

BUILDING BULLETIN

Building Services

Subject:	Retaining Walls: Designated Structures
Building Bulletin No:	BD.BB.18.08
Date Issued:	July 12, 2018
Date Revised:	May 10, 2019
Reference:	s. 1.1(6) <i>Building Code Act</i>

A. Purpose

The purpose of this Building Bulletin is to clarify circumstances when a retaining wall is deemed to be a designated structure regulated under the Ontario Building Code and when guards may be required, examples have been provided in this standard practice with the objective is to protect public safety by reviewing permit applications for retaining wall requirements.

B. Background and Definitions

B.1. Designated Structures:

1.3.1.1.(1), Div. A:

(1) The following structures are designated for the purposes of clause (d) of the definition of building in subsection 1 (1) of the Act:

- (a) a retaining wall exceeding 1 000 mm in exposed height adjacent to,
 - (i) public property,
 - (ii) access to a building, or
 - (iii) private property to which the public is admitted

B.2. Guard Requirements:

4.4.3.1., Div. B Guards over Retaining Walls

(1) Every retaining wall that is designated in Sentence 1.3.1.1.(1) of Division A shall be protected by *guards* on all open sides where the public has access to open space at the top of the retaining wall.

C. General Interpretation and Requirements

The Ontario Building Code does not define “adjacent to” or the types of property in the definition of a retaining wall deemed to be a designated structure. The following scenarios provide examples when a building permit may or may not be required.

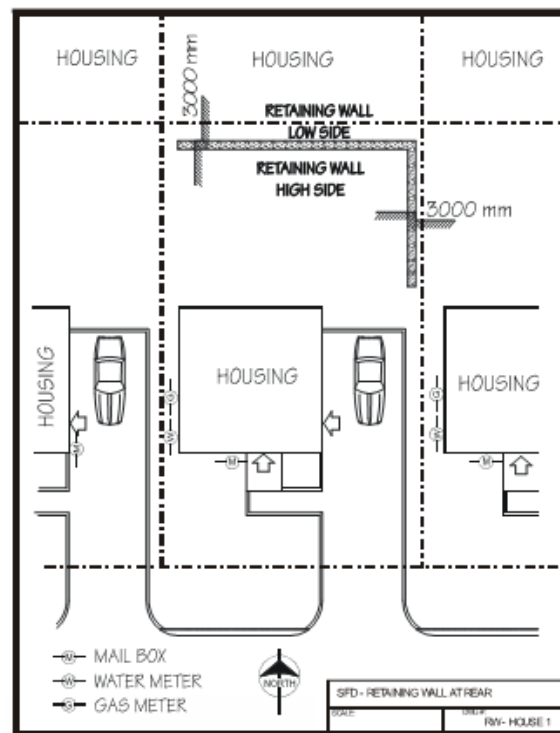
C.1. Residential Property Adjacent to Other Residential Property

Scenario:

- The retaining wall, varies in height from 3m to 1m along its length
- Its length faces only *other residential property*

This scenario would NOT be a designated structure since public does not have access to the wall

- No guards are required by the OBC but are *recommended*.



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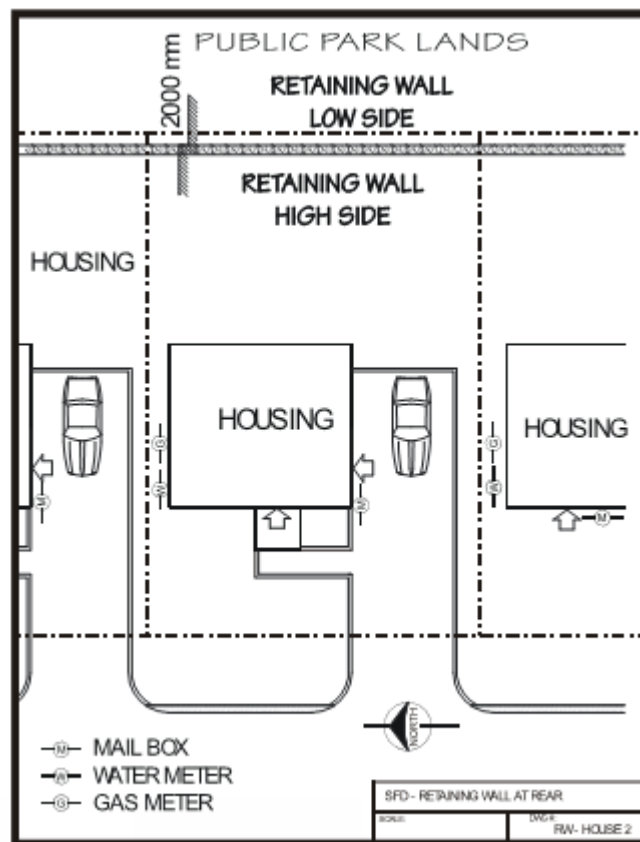
C.2. Residential Property Backing onto a Public Park

Scenario:

- The retaining wall is 2m in height, extends across the rear of property
- Property backs onto public park

The retaining wall in this scenario IS deemed to be a designated structure since it is adjacent to public property, even if the wall itself is on private property, given that in the event the wall collapses, it could pose danger to public

- Guards are NOT required, as no public access provided
- Exception may be given if the retaining wall is set back further from the public property than its height.
- A building permit along with drawings prepared by a competent design professional is required.



