

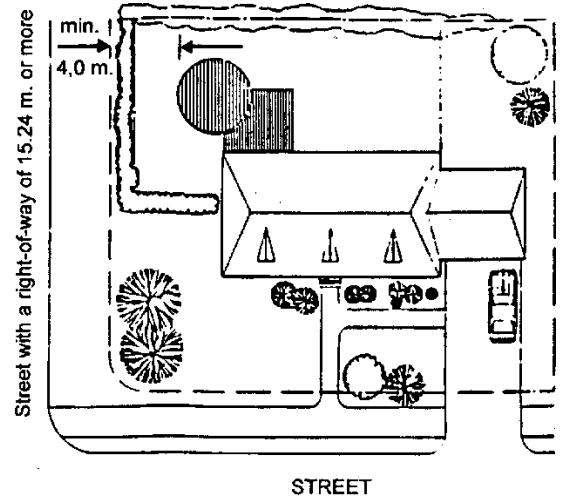
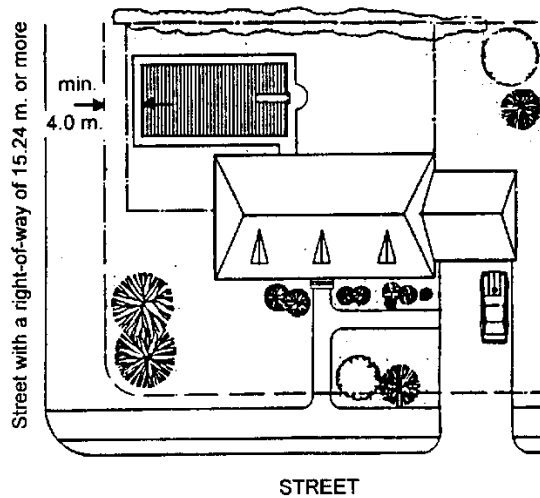
- Manitoba maple (*Acer negundo*);
- Norway maple (*Acer platanoides*);
- Hedge bedstraw (*Galium mollugo*);
- Reed sweetgrass (*Glyceria maxima*);
- Frogbit (*Hydrocharis morsus-ranae*);
- Policeman's helmet (*Impatiens glandulifera*);
- Water flag (*Iris pseudacorus*);
- Amur silver-grass (*Miscanthus sacchariflorus*);
- Chinese silver-grass (*Miscanthus sinesis*);
- Eurasian water milfoil (*Myriophyllum spicatum*);
- Glossy buckthorn (*Rhamnus frangula*);
- Common buckthorn (*Rhamnus cathartica*);
- Siberian elm or Chinese elm (*Ulmus pumila*);
- Common periwinkle (*Vinca minor*);
- White poplar (*Populus alba*);
- Bohemian knotweed (*Fallopia X bohemica*);
- Giant knotweed (*Fallopia sachalinensis*);
- Japanese knotweed (*Fallopia japonica*);
- Black locust (*Robinia pseudoacacia*);
- Great yellowcress or greater yellowcress (*Rorippa amphibia*);
- Common reed grass (*Phragmites australis*);
- Seven-sisters rose (*Rosa multiflora*);
- Japanese rose (*Rosa rugosa*);
- Purple loosestrife (*Lythrum salicaria*).

5.7 Swimming Pools

a) *Minimum distances*

- i) Swimming pools, either in- or above-ground, shall be no closer than:
 - 2.45 m (8.0') from any side property line,
 - 1.525m (5.0') from any rear property line,
 - 1.85 m (6.0') from any dwelling.
- ii) No swimming pool, either in-ground or above-ground, shall encroach in a minimum front setback, except in the case of a corner lot, where the pool may extend in that part of the minimum front setback located in the extension of the rear setback, subject however to the following conditions:
 - the right-of-way of the street toward which the encroachment is made must be at least 15.24 m (50.0') in width;
 - the pool must be at least 4.0 m (13.1') from the street right-of-way;
 - in the case of an above-ground pool, the pool must be hidden from the street by a solid fence of 1.85 m (6.0') in height or by a hedge of 1.85 m (6.0') in height;

the whole as shown on the sketches below:



