



# The Corporation of The Town of Amherstburg

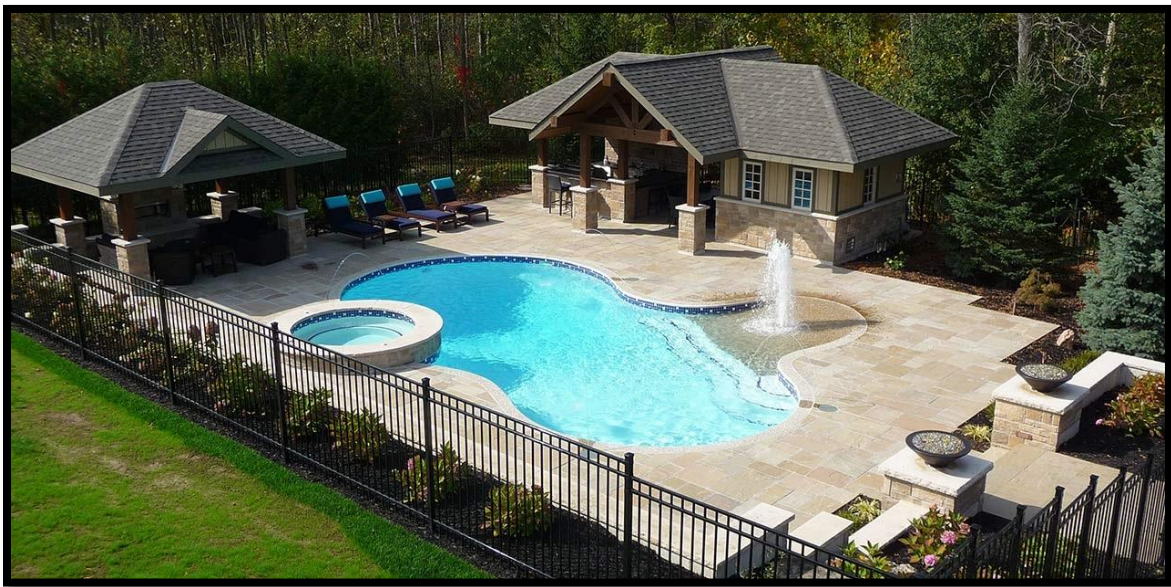
## BUILDING DEPARTMENT

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<https://www.amherstburg.ca/en/town-hall/building-applications-permits.aspx>



## GUIDE TO RESIDENTIAL SWIMMING POOL ENCLOSURE PERMITS

Version: 2026

## 1. Why is a swimming pool enclosure permit required?

Swimming pool enclosure permits are required for public safety purposes, to protect municipal infrastructure located within registered easements, and to ensure that the various provisions of the Town's zoning, fencing and lot grading requirements are complied with.

## 2. What is required for a swimming pool enclosure permit?

The Town of Amherstburg currently uses an online permit submission portal called [Cloudpermit](#). All applications will require to be completed online using Cloudpermit. Visit our website [www.amherstburg.ca/building](http://www.amherstburg.ca/building) or log onto <https://ca.cloudpermit.com> to create an account. With this online system, it will allow you to complete the entire building permit process from anywhere at any time.

The following is required for a complete swimming pool enclosure application:

- An **Application for a Permit to Construct or Demolish** (Log on to Cloudpermit).
- Site plan drawing (refer to item #4 for requirements)
- Other approvals (as required) ERCA, County of Essex, Electrical Service (Essex Power / Hydro One)

## 3. What is the fee for a swimming pool enclosure permit?

The fee and deposit that are to be paid to the Town of Amherstburg are as follows.

- |  |            |
|--|------------|
| • Swimming Pool Permit Fee                         | \$ 135.00  |
| • Administration Fee                               | \$ 65.00   |
| • Refundable Indemnity Deposit (In ground pool)    | \$ 1000.00 |
| or   |            |
| • Refundable Indemnity Deposit (Above ground pool) | \$ 500.00  |

All payments must be paid in cash, cheque only or debit. Credit card and online payments cannot be accepted at this time.

Refundable upon a final inspection being completed, confirming that all applicable requirements have been met. Indemnity refunds are valid for up to three (3) years from the date the permit is issued after which the indemnity will be non-refundable.

A full list of our updates fees can be found at, <https://www.amherstburg.ca/business-and-development/building-services/development-charges-by-laws/>

#### **4. Requirements for Swimming Pools and Pool Enclosures**

It is the responsibility of the affected property owner to obtain a swimming pool enclosure permit from the Town of Amherstburg prior to commencing to install a swimming pool. Swimming pools cannot be installed in the Town without a proper fence enclosure. All property owners are responsible for complying with all applicable legislative and regulatory requirements, which may be amended from time to time, including but not limited to zoning, fencing, and lot grading regulations.

