

Zoning Certificate Checklist - SWIMMING POOLS

- 1) A completed Zoning Clearance Application Form
- 2) Application fee
- 3) 2 copies of a survey issued by an Ontario Land Surveyor (used for reference purposes and must include legible property dimensions)
- 4) 2 copies of a site plan showing proposed pool (drawn to scale in metric)
- 5) Completed Site Alteration Permit Screening Information Form
- 6) Tree permit or email advising tree permit not required from Burlington's Department of Roads, Parks and Forestry
- 7) Approval letters from other departments or agencies if applicable:
 - » Conservation Halton if the property is within Conservation Halton's regulatory area
 - » Burlington Hydro if there is a hydro easement or overhead wires on or adjacent to the property.
 - » The applicable pipeline if the property is adjacent to or subject to a pipeline easement
 - » The Niagara Escarpment Commission if the property is within the NEC
 - » The Ministry of Transportation if the property is within MTO's regulatory area

Information required to be shown on Site Plan / Survey:

- North arrow, metric scale, street name and property address
- Lot width
- Location of any easements on the property
- Location of dwelling and any accessory buildings or structures on property
- Size and shape of proposed pool (inground, on-ground or above ground)
- Pool location and setbacks
- Height above grade for on-ground and above-ground pools
- Location and setbacks to unitary equipment (pool heater and filter)
- Location of any overhead hydro wires on or adjacent to property
- Fencing details and gate locations
- Location and extent of septic system if applicable

Definitions from The Municipal Pool By-law 74-2005, as amended:

- **Above Ground Pools** are built with the base of the pool at grade (ground) level
- **On Ground Pools** are built below grade with the top of the pool elevation a minimum of 150 mm above grade level
- **In Ground Pools** are built with the top elevation of the pool at grade level

Regulations from Zoning By-law 2020, as amended

Part 1, Section 2.5, SWIMMING POOLS

2.5.1 Regulations for outdoor swimming pools:

- (a) On lots containing detached or duplex dwellings and on lots containing one dwelling unit of a semi-detached, triplex, fourplex, or street townhouse:
 - (i) On lots less than 12 m wide, swimming pools are permitted in a rear yard only.
 - (ii) On lots 12 m wide or greater, swimming pools are not permitted in a required front or street side yard.
 - (iii) In-ground pools shall be set back 1.5 m from a property line or street line, measured from the inside wall of the pool.
 - (iv) Above-ground pools shall be set back from a property line or street line 1.5 m plus 30 cm for each 30 cm that the top of the pool wall is above the grade elevation at the property line, measured from the inside wall of the pool.
- (b) On lots containing residential dwellings other than those identified in (a) above, in-ground and above-ground pools shall be set back 15 m from a lot line or street line, measured from the inside wall of the pool.
- (c) A hydro-massage pool having a water surface area which is less than 8 m² shall not be subject to the above regulations.
- (d) On lots abutting a pipeline, a swimming pool must be setback 3 m from the limits of the right-of-way.

Part 1, Section 2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT

2.2.5 For all uses, Unitary Equipment shall be subject to the following:

- (a) Setback from a side lot line: 60 cm
- (b) Setback from a rear lot line: 60 cm
- (c) Setback from a dwelling: 1.5 m maximum from the front wall
- (d) Swimming pool equipment is not permitted in a front yard.

Part 16, Definitions

Unitary Equipment includes central air conditioning units, heat pumps, and swimming pool filters.