

POOL PERMIT

When is a pool permit required?

For any pool that is over .45 m (18 inches) deep, be it above-ground or in-ground, and must be enclosed by a fence and gates meeting the Township of Essa's Fence By-law 2013-32 Section 2 and subsection 2.5.

Or

If the above ground pool has rigid sides (without a deck) that are a minimum of 1.2 m (48") above finished grade then the sides can be considered the barrier to restrict access provided the access ladder is removable and store in a secure location when not in use, or the access ladder has a roll up type cover that is lockable.

Final Lot grading is required in subdivision (the Building Department will confirm that your property has received final lot grading). If final lot grading has not been approved, you must obtain a lot grading waiver from your builder.

Decks for above ground pools will require a separate permit.

Permit Submission Requirements

1) Application for a Permit to Construct or Demolish - First two pages filled out.

2) Site Plan:

- Showing all buildings with dimensions showing distance from property lines, house and any other structures on the property. Septic system location and distances from the pool from the tank and distribution lines of the septic.

-Showing fenced in area for the pool, indicating the height of the fence and what it is built of. 5-6 feet allowed of wood or chain link that is unclimbable (wire of a size not less than 12 gauge galvanized or plastic coated with links of an opening of not more than 38 millimetres (1.5 inches).

- Showing the location of the entrance gate with a secure latch or lock with self closure device, lock or latch to be out of reach of small children.

- Ensure utilities are located outside of fenced area

3) Memorandum of Understanding and Indemnity for the Installation of Private

Pools: Signed and dated by homeowner.

2.3 Obstructions of Streets

No person shall place or maintain a fence or other barrier either permanently, or temporarily on any street except in association with Public Works operations or for emergency protection measures with the approval of the appropriate staff member or designate of the Municipality.

2.4 Shrubs and Hedges

Hedges and shrubs used as fences shall be maintained at a height not in excess of the heights specified for fences.

2.5 Privately Owned Outdoor Swimming Pools

Notwithstanding any other provision of this By-law, all owners of privately owned inground or above-ground pools shall erect and maintain fences and gates around such swimming pools to the following specifications:

- a) The minimum height of fence shall be 1.2 metres (4 feet);
- b) The fence must completely enclose a pool on all sides with an entrance gate which shall be provided with a self closing device and a secure lock or latch to be out of reach of small children;
- c) Fences are to be constructed of approved, suitable materials acceptable to the Municipality and may include solid wooden construction, panels or panel pieces that securely affix to the top of an above-ground pool, or, properly erected chain link, wrought iron, wooden or other fencing, none of which can be climbed or whereby vertical components are spaced greater than 4 inches apart, to the satisfaction of the Municipality. Chain link fencing must consist of wire of a size not less than 12 gauge galvanized or plastic coated with links of an opening of not more than 38 millimetres (1.5 inches); and
- d) The fencing around a lot may be utilized if such fence meets the height and material requirements above.

2.6 Fence on Boundary of Different Zones

Where a lot line follows a Zone boundary in accordance with the Zoning By-law of the Municipality, a fence may be erected to the specification of the Zone with the highest height restrictions.

2.7 Setbacks

All setbacks for fences shall be measured from an owner's property lines.

2.8 Township Property

No person shall erect a fence which contains a gate structure that abuts Township property without the prior approval of the Township.

Application for a Permit to Construct or Demolish

This form is authorized under subsection 8(1.1) of the *Building Code Act, 1992*

For use by Principal Authority				
Application number:		Permit number (if different):		
Date received:		Roll number:		
Application submitted to: _____ (Name of municipality, upper-tier municipality, board of health or conservation authority)				
A. 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)		
B. Purpose of application				
New construction	Addition to an existing building	Alteration/repair	Demolition	Conditional Permit
Proposed use of building		Current use of building		
Description of proposed work				
C. 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
D. 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

