

## **PART 17- LANDSCAPING**

### **17.1. REQUIRED LANDSCAPING**

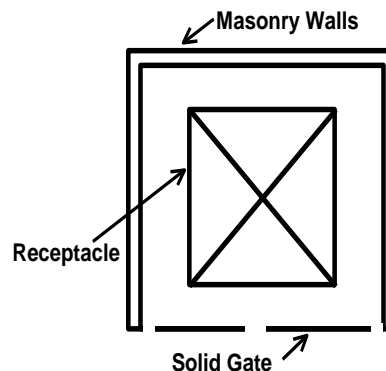
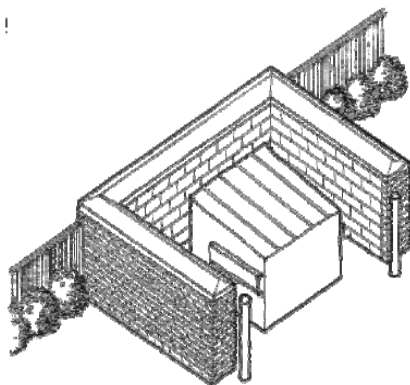
- 17.1.1. The minimum level of landscaping required in each zone along streets to screen adjacent zones and to mask or separate outdoor storage, refuse sites and utility kiosks shall be determined in Subsection 17.12 entitled "Minimum Landscape Treatment Level". **(4500.073; 2015-MAR-16)**
- 17.1.2. The details of each level shall be determined in Subsection 17.12, Figures A, B and C, "Minimum Landscape Treatment Level".
- 17.1.3. In cases where property is to be developed in phases or leased, landscaping need only be provided on that portion of the property to be immediately developed. Landscaping shall be required in subsequent phases on the remainder of the property at the time that they are developed.
- 17.1.4. Notwithstanding Subsection 17.1.1., where any building, structure or lot undergoes a cumulative increase in Gross Floor Area over a five-year period of time due to an external addition or renovation and such an increase results in an expansion of the building or structure area beyond 10% or 100m<sup>2</sup>, whichever is lesser, such landscaping or screening shall meet or exceed the landscaping and screening requirements of Part 17 for the entire property as modified in size.
- 17.1.5. Notwithstanding Subsection 17.1.4., in the case of cumulative external renovations or additions to a building or structure over a five-year period of time, requirements for landscaping and screening shall not apply where the building permit has a value less than \$150,000.00, or less than 25%, of the assessed value of the building or structure, whichever is greater. **(4500.073; 2015-MAR-16)**

### **17.2. GENERAL REGULATIONS**

- 17.2.1. The minimum landscape buffer width shall be 1.8m.
- 17.2.2. Required hedge, fence, shrub bed, ground cover or grass landscape shall be continuous along the affected property boundaries, broken only by public walkways and driveways.
- 17.2.3. A landscape buffer required under this Bylaw shall not be supplanted by continuous driveway or walkway access.
- 17.2.4. Landscape treatment shall respect the siting requirements of Subsection 6.9 of this Bylaw.
- 17.2.5. Where the retention of native trees and ground cover is permitted and used, a letter from a professional landscape architect or registered professional forester shall be submitted, indicating:
  - 17.2.5.1. The mitigation measures required during and after the construction to ensure the health of the vegetation and,
  - 17.2.5.2. The safety of the landscape upon completion of the construction.

### 17.3. SLOPES, URBAN PLAZAS AND REFUSE RECEPTACLES

- 17.3.1. The maximum landscape grade in any landscape buffer area shall be:
- 17.3.1.1. 3:1 slope (33%) for lawn cover.
  - 17.3.1.2. 2:1 slope (50%) for shrub or ground cover area.
- 17.3.2. Urban plazas are permitted as a substitute for Subsection 17.12. "Landscape Treatment", Figures A or B. To qualify as urban plaza, the area must be exclusively pedestrian, backed by a highly detailed building facade, have a decorative paving surface, be visible from the street, and include site furniture, trees and decorative lighting. The urban plaza must be accessible from both the street and from the on-site building.
- 17.3.3. Landscape buffers are required for utility kiosks, dumpsters, and containers.
- 17.3.3.1. Utility kiosks, dumpsters, containers and similar large receptacles shall be fully screened from view on three sides by masonry walls. The fourth side shall consist of a solid gate. The walls and gate shall be a minimum of 1.8m in height, but shall be no higher than 0.6m above the receptacle where the receptacle is more than 1.8m in height.
  - 17.3.3.2. Screening shall be supplemented with shrub plantings not more than 1.8m from the sides of the enclosure exposed to view with wooden architectural features, such as trellises. Two fixed barrier guard posts shall be installed to protect the screening.



