



Building Services

Pool Owner's Guide



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Introduction

The purpose of this guide is to assist the property owner with the process and documentation required in order to obtain a pool enclosure permit. The permit must be obtained before the pool is installed. A pool, for the purposes of requiring a pool enclosure permit, is defined in the Pool Enclosure By-law as a body of water, including a Temporary Pool or Hot Tub which,

- (i) is located outdoors on private property,
- (ii) is wholly or partially contained by artificial means,
- (iii) is capable of holding water in excess of 61cm (2 feet) in depth at any one point,
- (iv) has an open exposed water surface of at least 1 square metre (10.76 square feet).

Available to hot tubs owners is the use of a substantial cover that is capable of holding 90.72kg (200 lbs) which is locked to prevent access when the hot tub is not in use. The cover is the pool enclosure, therefore a pool enclosure permit must be obtained.

Existing pool enclosures that were erected with a Town of Halton Hills pool enclosure permit prior to the passing of Pool Enclosure By-law 2009-0028, and that continue to be maintained are not required to comply with the current by-law provided that no more than 7.31 metre (24 feet) of the existing pool enclosure requires replacing.

Important details of the requirements for a pool enclosure are included in this guide.

Important Considerations When Contemplating a Pool

Property Easements

It is important to know that some properties have easements on them, in situations where this is the case neither the pool nor any equipment may be located within the easement.

Zoning

Town of Halton Hills Zoning By-laws regulate the height, size and location of all accessory buildings and structures such as buildings (that house pool filters and heaters, cabanas etc. These Zoning By-laws apply whether or not a building permit is required for the accessory building or structure.

Town of Halton Hills zoning by-laws generally do not regulate swimming pools except for some properties located adjacent to ravines and those properties located in the rural areas of the Town including the hamlets of Glen Williams, Norval and Stewarttown.

Contact Zoning Services for requirements applicable to pools or accessory buildings and structures 905-873-2601 ext. 2320.

Properties within the Niagara Escarpment area are not regulated by Town of Halton Hills zoning by-laws. Contact the Niagara Escarpment Commission at 905-877-5191.

Accessory Structures

Any structure accessory to the use of the pool having floor area exceeding 10 square metres (108 square feet) will require a building permit. An accessory building having floor area not exceeding 10 square metres (108 square feet) but containing plumbing will also require a building permit (for both the structure and the plumbing work).

Any pool surrounded by a platform, deck or similar structure that is more than 0.61 metres (2 feet) in height shall have a guard. Refer to Section 11.3 of the by-law, which is included in this guide, for the requirements.

Where there are stairs containing more than three risers that access a platform, deck or similar structure a handrail is required. Refer to Section 11.4 of the by-law, which is included in this guide, for the requirements.

Where the area of a platform, deck or similar structure is greater than 10 square metres (108 square feet) a Building Permit is required for the construction of the platform, deck or similar structure. Contact Building Permit Intake Analyst: 905-873-2601 ext. 2924.

Plumbing and Drains

Where the water supply for the pool is to be directly connected to the Regional water supply, or the existing drains are to be connected to the pool, an additional building permit for the plumbing work is required. The permit can be applied for through Building Services. Contact Building Permit Intake Analyst: 905-873-2601 ext. 2924.

Pool Enclosure Permit

A pool enclosure permit must be obtained from the Town of Halton Hills Building Services before a pool is installed. Every Pool Enclosure must meet the standards specified in the Pool Enclosure By-law. Applicable fees can be found on the last page of this guide. Building Permit Intake Analyst: 905-873-2601 ext. 2924.

Damage Deposit

A damage deposit will be required to be paid for at the time when the application for the pool enclosure is made. This deposit will be returned to the applicant when construction is complete and the permit is closed. Contact Building Permit Intake Analyst: 905-873-2601 ext. 2924.

Excavation Permit

Excavation permit will be required except when a swimming pool is installed on a site equal to or less than 0.5 hectares in size where the pool, including decking, is located more than 60 cm (24 inches) from any lot line. Contact Engineering Services 905-873-2601 ext. 2200.

Access from Town Property

If the access for the installation of a pool is to be provided from any Town property other than the public road that the property has frontage on, the applicant is required to apply for an Excavation Permit from Engineering Services. Contact: 905-873-2601 ext. 2200.

Electrical Installations

Where any electrical work is involved in the installation of the pool equipment or any lighting equipment, then a permit is required from the Electrical Safety Authority. Electrical Permits: 905-507-4949 or Toll Free 1-877-372-7233.

Underground Services

Where excavation is called for when installing a pool, the possibility of underground cables or installations being present should be investigated. The following is a list of telephone numbers to call in this respect: (before you dig)

Region of Halton

(Sanitary sewers and water mains)
1151 Bronte Road
Oakville, ON L6M 3L1
1-866-442-5866 ext. 0
www.halton.ca

Halton Hills Hydro

(Hydro Lines)
43 Alice Street
Acton, ON L7J 2A9
519-853-3700 ext. 253
www.haltonhillshydro.com

Ontario One Call

1-800-400-2255
www.on1call.com

Cogeco Cable Solutions

(Cable TV)
1-866-950-3712
<http://cogeco.ca/web>

Insurance

When planning to install a pool, it is important to look into insurance responsibilities. Most insurance companies recommend that the liability insurance on a property be increased when a pool is installed. Please consult your insurance agent on this matter.

Pool Enclosure Permit Application Requirements

All pool enclosure permit applications are to be submitted to the Building Services with the following documentation:

1. Completed Application for a Pool Enclosure Permit form
2. Owner's authorization if applicant is not the owner
3. Two (2) copies of a plot plan/site plan (see Figure 1 on page 6) detailing the following:
 - a. distances from pool to house and other buildings/structures including the septic tank and tile bed
 - b. if a hot tub is proposed: location and size of the proposed hot tub and complete description/details of the cover
 - c. location and description of any gate
 - d. location and detailed description of the proposed pool enclosure
 - e. locations of all proposed buildings/structures (including decks and platforms surrounding a pool)
 - f. locations of all existing buildings/structures (including the septic tank and tile bed) and easements
 - g. location and size of the proposed pool
 - h. setbacks between the pool and pool enclosure

4. Complete details of any existing fence(s) and gate(s) proposed to be part of the pool enclosure including photographs
5. Pool enclosure permit fee
6. Written approvals from the Commissioner of Recreation and Parks and Transportation & Public Works for the proposed construction access from any Town-owned property
7. Written approval of the developer or owner of the subdivision if the proposed Pool is within an unassumed plan of subdivision.
8. Refundable damage deposit

Construction Phase

While a pool is being installed, it is a requirement that temporary fencing be installed and maintained, preventing unauthorized access to the site.

Please refer to Part 10 of the By-law, which is included in this guide, for the temporary fencing requirements.

