Main Administration Office 6544 New Dublin Rd RR 2 Addison, ON K0E 1A0

## Township of Elizabethtown-Kitley

Ph: (613) 345-7480 (800) 492-3175 Fax: (613) 345-7235 Email: mail@ektwp.ca



## **OUTDOOR SWIMMING POOLS**

(As defined in By-law No. 01-13, means any ground and/or above ground privately owned outdoor body of water contained by artificial means in which the depth of the water at any point can exceed 0.45 m (18 inches) (1.5 ft.) and is capable of being used for swimming, wading, diving or bathing)

### This Permit Package Includes:

- 1. Application to Permit (pg 2-4)
  Pages 2-4 MUST be completed in FULL & returned to the Township
  \*failure to complete in full may result in delay of permit assessment/issuance
- 2. Outdoor Swimming Pools Guide (pg 5-7)
- 3. Does My Pool Need a Fence? (pg 8-9)
- **4. By-Law No. 01-14** (A By-Law to Regulate Outdoor Swimming pools) as amended by **By-Law No. 05-32** (pg 10-12)

### Do Not Commence any

Construction, excavation, installation prior to receiving your permit.

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**Above Ground** 

**Swimming Pool** 

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In-Ground

**Swimming Pool** 



## **APPLICATION TO PERMIT**

Building Code Act - Separate Applications Are Required for Each Structure **To be completed in Full** - Incomplete application forms may result in delay of processing

\* Sufficient information shall be submitted with each application to enable the Chief Building Official to determine if the proposed work will conform with the Building Code Act, regulations thereunder & any other applicable law. CHECK APPROPRIATE BOX:

Outdoor

**Hot Tub** 

select one:	Soft-sided (inflatable) Hard-sided	
<u> </u>		
Mailing Address		
Phone:	Email:	
Contractor/Install	er (if different from property owner)	
Name(s)		
Mailing Address		
Phone:	Email:	
PROPERTY INFO	PRMATION	
Roll Number		
Street Address		
Concession	, Lot (s)	
Subdivision Informat	on (if applicable): Registered Plan No, Lot,	
Survey Information (	f applicable): Reference Plan 28R, Part(s)	
_ot Area	acres ±; Lot Size ft. x ft. ±	

## **APPLICATION TO PERMIT** (Continued)

1. <b>Plea</b>	se Provi	de a Brief D	escript	on of the W	ork					
		- of Prop		ructure			•••••			
of	Pool I	_ength	, W	idth	or	Diameter	-	, Heigh	t	
of	Deck l	ength	, W	idth	, Hei	ght		N/A		
3. <b>Set</b>	backs F	rom Propos	ed Stru	cture to Lot	Lines	(Viewed	from Ro	ad)		
Left Sid	de Yd	ft.	Right Si	de Yd	ft.	Rear Yo	t	ft. Fro	ont Yd .	ft.
	R	equired <b>Plo</b> t	: Plan / S	Site Sketch	nas be	en Submi	itted			
4. Swi	mming l	Pool Gate/L	atch an	d/or Fence [	Details					
									•••••	N/A
5. <b>Esti</b> r	mated V	alued of Wo	<b>rk</b> (requ	ired for the r	ecords	of Statis	tics Cana	ada)		
				DECL	ARAT	<u>ION</u>				
		ersigned, am ents/represen		rized owner/a	gent of	the owner	named a	bove and I	certify th	ne truth of
: 	aws or recanything in	quirements of	the Build	f a permit shal ling Code Act om the plans	or regu	lations ma	de there	under, notv	vithstand	ing
S	specificati	•	ing locati	a permit is issu ons proposed d.	•	•	•		•	
t	conformity here shall	with by-laws	or requir f claim w	event the peri ements of the hatsoever aga sly waived.	Buildin	g Code Ad	ct, or regu	ılations ma	de there	under,
Please	corresp	ond with th	е	Property O Contractor		on all n	natters r	elating to	this ap	plication.
Date					•••	•••••				
					S	ignature (	of Owne	r or Autho	rized Ac	aent

## Township of Elizabethtown -Kitl

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### **APPLICATION TO PERMIT**

\*Form which can be used for required Site Sketch/Plan\*

	nanad of mark to the	naluda /	wi-4-\.	
For <u>existing</u> and production 1) Distances to:	<u>posed</u> structures, it all lot lines	ncıuɑe (as appropi	riate):	

septic (tank and tile bed)

(note: to be minimum of 17 ft from septic tile bed area and 5 ft. minimum

from septic tank. To be sited outside of septic mantle area.)

