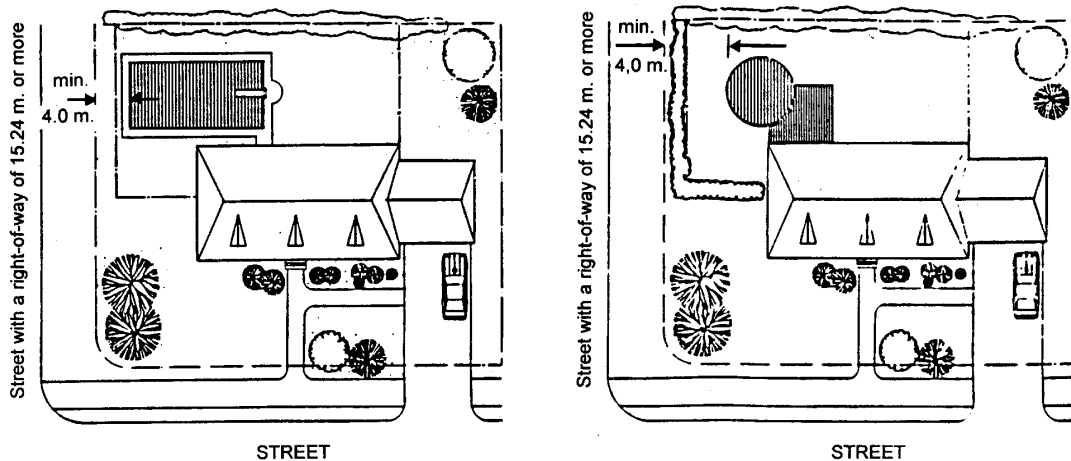


## 5.7 Swimming Pools

### 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 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:

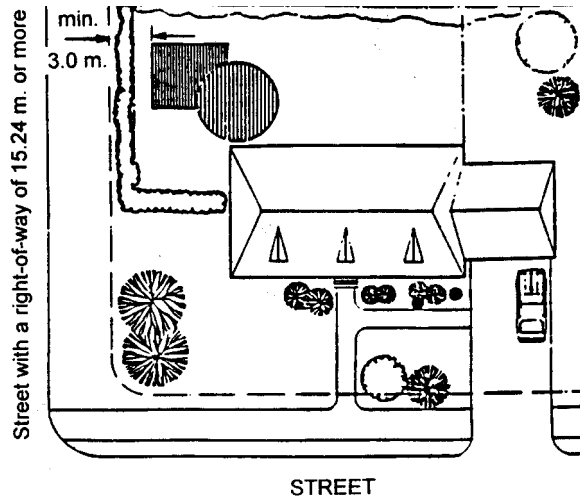


- iii) These minimum distances are always measured from the water line, namely the imaginary line separating the edge of the swimming pool and the beginning of the water.

### 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 permanent enclosure for an inground and semi-inground pool or an above-ground, inflatable, removable pool and spa with a capacity exceeding 2,000 litres requiring the installation of an enclosure*

Except for above-ground pools conforming to the provisions of paragraph d) of this article, any pools more than 45 cm deep at any spot must be surrounded by a main permanent enclosure at least 1.85 metres high.

The enclosure must be installed on or near the property lines and in the extension of side walls of main building while always maintaining a free space of at least 1.2 metres in width all around the swimming pool, between the enclosure and the edge of the pool.