Standards for Pool Enclosures

The by-law regulates the following:

- the height of the pool enclosure
- the maximum permitted size of openings relative to the type of material used in the construction of the pool enclosure
- the maximum permitted space between the pool enclosure and the ground at any point
- the type of ground cover that is to be used under a pool enclosure
- the minimum distances between the pool enclosure and any fence, the pool's edge and a building wall when the wall is part of the pool enclosure
- the minimum distance between any gate or entranceway and the pool's edge
- gates that are part of the pool enclosure
- entranceways in any wall that are part of the pool enclosure

Please refer to Sections 8 and 9 of the by-law, which is included in this guide, for the requirements.

Over the years, new materials are introduced into the manufacture and construction of fencing, such as aluminium or steel panels, or even synthetic materials. These new materials are just as effective as the traditional wood or chain link, and may be utilized in pool enclosures as long as they provide protection that is equal to, or greater than traditional wood, chain link or steel pool enclosures (fences).

The Chief Building Official will be pleased to consider any type of fencing, as to its acceptability.

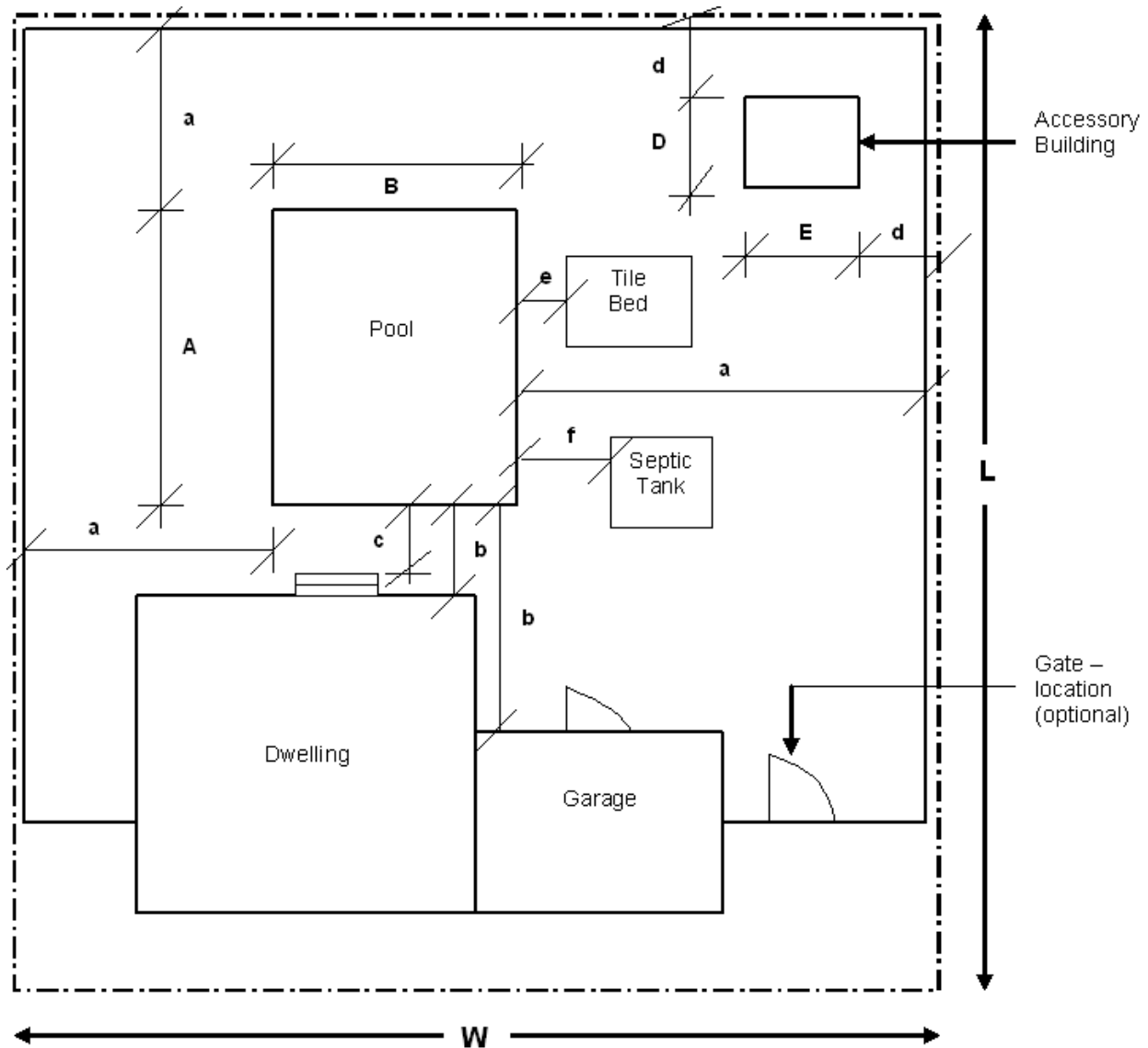
The Homeowner's Checklist

- Does every entranceway that forms part of the pool enclosure have a bolt or chain latch at a minimum height of 1.83 metres (6 feet) above the interior floor level?
- Where is the construction access?
- Is the pool equipment located in an accessory building that requires a building permit?
- Are all of the setback requirements met?
- If installing a chain link fence is it a minimum of 1.52 metres (5 feet) high with 38 millimetres (1.5 inch) mesh?
- For other than chain link fence, is there a vertical separation of a minimum of 1.22 metres (4 feet) between the top and bottom rail where the opening between the vertical members are greater than 38 millimetres (1.5 inch) but less than 10 centimetres (4 inch)?
- Is there less than a 50 millimetre (2 inch) gap between the pool enclosure and the ground?
- Are the framing and braces on the pool side of the pool enclosure?
- Are all gates self-closing, self-latching and lockable, a minimum 1.52 metre (5 feet) from ground level, on the inside of the structure and 1.52 metre (5 feet) from the water's edge?
- Is there an easement on your property?
- Is the pool enclosure a minimum of 1.52 metre (5 feet) high?
- Are climbable objects, like trees, a minimum of 1.22 metre (4 feet) from the proposed pool enclosure?
- Does the pool enclosure comply with the Pool Enclosure By-law?

Pool Enclosure Permit Fees

Please visit our website: <http://www.haltonhills.ca/userfees/index.php>

Figure 1: Example of a Site Plan



Legend for Pool

- A** Pool dimension
- B** Pool dimension
- a** Distances from pool to pool enclosure
- b** Distance from pool to dwelling and garage
- c** Distance from pool to stairs

Legend for Site

- L** Depth of property
- W** Width of property
- Property line
- Pool Enclosure

Legend for Accessory Building(s) and Septic System

- D** Dimension of accessory building
- E** Dimension of accessory building
- d** Distances from accessory building to property lines
- e** Distance from pool to septic bed
- f** Distance from pool to septic tank

The Permit and Pool Enclosure Inspections

A pool enclosure permit will be issued accompanied by client copy of the reviewed plans, noting the type of fences and gates, and location of the pool.

When the application review process is completed and the appropriate permit issued, the construction phase begins. A temporary fence will be installed and maintained during all phases of construction to prevent unauthorized access to the site in accordance with Part 10 of the by-law.

While work is being done, the permit must be posted in a conspicuous location on site. The plans and/or specifications reviewed by the Building Services must also be kept on site and available for pool enclosure inspection.