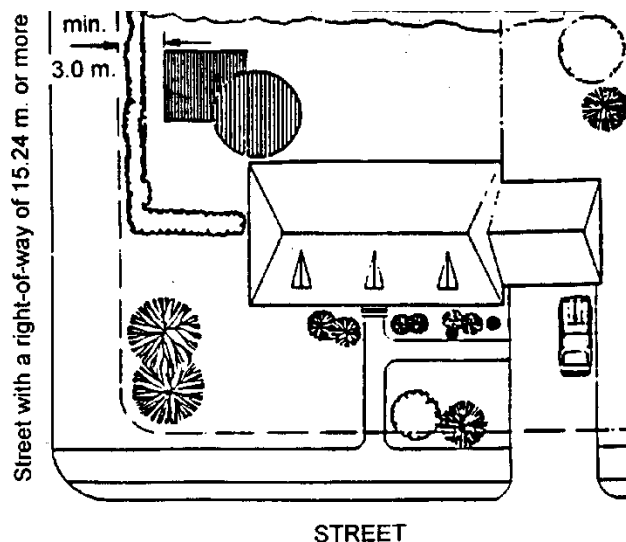
- iii) These minimum distances are always measured from the water line, namely the imaginary line separating the edge of the swimming pool and the beginning of the water.

b) *Decks*

- i) No deck ancillary to above-ground pool or not, shall be closer than:

- 2.0m (6.6') from any side property line,
- 4.5m (14.76') from any rear property line,
- 0.0 m (0') from any dwelling;

- ii) No deck ancillary to an above-ground pool or not, shall encroach in a minimum front setback, except if the pool encroaches in the minimum front setback in accordance with sub-paragraph ii) of paragraph a), in which case the deck must be at least 3.0 m (9.8') from the street right-of-way, the whole as shown below:



- iii) For the purpose of the present article, a deck is any surface meant for outdoor activities and which is located more than 45 cm (18") above an imaginary plane which raises from the right-of-way of the street on which the building fronts towards the back of the property with a slope of 2%.

c) Mandatory enclosure for swimming pool – inground or semi-inground pool, aboveground pool, portable pool and whirlpool or hot tub with a capacity exceeding 2,000 litres

A swimming pool must be surrounded by an enclosure to restrict access. The enclosure shall be installed so that the pool is separated from the openings of the buildings.

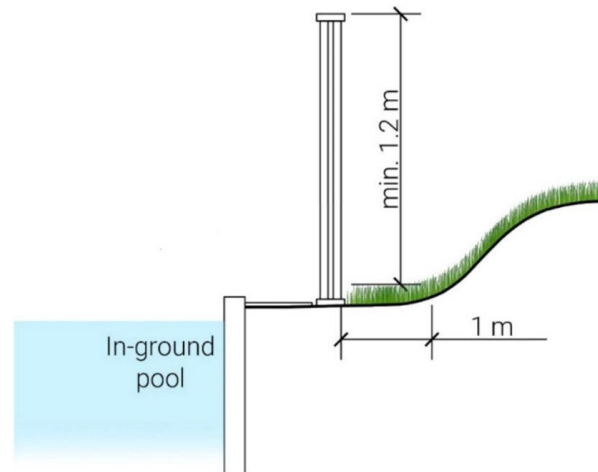
The enclosure must:

- i) be permanently installed and kept in place at all times;
- ii) be securely anchored to the ground;
- iii) prevent the passage of a spherical object 10 cm in diameter;
- iv) be at least 1.2 m in height;
- v) have no fixture, projection or open parts enabling it to be climbed;
- vi) be made of one or a combination of the following materials:
 - tempered or laminated glass panel;
 - wood;
 - metal or chain link;
 - PVC or other similar composite;
 - masonry;
 - heavy-duty PVC, polyester, nylon, or textilene mesh that meets the ASTM F2286-16.

Chicken wire fencing, snow fencing, temporary flexible construction fencing, or similar materials are prohibited.

The fence provided for in article d.1) may be used as an enclosure as long as it complies with the conditions mentioned in this paragraph c) with the exception of the height, which must be a minimum 1.52 m.

