



## **TOWN OF AURORA**

### **Pool Enclosure Permit Guide**

#### **PLANNING AND DEVELOPMENT SERVICES Building Division**

Phone: 905-727-3123 ext. 4388

Fax: 905-726-4731

Email: [building@aurora.ca](mailto:building@aurora.ca)

## LOCATION

Please refer to the property survey to check for applicable easements and restrictive covenants. In addition some properties may be subject to additional restrictions outlined in the exception zones. Visit [www.aurora.ca](http://www.aurora.ca); Comprehensive Zoning By-law 6000-17.

### **Pool:**

Means any open artificial body of water located on privately owned property, in which the depth of the water at any point can exceed 0.8 metres (2.6 ft.) and Pool shall include above-ground Pools, hot tubs and whirlpools. Pool excludes all naturally occurring bodies of water and areas used for storm water management.

### **ACCESSORY BUILDINGS (ie: cabanas, sheds)**

A separate building permit is required for accessory building that include plumbing and/or exceeds 10m<sup>2</sup>. Accessory buildings shall be sited in accordance with Section 4.1 of the Zoning By-law, unless otherwise stated in the Zoning By-law.

## DECKS

A building permits is required for the construction of decks 2' or greater in height above grade. A copy of our "Deck Construction Guide" can be found online or at the Building Division.

***\*All accessory structures and decks are subject to zoning requirements.\****

## DRAWINGS REQUIRED WITH THE POOL ENCLOSURE PERMIT APPLICATION

Please use the attached checklist to ensure that all the necessary documentation and information listed in the checklist is provided.

## PERMIT FEES AND SECURITY DEPOSIT APPLIES TO ALL POOL TYPES

Permit Fee	\$315.00
Security Deposit (Refundable)	\$25.00 per metre of lot frontage (max. \$750.00)
Septic Tank and Tile Bed	\$270.00, if alteration required

## ADDITIONAL FEES AND DEPOSITS FOR ASSUMED PROPERTIES

All assumed properties are subject to the following additional fees and deposits:

Grading Security Deposit	\$1,000.00
Lot Grading Review	\$289.00

***\*Please note fees are subject to change upon permit issuance.\****

**FULL PAYMENT IS REQUIRED AT TIME THE APPLICATION SUBMISSION IS MADE. PAYMENT CAN BE MADE BY EITHER CHEQUE, CASH, DEBIT OR CREDIT CARD (EXCEPT AMERICAN EXPRESS)**

**The above fee and security deposit are required for both in-ground and above-ground pools.**

### **Un-assumed subdivision/ New built homes**

At permit submission a developer's letter or final lot grading approval accompanied by an acknowledgment letter (signed by the property owner) is required.

***\*Please note this only applies to new homes.***

## Inspections

Please call for a final inspection after the pool and enclosure have been completed prior to filling pool with water.

For inspection scheduling, please contact:

Phone (905) 727-1375 ext. 4240 or Email [bylawdept@aurora.ca](mailto:bylawdept@aurora.ca)

Please review the following checklist to ensure that the Survey/Site Plan is complete and that the information in the checklist is shown thereon

<input type="checkbox"/>	Name and address of homeowners on each page
<input type="checkbox"/>	Two copies of drawings and specifications
<input type="checkbox"/>	Completed Pool Enclosure Permit Application Form
<input type="checkbox"/>	Pool dimensions and location
<input type="checkbox"/>	Setback dimensions measured from the water's edge of the pool to all property lines
<input type="checkbox"/>	Setback dimensions measured from the water's edge of the pool to existing or proposed decks and/or accessory buildings
<input type="checkbox"/>	Setback dimensions measured from the water's edge of the pool to the dwelling
<input type="checkbox"/>	Location and setback dimensions of pool equipment
<input type="checkbox"/>	Location and setback dimensions of septic tank and bed
<input type="checkbox"/>	Existing and proposed construction clearly labelled
<input type="checkbox"/>	Height and type of fence construction details and location (the attached fence specifications may be submitted with your application)
<input type="checkbox"/>	Location of gates (gates specified on drawings shall be self-closing and equipped with a self-latching device)
<input type="checkbox"/>	Location and dimensions of easements
<input type="checkbox"/>	Property drainage patterns with proposed pool

**Note: Missing information, drawings and/or non-compliance with zoning may lead to incomplete applications which can delay the permit issuance process**