E. Builder (optional)				
Last name		First name	Corporation or partnership (if applicable)	
Street address			Unit number	Lot/con.
Municipality		Postal code	Province	E-mail
Telephone number		Fax		Cell number
F. Tarion Warranty Corporation (Ontario New Home Warranty Program)				
i. Is proposed construction for a new home as defined in the <i>Ontario New Home Warranties Plan Act</i> ? If no, go to section G.			Yes	No
ii. Is registration required under the <i>Ontario New Home Warranties Plan Act</i> ?			Yes	No
iii. If yes to (ii) provide registration number(s): _____				
G. Required Schedules				
i) Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.				
ii) Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.				
H. Completeness and compliance with applicable law				
i) This application meets all the requirements of clauses 1.3.1.3 (5) (a) to (d) of Division C of the Building Code (the application is made in the correct form and by the owner or authorized agent, all applicable fields have been completed on the application and required schedules, and all required schedules are submitted). Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the <i>Building Code Act, 1992</i> , to be paid when the application is made.			Yes	No
ii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> .			Yes	No
iii) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the <i>Building Code Act, 1992</i> which enable the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.			Yes	No
iv) The proposed building, construction or demolition will not contravene any applicable law.			Yes	No
I. Declaration of applicant				
I _____ declare 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. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.				
_____		_____		
Date		Signature of applicant		

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.