- 2) road location
- 3) dimensions

# Township of Elizabethtown-Kitley

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### **OUTDOOR SWIMMING POOLS**

This information package\* is intended to help you, the homeowner or contractor, to better understand building permit procedures and other approvals which may be required for the installation of a pool.

We urge you to read all of this information carefully and keep it handy for future reference.

#### If you should have any questions, please contact:

Building Department: Ontario Building Code

613-345-7480 Building By-Law

Swimming Pool By-Law

Email: cbo@ektwp.ca

Planning Department: Zoning By-Law

613-345-7480 (Includes minimum setback

requirements from lot lines etc.)

Email: planning.assistant@ektwp.ca

\*\*\*\* Please note this is a guide prepared to help you understand the development process. This package is intended to give general information only and is not an interpretation of the relevant by-laws or acts.

For specific requirements and procedures, please refer to the appropriate legislation and/or consult with the appropriate department at the Township Office.

#### APPLYING FOR A POOL PERMIT

To apply for a pool permit, a **completed application** must be submitted with the **required drawings** to the Township office (for review by the Chief Building Official (C.B.O.)).

It is important to detail the height and type of fencing/enclosures and gates in the application form. Incomplete application forms and/or drawings will delay the process. Should you have any questions in completing the application, Township staff would be happy to assist you.

It is recommended that you allow **one** to **two weeks processing time**. Due to the number of matters required to be reviewed, pool permits cannot and will not be issued on an as-you-wait basis.

#### REQUIRED DRAWINGS AND SPECIFICATIONS

#### Site Plan

Dimensioned site plans (plans noting measurements) will be reviewed for compliance with the zoning and pool by-law. The site plan must show:

- Location of:
  - pool
  - deck
  - fence
  - gates
  - equipment (filter, heater, pump, etc.)
  - septic tank and tile bed
  - proposed accessory structures (shed, cabana, etc.) and existing structures
  - significant landscaping features (retaining walls, trees, etc.)
  - easements (hydro, gas etc.)
- Distance between pool and:
  - property line(s)
  - fences
  - septic tank
  - tile bed
  - other structures
- Details pertaining to the drainage of the property (location of swales, catch basin, significant changes in elevation, etc.)

Construction must be in accordance with the plans. If any changes are required, revised drawings **MUST** be submitted for review and approval by the C.B.O.

**Note:** Should a raised deck or other accessory buildings be constructed in conjunction with the pool, two (2) complete sets of construction plans will be required.

### **MUNICIPAL REGULATIONS**

1. **ZONING**: For required minimum distances for pool, deck or accessory building please contact the planning department.

#### 2. **POOL ENCLOSURE / FENCE:**

For complete construction requirements refer to the Township pool by-law.

The enclosure / fence shall:

- be a minimum of 1.5 metres (4 ft) high
- be at least 1.0 metres (3 ft) away from the pool
- be constructed in such a manner so as to prevent entry
- have all gates equipped with self-closing and self-latching devices located inside the gate at the top (locks are not required by are certainly recommended when the pool is not in use)

It is important to ensure that a ladder-type situation is not created for easy access to the pool area, either by way of the fence design or, as a result of proximity to climbable objects. (Refer to the pool by-aw for required distances between such items).

When the **rear door of a garage accesses the pool area**, it is required to have the same features as are required on enclosure / fence gates (self-closing, self-latching devices).

3. **INSPECTION:** (Required prior to filling the pool with water)

A copy of the approved plans must be on site and the following must be completed before the required inspection (otherwise the inspection may not be carried out):

- pool installation
- fence, gates and latches

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### **Does My Pool Need a Fence?**

This information is intended to help you to better understand the pool permit procedure and safety and enclosure requirements for the installation of a pool.

#### **Applying for a Pool Permit:**

Please submit a completed pool permit application form with details on the type of pool being installed and construction drawings (if a deck or other accessory building is being constructed in conjunction with the pool).

#### **Zoning/Setback Requirements:**

For required minimum distances for pool, deck or accessory building please contact the Planning Department.