The pool enclosure must be constructed in accordance with the reviewed pool enclosure permit documentation.

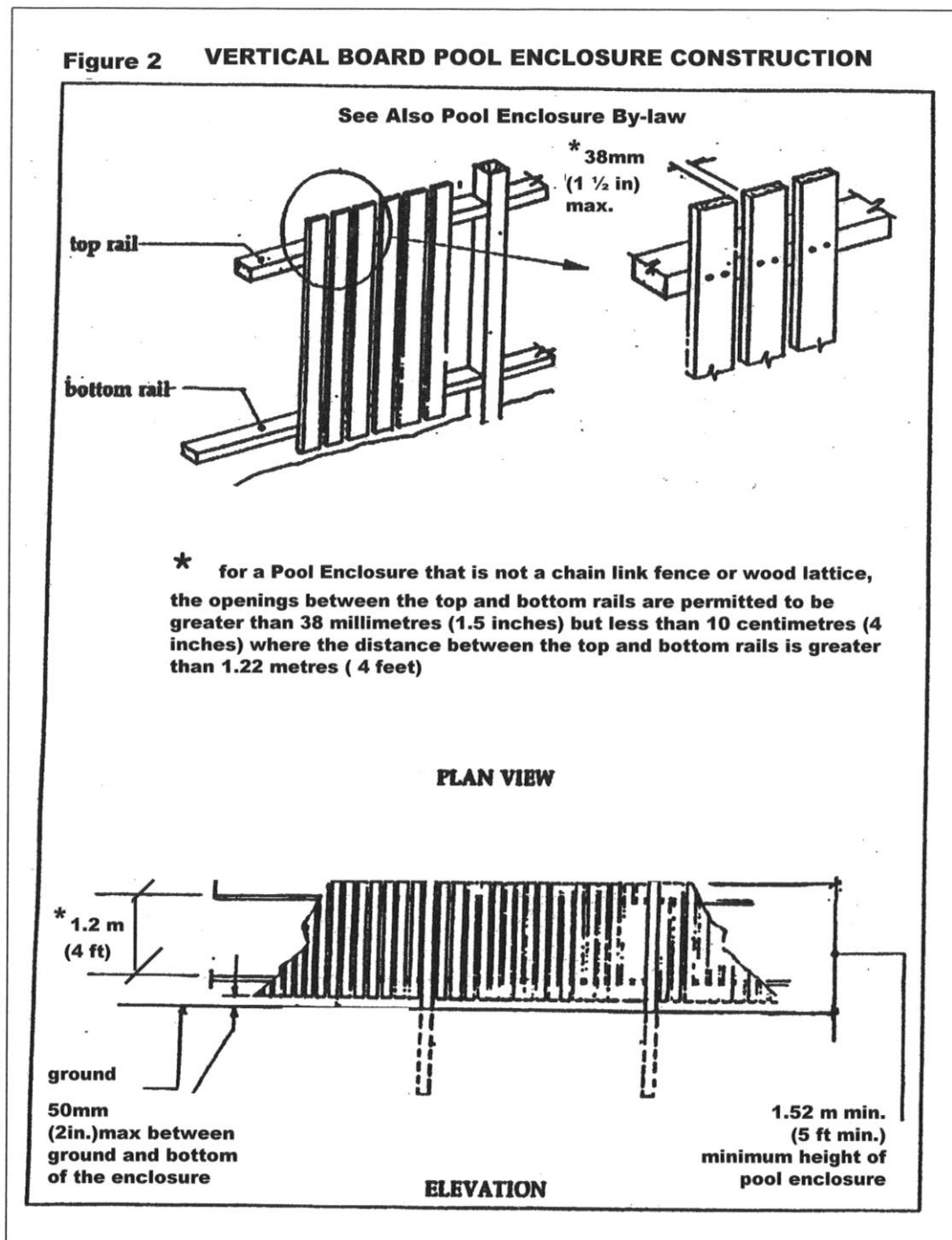
Any proposed changes to the plans must be submitted to the Building Services and approved prior to actual construction.

The Building Services must be notified immediately upon completion of the pool enclosure. The pool enclosure permit holder must schedule the inspection, allowing 48 hours advance notice, excluding weekends and statutory holidays.

If an inspector determines that some work does not conform to the approved plans, they will advise the applicant through a written inspection report what is to be remedied.

When all work has been completed and the Town's inspection has been conducted and passed, the pool enclosure permit will be closed.

Figure 2: Vertical Board Pool Enclosure Construction



Pool Safety

Regular and Periodic Safety Procedures

The pool enclosure should be checked regularly and maintained in good repair, with the gap between the pool enclosure and the ground cover a maximum of 50 millimetres (2 inches). All gates and accesses to the pool enclosure must be locked at all times when the pool is unsupervised.

Climbable objects, like trees, make it possible for children to get over the pool enclosure when such objects are within 1.22 metres (4 feet) of the pool enclosure. Lawn furniture and other moveable objects can be used by children to climb the pool enclosure. The area around the edge of the pool should be free and clear of any obstacles.

Snow should not be piled, or allowed to accumulate in such a way as to make the pool enclosure climbable, or the gates inoperable.

A separate handout titled "Backyard Pool Safety" provided by the Recreation and Parks Department is available on the Town of Halton Hills website.

Draining the Pool

When a pool is drained, it is customary to use a pump, and the water should be disposed of in one of the following ways, described in order of preference:

1. Direct the water by means of a discharge hose to the gutter or ditch in front of the property or into the Municipal Storm Drainage System, being careful to ensure that the water flows away harmlessly. Hoses or running water should not cross a neighbour's property without first having permission from the neighbours themselves
2. Direct the hose to a sanitary drain within your own property i.e. a floor drain or a laundry tub
3. Direct the hose onto your own property, ensuring that the water flows away slowly, and does not damage any neighbouring property

When completely draining a pool, it is important not to utilize too powerful a pump as large amounts of water are involved. Too much water at any one time will cause problems. A little forethought, and careful disposal of the water, will maintain good relationships in the neighbourhood.

Appendix: By-law No. 2009-0028

BY-LAW NO. 2009-0028

A by-law to regulate Pool Enclosures within the Town of Halton Hills.

WHEREAS Subsections 8(2) and (3), of the Municipal Act, 2001, S.O. 2001, c.25 authorize a municipality to regulate or prohibit matters pertaining to fences, to require Persons to do things respecting fences, to provide for a system of licenses and to impose conditions as requirements of obtaining, continuing to hold or renewing the license;

AND WHEREAS Subsection 11(2) of the Municipal Act, 2001, S.O. 2001, c.25 authorizes a municipality to regulate matters related to health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS Subsection 11(3) of the Municipal Act, 2001, S.O. 2001, c.25, authorizes a municipality to pass by-laws respecting fences;

AND WHEREAS Sections 23.1, 23.2, 23.3, and 23.5 of the Municipal Act, 2001, S.O. 2001, c.25 authorize a municipality to delegate certain powers and duties;

AND WHEREAS Section 425 of the Municipal Act, 2001 S.O. 2001, c.25 authorizes a municipality to provide offences for a contravention of a by-law;

AND WHEREAS Section 436 of the Municipal Act, 2001, S.O. 2001, c.25 provides a municipality may pass by-laws authorizing the power of entry for the purpose of inspecting land to determine compliance with a by-law, direction, order, or condition of license.