#### Additional Information

- Unenclosed pool equipment shall be setback a minimum of 0.45 metres from any property line. Enclosed pool equipment shall be subject to the zoning regulations under Section 4.1 Accessory Buildings and Uses.
- Where a building or structure forms part of a pool enclosure, all door entrances into the pool area shall be equipped with a dead bolt, chain latch or some other mechanism to secure the door, located at a minimum height of 1.5m (5ft.) above the inside floor level of the building.
- Landscaping works or change of grade shall not encroach within 0.45m of the property lines.
- Condominium Board approval (where applicable).
- Where access to a property is required from a **TOWN PARK**, please contact Operational Services; Parks Division at (905) 727-3123 ext. 3233, for approval. Be advised that Parks approval is required prior to the issuance of the permit.
- This is NOT a permit to injure or remove a tree. A separate permit may be required to injure or remove a tree. For further inquiries, please contact Parks Department at 905-727-3123 Ext. 3233

#### **DURING CONSTRUCTION OF THE POOL, THE OWNER MUST PROVIDE A SAFE TEMPORARY FENCE AROUND THE POOL**

- Excerpt from the Fence By-law (as amended), Section 3.1.8: "Every pool while under construction shall be enclosed with a temporary enclosure until such time as construction is complete and a pool enclosure has been erected in compliance with the provisions of this By-law."
- A temporary fence is not permitted once the pool contains more than 750mm of water.



**Excerpt from Zoning By-law 6000-17**

**Swimming Pools  
Section 4.12**

**4.12 Swimming Pools**

Unless otherwise specified in this By-law, Pools shall be located in Residential Zones, excluding Apartment Residential Zones, in accordance with the following:

- a) Pools shall be located in the Rear and Side Yards only;
- b) In-ground pools shall be setback a minimum of 1.2 metres from the Rear and Side Lot Lines;
- c) The perimeter deck of an above ground pool shall be setback a minimum of 0.6 metres from the Rear and Side Lot Lines.

**4.12.1 Estate Residential, and Rural Zones:**

Pools shall be located in accordance with the Setback requirements for the Main Building with the exception of the Rear Yard, in which pools shall be setback a minimum of 4.5 metres.

**4.12.2 Pool Enclosures:**

- a) In the case of an in-ground pool, no pool enclosure shall be closer than 1.2 metres of the nearest edge of the water contained in the pool.
- b) A minimum distance separation of 1.2 metres from the nearest edge of the water contained in the pool shall be maintained from all buildings and/or structures.

**Excerpt from Fence By-law 4753-05.P**

**Part 3 – Pool Enclosures and Temporary Enclosures**

- 3.1.2. Amenity uses such as but not limited to pool equipment, diving boards, slides or similar uses shall only be permitted in the interior side yard, exterior side yard or rear yard and in accordance with the following provisions:
  - a) Unenclosed pool equipment shall be setback a minimum of 0.45 metres.
  - b) Slides, diving boards or similar uses shall be setback a minimum of 0.6 metres. Except in the case of Rural Residential, Estate Residential and Rural General Zones, the setbacks shall be in accordance with the provisions of the Zoning By-law.
- 3.1.3. Where an amenity use is located within an accessory building or structure it shall be setback in accordance with the provisions of the Zoning By-law.
- 3.1.4. Notwithstanding the provisions of this By-law, a pool that is a hot tub or whirlpool and that has a cover that may be locked and that will support a weight of at least 27.2kg (60 pounds), is not required to be enclosed by a pool enclosure or temporary enclosure.
- 3.1.5. The owner of a pool that is a hot tub or whirlpool shall ensure that the cover for such pool remains securely closed and locked at all times when such pool is not in use by the owner, its invitees or licensees.
- 3.1.6. No person shall excavate for, or cause or permit excavation for any privately owned pool, or erect, or cause or permit the erection of any privately owned pool without first obtaining a permit issued by the Chief Building Official. The plans submitted with the permit application shall:

- a) show the location of the pool in relation to the property lines and to adjacent structures; and
- b) provide complete details of the pool enclosure.

3.1.7 No person shall place or allow water to remain in a newly constructed pool, until:

- a) The Chief Building Official or their designate has been notified and the pool enclosure has been inspected and accepted; and
- b) The provisions of this By-law and applicable law have been fully complied with.

3.1.8 Every pool while under construction shall be enclosed with a temporary enclosure until such time as construction is completed and a pool enclosure has been erected in compliance with the provisions of this By-law.