#### **Pool Enclosure/Fence Safety Requirements:**

It is important to detail the height and type of fencing/enclosures and gates in the application form.

The type of pool will determine the enclosure requirements.

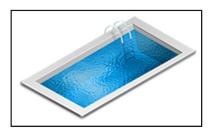
We recommend that you submit a picture of the pool to be installed with your pool permit.

#### **Enclosures/fencing shall:**

- be a minimum of 1.5 metres (4 ft.) high
- be at least 1.0 metres (3 ft.) away from the pool
- be constructed in such a manner so as to prevent entry
- have all gates equipped with self-closing and self-latching devices located inside the gate at the top (locks are not required but recommended when the pool is not in use)

#### Examples of pools that **require** a fence:

In-ground Pools:



Soft-Sided / Easy Set Pools (regardless of height)



Examples of pools that <u>may</u> require a fence <u>or</u> need to be retrofitted on the exterior such that side strapping and hosing/equipment cannot be climbed by children and also have a removable ladder:

Steel Frame Self-setup Pools:



Examples of pools that <u>may</u> <u>not</u> require a fence but require a locking or removable ladder (provided there is no exterior hosing/equipment that can be climbed by children) <u>or</u> a self-closing/latching gate if accessed by a deck:

Traditional Hard-Side Above-Ground Pools: (typically installed by a pool contractor)



Steel Frame Pools (without exterior strapping)



Should you have any questions regarding whether your pool and proposed enclosure will meet the requirements of Pool By-law 01-13 & 05-32, Township staff would be happy to assist you.

**Inspection:** Required after installation of pool, deck, fencing, etc. prior to filling the pool with water. Please contact the Building Department to schedule your inspection.

Please never leave any child unattended in the pool area.

Competent adult supervision is necessary to prevent drowning and injury.

Should have any questions, please contact:

Building or Planning & Development Department: 613-345-7480 Email: mail@ektwp.ca

## The Corporation of the Township of Elizabethtown-Kitley

### By-law Number 05-32

## BEING A BY-LAW TO AMEND BY-LAW 01-14, REGULATING OUTDOOR SWIMMING POOLS

	SWIMMING POOLS				
********************					
not sp	EREAS the Municipal Act, Section 130, states that a municipality may regulate matters becifically provided for by this Act or any other Act for purposes related to the health, and well-being of the inhabitants of the municipality;				
it advis law tha By-law	CREAS the Council of the Corporation of the Township of Elizabethtown-Kitley deems sable to amend By-law 01-14 to clarify the intent and interpretation of the existing By-at all soft-sided pools require fencing in accordance with the enclosure requirements of v 01-14, as a safety measure, as soft-sided pool walls are not deemed to be of rigid uction to prevent entry;				
NOW Kitley	THEREFORE the Council of the Corporation of the Township of Elizabethtown-enacts as follows;				
1.	THAT Section 2.02 of By-law 01-14 be hereby amended by the addition of: viii) soft-sided pools, regardless of height are themselves not deemed to be suitable enclosures and such pools require fencing in compliance with the enclosure requirements of this by-law.  Fee has since been updated to \$75.00				
2.	THAT the permit fee be set at \$50.00 per swimming pool. Seasonal/inflatable pools do not need to apply for a permit on an annual basis provided that the pool is maintained in conformance with the by-law.				
3.	THAT this By-law shall come into force and take effect on the date of its passing.				
Read	a First and Second time this 13th day of June, 2005.				
Read	a <b>Third</b> time and finally <b>Passed</b> this day of, 2005.				
	Mayor Mayor				

#### By-law Number 01-14

#### A BY-LAW TO REGULATE OUTDOOR SWIMMING POOLS

Via 8 By-1000

Whereas the Municipal Act, Chapter M. 45, R.S.O. 1990, Section 210(30), authorizes the passing of a by-law requiring the owners of privately owned outdoor swimming pools to obtain a permit for the installation of pools and to erect and to maintain fences and gates around such pools;

And Whereas the Corporation of the Township of Elizabethtown-Kitley has deemed it desirable to enact such a by-law;

Now Therefore the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

#### 1.00 **DEFINITIONS**

- a) "ENCLOSURE" means a fence, wall or other structure, including doors and gates, surrounding a privately owned outdoor swimming pool to restrict access thereto;
- b) "OWNER" means a person in possession of the property and includes a lessee or tenant in possession of property on which a swimming pool is located;
- c) "OUTDOOR SWIMMING POOL" means any in ground and/or above ground privately owned outdoor body of water contained by artificial means in which the depth of the water at any point can exceed 0.45 m (18 inches)(1.5 feet) and is capable of being used for swimming, wading, diving or bathing.

