



Private Swimming Pools

Above Ground and In-Ground Swimming Pools

See Section 4.26 of the Town of Lumsden Zoning Bylaw and the Town of Lumsden Private Swimming Pool Bylaw No. 12-2017 for more information.

A swimming pool is any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading, or diving and having a depth of 0.6 m (2 ft) or more at any point.

Swimming pool are regulated by Section 4.26 of the Town of Lumsden Zoning Bylaw and the Town of Lumsden Private Swimming Pool Bylaw No. 12-2017, available on the Town of Lumsden website <www.lumsden.ca>

Do I need a Development Permit and Building Permit to build a swimming pool?

A Development Permit is required for construction or placement of a swimming pool. Development permit applications may be found on the Town of Lumsden website under the 'Development & Building Permits' tab. The development permit application fee is \$50.00.

Application Process

1. Submit a development permit application, site plan, and \$50.00 application fee to the Planning & Development Department at the Town of Lumsden Municipal Office.
The site plan should show:
 - a) the location, depth and dimensions of the proposed pool & all water supply piping;
 - b) drainage & piping appurtenances;
 - c) structural detail;
 - d) fences & enclosures specifications; and,
 - e) the location of all buildings on site.
2. If the proposal complies with the applicable standards and regulations, a Pool Development Permit will be issued.
3. An inspection by the Town of Lumsden Planning & Development Department is required before a newly constructed or placed swimming pool is filled with water. Please contact the municipal office to arrange an inspection.
4. After the inspection, the Development Officer provides a written notification of compliance.

A Building Permit is not required for the construction or placement of a swimming pool; however, the pool must be inspected by the Town of Lumsden before it is filled with water.

Where can swimming pools be built?

Swimming pools may be built in residential (RE, R1, R2, R3, RM, R4) districts and in the Highway Commercial District (C3).

- Swimming pools are an accessory use to a permitted principal use in residential districts.
- Swimming pools are an accessory use to a hotel/motel use in the side or rear yard in the C3 district.

What are the setbacks for swimming pools?

Swimming pools and all accessories (e.g. decks) must meet the same setback requirement as the principal building in the applicable zoning district (i.e. they must meet the same setbacks as your home or hotel/motel).

Decks attached to or abutting a swimming pool are considered as part of the pool. In such cases, the setback is measured from the outer edge of the deck to the property line.

If the swimming pool is detached from the principal building, there must be a minimum 1.2 m setback from the swimming pool and the principal building.

How high can my above ground swimming pool be?

The maximum height of a pool is 1.2 m (4 ft) above the average finished grade level of the ground surrounding the pool.

Do I need to put a fence or walkway around my swimming pool?

All swimming pools must be enclosed by a non-climbable enclosure minimum 1.8 m (6 ft) in height, with a locking entrance.

An enclosure is not required if it is ensured that when the pool is not in use, the pool is covered with a **U.L. (Underwriters Laboratories)** approved safety cover, tested and certified to meet or exceed **ASTM (American Society for Testing Materials) F1346 standards for pool safety** and is installed per manufacturer's instructions. Ask your pool installer/supplier for further details regarding the above noted specification. **Proof of this certification will need to be shown prior to a Pool Development Permit being issued.**

The enclosure must:

- be a maximum of 10 cm (about 4 in) from the ground.
- be a maximum of 1.5 m (5 ft) from the pool and have a lockable gate equivalent in height to that of the fence.

There must be a walkway with a minimum width of 0.75 m surrounding the swimming pool perimeter.

If a backyard is fenced, but the pool is more than 1.5 m from the fence on any side, there must be an additional fence surrounding the pool.

Are there any other regulations for swimming pools?

Any building or structure (other than a dwelling) for changing clothing, pumping, filtering facilities, etc. must comply with accessory buildings provisions in the Zoning Bylaw. A separate Development and Building Permit may be required for the structure.

Artificial lights for swimming pool illumination must not produce direct rays across any property lines.

The following equipment must always be present at the swimming pool:

- a) a first aid kit;
- b) a reaching pole that measures at least half the width of the pool in length; and
- c) a buoy & rope that measures at least half the width of the pool in length.