By-laws 2022-027 (Fencing), 1999-52 (Zoning), as amended, must be complied with, including the following requirements which apply to all swimming pool installations in the Town of Amherstburg.

- Pool enclosures are required for all swimming pools that are more than 24" deep. Above ground pools can serve as an enclosure provided the pool wall is a minimum of 48" high and any access into the pool is restricted.
- Construction of pool enclosures shall not have any horizontal member that can facilitate climb ability. Such members shall have a minimum distance of 32" apart (Please refer to attached fencing drawing).
- A chain link fence can form part of the swimming pool enclosure (open diamond mesh shall not be greater than 2 inches (5.1cm)). (Please refer to attached fencing drawing).
- Any gate that is provided in a swimming pool enclosure must be self-closing, self-latching and be able to lock.
- Fences shall be installed on the property where the swimming pool is proposed to be installed. Barbed wire fences and electrical fences are not permitted. The maximum height of any fence is 6'-6" including any lattice work.
- A minimum 5'-0" setback shall be maintained from all property lines to the nearest point of the water's edge of the proposed swimming pool structure.
- A minimum 3'-4" setback shall be maintained from all property lines to all pumps, heaters and filters.
- Swimming pools, hot tubs, and water features shall not be located under or adjacent to overhead electrical infrastructure, or within 5m (16ft) horizontal distance of a pool area. This also applies to all pool accessories.
- No portion of any swimming pool structure (including any supporting braces, decking, etc.), walkway and / or other accessory structure is permitted within any registered easement and /or right-of-way located on the subject property.

- All swimming pool structures shall be installed in a manner which does not adversely affect any neighboring properties, with proper lot grading being maintained at all times. No alterations to existing lot grades can be made for the purpose of installing a new swimming pool structure without the prior approval of the Building Department.
- No relocation of a rear yard catch basin to accommodate the installation of a new swimming pool structure can be made without the prior approval of the Chief Building Official. This relocation must be re-inspected and approved as part of this swimming pool permit application.
- A separate building permit is required to be applied for prior to constructing any accessory structure which has a total floor area greater than 15m<sup>2</sup> (162 square feet). Such accessory structures must be located a minimum of 4'-0" from any property line. Please see our accessory structure guideline package for additional information.
- For any accessory structure that has a floor area of 15m<sup>2</sup> (161 square feet) or less, no building permit is required. Such structures must be located a minimum of 4'-0" from all lot lines.
- All decks with a height of 24" or greater from ground level must have a minimum setback of 5'-0" from side and rear yard and must have a building permit. Please see our deck guideline package for additional information.
- Large Inflatable pools will require a pool enclosure permit. The pool enclosure shall be in compliance with all the provisions of the fence by-law. No person shall place water in an inflatable swimming pool until such requirements have been fulfilled.

Please note that the above information has been provided in this application guideline for convenient purposes only. Please consult with the actual Council adopted By-laws to make sure that the regulations you are following are the most current and up-to-date.

For additional information, please contact the Building Department at 519-736-5408 during normal business hours. Please be advised that these By-law requirements are subject to change without notice.

The Towns current By-laws can be found at the following link:  
<https://www.amherstburg.ca/en/town-hall/find-a-bylaw.aspx>

## 5. Services – Overhead and Underground Service Infrastructure

Clear communication and awareness between all parties involved in the design, construction and renovations of buildings near any servicing infrastructure is key. Property owners, developers, contractors etc. shall work together to ensure all laws, regulations and requirements are met for the safety of all. We recommend contacting your service providers with any questions or concerns.

### Overhead Infrastructure

Swimming pools, hot tubs, and water features shall not be located under or adjacent to overhead electrical infrastructure, or within 5 m (16 ft) horizontal distance of the pool area. It is important to factor in not only the pool, but also any pool accessories and include:

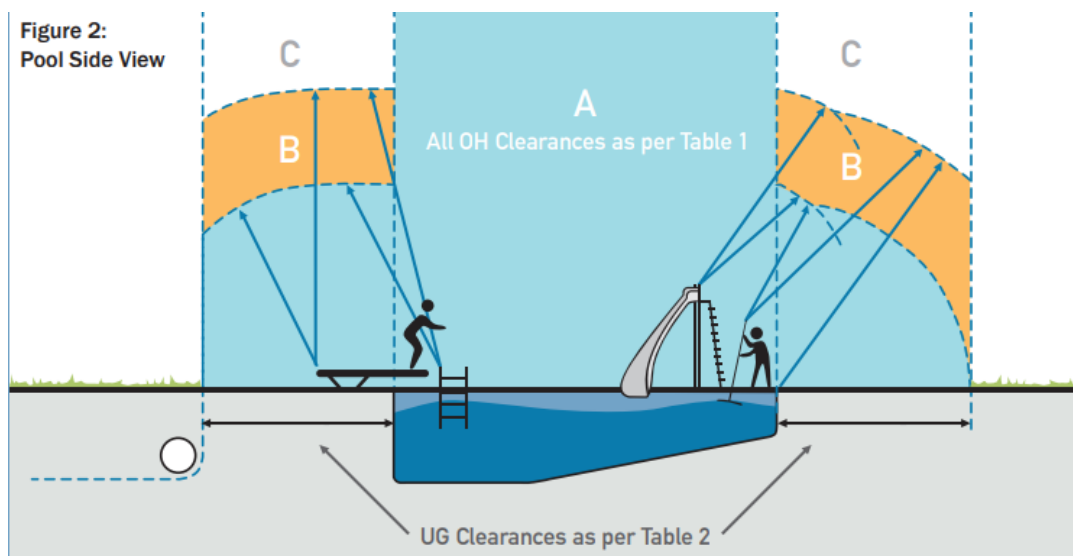
- Un-fixed equipment such as hand-held vacuums and pole skimmers, removable ladders
- Fixed equipment such as slides, diving boards, swings, lights, or platforms
- Structures such as sheds, decks, or fences.