AND WHEREAS Sections 444 and 445 of the Municipal Act, 2001, S.O. 2001, c.25 provides that where a municipality is satisfied of a contravention of a by-law that the municipality may make an order to discontinue or correct the contravention of the by-law;

AND WHEREAS Section 446 of the Municipal Act, 2001, S.O. 2001, c.25 provides that where a municipality has the authority to direct or require by by-law or otherwise a Person to do a matter or thing, the municipality may also provide, that in default of it being done by the person directed or required to do it, such matter or thing may be done at the person's expense and that the municipality may recover the cost of doing such thing or matter by action or by adding the costs to the tax roll and collecting them in the same manner as taxes;

AND WHEREAS the Council for the Corporation of the Town of Halton Hills deems a Pool Enclosure as a necessary safety measure to prevent small children, and others, from entering the pool area without supervision.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

PART 1 – Short Title

1.1 This by-law may be referred to as the “Pool Enclosure By-law”.

PART 2 – Definitions

2.1 “**CHIEF BUILDING OFFICIAL**” means the person approved as Chief Building Official of the Corporation of the Town of Halton Hills or their designate.

2.2 “**COMMISSIONER OF TRANSPORTATION & PUBLIC WORKS**” means the person appointed by Council for the Town of Halton Hills as Commissioner of Transportation & Public Works or their designate.

2.3 “**COMMISSIONER OF RECREATION & PARKS DEPARTMENT**” means the person appointed by the Council for the Town of Halton Hills as the Commissioner of Recreation & Parks Department or their designate.

2.4 “**EFFECTIVE GROUND LEVEL**” at any location means the highest level of ground within 0.90 metres (3 feet) measured horizontally in any direction from the location under consideration.

2.5 “**GUARD**” means a protective barrier, with or without openings through it, that is around a platform, deck or similar structure in order to prevent accidental falls from one level to another.

2.6 “**HOT TUB**” means a hot tub, jacuzzi, whirlpool, or spa.

2.7 “**INFLATABLE POOL**” means a Pool, as defined in this by-law, consisting of an air-supported structure which is capable of containing water with a depth in excess of 0.61m (2 feet) at any point.

2.8 “**OFFICER**” means a municipal law enforcement Officer or building inspector appointed by by-law by the Town of Halton Hills.

2.9 “**PERMIT**” or “**POOL ENCLOSURE PERMIT**” means a Permit issued under this by-law.

2.10 “**PERSON**” means the registered owner of the property and any lessee, tenant, mortgagee in possession, or person occupying or in charge of the property.

2.11 **“POOL”** means:

- (a) a body of water, including a Temporary Pool or Hot Tub which,
 - (i) is located outdoors on private property,
 - (ii) is wholly or partially contained by artificial means,
 - (iii) is capable of holding water in excess of 61 centimetres (2 feet) in depth at any one point,
 - (iv) has an open exposed water surface of at least 1 square metre (10.76 square feet);

2.12 **“POOL ENCLOSURE”** means a fence, wall or other structure, or combination thereof, including any door or gate surrounding a Pool and restricting access thereto.

2.13 **“SELF-CLOSING DEVICE”** means a mechanical device or spring that, when released, returns a Pool Enclosure gate to its closed position after it has been opened.

2.14 **“SELF-LATCHING DEVICE”** means a mechanical device or latch which is engaged and secures the gate to its closed position each time the gate is closed, which will not allow the gate to be re-opened by pushing or pulling, and which will ensure that the Pool Enclosure gate remains closed until unlatched by either lifting or turning the device itself directly or by a key.

2.15 **“TEMPORARY POOL”** means an inflatable Pool or other Pool which is designed to be removed periodically on a seasonal or more frequent temporary basis.

2.16 **“TOWN”** means The Corporation of the Town of Halton Hills.

PART 3 – General Provisions

Administration and Delegation

3.1 This by-law shall be administered and enforced by the Chief Building Official.

3.2 Every application for a Pool Enclosure Permit shall be in the form specified by the Chief Building Official.

3.3 The Chief Building Official may approve an alternate type of temporary fencing to that prescribed in Parts 5 and 10 of this by-law.

3.4 The Chief Building Official shall impose a maximum time limit for a temporary Pool Enclosure where the Pool Enclosure is damaged and requires replacement or repair.

- 3.5 The Chief Building Official shall determine the appropriate application fee for a Pool Enclosure Permit as set out in the Town of Halton Hills Finance User Fee By-law, as amended from time to time.

Application of By-law

- 3.6 This by-law shall apply to all Pool Enclosures constructed, existing or replaced, within the Town of Halton Hills.
- 3.7 In the event of any conflict between the provisions of this by-law and any provision of Town of Halton Hills Fence By-law 2002-0060, as may be amended or replaced from time to time, the provisions of this by-law shall prevail.
- 3.8 For the purpose of this by-law:
- (a) words in the singular shall be deemed to include the plural and words in the plural shall be deemed to include the singular, and
 - (b) words beginning with a capital, other than at the beginning of a sentence, indicate that there is either a definition for the word contained herein, or that it is a proper noun.
- 3.9 The requirements in this by-law are set out in metric measurements and any imperial measurements in this by-law are provided for convenience only.

Existing Pool Enclosures

- 3.10 The provisions of this by-law shall not prevent the use of an existing Pool Enclosure if that Pool Enclosure was lawfully constructed prior to the effective date of this by-law and has been maintained continuously thereafter in accordance with the regulations in effect at that time.
- 3.11 Where an existing Pool Enclosure is replaced, the replacement Pool Enclosure shall be constructed in accordance with this by-law.
- 3.12 Where 7.31 metres (24 feet) or more of an existing Pool Enclosure requires replacing, the replacement shall be constructed in accordance with this by-law.
- 3.13 Where an existing Pool Enclosure, which marks the boundary between abutting properties, has enclosed a pool in accordance with the regulations that existed prior to the effective date of this by-law, and has been maintained continuously in accordance with those regulations, the shared portion of the Pool Enclosure between the abutting properties may form part of a new Pool Enclosure on the abutting property and shall be deemed to be in conformity with this by-law. All other portions of the new Pool Enclosure that enclose the newly constructed pool on the abutting property shall meet the standards set out in this by-law.

PART 4 – Powers of Entry and Inspection

- 4.1 An Officer may enter upon land at any reasonable time for the purpose of carrying out an inspection:
- (a) to determine if there is a contravention of this by-law;
 - (b) to issue and post a municipal order;
 - (c) pursuant to the issuance of a Pool Enclosure Permit;
 - (d) to take tests, samples or photographs.
- 4.2 For the purposes of an inspection under Section 4.1 the Officer may:
- (a) require the production of documents or things relevant to the inspection;
 - (b) remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection;
 - (d) enter onto the property with employees or agents of the municipality for the purpose of enforcing a municipal order that has been issued.
- 4.3 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty pursuant to this by-law.

