CITY OF KELOWNA

BYLAW NO. 12027
TA19-0009 – Amendment to Fencing and Retaining Walls

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT **Section 7 – Landscaping and Screening, 7.5.9- Fencing and Retaining Walls** be amended by deleting the following:

   Retaining walls on all residential **lots**, except those required as a condition of **subdivision** approval, must not exceed a **height** of 1.2 m measured from grade on the lower side, and must be constructed so that any **retaining walls** are spaced to provide at least a 1.2 m horizontal separation between them.

   And replacing it with:

   Retaining walls on all **lots**, except those required as a condition of **subdivision** approval, must not exceed a **height** of 1.2m measured from **natural grade** on the lower side, and must be constructed so that any **retaining walls** are spaced to provide a 1.2m horizontal separation between tiers. The maximum number of tiers is two with a maximum total **height** of 2.4m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.

2. AND THAT **Section 7 – Landscaping and Screening, 7.5.- Fencing and Retaining Walls** be amended by adding in its appropriate location the following:

   7.5.14 A modified slope which has a finished slope greater than 1:2 (50%) and an elevation change greater than 1.2m must be installed under the direction of a qualified professional engineer.

   7.5.15 An exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer.

   7.5.16 As per the Engineers and Geoscientists BC's Quality Management Guidelines all **retaining walls** including but not limited to, gravity, piling, cantilever, anchored, mechanically stabilized earth (MSE), and geosynthetic reinforced soil (GRS) walls when over 3.0m high or deemed high risk are included in the requirement to have documented independent reviews conducted by a qualified professional, as retaining walls fulfill the important structural function of safely retaining soil.

3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk