



LANDSCAPE SECURITY POLICY

Applicability: Land Use Services

Effective Date: September 26, 2018

PURPOSE:

To establish standards for the submission of landscape plans and provide clarity with respect to the submission and release of securities pursuant to the *Local Government Act* and relevant Official Community Plans and zoning bylaws.

POLICY:

As a condition of issuing a development permit, the Cowichan Valley Regional District (CVRD) may require that certain works be completed respecting landscaping, resolution of unsafe conditions or to restore damage to the natural environment. Plans of proposed works must be submitted to and approved by the CVRD, and the applicant will be required to post a security to cover the costs of completing the works in the event of default. All works must be completed in accordance with applicable development permits issued by the CVRD. Additionally, commitments made in other development applications may require the submission and approval of landscaping or other plans, and the posting of a security to ensure agreed upon works are completed.

Landscape Plan Submission/Approval Procedure

1. Landscape plans must be submitted in compliance with relevant development permit area guidelines, zoning bylaw requirements, or commitments made in association with development applications.
2. Plans must be prepared by a registered member of the British Columbia Society of Landscape Architects (BCSLA).
3. The landscape plan(s) will indicate the following information, where applicable, to the proposed development:
 - a. the location and extent of existing and proposed property lines, setback lines, structures and vehicle and pedestrian circulation routes;
 - b. the extent of existing and proposed landscaped areas;
 - c. details of proposed plantings showing the location, species, size, quantities and spacing of plantings in addition to a separate plantings list;
 - d. the extent of existing vegetation and soils to be retained, relocated or removed including the location, size and species of all trees in addition to the outline of natural shrub and ground cover;
 - e. where the retention of native trees and ground cover is proposed and accepted, a letter from a registered member of the BCSLA or Registered Professional Forester (RPF) shall be submitted, indicating the mitigation measures required during and after construction to ensure the health of the vegetation is maintained;
 - f. watering requirements and schedule;

- g. the location of site furniture, lighting, pedestrian areas and linkages, and signage;
 - h. the extent, location, elevations, materials and finish of terracing and retaining walls;
 - i. the location and extent of rainwater management infrastructure (rain gardens, bioswales, etc.) and permeable surfaces;
 - j. a strategy for the removal of invasive plant species; and
 - k. for natural vegetation rehabilitation, an appropriate reference site must be included in the plan.
4. Where rehabilitation of the natural environment is required as a condition of a permit, restoration plans must be prepared by a registered member of the BCSLA with input from a Qualified Environmental Professional (QEP), and must include the relevant information outlined above (see section 3).
 5. A comprehensive cost estimate of the proposed landscaping must be submitted and must include:
 - a. all materials and labour necessary to complete hard and soft landscape works;
 - b. the costs of monitoring and reporting as required by the consulting professional at minimum to confirm installation and successful establishment; and
 - c. applicable taxes.
 6. In the event that substantial changes to the landscape plan are required, the applicant shall submit revised landscape plans, including the rationale for the revision, and obtain written approval from the General Manager of the Land Use Services Department prior to undertaking any work.

Posting of Security

7. A security shall be provided upon receiving Board approval of the development application and will be required prior to the issuance of the development permit.
8. The security may be in the form of an irrevocable letter of credit (LOC), or a certified cheque with documentation. The LOC or cheque will equal 125% of the comprehensive cost estimate. In no case will the amount of the security be less than \$2,000.
9. The LOC, or certified cheque with documentation, must clearly indicate the following:
 - a. the amount of the security;
 - b. the name and mailing address of the property owner posting the security;
 - c. the name and mailing address of the issuing institution of the letter of credit;
 - d. the purpose for which the security is being established, including, if applicable, the legal description to which the security pertains;
 - e. the date and time of the security, with confirmation that the term of the security is automatically renewable; and

- f. the “Cowichan Valley Regional District” as the holder of the security with confirmation that the security may be unilaterally drawn upon by the CVRD upon written notice.

Release of Security

10. A written request from the applicant can be submitted for partial (50%) release of the security upon installation of the landscaping with written confirmation from a registered member of the BCLSA that the installed landscaping is in substantial compliance with recognized industry standards and the approved landscape plans.
11. Following a two-year maintenance period from the date of installation, a full release (remaining 50% of security) may be submitted. The request for release must be accompanied by confirmation from a registered member of the BCSLA that the landscaping has survived and is in substantial conformity with the original plans.
12. No security deposited shall be returned unless and until all requirements for which the security has been posted have been completed to the satisfaction of the CVRD.

Incomplete Works

13. If the landscaping is not completed after two years of posting the security, or is not completed in accordance with the terms, conditions, timelines and plans of the development permit or zoning bylaw, the following steps may be taken:
 - a. The CVRD will provide the applicant with written notice that the works must be completed by a specified deadline and in accordance with the approved plans;
 - b. The applicant will be notified that if the works are not completed, the CVRD will draw on the funds posted in the security for the purpose of entering the property and completing the works;
 - c. In the event that the deadline passes without full compliance, the CVRD will provide a minimum 7 days notice of the dates when the CVRD or contracted employees will undertake the landscaping work; and
 - d. The CVRD will call for and receive the funds posted in the security, and will apply the funds to completing the landscape works. Any excess funds will be returned to the permit holder.

Bylaw and Legislation References

1. *Local Government Act*.
2. CVRD Development Applications and Procedures Bylaw No. 4204, as amended.
3. Official Community Plan Bylaw Nos. 3510, 3605, 1490, 1945, 2500, 1497, and 2650, as amended.
4. Zoning Bylaw Nos. 3520, 985, 3705, 1015, 1840, 2600, 2524, 1020, and 2465, as amended.

Approved by: Board Approval date: September 26, 2018

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