PART 5 – Prohibitions

- 5.1 No person shall construct or install a Pool or cause a Pool to be constructed or installed or commence the construction or installation of a Pool without first obtaining a Pool Enclosure Permit from the Chief Building Official.
- 5.2 Subject to the provisions of Part 10 of this by-law, no person shall construct or install a Pool or cause a Pool to be constructed or installed which is not completely enclosed by a Pool Enclosure constructed and installed in accordance with this by-law.
- 5.3 No person shall fill a Pool with water or cause a Pool to be filled with water or allow water to remain in a Pool unless,
- (i) the Pool is a newly constructed Pool and the Pool Enclosure has been inspected and approved by the Town,
 - (ii) the Pool is enclosed by a Pool Enclosure, other than an approved temporary Pool Enclosure meeting the requirements of Section 10.1 of this by-law,
 - (iii) temporary fencing approved in writing by the Chief Building Official has been erected where a Pool Enclosure requires replacement or repair.

5.4 No person shall remove any part of a Pool Enclosure where the Pool is capable of holding more than 0.61 metres (2 feet) of water.

5.5 No person shall alter or replace a Pool Enclosure without having first obtained a Permit from the Chief Building Official.

5.6 Every Person shall ensure that:

- (a) all gates forming part of the Pool Enclosure meet the standards of this by-law;
- (b) all entranceways to a Pool Enclosure through a wall of a building meet the standards of this by-law;
- (c) all gates forming part of a Pool Enclosure are locked when the Pool Enclosure area is not in active use; and
- (d) the lockable lid of any Hot Tub is closed and locked when the Hot Tub area is not in active use unless the Hot Tub is within a locked Pool Enclosure meeting the requirements of this by-law.

5.7 No person shall place, pile, attach or lean any object or material against or near a Pool Enclosure so as to facilitate the climbing of the Pool Enclosure, or diminish the structural integrity of a Pool Enclosure or render the Pool Enclosure to be in contravention of this By-law.

5.8 No person shall erect a fence within 0.61 m (2 feet) of an existing Pool Enclosure that does not comply with the requirements of this by-law.

5.9 All Pool Enclosures including any gates shall be maintained in good repair at all times.

PART 6 – Applications for Permits

6.1 Every application for a Pool Enclosure Permit shall be accompanied by:

- (a) 2 sets of plans showing the location of the Pool, all accessory equipment and proposed landscape features in relation to property lines, buildings (including decks) and sheds and any easements;
- (b) complete details of the proposed Pool Enclosure, including the location and type of proposed fence and gate;
- (c) complete details, including photographs, of any existing fence proposed to be part of the Pool Enclosure;
- (d) the Permit fee specified in Town of Halton Hills Finance User Fee By-law, as amended from time to time;
- (e) where applicable, written approvals from the Commissioner of Recreation & Parks Department and the Commissioner of Transportation & Public

- Works for a proposed access route from any Town-owned property or right-of-way, and such approval shall require the payment of an amount determined by the Town to be an appropriate damage deposit to ensure that the Town-owned property or right-of-way is restored to the condition that existed prior to the construction; and
- (f) written approval of the developer or owner of the subdivision if the proposed Pool is within an unassumed plan of subdivision.

- 6.2 The Chief Building Official shall issue a Permit for a Pool Enclosure where the plans submitted comply with the requirements of this by-law and all applicable regulations and by-laws or approvals.

PART 7 – Revocation of a Permit

- 7.1 A Pool Permit may be revoked by the Chief Building Official:
- (a) where information supplied on the Permit application was based on mistaken, false or incorrect information.
 - (b) where a Person has not completed construction within a period of 12 months from the issue date of the Permit.
 - (c) if it was issued in error.
- 7.2 Where a Pool Permit is revoked by the Chief Building Official or withdrawn by the applicant, the applicant is not entitled to a refund.

PART 8 – Standards for Pool Enclosures

- 8.1 A Pool shall be enclosed by a Pool Enclosure that meets the following standards:
- (a) **Height:** A Pool Enclosure shall extend from the ground to a height of not less than 1.52m (5 feet), measured from the Effective Ground Level on the exterior side of the Pool Enclosure
 - (b) **Opening and Materials**
 - (i) except as provided in (ii) and (iii), a Pool Enclosure shall not have any openings that would allow the passage of a spherical object having a diameter greater than 38mm (1.5 inches);
 - (ii) for a Pool Enclosure that is not a chain link fence or wood lattice, the openings between the vertical members are permitted to be greater than 38 millimetres (1.5 inches) but less than 10 centimetres (4 inches) where the distance between the top and bottom rails is greater than 1.22 metres (4 feet);

- (iii) for a Pool Enclosure which is a chain link fence, where the Pool Enclosure is at least 1.83m (6 feet) in height, the openings in the Pool Enclosure are permitted to be greater than 38mm (1.5 inches) but not greater than that which would allow the passage of a spherical object having a diameter of 50mm (2 inches);
- (iv) for a Pool Enclosure which is comprised of wood lattice, the wood shall be at least 13mm (0.5 inches) in thickness, with openings of less than 38mm (1.5 inches).

(c) Ground Clearance:

The space at any point under the Pool Enclosure must not exceed 50mm (2 inches) and the ground beneath the enclosure cannot be of loose gravel or other material which can be easily removed so as to afford access under the Pool Enclosure.

(d) Location:

Subject to paragraph 8.1(e) a Pool Enclosure shall be located:

- (i) not less than 0.61m (2 feet) from any fence that does not meet the requirements of this by-law;
- (ii) a minimum distance of 1.22 metres (4 feet) between the water's edge of the Pool and the Pool Enclosure on at least 80% of the Pool's perimeter to provide a level, clear and unobstructed area for rescue operations;
- (iii) where the wall of a building is used as part of the Pool Enclosure, the wall shall be a minimum of 1.22 metres (4 feet) from the water's edge of the Pool excluding a Hot Tub.

(e) Location (access points)

Any gate or entranceway forming part of a Pool Enclosure shall be at least 1.52 m (5 feet) from the water's edge of the Pool.

- (f) No part of a Pool Enclosure shall contain barbed wire, electrical wire, sharp objects or materials, or any other objects or materials that would create a danger to the safety of any persons.

PART 9 – Gates and Other Access Points

Gates

9.1 Every gate forming part of a Pool Enclosure shall be:

- (a) constructed in accordance with the standards prescribed in Part 8 of this by-law;
- (b) supported on substantial hinges, capable of supporting 90.72 kg (200 lbs);
- (c) equipped with a Self-Closing Device;
- (d) equipped with a Self-Latching Device that is at least 1.22m (4 feet) above the established grade; and
- (e) equipped with a lock that must be locked when there is no responsible person in attendance in the Pool area.