For the purposes of this article, the height of the enclosure is measured from the top of the enclosure, excluding columns, to any point of the ground within 1 m of the base of the enclosure.

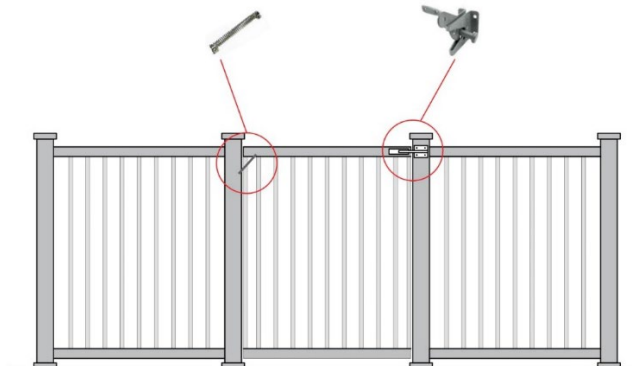
Example of calculation of the height of the enclosure

Where the enclosure is a chain-link fence, the mesh must have a maximum width of 30 mm. If slats are inserted in the mesh, their width may be greater than 30 mm but they must not allow the passage of a spherical object more than 30 mm in diameter.

A wall forming part of an enclosure must not have any opening enabling to enter the enclosure. Despite the foregoing, such a wall may have a window if the window is situated at a minimum height of 3 m from the ground on the inside of the enclosure, or, otherwise, if its maximum opening does not allow the passage of a spherical object more than 10 cm in diameter. However, a device that limits the opening of a window cannot be installed on an opening that is intended to be an evacuation means in the event of a fire under the applicable codes and standards (e.g. bedroom window).

A hedge or bushes cannot constitute an enclosure.

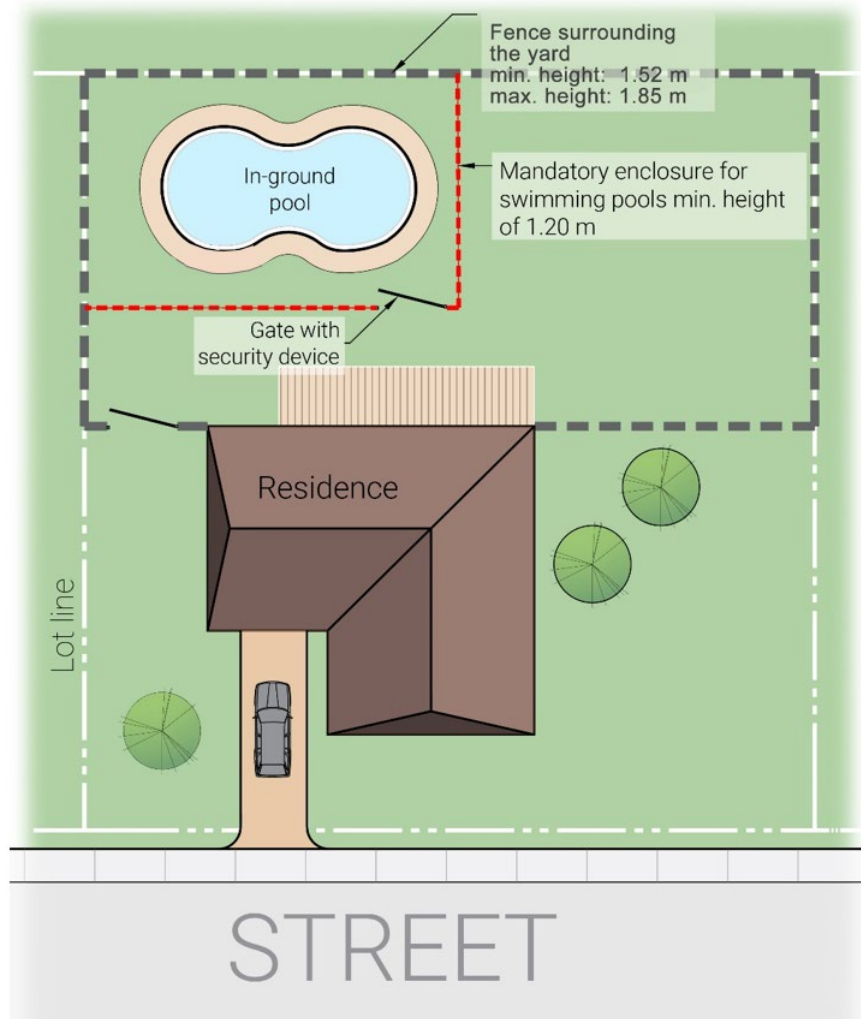
In addition to complying with the above features, every gate forming part of an enclosure must also be equipped with a self-closing and self-latching passive security device. The device may be installed on the inside of the enclosure in the upper part of the gate or on the outside of the enclosure at a minimum height of 1.5 m from the ground.