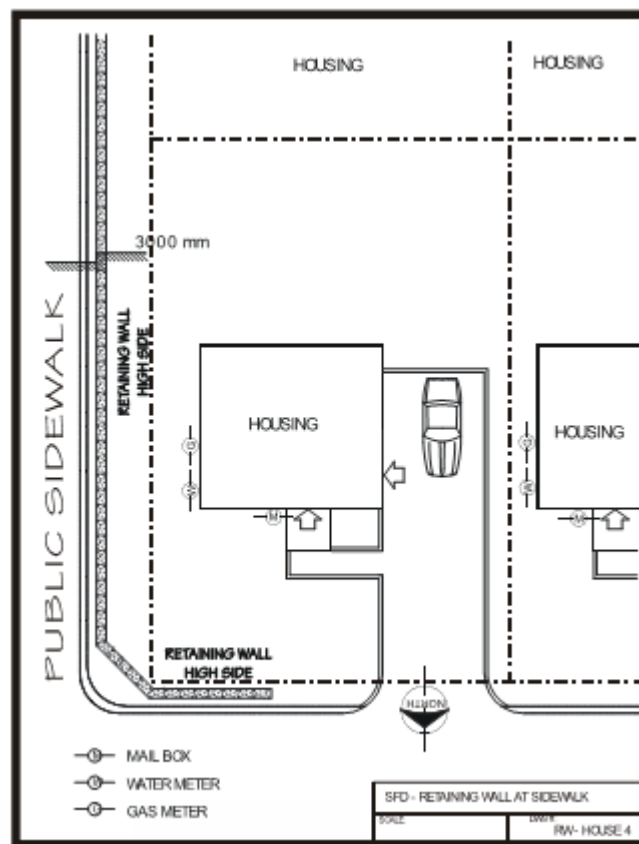
C.3. Residential Property Adjacent to Public Sidewalk(s)

Scenario:

- The retaining wall is 3m in height along 2 sides of a residential property
- Property adjacent to public sidewalks.

The retaining wall in this scenario IS deemed to be a designated structure since it is adjacent to public property, even if wall itself is on private property, given that in the event the wall collapses, it could pose danger to public.

- Guards are NOT required, as no public access is provided and the retaining wall is on private property.
- Guards MAY be required if the retaining wall is on public property.
- Exception may be given if the retaining wall is set back further from the public property than its height.
- A building permit along with drawings prepared by a competent design professional is required.



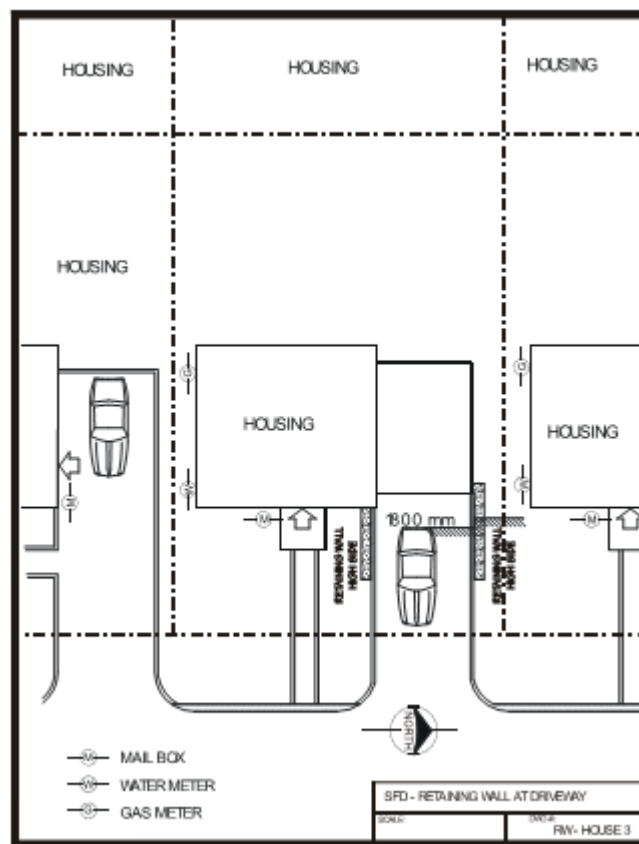
C.4. Residential Property Adjacent to a Residential Driveway

Scenario:

- The retaining wall is 1.8m in height on either side of a residential driveway between residential properties
- Property adjacent to residential property.

The retaining wall in this scenario IS deemed to be a designated structure since it is adjacent to a structure (driveway), even if wall itself is on private property, given that in the event the wall collapses, it could pose danger to public.