*Diagrams provided for illustration*

- 17.3.4. Dumpsters and containers shall be set back a minimum of 3m from any lot line adjoining a property zoned for residential use.

### 17.4. CHARACTER OF LANDSCAPING

- 17.4.1. The design layout shall be determined from the character area, as specified in Subsection 17.12.
- 17.4.2. The character of the screening along a designated street shall be determined in Subsection 17.12. (4500.073; 2015-MAR-16)

## **17.5. LANDSCAPE PROTECTION AND MAINTENANCE**

- 17.5.1. All planted areas required by this Bylaw shall be protected from intrusion by motor vehicles with a continuous concrete curb. The curb shall be a type which will not be damaged by normal vehicle impact.
- 17.5.2. When the vehicle area has parking perpendicular to the curb, the landscape must be protected from a car overhang by a concrete wheel stop placed in each parking stall a minimum of 1m from the landscape area.
- 17.5.3. On the street side, landscape buffers are to be protected from streets and shoulders by a continuous curb. If no curb exists on the City street, then a curb shall be provided along the property line. Where the abutting right-of-way is grass, timber edging shall be permitted between the landscape buffer and the right-of-way.
- 17.5.4. All landscape construction required by this Bylaw shall be maintained in good condition by the owner. Dead plants shall be replaced to the size and value as specified in the approved plan.

## **17.6. LANDSCAPING OF BOULEVARDS**

- 17.6.1. If a curb and storm drainage system is complete on the street, landscaping shall be completed between the property line and the curb or sidewalk.
- 17.6.2. If curbs are not present on the street, landscaping shall be completed between the property line and the shoulder of the street.
- 17.6.3. Landscaping between the property line and the curb or shoulder of the street shall be limited to grass.

## **17.7. WATERING PROVISIONS**

- 17.7.1. All planted areas (trees, shrubs, groundcover, lawn) required by this Bylaw shall be serviced by an underground automatic irrigation system.

## **17.8. FENCING STANDARDS**

- 17.8.1. Where fences are allowed or required by this Bylaw, they shall be of opaque or a combination of opaque and lattice design. The design of the fence, elevation, and related construction details shall be submitted as part of the landscape plan.
- 17.8.2. Wood fences shall be designed to a high level of finish with materials of lumber grades standard or better. Wood posts shall be treated against rotting to provide for the longevity of the fence. Fences shall be constructed with all components of sufficient size and strength to prevent sagging, and constructed to minimize rot. Along sloping ground, the top of wood fences shall be horizontal with vertical drops at the posts.