#### 2.00 REGULATIONS

#### 2.01 General

- a) No person shall erect, construct or excavate for an outdoor private swimming pool unless and until the required permit has been issued by the Chief Building Official.
- b) A temporary fence shall be erected during construction of the pool. It is the applicant's responsibility to ensure safety during construction.
- c) No person shall place water in an outdoor swimming pool or allow water to remain therein or allow water to remain in an excavation unless the enclosure prescribed by this by-law has been erected.
- d) Every outdoor swimming pool shall be secured against entry of the public other than tenants or their guests and no invitation to the public shall be extended.
- e) The owner of every outdoor swimming pool shall ensure that an enclosure around such a pool is constructed and maintained in accordance with the provisions of this by-law.

#### 2.02 Enclosure

- a) Every enclosure, or part thereof, shall:
  - i) ce a minimum of 1.2 m (4 feet) in height measured on the outside of the enclosure, the lower extremity being not more than 5 cm (2 inches) above ground level;
  - ii) be of close-boarded, chain link, metal picket or other approved design, to reasonably deter children from climbing it to gain access to the enclosed area;
  - iii) be rigidly construct to prevent entry/access to the enclosed area,
  - iv) have no attachments or bracing on the exterior facing of the fence within a height of 1.2 m (4 feet) of the grade level which might facilitate climbing;
  - v) have no barbed wire or similar dangerous characteristics and shall have no device for projecting an electric current;
  - vi) we located no closer than 1 m (3 feet) from the edge of any outdoor pool; and
  - vii) only have entry or access as permitted and described in this by-law.
- b) Where an outdoor swimming pool is erected above grade such pool walls shall be deemed suitable enclosure provided:
  - i) the pool walls project a minimum of 1.2 m (4 feet) above grade;
  - ii) there are no attachments or bracing on the exterior facing of the pool which may
    facilitate climbing and the wall of the pool and will provide a degree of security
    equivalent to enclosure requirements of this by-law;
  - iii) the grade of the ground adjacent to the outside wall of the pool, for a distance of (22 m (4 ft.) therefrom is at least 1.22 m (4 ft.) below the top of the pool walls; and
  - iv) any ladder or gate or other means of access to the pool is designed to be locked in a like manner as is required for gates in this bylaw.

#### 2.02 REGULATIONS (Continued)

- c) Every gate erected in a fence/enclosure around an outdoor swimming pool shall:
  - i) be of construction and height equivalent to that required for the enclosure;
  - ii) be supported by substantial hinges; and
  - iii) be self-closing and equipped with a self-latching device placed at the top, on the inside, a minimum distance of 1 m (3 feet) above grade.
- d) A wall of a building or deck may form part of an enclosure provided it meets the requirements for enclosures and provide a degree of security equivalent to the enclosure requirements of this by-law. All doors located in a wall of the building which forms part of an enclosure, other than doors located in a dwelling unit, shall be equipped with self-closing, self-latching devices located not less than 1 m (3 feet) above the bottom of the door and comply with Sections 2.02 c) i) and ii) and all other sections of this by-law.
- e) A swimming pool and associated decks, pumps, etc. shall be located in compliance with the provisions of all by-laws for the Township of Elizabethtown-Kitley, including the Zoning By-law, and shall comply with Part 8 requirements of the Ontario Building Code. i.e. 1.5 m (5 feet) from a septic tank and 5 m (17 feet) from a leaching bed.
- g) Accessory buildings, accessory structures and pool equipment, including pumps and filters, that could be used to assist in gaining access to the pool shall be located a minimum of 1 m (3 feet) from an approved enclosure to reduce access/climbing potential, unless they are located under a deck which has been enclosed in accordance with the provisions of this by-law.
- h) The Owner of every privately-owned outdoor swimming pool shall ensure that every gate, ladder or door providing access to swimming pool shall be kept locked at all times when they are not present and supervising the pool.

