

# ABOVE GROUND POOL PERMIT APPLICATION INFORMATION



## DISCLAIMER

*This brochure is intended for general information use only and does not reflect all typical building proposals, nor does it contain all municipal by-laws that may be applicable to your property and/or proposal. To ensure all by-laws and Ontario Building Code requirements are met, please consult with the Building Staff when considering construction of any kind.*

*Information Current to April 2023*

## DO I NEED A BUILDING/POOL PERMIT?

Yes. In accordance the Town's Pool By-law No.149-08, all types of swimming pools, including private spas (hot tubs, whirlpools and jacuzzis) which contain water having a depth 0.6 metres (24") at any point, requires a pool permit. Unless a pool or private spa is being dismantled and reconstructed within the same location.

*Prior to submission of a Building Permit application, please consult with the Building Department @ 905-871-1600 Ext. 5510.*

## WHAT ARE THE RULES AND REGULATIONS FOR A POOL?

- Pools & private spas shall be located within an interior side yard, exterior side yard or rear yard;
- They shall not be located closer than 1.0 metre (3'-3") to any side or rear property line and no closer to any street than the setback required within the zone it is located;
- Any circulating equipment such as pumps and filters shall not be located any closer than 3.0 metres (9'-8") to a side lot line and 1.0 metre (3'-3") to a rear lot line;
- Unless the equipment is enclosed inside a shed or garage, then a 1.0 metre (3'-3") setback distance is permitted;
- Any necessary approvals and/or permissions from other agencies (i.e. Niagara Regional Planning and Development Services, the Niagara Peninsula Conservation Authority (NPCA), the Town's Environmental Advisory Committee (EAC) etc.) is required to be provided at the time Building (Pool) Permit submission.

## EMPTYING OF POOLS

- No person shall empty, drain or backwash a pool into a sanitary sewer system or directly or indirectly onto any neighbouring property;
- Overflow or drainage from a pool shall be discharged to a storm sewer or natural drainage course should such systems not be available; the pool shall be drained by mechanical means and transported to a storm sewer outlet or natural drainage course.

## DO I NEED A GATE AND A FENCE ENCLOSURE AROUND MY POOL?

Yes. Gates and a fence enclosure are required to prevent unwanted access to pools.

- The perimeter of each yard must be enclosed with a fence not less than 1.22 metres (4'-0") high to a maximum height of 2.3 metres (7'-6");
- If the height of the outside wall of the pool is greater than 1.22 metres (4'-0") and access in and out of the pool is secured by a fence or gate (i.e. pool enclosure), then the perimeter of the yard does not need to be enclosed with a fence;
- All gates must be self-closing and self-latching, a minimum of 1.2 metres (4'-0") high and the self-latching mechanism for the gates must be located a minimum of 1.2 metres (4'-0") from grade;
- Release mechanisms of any kind that are located on the exterior face of the gate & are connected to the self-latching device, shall be located a minimum of 1.5m (5'-0") from grade;
- The fence and gates must not facilitate climbing, therefore horizontal or diagonal members and/or bracing is not acceptable or permitted.

## WHAT ARE THE RULES AND REGULATIONS FOR DECKS AND PATIOS?

- Where a deck will be constructed and the walking surface is above 0.6 metres (24") in height from grade and it exceeds 10.0 square metres (108 square feet) in size, then a separate permit application is required;
- Patios do not require a building permit.

## PLANNING & DEVELOPMENT SERVICES DEPARTMENT

Town of Fort Erie, 1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6, [www.town.forterie.ca](http://www.town.forterie.ca)

## ABOVE GROUND POOL PERMIT APPLICATION INFORMATION cont'd

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### REQUIRED FEES

2023 Permit Fees:	Above ground pools and swim spas:	\$182.00
	Municipal Protection Deposit:	\$500.00

### *Please be advised:*

*The Municipal Protection Deposit is required to ensure that the municipal road allowance & its appurtenances (i.e. boulevard, curbs, sidewalks culverts etc.) are kept clean and not damaged during construction & installation. Once the project has passed the final inspection, the municipal deposit is returned.*

### HOW DO I OBTAIN A POOL PERMIT APPLICATION?

[Permit applications](#) can be obtained:

- Online at [www.forterrie.ca](http://www.forterrie.ca);
- At Town Hall, 1 Municipal Centre Drive, Building Department - Second Floor