9.2 Where the gate to the Pool Enclosure is a double gate access, made up of two gates at the same location, one of the two gates shall:

- (a) have a Self-Closing Device and Self-Latching Device; and
- (b) the other gate shall have a device permanently affixed to the ground that prevents access through this gate without lifting or removing this device.

Entranceways through buildings

9.3 Where a wall or portion thereof of any building located on the same property as the Pool forms part of the Pool Enclosure, no entranceway to the enclosed Pool area is permitted through said wall, unless:

- (a) the entranceway doors are equipped with a bolt or a chain latch at a minimum height of 1.83m (6 feet) above the inside floor level;
- (b) the entranceway is located no closer than 1.5 m (5 feet) from the edge of the water and contains no stairs or steps within; and
- (c) the entrance bolt or chain latch is maintained in good repair.

9.4 The bolt and chain latch required in Section 9.3(a) shall be engaged when there is no responsible person in attendance in the Pool area.

9.5 No window in the wall of any building which is less than 1.5 m (5 feet) above floor level shall be capable of being opened more than 10cm (4 inches) unless a guard is permanently installed on the window to prevent the passage of a spherical object having a diameter of more than 10cm (4 inches) through the window.

PART 10 – Temporary Fence During Construction

10.1 Every Person shall ensure that temporary fencing meeting the requirements of Part 10 of this by-law is in place and maintained during all phases of construction of the Pool so that unauthorized access to the site is prevented.

10.2 Temporary fencing:

- (a) shall be a minimum of 1.22m (4 feet) in height,
- (b) shall be erected in a good workmanlike manner,
- (c) that is a snow fence shall consist of steel t-posts that are spaced at a maximum of 1.2m (3.94 feet) measuring from centre of post to centre of post, and embedded at least 0.60m (2 feet) into the ground, and
- (d) that is a snow fence shall consist of 38mm (1.5 inch) mesh fencing that is horizontally secured at the top and the bottom by an eleven-gauge cable threaded through the mesh, fastened to the eleven-gauge cable every 20cm (8 inches), and securely attached to each post along its height between the top and bottom cables, and
- (e) that is not a snow fence requires the written approval of the Chief Building Official.

10.3 Any opening in the temporary fencing shall be closed and secured while construction is not ongoing.

10.4 Any authorization to erect temporary fencing is granted provided that the construction of the Pool Enclosure is completed quickly and efficiently.

PART 11 – Special Provisions and Partial Exemptions

Hot Tubs

11.1 Notwithstanding Part 5 of this by-law, no Pool Enclosure is required for a Hot Tub equipped with a substantial cover capable of holding 90.72 kg (200 lbs) which is locked to prevent access when the Hot Tub is not in use.

Guards and Handrails Required for Pools and Hot Tubs

11.2 Any Pool surrounded by a platform, deck or similar structure that is more than 0.61 metres (2 feet) in height shall have a Guard.

11.3 A Guard shall:

- (a) not have openings more than 10 centimetres (4 inches) in diameter.
- (b) be a minimum of 90 centimeters (2 feet 11 inches) high where the walking surface served by the Guard is not more than 1.80 metres (5 feet 11 inches) above the finished ground level; or
- (c) be a minimum of 1.07 metres (3 feet 7 inches) high where the walking surface served by the Guard is 1.80 metres (5 feet 11 inches) or more above the finished ground level.

- 11.4 A stair containing more than 3 risers that accesses a platform, deck or similar structure shall be equipped with a handrail that is:
- (a) continuous for the height of the stair; and
 - (b) of a height of not less than 80 centimetres (2 feet 7 inches) and not more than 96.5 centimetres (3 feet 2 inches).
- 11.5 Where the area of a platform, deck or similar structure is greater than 10 square metres (108 square feet) a Building Permit is required for the construction of the platform, deck or similar structure and Guard.

PART 12 – Penalty

- 12.1 Every Person who contravenes any provisions of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00 and not less than \$400.00, exclusive of court costs.
- 12.2 Where an Officer is satisfied that a contravention of this by-law has occurred, the Officer may make an order requiring the Person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to do work to correct the contravention.
- 12.3 An order issued under Section 12.2 shall set out,
- (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
 - (b) the work to be done and the date by which the work must be done.

Remedial action

- 12.4 In default of the work being done by the Person directed or required to do it, the matter or thing shall be done at the Person's expense.

Entry upon land

- 12.5 For the purpose of Section 12.4, the Officer and employees or agents of the municipality may enter upon land at any reasonable time.

Recovery of costs

- 12.6 The Town may recover the costs of doing a matter or thing under Section 12.4 from the Person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

PART 13 – Severability

- 13.1 If a court of competent jurisdiction should declare any section or a part of this by-law to be invalid, the remainder of this by-law shall continue in force unless the court makes an order to the contrary.

PART 14 – Transitional Rules

After the date of the passing of this by-law, all swimming pool enclosure permits issued by the Chief Building Official for the Town of Halton Hills or their designate pursuant to Town of Halton Hills By-law 97-035, as amended, remains valid for a period not to exceed 12 months and the requirements, refusal and revocation for its issue, as it read on that day, continues to apply to the permit.

PART 15 – Repeal

Except for the purpose as set out in Part 14 of this by-law, By-law 97-035, as amended, is hereby repealed.

BY-LAW read and passed by the Council for the Town of Halton Hills this 27th day of April, 2009.

Original signed by
MAYOR – Rick Bonnette

Original signed by
TOWN CLERK – Debbie Edmonds

Application for a Pool Enclosure Permit



Town of Halton Hills
1 Halton Hills Drive
Halton Hills ON L7G 5G2
www.haltonhills.ca

Application for a Pool Enclosure Permit

Town of Halton Hills By-law No. 2009-0028

For use by Principal Authority	
Application number:	Permit number (if different):
Date received:	Roll number:

Application submitted to: Town of Halton Hills
(Name of municipality, upper-tier municipality, board of health or conservation authority)

Project information					
Building number, street name				Unit number	Lot/con.
Municipality	Postal code	Plan number/other description			
Project value est. \$		Area of work (m ²)			
Applicant Applicant is: ☐ Owner or ☐ Authorized agent of owner					
Last name	First name	Corporation or partnership			
Street address				Unit number	Lot/con.
Municipality	Postal code	Province	E-mail		
Telephone number ()	Fax ()	Cell number ()			
Owner (if different from applicant)					
Last name	First name	Corporation or partnership			
Street address				Unit number	Lot/con.
Municipality	Postal code	Province	E-mail		
Telephone number ()	Fax ()	Cell number ()			
Description of Proposed Work					
Declaration of applicant					
I _____ certify that:					
(print name)					
1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge. 2. I have authority to bind the corporation or partnership (if applicable).					
Date		Signature of applicant			

Personal information is collected under the authority of the Municipal Act 2001, S.O. 2001 c.25 and will be used for the process and issuance of Pool Enclosure Permits, in accordance with the collection, use and disclosure of personal information governed by the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56.

Owner's Authorization



Town of Halton Hills
1 Halton Hills Drive
Halton Hills ON L7G 5G2
www.haltonhills.ca

Owner's Authorization

Property Owner(s) to complete the Owner's Authorization form to allow the Agent/Applicant to prepare, submit and act on behalf of the Property Owner(s) with respect to this application.