#### 3.00 ISSUANCE OF PERMITS

- a) To obtain a permit for an outdoor swimming pool, the applicant must:
  - i) complete the Application for Swimming Pool Permit required by the municipality,
  - ii) pay a fee, as prescribed from time to time in the Building Permit Fee By-law;
  - iii) submit a plot plan describing the location of buildings, swimming pool, pump, filter, enclosure, decks, distances to lot lines, septic system, etc.; and
  - iv) submit details of pool, gate(s) and fence/enclosure.
- b) The Chief Building Official may refuse to grant a permit for a swimming pool or for a fence/enclosure around an outdoor swimming pool if the plans are contrary to the provisions this or any by-law of the Township of Elizabethtown-Kitley or if the plans are contrary any requirements of the Ontario Building Code.

#### 4.00 PENALTIES

Any person who contravenes any provision of this by-law is guilty of an offence and shall be liable to a fine of up to one thousand (\$1,000.00) dollars, exclusive of costs, for each and every offence.

#### 5.00 OTHER

- a) The provisions of this by-law shall apply to all outdoor swimming pools constructed or in construction subsequent to the date hereof, and to all such pools which, as of the date of final passing of this by-law, fail to meet the requirements for such pools as set forth in this by-law.
- b) That By-law No. 99-04 of the former Township of Elizabethtown, and By-law B99-06 of the former Township of Kitley, and all by-laws of both former Townships, or sections thereof, which are inconsistent herewith, are hereby repealed.

Read a First and Second time this 23rd day of January, 2001.

Read a Third time and finally Passed this 13th day of February, 2001

REEV

CLERK

Page 12 of 12

## Building Permit Fees, as of July 1, 2023 Taken from Schedule A

By-law 23-39: Being a By-law to Establish Fees in the Township of Elizabethtown-Kitley

Class of Permit	Fees*			
Building Work Orders	\$75.00			
Deposit on New Construction	\$500.00			
Residential				
New Single Unit Dwelling, Semi-Detached or Duplex (includes attached garage space)	\$1 per square foot, all floor areas excluding basement. If finished basement, add \$0.20/sq. ft.			
Additions to Single Unit, Semi-Detached or Duplex Dwellings, includes attached garage area	\$1 per square foot <b>OR</b> \$100.00 minimum, whichever is greater.			
Alterations and Repairs to Single Unit, Semi-Detached or Duplex Dwellings	\$0.75 per square foot <b>OR</b> \$100.00 minimum, whichever is greater.			
Detached Residential Accessory Buildings, and any additions to such buildings	\$0.50 per square foot <b>OR</b> \$100.00 minimum, whichever is greater.			
Decks, freestanding or attached	\$0.50 per square foot <b>OR</b> \$100.00 minimum, whichever is greater.			
Industrial, Commercial, Institutional or Public Buildings				
New Buildings	\$0.40 per square foot <b>OR</b> \$300.00 minimum, whichever is greater.			
Additions to Buildings	\$0.40 per square foot <b>OR</b> \$300.00 minimum, whichever is greater.			
Alterations, Repairs and Minor Renovations	Greater of \$100.00 or \$5.00 for every \$1,000 of cost			
Farm (Farm Registration Number May Be Required)				
New Farm Building	Greater of \$100.00 or \$0.15 per square foot to a maximum of \$750			
Alterations, Repairs and Additions to Farm Buildings	Greater of \$100.00 or \$0.15 per square foot to a maximum of \$300			
Miscellaneous				
Wood Stove or Fireplace Permit	Flat Rate \$200.00			
Plumbing Permits	Flat Rate \$100.00			
Demolition Permit	Flat Rate \$100.00			
Transfer of Permit	Flat Rate \$100.00			
Change of Use Permit	Flat Rate \$100.00 plus permit fee			
Conditional Permit	Flat Rate of \$100.00 plus permit fee and a signed Agreement			
Request for a Deferral of Revocation	Flat Rate \$100.00			
Minimum Permit Fee	\$100.00 unless otherwise indicated			
Pools (By-law 01-14 and By-law 05-32)	\$100.00			
Outdoor Furnaces (By-law 07-08)	\$200.00			

<sup>\*</sup> Per square foot fees calculated based on exterior dimensions