

**THE CORPORATION OF THE
TOWNSHIP OF MATTICE - VAL CÔTÉ**

BY-LAW NO. 583

A By-Law regulating the installation of
privately owned outdoor swimming pools

WHEREAS the Council of the Corporation of the Township of Mattice - Val Côté deems advisable to regulate the installation of privately-owned swimming pools within its boundaries,

NOW THEREFORE the Council of the Corporation of the Township of Mattice - Val Côté enacts as follows:

1. **Definition:** "swimming pool" means any privately-owned pool of water, either located in ground or above ground, intended for bathing, wading or reflecting, which contains or has the capacity to contain a water depth exceeding eighteen (18) inches or forty-five (45) centimetres and/or contains water surfaces areas of more than 9.0 m² (96.8 sq.ft.) or has a diameter equal to or greater than 3.35m (11 feet).
2. **Requirements:** a swimming pool shall be permitted as an accessory use to a permitted residential use within all Zones, in accordance with By-Law no. 545 (the Comprehensive Zoning By-Law), and subject to the following provisions:
 - a) A swimming pool, whether installed above or in ground, should be located in a rear or side yard area, subject to the requirements of By-Law no. 545 (Zoning By-Law) in addition to the requirements of the present By-Law.
 - b) Any swimming pool planned to be located in a front yard area must also meet all the requirements of By-Law no. 545 (Zoning By-Law).
 - c) The distance of any swimming pool from a rear and/or side lot line shall be a minimum of 1.2 metres (4.0 feet), as measured from the inner surface of the wall of the pool to the rear or side lot line.
 - d) A swimming pool shall be entirely enclosed by any one of the following methods or a combination thereof:
 - i) a fence erected along the lot line, having minimum height of 1.83 metres (6 feet) as measured from ground level;

- ii) exterior walls of a principal building or an accessory building located on the lot;
 - iii) a fence erected around said pool at ground level, at a minimum distance of 1.2 metres (4 feet) from the pool as measured from the inner surface of the wall of said pool, and having minimum height of 1.83 metres (6 feet) above the finished grade level of the ground around the pool;
 - iv) a deck around the outer edge of said pool, having minimum horizontal width of 0.9 metres (3 feet), with a guard erected along the outer edge of said deck so that the top of such guard is at least 1.83 metres (6 feet) above the finished grade level of the ground at the edge of said deck; or
 - v) an appropriate pool surround guard installed along the rim or top seat of the pool, so that the top of edge of such pool surround guard is at least 1.83 metres (6 feet) above the finished grade level of the ground around the pool.
- e) A fence or guard required for enclosing a pool shall be designed so as not to facilitate climbing on the exterior or outside surface of such fence or guard.
 - f) Direct access from the exterior into the enclosed area containing the pool shall only be gained through a principal building or an accessory building or a gate, having the same height as the fence or guard in which it is installed, which gate can either be locked on the outside or properly secured from the inside.
 - g) In the case of a corner lot, no pool or its fence enclosure shall be located and installed or erected within the sight triangle for said lot, which is defined as that portion of said lot located within the triangle formed by the boundaries of two (2) intersecting streets and a line joining the point on each intersecting street boundary located at a distance of 6.0 metres (19.7 feet) from the point of intersection of such boundaries.
 - h) An accessory building or structure, including a deck along the outer edge of the pool, that may be required for changing clothes, containing pumping or filtration equipment, or other uses related to the swimming pool shall comply to the provisions of this By-Law with respect to accessory buildings and structures for the Zone in which the swimming pool is located.

3. **Building Permit:**

- a) a building permit obtained from the Chief Building Official appointed by the

Municipality shall be required prior to the installation of a swimming pool.

- b) prior to the operation of any electrical pump, filtration, heating or cleaning device associated with said swimming pool, a permit from ESA must be obtained by the owner.
4. **Offences:** Every person who contravenes any provision of this By-Law is guilty of an offence and, upon conviction, is liable to a fine in an amount not more than the amount specified in the Building Code Act.
5. **Administration and Enforcement:** This By-Law shall be administered and enforced by the Chief Building Official.
6. **Revocation of By-Law no. 110:** By-Law no. 110 is hereby repealed.
7. **Effective date:** This By-Law shall come into effect and take force on the date hereof.

READ AND ADOPTED IN OPEN COUNCIL
This 25th day of April 2006

Mayor

Clerk