Property Address: _____

Project Description: _____

I/We _____ the Owner(s) of the
land being subject of this Application do hereby authorize and appoint
_____ as my/our Agent to **make**
this application on my/our behalf and to conduct all communications on my/our behalf
respecting same.

Name of Property Owner (please print)

Signature of Property Owner

Date of Signature

The personal information on this form is collected under the authority of Section 11 of the Municipal Act, as amended, and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is used for the purpose of processing this document. Questions regarding the collection of this information should be directed to Building Services at 905-873-2601 ext. 2300.

Office use only:

☐ Picture Identification – Administration Verified Name

☐ Picture Identification – Administration Verified Picture

☐ Vailtech – Administration Verified

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Building Services
Tel: 905-873-2601 Ext. 2300 Fax: 905-873-3036

Construction/Excavation or Entrance on Public Highway Permit



Town of Halton Hills
1 Halton Hills Drive
Halton Hills ON L7G 5G2
www.haltonhills.ca

Construction/Excavation or Entrance on Public Highway Permit

Date of Application: _____
☐ Construction ☐ Excavation ☐ Entrance Permit File Number: _____
Type of Entrance: ☐ Commercial ☐ Residential ☐ Industrial ☐ Farm ☐ Temporary
Location of Work: _____
Type of Work: _____

Owner's Name: _____
Address: _____ Postal Code: _____
Business Telephone: _____ Home Telephone: _____ Cell: _____

Contractor/Applicant's Name: _____
Address: _____
Telephone: _____ Fax: _____
Contact Person: _____ Title: _____
Contractor's Liability Insurance: _____ (For the Town's minimum insurance requirements and conditions please see Section 1.b) of this application.)
Company Name: _____ Policy Number: _____

Temporary Restoration

A. _____ Cold Mix Asphalt Restoration of roadway, curb and sidewalk.

Permanent Restoration

B. _____ Complete permanent restoration by contractor/self.

C. _____ Request Town staff to perform permanent restoration works.

Other Conditions of Permit: _____

Construction, Excavation or Entrance Fees

a. Administrative Fee (non-refundable)	\$ _____	Paid by: _____
b. Refundable Security	\$ _____	Paid by: _____
c. Total Amount Payable	\$ _____	
d. Administrative Fee Waived	_____	(See By-law 2015-0016)

For Construction and Excavation permits, please submit a Certificate of Insurance with this application.

The applicant agrees to all conditions as shown herein and on the reverse side of this permit and as set out in the Town of Halton Hills By-law Number 92-199 for Construction/Excavation on Public Highways and By-law Number 2015-0016 for Entrances on Public Highways.

Name and Title of Applicant

Signature of Applicant

Engineering Staff Approval

Date of Approval

ENG-2017-11

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Engineering Services
Tel: 905-873-2601 Ext. 2200 Fax: 905-873-3036



Town of Halton Hills
1 Halton Hills Drive
Halton Hills ON L7G 5G2
www.haltonhills.ca

Construction/Excavation or Entrance on Public Highway Permit

For office use only:

Entrances: _____ Posted Speed: _____ km/h

Stopping Sight Distance: ☐ Left ☐ Right

Culvert Specification: Length 7.3 metres minimum
Diameter 450 mm minimum

Curb Cut Length: ☐ Less than 9.14m (30ft) – No driveway widening permitted.
☐ Equal to 9.14m (30ft) or less than 10.97m (36ft) - Min. 3.5m, Max 4.0 m.
☐ Equal to 10.97m (36ft) or less than 12.19m (40ft) - Min. 4.0m, Max. 5.5m.
☐ Equal to 12.19m (40ft) or less than 15.24m (50ft) - Min. 4.0m, Max. 6.0m.
☐ Equal to 15.24m (50ft) or less than 18.28m (60ft) - Min. 4.0m, Max. 6.5m.
☐ Equal to or greater than 18.28m (60ft) - Min. 4.0m, Max 7.0m.

Expiry Date: _____ Inspection Date: _____ Approved By: _____

List of Attachments or Conditions:

Traffic Protection Plan By: _____ Date: _____

Insurance Certificate By: _____ Date: _____

Draw and/or Sketch By: _____ Date: _____

Other: _____

The personal information on this form is collected under the authority of Section 11 of the Municipal Act, as amended, and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is used for the purpose of processing this document. Questions regarding the collection of this information should be directed to Transportation & Public Works at 905-873- 2601 ext. 2200.

Public Utility Coordinating Committee (P.U.C.C.) members will be responsible for obtaining the consent of the Town of Halton Hills for the location of the proposed plant, whether or not they engage a private contractor to do the work. They are also required to file with the Town a letter of intent stating that they will have, at all time, adequate insurance coverage. All P.U.C.C. members are required to complete this Permit for all road cuts, but securities and fees are not required if they complete final restoration works.

Note: This administration fee shall not be required for applications which are deemed to fall within the limits of construction on a Town of Halton Hills Capital reconstruction project.



Town of Halton Hills
1 Halton Hills Drive
Halton Hills ON L7G 5G2
www.haltonhills.ca

Construction/Excavation or Entrance on Public Highway Permit

This Permit for Construction/Excavation on Public Highway is issued pursuant to Town By-law No. 92-199, as amended, and the Applicant agrees to the following conditions:

1. Prior to the issuance of a Permit, the Applicant shall provide the following to the satisfaction of the Commissioner of Transportation & Public Works:
 - a) A non-refundable administration fee (calculated annually) be used for administration purposes.
 - b) Insurance: The Applicant or their Contractor shall take out and maintain Commercial General Liability insurance for a limit of no less than \$2,000,000/\$5,000,000 per occurrence and coverage shall include but not be limited to bodily injury, personal injury, property damage, contractual liability, employer's liability, non-owned automobile, and shall contain a cross liability clause. The Town of Halton Hills shall be named as an additional insured. If applicable, based solely upon the nature of the works in the sole and absolute discretion of the Town, the Town shall have the right to request, in addition to the Commercial General Liability policy, any or all of the following coverages:
 - a. Sudden and Accidental Pollution as an extension of the Commercial General Liability policy for a limit of no less than \$5,000,000 per accident or
 - b. Stand-alone Contractor's Pollution Liability policy for a limit of no less than \$5,000,000 per claim. The Town shall be named as an additional insured and/or
 - c. Professional Liability Policy (Errors & Omissions) for a limit of no less than \$5,000,000 per claim.The insurance shall remain in force until such time as the Town has inspected and approved the completed works. The Applicant or their Contractor shall provide a completed certificate of insurance to the Town no less than 5 business days prior to the commencement of the work. If the Town does not receive the certificate of insurance then the Town is under no obligation to issue the Permit until such time as the Town receives the required certificate of insurance from the Applicant or their Contractor; nor shall the Town be financially responsible for any hardship, financial or otherwise, suffered by the Applicant or the Contractor or any other party associated with the works as a result of the non-issuance of the Permit.
The Town shall require confirmation of insurance on a form issued by the Town prior to issuance of permit which can be found on our website at <http://www.haltonhills.ca/forms/index.php>;
 - c) Any other supportive material as requested by the Commissioner of Transportation & Public Works;
 - d) A cash deposit in the amount of one and one half times the value of the final restoration costs as set out on the face of the Permit or a cash deposit in an amount as requested by Town of Halton Hills staff to cover final restoration costs.
2. Indemnification and Save Harmless. The Applicant and their Contractor each:
 - a) agrees to indemnify and save harmless the Town of Halton Hills from all actions, causes of actions, suits, claims, demands and costs whatsoever arising by reason of the Applicant, his agents or employees doing, failing to do, or doing incorrectly or negligently anything the Applicant is required to do under the terms of this Permit; and
 - b) will be responsible for any and all damages suffered and injuries sustained as a result of any operations on, or caused by reason of the existence or location or condition of, the construction site, or of any materials, plants or equipment used in connection with the works performed as a result of this Permit. It is solely the responsibility of the Applicant that all parties