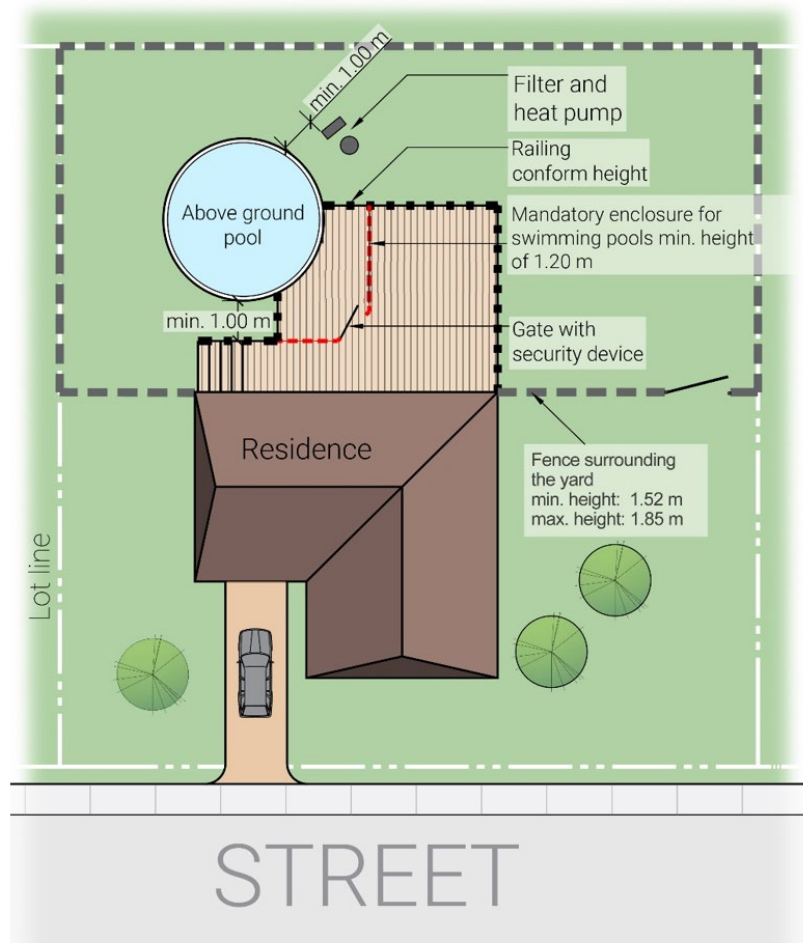
Example of a passive security device

No swimming pool may be filled more than 60 cm before the enclosure is installed in accordance with the foregoing.

During the construction or modification of a pool installation, temporary measures to control access to the pool must be provided. A certificate of authorization is required to make any modification to a pool installation.