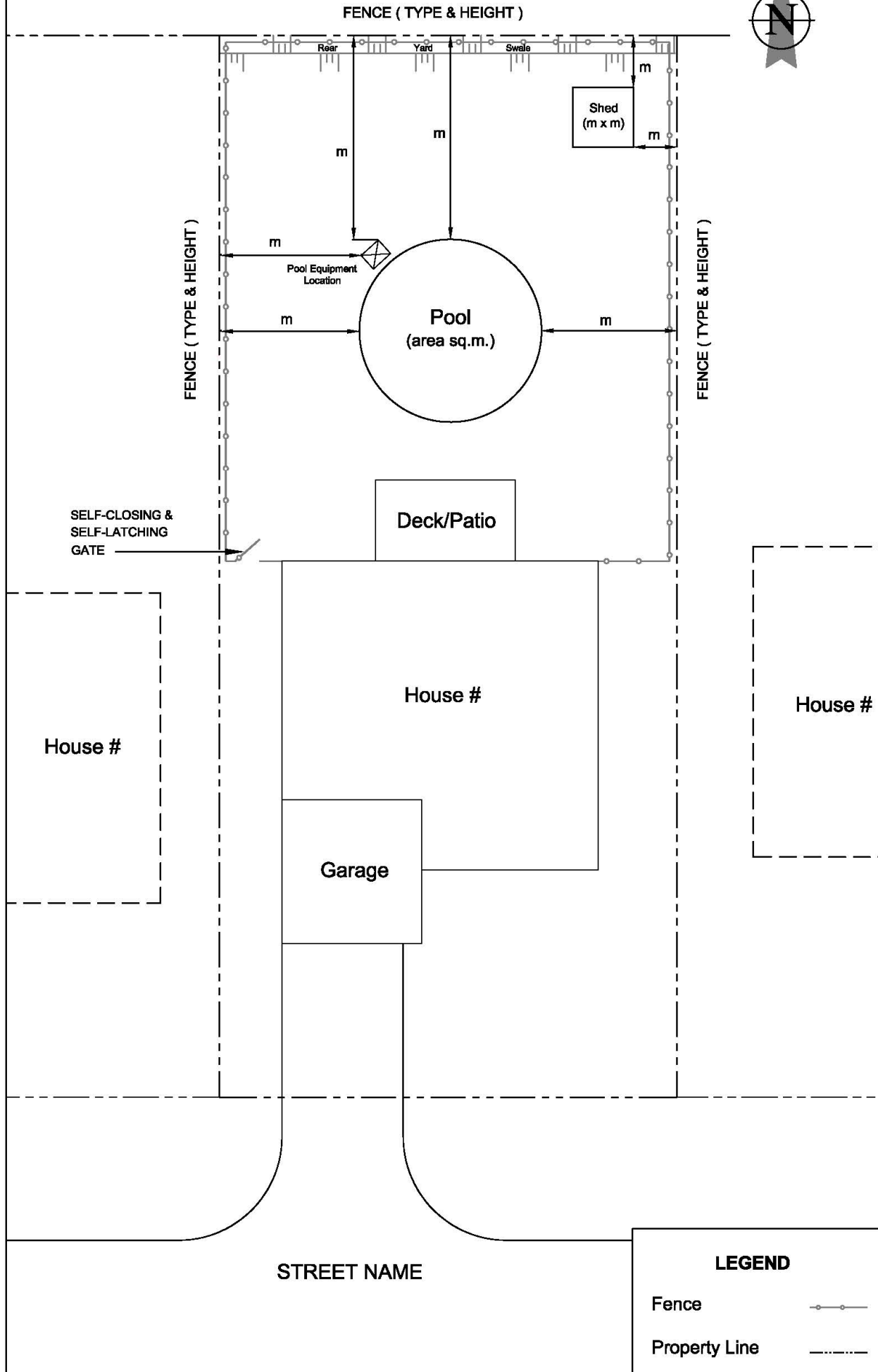
The information below must be clearly illustrated & identified on a site/plot plan and is required to be submitted with the permit application. Please submit the application and associated information digitally in pdf to [building@forterie.ca](mailto:building@forterie.ca).

- The location & setback distances from the pool to the property lines;
- The location and sizes of all other building structures on the lot;
- The location of any hydroelectric poles, overhead wires etc.;
- The location of all proposed plumbing, and electrical installations;
- The location & setback distances from the pool equipment to property lines;
- Details of the fence enclosure including the location, type, height, materials, gates and latching devices;

*To assist with the above requirements, please use the [sample drawings](#).*

*The sample drawings outline the level of detail required for above ground pools and are strictly intended to be used as examples only.*

**SAMPLE DRAWING**  
**ABOVE GROUND POOL**  
**WITH FENCED YARD**



**SAMPLE DRAWING**  
**ABOVE GROUND POOL**  
**WITH FENCED FENCE ENCLOSURE**