### Underground Infrastructure

Electrical infrastructure and other utilities that are underground pose a risk of tingling or shock or to bathers. Your service provider should be contacted to ensure the required clearances are met based on the type of buried infrastructure.

Table 1: OVERHEAD CLEARANCES	
Electrical Infrastructure Voltage Level	Minimum Clearances from Inside Walls of Pool and the Outer Edge of Pool Accessories
A	NOT PERMITTED
B 0 - 750V	5 m (16 ft)
C 750V - 46kV	7.5 m (25 ft)

Table 2: UNDERGROUND CLEARANCES	
Electrical Infrastructure Voltage Level	Minimum Clearances from Inside Walls of Pool
A	NOT PERMITTED
0 - 750V	1.5 m (5 ft)
750V - 15kV	3 m (10 ft)
15kV - 28kV	6 m (20 ft)



## **6. What needs to be shown on the required site plan?**

The individual property owner or pool contractor is required to prepare a detailed site plan, drawn to scale and depicting the following information (please refer to attached sample site plan drawing as a guide in preparing the drawing to be submitted with your permit application)

1. Municipal address, lot number and registered plan number for the subject property.
2. Lot dimensions with location of all property lines for the subject property.
3. Location of all registered easements and / or rights-of-way located on the subject property.
4. Location of any watercourse and / or municipal drain located on the subject property and on any adjacent lands abutting the subject property.
5. Location and dimension of proposed new swimming pool, including any and all below or above ground supporting braces, decking and any other appurtenances which are an integral part of the swimming pool structure.
6. Location of the dwelling and any accessory building or structures on the subject property.
7. Location of any utility poles, overhead and/or underground services.
8. Proposed setback distance from the proposed new swimming pool structure to all property lines, to any easement and / or right-of-way, to the nearest point of any watercourse/municipal drain, and to all dwellings and accessory building and structures on the subject lot.
9. Proposed location and size of any accessory pool equipment, deck, shed, or any other accessory structure, including setback distances to all property lines.
10. Where sanitary sewers do not exist, show location of any private sewage disposal system (i.e. septic tank and tile field), and provide setback information for the proposed new swimming pool structure to the nearest point of the existing private sewage disposal system.
11. Location, type, and height of fence to be constructed to enclose the proposed new swimming pool structure, including all gates.
12. Provide information regarding location of existing catch basins and retaining walls and depict location and height of any proposed alterations to existing lot grading and /or any proposed relocations of existing catch basins for the subject property.

## **7. Swimming Pool Enclosure Checklist**

- Swimming pool setbacks:
  - Minimum side and rear yard: 1.5m (5'-0").
  - Minimum exterior side yard: not permitted.
  
- Swimming pool equipment setbacks:
  - All pool equipment is at least 3'-4" from the and side or rear property lines.
  - All pool equipment is installed at least 3'4" away from the wall of the above ground pool wall.
  
- Swimming pool enclosure requirements:
  - Minimum height for pool fences: 1.2m (4'-0").
  - Maximum height for all fencing in rear yard: 2.0m (6'-6").
  - Fence is constructed so it cannot be used in a manner similar to that of a ladder (cannot be climbable). Please see examples on the next page.
  - Fences must be constructed within property lines and are not permitted on easements and alleys.
  - Please see our fence by-law for all other regulations.
  - An above ground swimming pool has a minimum of 4'-0" high side wall that can be considered as a fence.
  
- Swimming pool enclosure gates and doors
  - Shall be equipped with a self-closing device,
  - Shall be self-latching, and
  - Shall be lockable.
  - Pool ladder with lockable guard or removable ladder when not in use.
  - The gate shall be locked when the pool is not in use.

Please reference our By-law page for other regulations.

<https://www.amherstburg.ca/town-hall/by-law-enforcement/find-a-by-law/>

**8. Sample Site Plan**

# SWIMMING POOL AND YARD FENCES

