimum No. 5 pot (5 gallon) nursery standard at the time of planting.
- 3) The landscaping buffer shall include a minimum of one tree for every 10 m of parcel frontage, and such trees shall have a minimum height of 2.0 m and may be grouped or clustered.
- 4) A permanent curb of a minimum 15 cm in height shall be provided to protect landscaping from potential vehicular damage.
- 5) The use of a fence is to be accessory to the use of introduced vegetation, existing vegetation, a planted berm or any combination thereof in satisfying the requirements of a landscape buffer or landscape screen. Advertising display shall not be permitted on fences.

Fences shall be structurally sound and shall be designed and built to withstand wind and snow loads.

3.3 Selection of Introduced Vegetation

- 1) In the selection of introduced vegetation, species shall be selected which satisfy the requirements of screening and are adapted to the site specific conditions of the soil, climate and topography on which such vegetation is to be planted.
- 2) Individual plants to be used in landscaping shall have normal, well developed branches and vigorous fibrous root systems; such plants shall be healthy, vigorous and free from defects, decay, disfiguring roots, sunscald, injuries, abrasions of the bark, plant diseases, insect pests' eggs, borers and all forms of infestation or objectionable disfigurements.

3.4 Planted Berms

The sides of slopes of planted berms within proposed landscaped areas are to be within the following ranges:

Type of Planting	Minimum Slope	Maximum Slope
planted areas with greater than 70% ground cover	1:50	1:2
lawn and grass	1:50	1:3
planted areas with less than 70% ground cover	1:50	1:4

PART 4 - CONSTRUCTION

4.1 Timing

The coordination and scheduling of all work on the site shall be such that no damage occurs to introduced vegetation before or after installation or to natural vegetation to be retained or to existing soil conditions as determined by local weather conditions and the requirements of living plant material.

4.2 General

Imported topsoil shall be free from subsoil, roots, toxic materials, stones over 30 mm in diameter and foreign objects. Topsoil shall be free from crabgrass, couchgrass, equisetum or noxious weeds or seeds or parts thereof.

The working area shall be maintained in an orderly manner and shall not be encumbered with equipment, materials, or debris.

Clean up shall be a continuing process from the start of the work to final acceptance of the project. Property on which work is in progress shall at all times be kept free from accumulations of waste materials or rubbish. Accumulations of waste materials which might constitute a fire hazard shall not be permitted. Spillage from hauling vehicles on traveled public or private roads shall be promptly cleaned up. On completion of construction, all temporary structures, rubbish and waste materials resulting from the operations, shall be removed.

PART 5 - SECURITY DEPOSIT

5.1 Requirement

A security deposit shall be submitted to the Regional District for development permits which include landscaping and/or site improvement provisions.

The security deposit shall be submitted with the application prior to proceeding to the Electoral Area Planning Committee. A detailed planting plan as specified in Section 2.2 shall also be submitted at this time.

5.2 Type and Value of Security Deposit

The security deposit shall be in the form of either a standby irrevocable letter of credit, cash, or a certified cheque, or other acceptable equivalent, and shall be submitted in a form satisfactory to the Regional District.

The value of the security deposit shall be equal to the estimated total cost (i.e., materials and installation) of all of the required landscaping and/or site improvements. The total cost of these works shall be estimated as follows:

- a) \$50.00 per square metre of landscaping as indicated on submitted plans; and
- b) The cost of site improvements shall be determined by an itemized cost estimate of materials and installation. The cost estimate is to be completed by a professional landscape architect, a nursery person or landscape contractor or an equivalent agreed upon by the Regional District, and is to be submitted at the time of application. The developer assumes sole responsibility for undertaking and financing the cost estimate.

5.3 Release of Security Deposit

The security shall be released following the completion of all approved landscaping and/or site improvement works as specified in the development permit to the satisfaction of the Regional

District. A one-year written guarantee from a landscape contractor is also required, otherwise 25% of the landscaping cost will be retained to ensure proper maintenance for one year period.

In the event that the landscaping and/or site improvements are at variance with approved works and/or not completed to an acceptable standard and/or not completed within a specified time period, the Regional District may use the security deposit for the purpose of entering upon the subject property and completing the approved works and/or for pursuing any necessary legal or court judgment as required.

In the event that additional time is required to complete the landscaping and/or site improvements due to unforeseen circumstances, a written request shall be made to the Planning Department indicating the reason for an extension and the expected date of completion.