## **17.9. APPROVAL PROCEDURES**

- 17.9.1. A landscaping plan, in conformance with this Bylaw, shall be submitted with an application for a design review, development permit and building permit.
- 17.9.2. All drawing submissions required under this Bylaw shall be to professional drafting standards.
- 17.9.3. Where landscaping or screening is required by this Bylaw, landscape plans shall be submitted indicating:
  - 17.9.3.1. The location of the parcel on which the landscaping is to occur and the related character area designation.
  - 17.9.3.2. The location and extent of existing and proposed property boundaries, setback lines, structures, vehicle and pedestrian circulation and extent of existing and proposed landscape areas, with sufficient detail to allow the designation of landscape buffers in accordance with this Bylaw.
  - 17.9.3.3. Cross sections to illustrate the grading design intent where landscape buffers have a slope 3:1 or more.
  - 17.9.3.4. Extent, location, top and bottom spot elevations, materials and finish of required site retaining walls.
  - 17.9.3.5. The extent of existing vegetation to be retained, relocated or removed including the location, size and species of all trees, and the outline of natural shrubs and ground cover.
  - 17.9.3.6. Details of proposed planting showing the location, species, proposed planting size, quantities, and spacing of all introduced vegetation.
  - 17.9.3.7. Detailed plant lists with all species of plants, planting size, spacing and quantities shown.
  - 17.9.3.8. Details of watering provisions.
  - 17.9.3.9. The location, height, extent and materials, and design elevation of any proposed fencing.
  - 17.9.3.10. The location of urban plazas, site furniture, or other features necessary to illustrate the landscape concept.
  - 17.9.3.11. Details of proposed grading at a contour level of not greater than 1m of all areas of the landscape buffer and adjacent street boulevard up to edge of pavement with a slope of 3:1 or steeper. For the balance of the buffer / boulevard flatter than 3:1, show by contours and / or slope arrows the surface drainage patterns, related degree of slope and location of storm water catchment facilities.
  - 17.9.3.12. A comprehensive capital cost estimate of the value of the landscaping required by this Bylaw, prepared by either a landscape architect, landscape contractor, or nurseryman; costs to include plant material, concrete vehicle stops, curbing, and irrigation systems, fencing walls, hard surfaces, site furniture, lighting, and labour.
  - 17.9.3.13. Slopes and spot elevations throughout parking and landscaping areas.
- 17.9.4. With an application for release of security, as-built plans shall be submitted with all the information above, altered to show as-built conditions in the field. The as-built drawings shall carry a statement by the owner or appointed agent that the landscape works have been completed substantially in accordance with the plans submitted to the City.
- 17.9.5. In the event of substantial changes to landscape plans being required due to unforeseen circumstances after approval of the landscape plan by the Design Advisory Panel or the Building Inspector, the applicant will be required to resubmit revised landscape plans and obtain the approval of the Building Inspector.

## **17.10. LANDSCAPE SECURITY DEPOSIT**

- 17.10.1. At the time of an application for a building permit or development permit, an itemized cost estimate of the landscape construction, hard and soft landscape materials, protective curbing, irrigation systems, and labour prepared by a professional landscape architect, a nurseryman or landscape contractor, shall be submitted.
- 17.10.2. A Standby Irrevocable Letter of Credit, cash or certified cheque in a form satisfactory to the City shall be provided, at the time of application for a building permit, to the extent of 65% of the estimated cost of the work to a maximum of \$100,000.00. This amount may serve as security for concurrent projects by the same applicant.
  - 17.10.2.1 Notwithstanding the above, where landscaping is required under DPA1 – Environmentally Sensitive Areas as described in Part 18 of this Bylaw, the Standby Irrevocable Letter of Credit shall be equal to 100% of the estimated cost of the work for the length of the maintenance period, as recommended by a Qualified Registered Professional.  
**(4500.199; 2022-JUL-04)**
- 17.10.3. Landscaping in conformance with the approved plan shall be completed prior to granting an occupancy permit.
- 17.10.4. Notwithstanding Subsection 17.10.3., the Director of Planning may waive the requirement for landscape completion as a condition of occupancy:
  - 17.10.4.1. Where seasonal weather conditions prevent landscape completion;
  - 17.10.4.2. Where circumstances require occupancy prior to landscape completion. In this case, application shall be made in writing to the Director of Planning:
    - (a) indicating the reason for the delay in landscaping and the reason for the need for occupancy;
    - (b) identifying the date of landscape completion;
    - (c) providing a new Standby Irrevocable Letter of Credit if the completion date extends beyond the expiry date of the existing Standby Irrevocable Letter of Credit.
- 17.10.5. If landscape construction and planting is not completed by the date of expiry of the Standby Irrevocable Letter of Credit, the City may cash the Standby Irrevocable Letter of Credit for the purpose of entering upon the subject property and completing the landscape construction and planting.