3.1.9 Notwithstanding any other provisions of this By-law, a temporary enclosure may have a height of not less than 1.2m (4 ft.) and may be constructed of plastic mesh having openings no greater than 38mm (1-1/2 in.). A steel T-bar post shall be installed at intervals no less than every 2.0m (6.56 ft.) and a 9 gauge galvanized steel wire shall be located at the top and bottom of such fencing. Notwithstanding this provision, a temporary enclosure may be constructed in a manner that in the opinion of the Chief Building Official will provide a satisfactory degree of safety. All temporary enclosures shall be erected in a workmanlike manner.

3.1.10 A temporary enclosure shall be replaced by a pool enclosure upon completion of the pool or immediately upon the direction the Chief Building Official.

### **Section 3.2 Access**

3.2.1 The owner of every pool shall ensure that every door, gate or means of entry to the pool and the area enclosed by the pool enclosure is kept latched and locked, except when the pool or such enclosed area is in use by the owner, its invitees or licensees.

3.2.2 Where a main building forms part of the pool enclosure, the main entry into the building shall not be located inside the pool enclosure.

3.2.3 Where a building or structure forms part of a pool enclosure, all door entrances into the pool area shall be equipped with a dead bolt, chain latch or some other mechanism to secure the door, located at a minimum height of 1.5m (5ft.) above the inside floor level of the building.

3.2.4 Where a building or structure forms part of a pool enclosure, no window or other opening shall open into the area enclosed by the pool enclosure unless such window or opening is capable of being securely closed and latched.

3.2.5 Every gate in a pool enclosure shall be self closing and shall be equipped with a lockable self-latching device located on the top interior side of the pool enclosure. Such gates shall not have any member or attachment that would facilitate the climbing of the gate and shall be supported on substantial hinges. The minimum height of any gate or entry shall be 1.2m (4ft.).

### **Section 3.3 Construction**

3.3.1 No owner shall construct any fence to a height in excess of 2.0 metres (6.56 ft.), without first obtaining a building permit from the Town of Aurora.

3.3.2 No pool enclosure shall be located within 1.2m (4 ft.) of the nearest edge of the water contained in the pool.

3.3.3 Pool enclosures shall be constructed as follows:

- a) A chain link fence shall conform to the Town of Aurora standards for fencing as may be amended from time to time.

- b) A wooden fence shall conform to the following:
- (i) vertical boards shall be spaced not more than 38mm (1 1/2 in.) apart where rails are spaced closer than 1.1m (3 ft. 8in.) and not more than 100mm (4 in) where rails are spaced at least 1.1m (3ft. 8in) apart.
  - (ii) vertical boards shall be of not less than 19mm x 89mm (1" x 4" nominal) lumber and shall be attached to rails that are not less than 38mm x 89mm (2" x 4" nominal) in size. The rails shall be supported on substantial posts with a minimum dimension of 89mm x 89mm (4" x 4" nominal) spaced not more than 2.4m (8ft) apart and imbedded to a minimum depth of 900mm (36 in.) below grade; or
- c) Notwithstanding the provisions of this subsection, a pool enclosure may be of other designs, materials and construction, which in the opinion of the Chief Building Official provide a degree of structural soundness sufficient to restrict entry into the pool without the permission of the owner.

3.3.4 Where a pool enclosure or temporary enclosure is a building, accessory building or structure, it shall be constructed of materials that will withstand weathering and will remain in place when reasonable loads are applied.