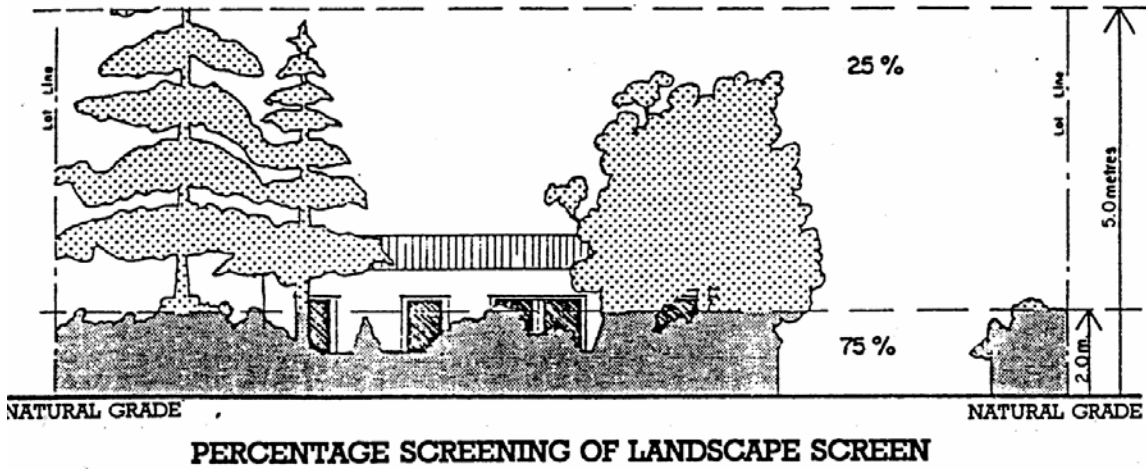
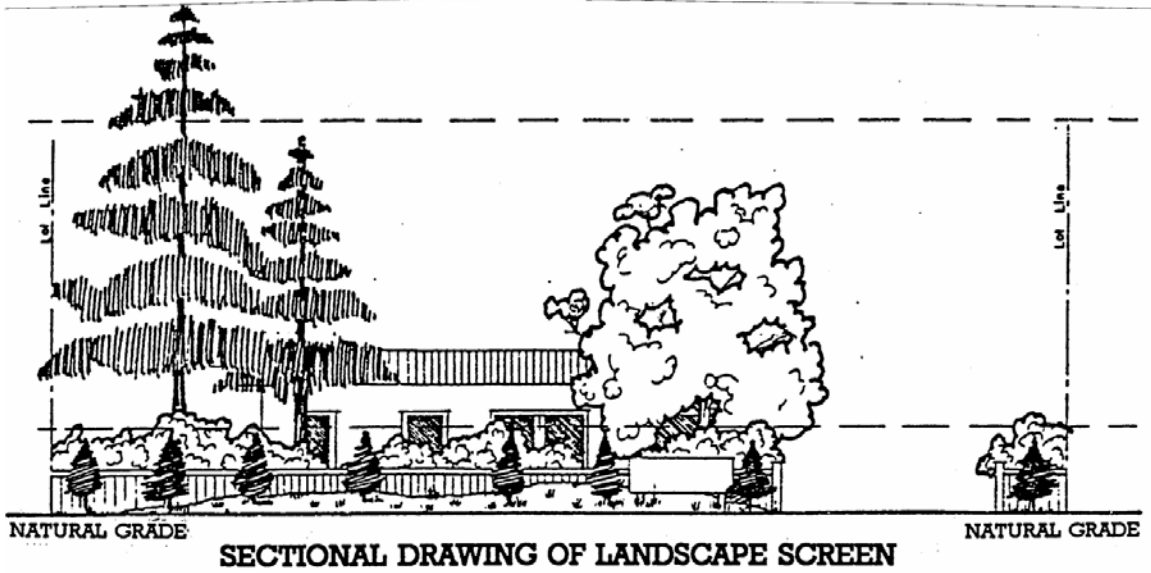
When a security deposit is in the form of a standby irrevocable letter of credit, it shall include provisions for its extension and/or renewal in the event that works cannot be completed before its expiry date. A minimum of 45 days notice of the need for an extension is required. Alternatively, and upon approval by the Regional District, a new standby irrevocable letter of credit with a revised expiry date shall be provided to the Regional District in these situations.

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SCHEDULE '3F'

TABLE 1



LANDSCAPING REGULATIONS

SCHEDULE '3F'

APPENDIX 1

ALPHABETICAL LIST OF DESIGNATED HIGHWAYS

Bennett Road, French Creek
Cedar Road, Cedar
Church Road, French Creek
Dolphin Drive, Nanoose
Eaglecrest Drive, French Creek
Fairwinds Drive, Nanoose
Industrial Road, Lantzville
Island Highway and service roads
Lantzville Road, Lantzville
Lee Road, French Creek
Lowrys Road, French Creek
Morningstar Drive, French Creek
MacMillan Road, Cedar
Northwest Bay Road, Nanoose and Parksville East
Parksville By Pass, Parksville East
Powder Point Road, Nanoose
School House Road, South Wellington
Trans Canada Highway, Cedar, Cranberry, Bright Area and
service roads
Wembley Road, French Creek
Yambury Road, French Creek