## 17.11. MINIMUM LANDSCAPE TREATMENT LEVELS

(See Subsection 17.12. for Details of Landscape Treatment Levels)

### LEVELS

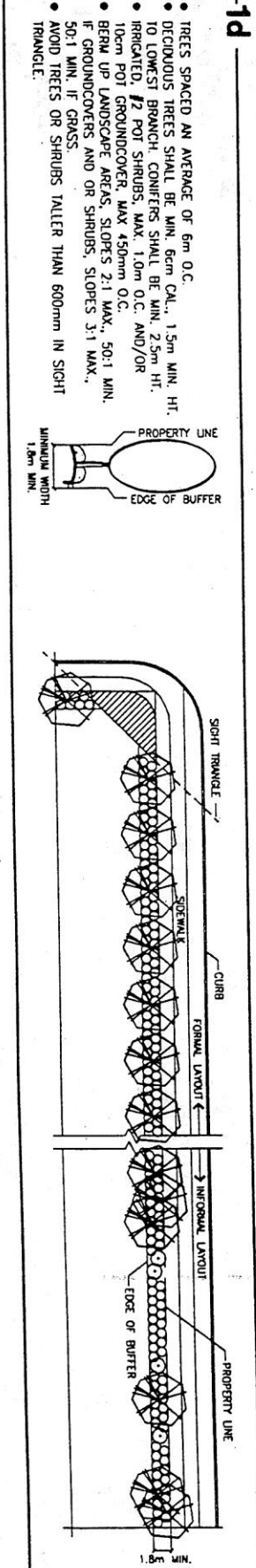
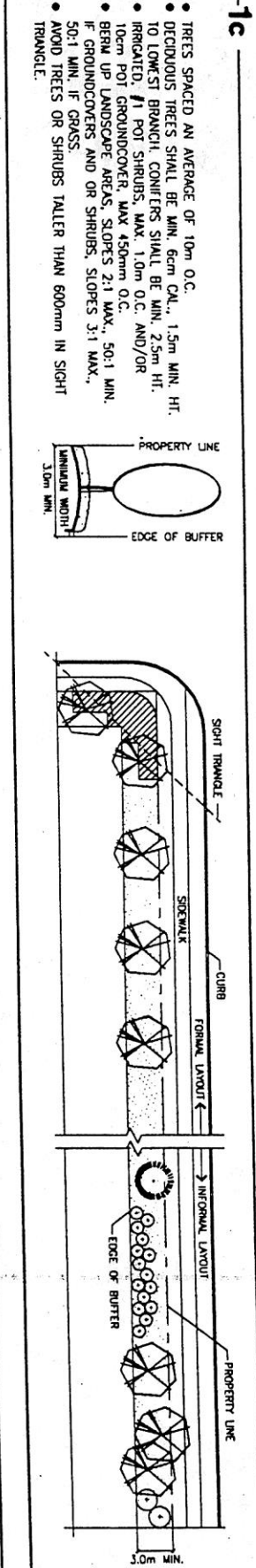
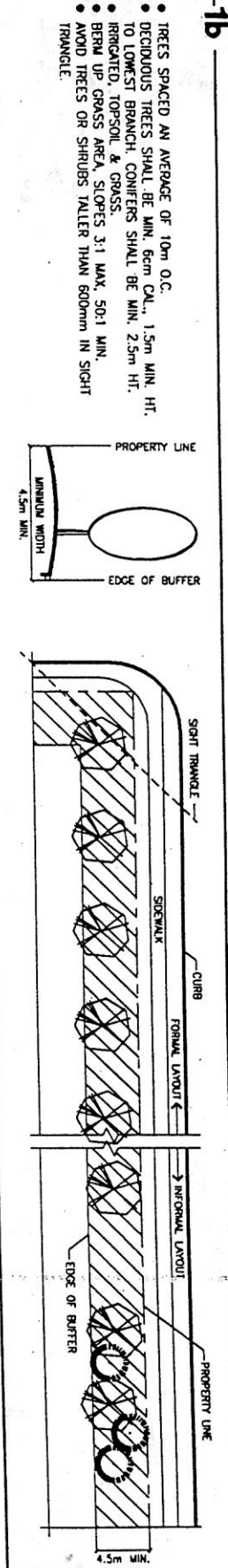
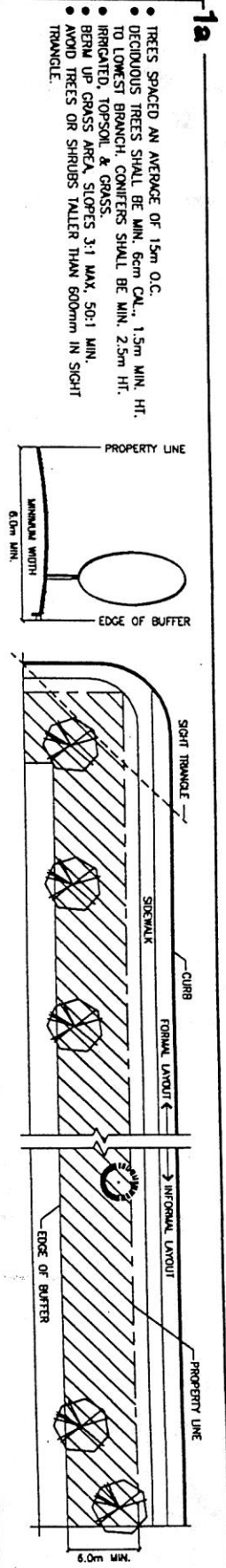
<i>Subject Property Zoned</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>	<i>Storage / Landfill / Refuse Receptacles</i>
R4 – R10, R12 –R14	1	2	2	2
R11	3	3	3	3
CD1	1	2	2	2
CD2	1	1	1	2
CD3	1	1	1	2
CD4	1	2	2	2
CD5	1	1	1	2
CD11	1	2	2	2
CC1, CC2, CC3, CC4, CC5, CC6,	1	2	2	2
DT1, DT2, DT3, DT5, DT7	--	--	--	2
DT4, DT6, DT12	1	--	--	2
DT8- DT11	1	1	1	2
COR1, COR2, COR3	1	2	2	2
I1, I2, I3	1	2	2	2
I4	2	3	3	3
W2, W3	1	2	2	2
CS1	1	2	2	2
CS2, CS3	3	3	3	3