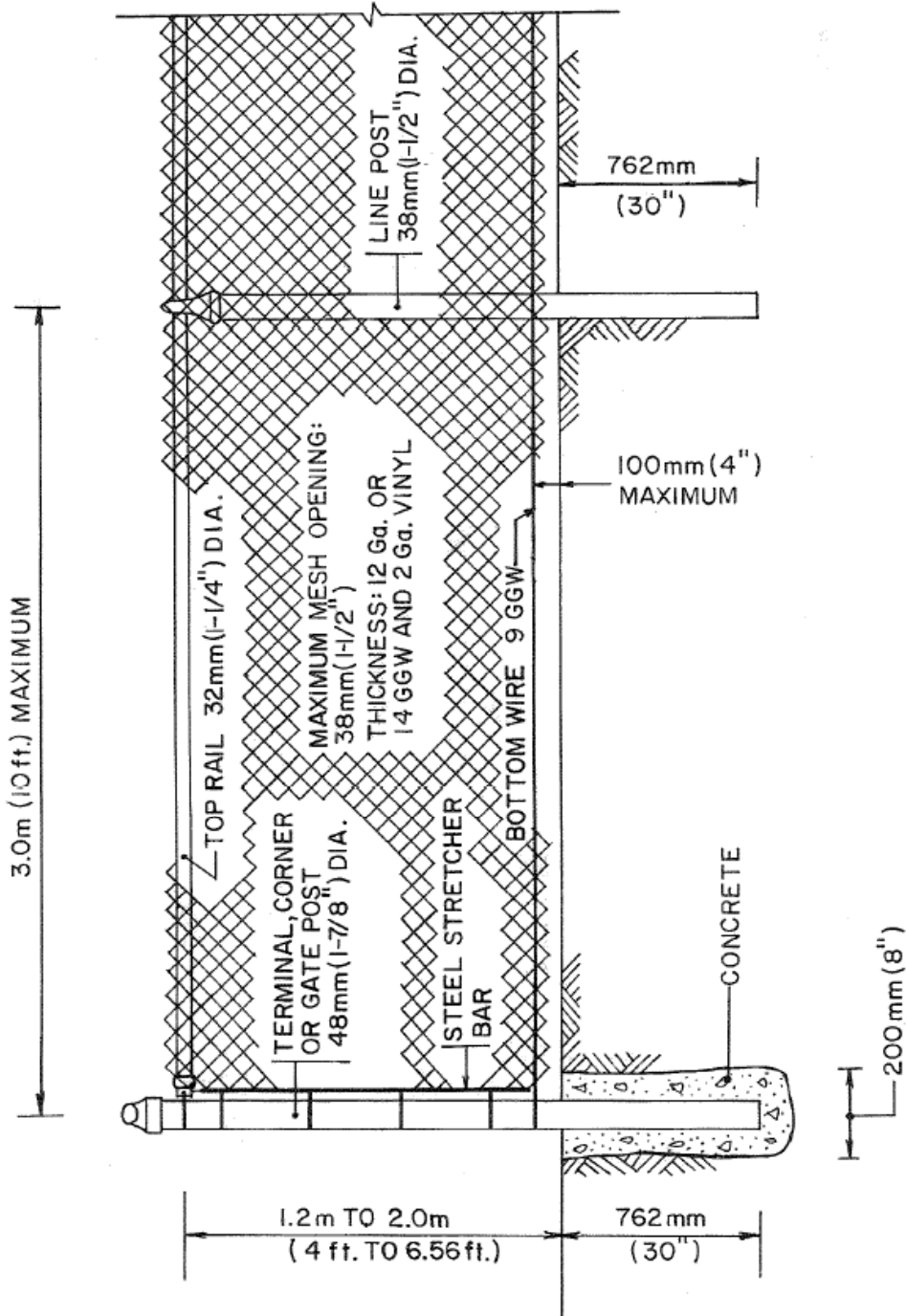
3.3.5 No pool enclosure or temporary enclosure shall have any unprotected openings that would permit the passage of a sphere larger than 100mm (4 in.) in diameter within or below the enclosure.

3.3.6 No pool enclosure or temporary enclosure shall have any members or attachments that could facilitate climbing on the exterior face of a pool enclosure or temporary enclosure for a distance between 100mm (4 in.) and 1.2m (4 ft.) from the grade.

3.3.7 No condition that facilitates climbing a pool enclosure or temporary enclosure may be permitted to remain within 1.0m (3.3 ft.) of the exterior of the pool enclosure or temporary enclosure.