Town of Halton Hills
1 Halton Hills Drive
Halton Hills ON L7G 5G2
www.haltonhills.ca

Construction/Excavation or Entrance on Public Highway Permit

performing the work have read and agree to No. 2, Indemnification and Save Harmless section of the Application.

3. All requirements of this Permit, or any aspects pertaining to this Permit, shall be to the satisfaction of the Commissioner of Transportation & Public Works otherwise the work will be stopped until all requirements have been met.
4. Permits will be processed after all the necessary information has been submitted to the Building and Engineering Services counter.
5. This Permit does not relieve the Applicant from the responsibility of obtaining all other necessary permits, approvals and plant locations.
6. The Applicant agrees to notify the Transportation & Public Works department at least 2 business days prior to commencing works.
7. A copy of this Permit must be available on the job at all times, during actual construction or installation.
8. If works have not commenced within 3 months from the date of issuance of this permit, this permit will automatically expire. The administration fee shall be retained by the Town and any cash deposits shall be returned to the Applicant. If and when the works are to proceed, a new application will be required.
9. Upon completion of the work, the Applicant shall complete the following to the satisfaction of the Commissioner of Transportation & Public Works:
 - a) Restore all subsurface works including the compaction of backfill material;
 - b) Restore all areas affected by the work to current Town or Ontario Provincial Standards to the satisfaction of the Commissioner of Transportation & Public Works;
 - c) Restore the roadway and sidewalk areas affected by the work by the means set out on the face of the Permit.
10. The Applicant shall guarantee the workmanship and materials of all the work performed under Section 10 within the limits of the highway for a period of twelve (12) months from the date of receiving the Town's approval of the completed work.
11. Unless otherwise specified on the face of this permit, all trenches are to be backfilled with approved Granular 'A' material, placed in 150 mm thick layers and compacted to 100 percent standard proctor density. Under certain circumstances, as determined by the Commissioner of Transportation & Public Works, the Town may specify an unshrinkable fill material to be used as backfill trench material.
12. All trench cuts crossing roads and sidewalks are to be backfilled as per section 12, to 50 mm below final grade. The Applicant shall then complete the temporary restoration consisting of asphalt as indicated on the face of this Application on the same day before allowing traffic to flow over the trench cut.
13. Using the final road works restoration security taken, under Section 1(d) of this Permit, and as indicated on the face of this Permit, the Commissioner of Transportation & Public Works will arrange for the permanent restoration of the asphalt and concrete curbs and sidewalks.



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www.haltonhills.ca

Construction/Excavation or Entrance on Public Highway Permit

14. Upon the completion of the permanent restoration works, the Town shall reimburse the Applicant any excess monies deposited not used by the Town to restore the works, and the Applicant shall reimburse the Town for any costs of restoration above the monies deposited with the Town within thirty (30) days of receiving any invoice for payment from the Town.
15. The Applicant must complete the final restoration work indicated on the face of this Application to the satisfaction of the Commissioner of Transportation & Public Works.
16. Prior approval must be obtained from the Town of Halton Hills for closing or restricting any road at any time except in the case of emergency. The Town requires the following:
 - a) If the work to be undertaken does not necessitate a temporary road closure, an Application to the Commissioner of Transportation & Public Works for a Permit, shall be made at least 2 days prior to the commencement of work;
 - b) If the work to be undertaken necessitates a temporary road closure, the Applicant is responsible for undertaking the provisions outlined in Town of Halton Hills By-law No. 2003-0032 which delegates the power to close a highway temporarily for the work to be performed.
17. At all times, the Applicant shall adhere to the provisions as set out by the Town of Halton Hills for the detour of traffic. The Applicant shall supply all traffic control persons, signs, flashers, barricades and other traffic control devices required to close and detour traffic around the working area in accordance with Ontario Traffic Manual, Book 7 (Field Edition). All traffic control devices are to be erected and maintained at the expense of the Applicant.
18. The Applicant must maintain a reasonable pre-approved safe alternate route for vehicular and pedestrian traffic.
19. The Applicant must provide and maintain reasonable local access routes for all property owners or occupants whose access will be affected by the proposed works.
20. In case of emergency work required for public health, safety or welfare reasons, notice shall be given and an Application for Permit made to the Town as soon as possible after commencement of the work, namely on the same day, or if too late in the day, then within 4 hours of the opening of the Town's offices on the following day, which is not a Saturday, Sunday or holiday.
21. In the case of storm sewer works, the Town requires an inspection of the excavation and installed works before the excavation is backfilled. Should the excavation be backfilled prior to the inspection, the Applicant will be required to reopen the excavation for inspection at the Applicant's expense.
22. The Applicant shall be responsible for all damages to all existing services when such damages arise out of the work undertaken by the Applicant.
23. The Applicant is responsible for notifying Town of Halton Hills staff concerning existing damage to Town owned infrastructure (boulevards, curbs, sidewalks, etc.) prior to the issue of the Permit.

Developer/Owner Clearance Letter for Pool Enclosure Permit



Town of Halton Hills
1 Halton Hills Drive
Halton Hills ON L7G 5G2
www.haltonhills.ca

Developer/Owner Clearance Letter For Pool Enclosure Permit

This form must be signed and returned to the Town of Halton Hills Planning & Infrastructure Building Division for the installation of a pool enclosure in an **unassumed** subdivision prior to the issuance of a pool enclosure permit.

I/we _____, the developer/owner for

Plan # _____ has no objection to the installation of a pool and pool enclosure

on Lot # _____ known as _____ subject to the

following conditions:

☐ No Conditions

☐ Conditions as follows:

Name of Developer/Owner: _____

Address: _____ Suite or Unit: _____

City or Town: _____ Postal Code: _____

Signature of Signing Officer

The personal information on this form is collected under the authority of Section 11 of the Municipal Act, as amended, and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information is used for the purpose of processing this document. Questions regarding the collection of this information should be directed to Building Services at 905-873-2601 ext. 2300.

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Building Services
Tel: 905-873-2601 Ext. 2300 Fax: 905-873-3036