(4500.036; 2013-APR-22) (4500.202; 2023-APR-17)

- 17.11.1. Notwithstanding Subsection 17.11, all side yards abutting a street shall provide screening at Level 1 for that yard. **(4500.073; 2015-MAR-16)**
- 17.11.2. Notwithstanding Subsection 17.11., where a parcel abuts a park, screening and landscaping shall not be required for that yard.
- 17.11.3. Notwithstanding Subsection 17.11.2., a fence with a minimum height of between 1.2m to 1.8m shall be provided along the lot line abutting a park.
- 17.11.4. Notwithstanding Subsection 17.11, within the CS3 zone where the use is only a railway line, no screening shall be required.

## 17.12 CHARACTER OF LANDSCAPING

Character Area	Design Layout Type	Landscape Design Guidelines
<b>OLD NANAIMO</b> Historical city with formal streetscapes.	Formal	Make deciduous trees in formal rows dominant. Consider flowering perennials, annuals, bulbs. Provide emphasis on seasonal colour and display. Protect plant materials from trampling. Consider heritage planting styles. Urban plazas are encouraged.
<b>HAREWOOD</b> Agricultural uses remain with existing hedge rows and orchard trees.	Formal or Informal	Make dominate use of trees along streets. Emphasize residential landscape character. Green space should be dominant at site edges.
<b>MILLSTONE VALLEY</b> Large-scale rural hedge rows / orchards fields with blocks of remaining forest.	Informal	Maintain rural flavour. Native or naturalized plantings dominant.
<b>WELLINGTON/ TOWNSITE/ DEPARTURE BAY</b> Old communities surrounded by suburbia. Largely urban with mixed densities. Some Institutional / Commercial and Industrial areas	Formal or Informal	Maintain residential landscape character as dominant. Green space should dominate the site edge. Urban plaza landscapes are discouraged.
<b>NORTH NANAIMO</b> North Suburbia with forest backdrop	Informal	Maintain stand of native evergreens where feasible. Include at least 50% evergreen trees in planting scheme. Accent natural features such as rock outcrop.
<b>SOUTH NANAIMO</b> Suburban rural edge with blocks of agricultural design	Informal	Maintain stand of native evergreens where feasible. Include at least 50% evergreen trees in planting scheme. Accent natural features such as rock outcrop.