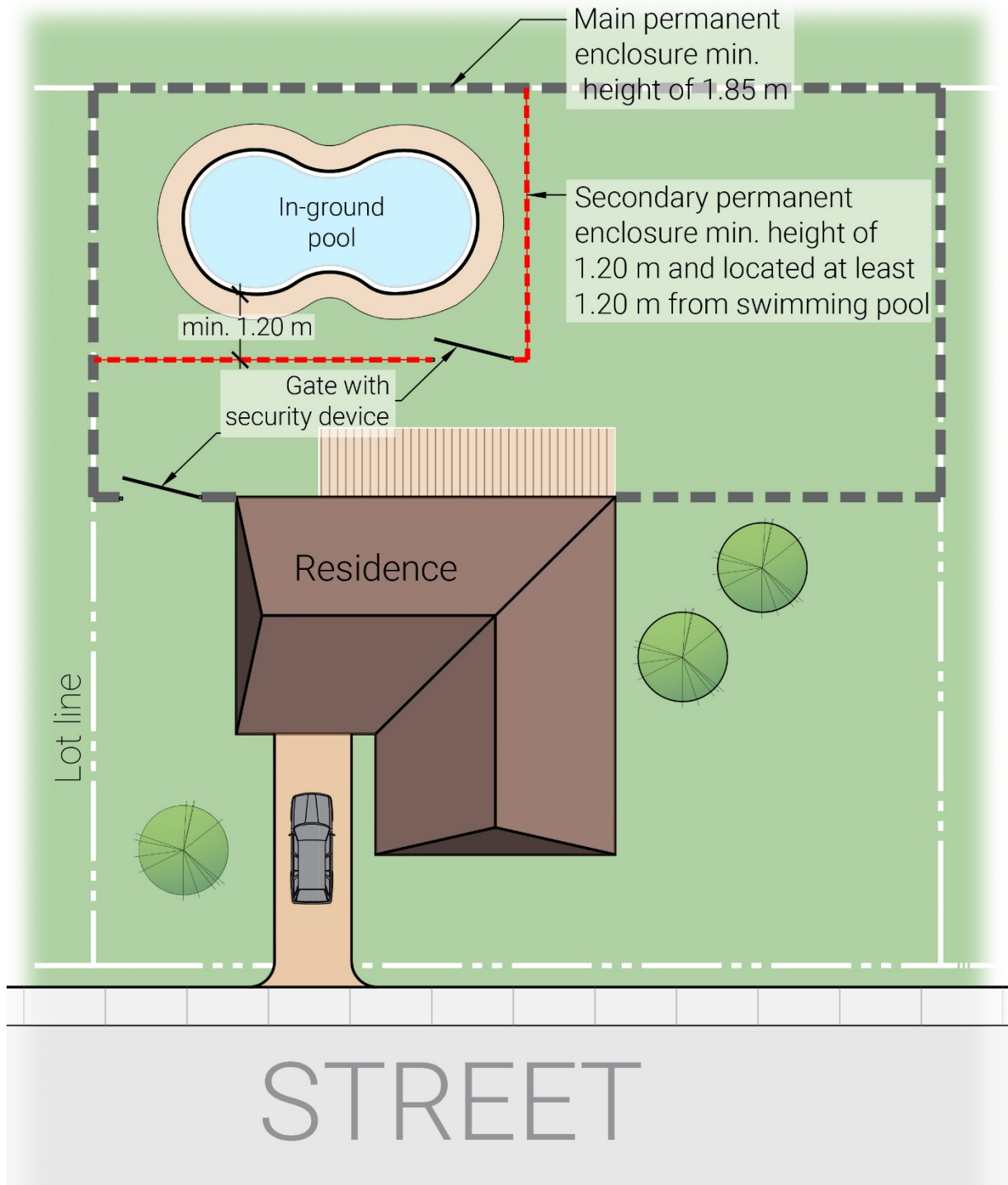
In addition to the main permanent enclosure, a secondary permanent enclosure must be installed to create a closed enclosure and separate the swimming pool from the building as well as the rest of the backyard, which includes an adjoining terrace or patio and its stairs. The required secondary enclosure must be installed so that it separates any opening of the main building (door or window) from the swimming pool. The secondary permanent enclosure must have a minimum height of 1.2 metres, measured on the outside between the ground level and the top of the enclosure.