**3.3.8 Where an above-ground pool is a pool enclosure**

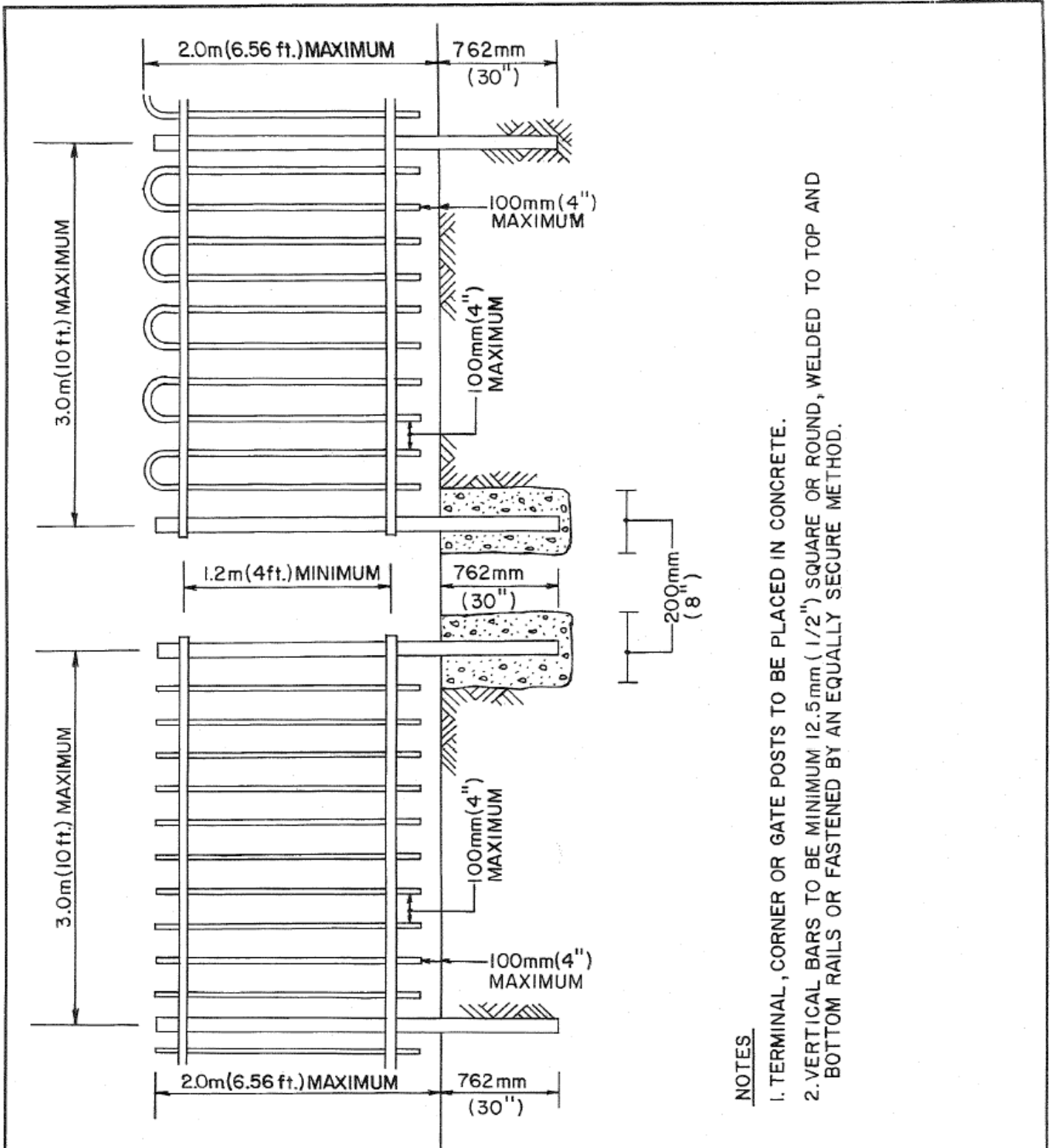
- a) The exterior side of the above-ground pool structure and any rail or guard attached thereto shall constitute a pool enclosure and the provisions of this By-law shall apply to such pool sides. The owner of an above-ground pool shall ensure that the means of entry within the pool enclosure shall be kept closed and locked except when the pool or enclosed area is in use by the owner, it's invitees or licensees. Where such means of entry is a ladder, the ladder shall be removable from the vicinity of the pool or be designed to be lifted and locked or be designed to have a lockable cover when the pool is not in use.
- b) The exterior sides of the above-ground pool structure and the outside face of any rail or guard shall be constructed as a pool enclosure, in a manner that will not facilitate climbing.
- c) Where a platform or deck is constructed adjacent to an above-ground pool and such platform or deck is higher than 0.6m (2 ft.) above the adjacent grade, a rail or guard of not less than 0.9m (2.9 ft.) in height shall be provided around the outside perimeter of such deck. Notwithstanding the provisions of this By-law such a rail or guard may be constructed within 1.2m (4 ft.) of the nearest edge of the water contained in the above-ground pool.
- d) Notwithstanding any other provisions of this By-law, the combined height of the exterior sides of the pool structure and any rail or guard attached thereto shall be a minimum of 1.5m (5 ft.) and may be a maximum of 2.5m (8.2 ft.) in height above the adjacent grade.
- e) The pool, platform and/or deck shall be setback from the lot lines in accordance with the provisions of the Zoning By-law.



ALL DIMENSIONS ARE EXPRESSED IN mm UNLESS OTHERWISE NOTED.

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## IRON FENCE DETAIL

DRAWING NO.:

**S.P.-2**