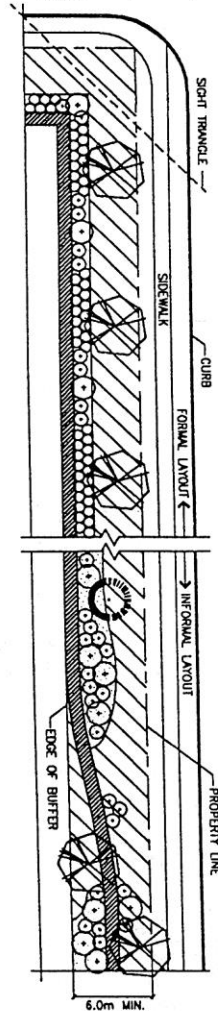
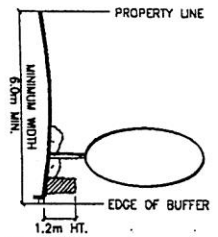


SECTION 14.14 Minimum Landscape Treatment Level  
Figure A



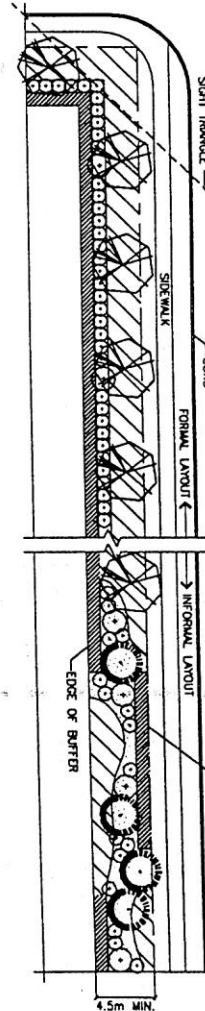
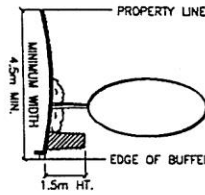
2a

- TREES SPACED AN AVERAGE OF 15m O.C.
- DECIDUOUS TREES SHALL BE MIN. 6cm C.D., 1.5m MIN. HT.
- TO LOWEST BRANCH, CONIFERS SHALL BE MIN. 2.5m HT.
- HEDGE/SHRUB SCREEN AT 1.2m ULTIMATE HT., PLANTED AT 1.0m MIN HT., 900mm MAX. SPACING OR 1.2m HT. DECORATIVE FENCE.
- LOCATION OF FENCE OR HEDGE IN BUFFER MAY VARY.
- IRRIGATED TOPSOIL, GRASS, AND SHRUBS/GROUND COVER.
- 1/3 OF LANDSCAPE AREA TO BE #1 POT SHRUBS MAX. 1.0m O.C. AND/OR 10cm POT GROUND COVER 450mm O.C. (EXCLUSIVE OF THE HEDGE)
- BERM UP LANDSCAPE AREAS, SLOPES 2:1 MAX., 50:1 MIN. IF GRASS.
- IF GROUNDCOVERS AND OR SHRUBS, SLOPES 3:1 MAX., 50:1 MIN. IF GRASS.
- AVOID TREES OR HEDGE/FENCE IN SIGHT TRIANGLE.