Examples of enclosures surrounding a pool





d) Safety of an aboveground pool or portable pool

Notwithstanding paragraph c), for any aboveground pool with a wall height of at least 1.2 m from the ground at any point or a portable pool with a wall height of 1.4 m or more is not required to be surrounded by an enclosure if access to the pool is by:

- i) a ladder equipped with a self-closing and self-latching safety gate preventing its use by children. This gate must be locked or padlocked when the pool is not under the direct supervision of an adult;
- ii) a ladder or a platform access to which is protected by an enclosure having the features described in paragraph c); or
- iii) a patio attached to the residence and laid out so that the part giving access to the swimming pool is protected by an enclosure having the features described in paragraph c)."

d.1) Fence surrounding the yard

Any yard in which a swimming pool, whirlpool or hot tub is located must be surrounded by a fence of a minimum height of 1.52 m installed on or near the property lines.

e) *Ladder or steps*

All inground and semi-inground pools must be equipped with a ladder or steps used to enter or exit the water.

f) *Lighting*

The area of swimming pools shall be adequately lit and the lighting system shall be arranged in such manner to avoid causing direct illumination of any neighbouring property. All circuits supplying lighting equipment installed below the water level shall be isolated. Electrical circuits in the immediate vicinity of the pool exceeding 30 volts shall be supplied with an approved ground connection.

g) *(Repealed)*

h) *Diving board*

A swimming pool with a diving board must be installed in accordance with BNQ Standard 9461-100 “Residential Swimming Pools Equipped with a Diving Board – Minimum Water Envelope to Prevent Cervical Spinal Cord Injuries Resulting from Diving from a Diving Board” in force at the time of the installation.”

i) *Operating devices and structures*

In order to prevent children from climbing to gain access to the swimming pool, every device linked to its operation must be installed more than 1 m from the pool wall or, as the case may be, the enclosure.

The pipes linking the device to the swimming pool must be flexible and not be installed in a way that facilitates the climbing of the pool wall or, as the case may be, the enclosure.

Despite the first subparagraph, a device may be less than 1 m from the swimming pool or enclosure if it is installed:

- i) inside an enclosure having the features described in paragraph c);
- ii) under a structure that prevents access to the swimming pool from the device and that has the following features:
 -
 - be at least 1.2 m in height; and
 - have no fixture, projection or open parts enabling it to be climbed.
- iii) in a shed.

A structure or fixed equipment likely to be used for climbing over the wall or the enclosure must also be installed at more than 1 metre from the pool wall or, as the case may be, the enclosure. That minimum distance applies to a window situated less than 3 m from the ground, except if its maximum opening does not allow the passage of a spherical object more than 10 cm in diameter.”

j) *Maintenance*

Every pool installation intended to allow or prevent access to the swimming pool must be kept in good working order.

k) Application

Article 5.7 of this by-law applies to any new pool installation installed as of July 1st, 2021. Despite the foregoing, the sixth subparagraph of paragraph c), paragraph h) and the fourth subparagraph of paragraph i) of article 5.7 do not apply to a new pool installation acquired before that date, provided that such a pool installation is installed not later than September 30, 2021.

It also applies to a pool installation existing before July 1st, 2021, except the sixth subparagraph of paragraph c), paragraph h) and the fourth subparagraph of paragraph i) of article 5.7. Such a pool installation existing before November 1st, 2010 must comply with the applicable provisions of this by-law not later than September 30, 2025.

Re-installing a swimming pool referred to in the second subparagraph of this paragraph on the same ground does not make the sixth subparagraph of paragraph c), paragraph h) and the fourth subparagraph of paragraph i) of article 5.7 applicable to the pool installation that includes the pool. Despite the foregoing, when such a pool is replaced, the existing pool installation must then comply with those provisions.

Notwithstanding the Town's *By-law Establishing Tariffs for certain municipal services*, a permit to bring a pool installation into compliance with this by-law shall be issued free of charge for a pool installation existing before November 1st, 2010 and for which a permit had been issued.

5.8 Tennis Courts

a) Ball nets

All tennis courts shall be surrounded by a ball net to prevent tennis balls from leaving the court; this ball net shall not exceed 3.66 metres (12.0') in height and shall be removable so that it can be taken down after every game.

b) Minimum distances

The following minimum distances shall be observed between any tennis court and the various property lines or limits of principal buildings:

- i) the greater of the two following distances from any street right-of-way:
 - 4.6 metres (15.0') or
 - the minimum front setback as stipulated in the table of particular provisions;
- ii) from any side lot lines: 2.45 metres (8.0'), 1.525 metres (5.0') in the case of a corner lot;
- iii) from any rear lot lines: 1.525 metres (5.0');