- Guards ARE required for the retaining wall adjacent to the side property line as the driveway is considered access to the dwelling.
- A building permit along with drawings prepared by a competent design professional is required.



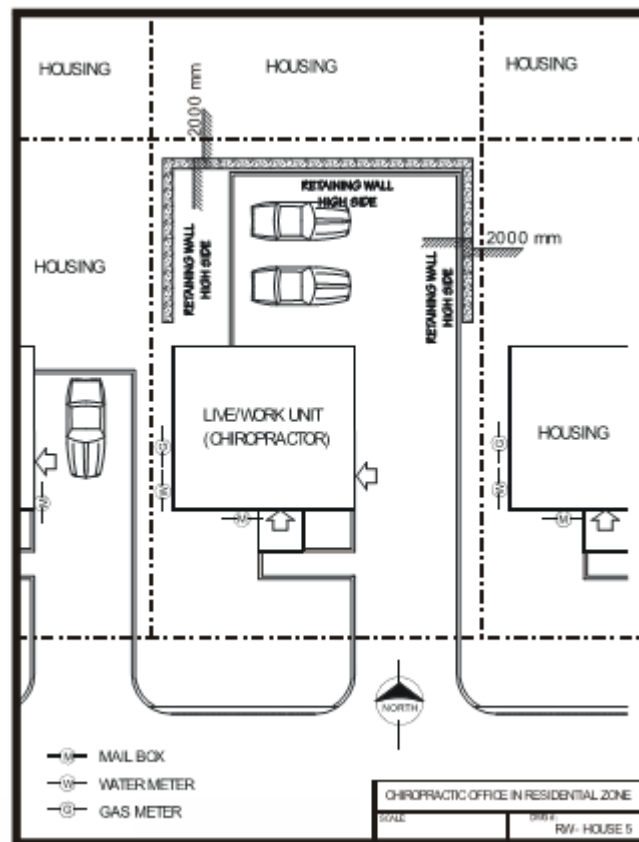
C.5. Commercial Property Adjacent to Residential Property

Scenario:

- The retaining wall is 2.0m in height and located entirely on private property of a commercial enterprise to which the public has access to (via a parking lot).
- Property adjacent to residential property.

The retaining wall in this scenario IS deemed to be a designated structure

- Guards ARE required for the retaining wall given that the public has access to the area served by the retaining wall.
- A building permit along with drawings prepared by a competent design professional is required.



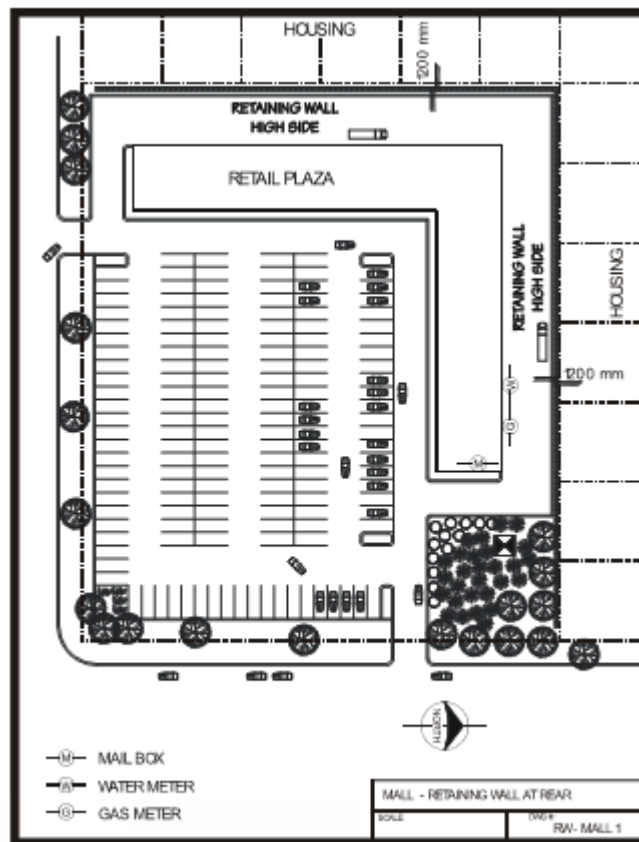
C.6. Commercial Property Adjacent to a Service Route

Scenario:

- The retaining wall is 1.2m in height and located entirely on private property adjacent to a service route of a commercial enterprise to which the public has access (delivery drivers, etc.)
- Property adjacent to residential property.

The retaining wall in this scenario IS deemed to be a designated structure

- Guards ARE required for the retaining wall given that the public has access to the area served by the retaining wall.
- A building permit along with drawings prepared by a competent design professional is required.



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D. Reference Information

The Ontario Building Code

E. Attached

N/A

F. Review Cycle

This building bulletin will be reviewed annually by the Chief Building Official.

Greg Miller, BSSO, CBCO, C.E.T.,
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