



## Planning, Engineering and Development

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# DEVELOPMENT INFORMATION BULLETIN

## SWIMMING POOLS

*This is one in a series of Development Information Bulletins prepared to assist Property Owners and Developers to undertake specific types of development in the City of Mount Pearl. For further information on other Bulletins available in the series please contact Planning, Engineering and Development.*

### THE MOUNT PEARL DEVELOPMENT REGULATIONS

“**Swimming Pool**” means any in-ground or above ground pool that is located in a rear yard of a residential property that is capable of containing water over .6 metres deep, including swimming pools, hot tubs, non-portable wading pools, and landscape water features.

A **Swimming Pool** is a permitted use in the Residential, Rural, and the Mixed Development Use Zones in the City of Mount Pearl, provided it meets specific conditions as outlined in the Use Zone Tables of the Mount Pearl Development Regulations. The conditions for a swimming pool in these zones are as follows:

#### **Swimming Pool**

A swimming pool shall be a permitted residential accessory use, subject to the following requirements:

1. A swimming pool shall be located in the rear yard of a residential property;
2. A swimming pool shall not encroach upon any easement;
3. A swimming pool shall not be located under any overhead power line;
4. A swimming pool shall have a minimum setback of 2.0 metres from any property boundary;
5. The area surrounding a swimming pool and pool deck shall be fully fenced to prevent people, especially children, from unauthorized access to the pool area, subject to the swimming pool fence requirements as stated in the Mount Pearl Fence Regulations.

This is an office consolidation prepared for easy reference. The City’s Regulations are subject to periodic amendments. For the most recent and official version of the regulations pertaining to “Swimming Pools”, please refer to the City of Mount Pearl Development Regulations.

## THE CURRENT MOUNT PEARL FENCE REGULATIONS, SECTION 23:

### Swimming Pool Fence

- (a) A fence shall be erected and maintained around the perimeter of a swimming pool, and the fence shall be:
  - (i) Constructed 1.8 meters in height from the established grade;
  - (ii) Located so as to maintain a minimum separation distance of 2.0 meters between the swimming pool and the fence;
  - (iii) Elevated no more than 10 cm above the established grade; and,
  - (iv) Constructed so that no openings are greater than 10 cm and that no grip, attachment, or opening will facilitate climbing; that is to say, a swimming pool fence shall not be constructed of chain link.
- (b) Where the swimming pool is accessed by a gate or gates, the gate(s) that forms part of the fence that surrounds the swimming pool shall meet the same height and construction requirements as the surrounding fence; the gate(s) shall have a properly maintained self-closing and self-latching device installed on the gate(s) on the pool side of the enclosed area at a position no less than 1.5 meters above the established grade; and the gate(s) must be locked whenever the pool area is unsupervised.
- (c) The sidewalls of an above-ground pool shall not form part of the swimming pool fence.
- (d) The fence may be a dedicated fence that extends around the perimeter of the pool, or may consist of a fence along the perimeter boundary of the property or abut or attach to a wall of the dwelling.

## BUILDING PERMIT

Please note that the construction or placement of a swimming pool requires a building permit, and this can be obtained from Planning, Engineering and Development.

## FOR FURTHER INFORMATION

For more information about the construction of a swimming pool, fence or the City of Mount Pearl Development Regulations, please contact the City of Mount Pearl Planning, Engineering and Development:

Email: [planning@mountpearl.ca](mailto:planning@mountpearl.ca) or call 709-748-1000.