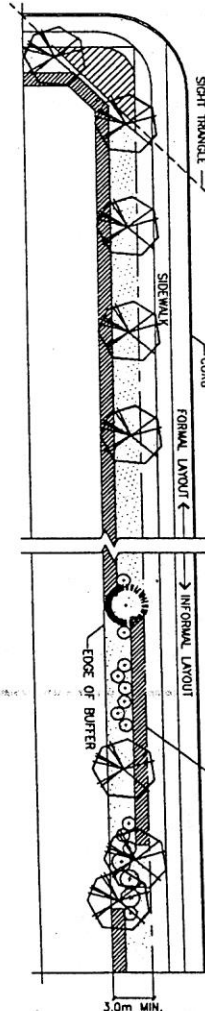
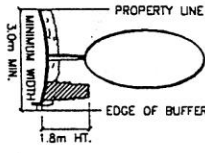
2b

- TREES SPACED AN AVERAGE OF 10m O.C.
- DECIDUOUS TREES SHALL BE MIN. 6cm C.D., 1.5m MIN. HT.
- TO LOWEST BRANCH, CONIFERS SHALL BE MIN. 2.5m HT.
- HEDGE/SHRUB SCREEN AT 1.5m ULTIMATE HT., PLANTED AT 1.0m MIN HT., 900mm MAX. SPACING OR 1.5m HT. DECORATIVE FENCE.
- LOCATION OF FENCE OR HEDGE IN BUFFER MAY VARY.
- IRRIGATED TOPSOIL, GRASS, AND SHRUBS/GROUND COVER.
- 1/3 OF LANDSCAPE AREA TO BE #1 POT SHRUBS MAX. 1.0m O.C. AND/OR 10cm POT GROUND COVER 450mm O.C. (EXCLUSIVE OF THE HEDGE)
- BERM UP LANDSCAPE AREAS, SLOPES 2:1 MAX., 50:1 MIN. IF GROUNDCOVERS AND OR SHRUBS, SLOPES 3:1 MAX., 50:1 MIN. IF GRASS.
- AVOID TREES OR HEDGE/FENCE IN SIGHT TRIANGLE.



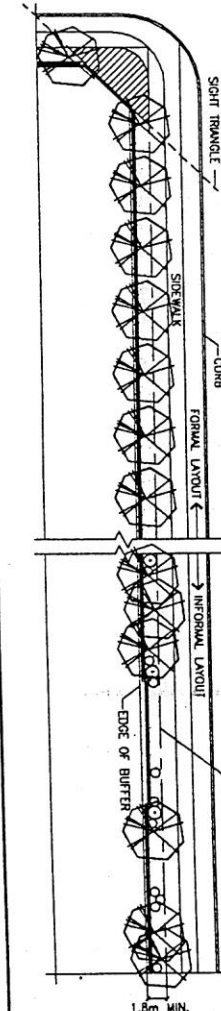
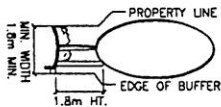
2c

- TREES SPACED AN AVERAGE OF 10m O.C.
- DECIDUOUS TREES SHALL BE MIN. 6cm C.D., 1.5m MIN. HT.
- TO LOWEST BRANCH, CONIFERS SHALL BE MIN. 2.5m HT.
- HEDGE/SHRUB SCREEN AT 1.8m ULTIMATE HT., PLANTED AT 1.0m MIN HT., 900mm MAX. SPACING OR 1.8m HT. DECORATIVE FENCE.
- LOCATION OF FENCE OR HEDGE IN BUFFER MAY VARY.
- IRRIGATED #1 POT SHRUBS, MAX. 1.0m O.C. AND/OR 10cm POT GROUND COVER MAX. 450mm O.C.
- BERM UP LANDSCAPE AREAS, SLOPES 2:1 MAX., 50:1 MIN. IF GROUNDCOVERS AND OR SHRUBS, SLOPES 3:1 MAX., 50:1 MIN. IF GRASS.
- AVOID TREES, HEDGES AND SHRUBS TALLER THAN 600mm IN SIGHT TRIANGLE.