Telephone: (705) 424-9917

Fax: (705) 424-2367

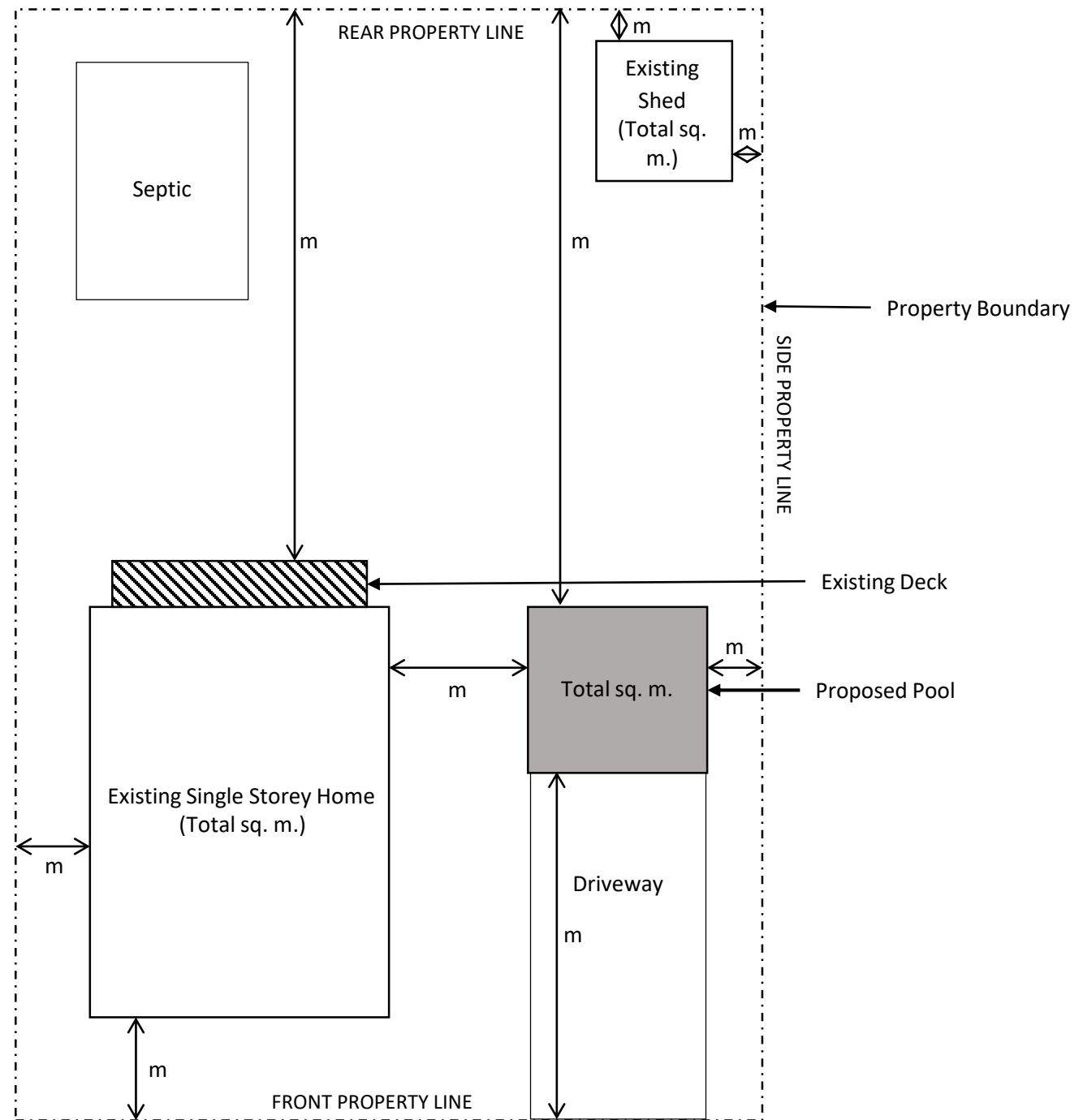
Web: www.essatownship.on.ca

Site Plan or Site Drawing Requirements

A site plan depicting the proposed construction on the property is required. This allows for the location of the construction to be established and assists zoning to ensure that all the requirements under the zoning by-law for the zone designation of your property is complied with.

A survey or hand drawn depiction of your property with the following information is required: Street names, north arrow, property lines with dimensions, setbacks to all property lines from existing and proposed structure(s), proposed construction (shaded format), overall building dimensions and number of stories, height, rights-of-ways and easements, indicate if municipally serviced with water and/or sewer connections, wells and septic systems on property and adjacent properties including setbacks to proposed structures, lot coverage including percentage of current, proposed and allowable coverage of accessory structures, deck and porches are to be included, outdoor swimming pools, laneway/driveways, watercourses, significant natural features, and lot drainage patterns.

Please see the image to the right, showing a simplified sample Site Plan drawing.





**MEMORANDUM OF UNDERSTANDING AND INDEMNITY
FOR THE INSTALLATION OF PRIVATE POOLS**

For use by Principal Authority			
Application number:		Permit number (if different):	
Date received:		Roll number:	
Project information			
Owner		Unit number	Lot/con.
Building number, street name			
Municipality: Township of Essa	Postal code	Plan number/other description	

THIS MEMORANDUM OF UNDERSTANDING AND INDEMNITY made the ____ day of _____, 20__.

BETWEEN:

_____ (hereinafter called the "Owner")

- and -

THE CORPORATION OF THE TOWNSHIP OF ESSA

(hereinafter called the "Township")

WHEREAS the Owner is the Owner of certain land as described above;

AND WHEREAS Swimming Pool Fence By-law No. 2017-40, as amended, requires the owner to obtain a pool fence permit prior to the installation or erection of a pool;

AND WHEREAS Alteration and Fill By-Law No. 2019-84, prohibits or regulates the placing or dumping of fill or the alteration of the grade of land, within the Township;

AND WHEREAS the owner of the subject lands proposes to construct a pool on the property that may affect the lot grading and drainage;

NOW THEREFORE THIS MEMORANDUM OF UNDERSTANDING WITNESSETH that the owner agrees and acknowledges as follows:

1. *Not to affect the existing lot grading or intended design of the drainage patterns within 1.0 metres of all property boundaries.*
2. *To remediate any lot grading and drainage concerns associated with the installation of the pool to the satisfaction of The Township of Essa.*
3. *The undersigned owner further agrees to indemnify The Township of Essa for any loss or damages and all such costs resulting in the alteration to the approved drainage and grading plan.*
4. *The undersigned owner agrees to register this notice on title for any subsequent owners; the contents of this Memorandum of Understanding and Indemnity prior to the sale transaction unless released from this obligation by The Township of Essa.*
5. *The undersigned owner hereby acknowledges that in issuing any building permit or permit for a swimming pool fence, the Corporation of The Township of Essa does not permit or approve of any changes to the elevations or grading and drainage of the property which would adversely affect or cause damage to the surrounding properties.*

The owner further acknowledges where an issue with respect to drainage and/or grading arises during the construction activities associated with this acknowledgment; may be considered a civil matter and may be actionable.

SIGNATURE OF HOMEOWNER(S) _____ **DATE:** _____
(D/M/YYYY)