2d

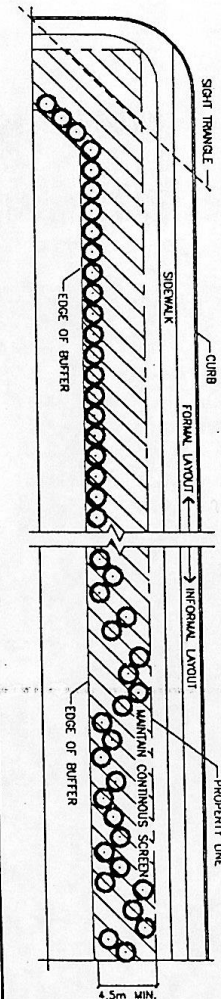
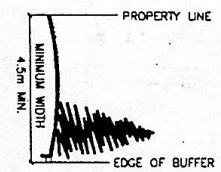
- TREES SPACED AN AVERAGE OF 6m O.C.
- DECIDUOUS TREES SHALL BE MIN. 6cm C.D., 1.5m MIN. HT.
- TO LOWEST BRANCH, CONIFERS SHALL BE MIN. 2.5m HT.
- 1.8m HT. DECORATIVE SCREEN FENCE OR WALL.
- LOCATION OF FENCE OR WALL IN BUFFER MAY VARY.
- IRRIGATED, #2 POT SHRUBS, MAX. 1.0m O.C. AND/OR 10cm POT GROUND COVER, MAX. 450mm O.C.
- BERM UP LANDSCAPE AREAS, SLOPES 2:1 MAX., 50:1 MIN. IF GROUNDCOVERS AND OR SHRUBS, SLOPES 3:1 MAX., 50:1 MIN. IF GRASS.
- AVOID TREES, FENCE, AND SHRUBS TALLER THAN 600mm IN SIGHT TRIANGLE.



SECTION 14.14 Minimum Landscape Treatment Level  
Figure B

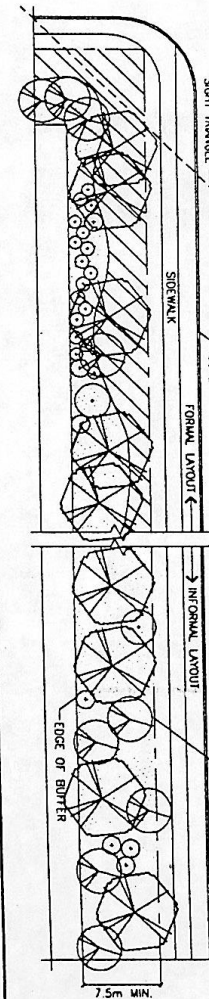
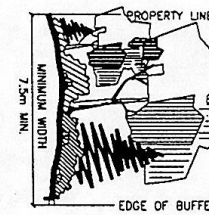
3a

- EVERGREEN TREE SCREEN, 3.0m HT. AT TIME OF PLANTING, SPACED 2.0m MAX. O.C., MATURE HT. TO SCREEN ADJACENT USE, 6.0m MIN.
- IRRIGATED, 1:1 POT SHRUBS, MAX. 1.0m O.C. AND/OR 10cm POT GROUNDCOVER, MAX. 450mm O.C. AND/OR TOPSOIL & GRASS.
- BERM UP LANDSCAPE AREAS, SLOPES 2:1 MAX., 50:1 MIN. IF GROUNDCOVERS AND OR SHRUBS, SLOPES 3:1 MAX., 50:1 MIN. IF GRASS.
- MAINTAIN CONTINUOUS SCREEN, BUT AVOID TREES OR SHRUBS TALLER THAN 600mm IN SIGHT TRIANGLE.



3b

- NATIVE TREES & GROUNDCOVER, OF SUFFICIENT DENSITY TO PROVIDE A VISUAL SCREEN EQUIVALENT TO THE MINIMUM DESIGNATED BUFFER REQUIREMENT.
- PRUNE OUT DISEASED AND HAZARD TREES, THIN UNDERGROWTH TO ELIMINATE 'HIDEAWAYS', AND PROVIDE PROFESSIONAL CERTIFICATION OF SUITABILITY OF TREES FOR RETENTION GIVEN SITE USE.
- SUPPLEMENT NATIVES WITH PLANTED STOCK AS NECESSARY TO MEET BUFFER REQUIREMENT, AND TO LANDSCAPE ALL BARE OR THIN AREAS.
- SELECTIVE CLEAR VEGETATION AT SIGHT TRIANGLE.



SECTION 14.14 Minimum Landscape Treatment Level  
Figure C