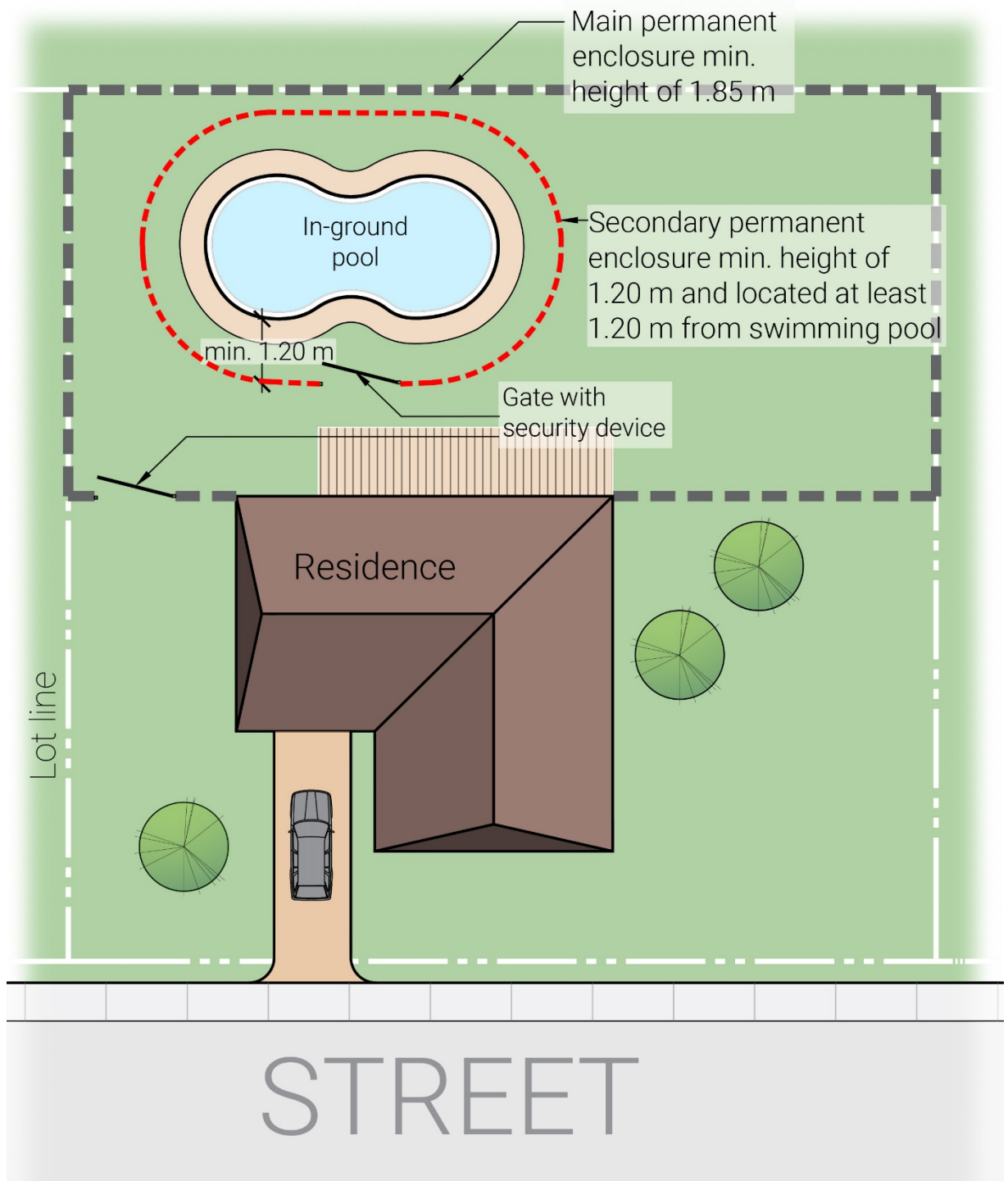
A gate must be installed to enter inside an enclosure. Such gate must be equipped with a self-closing device and an automatic latch the latch must be placed on the inside of the enclosure at the top of the gate and the enclosure. The latch of a gate designed to enter the interior of a secondary permanent enclosure must be locked or padlocked when the pool is not under the direct supervision of an adult. The design and location of fences and gates, as well as the materials used, must be submitted to the Building Inspector for approval. No swimming pool can be filled before all safety measures are effective.

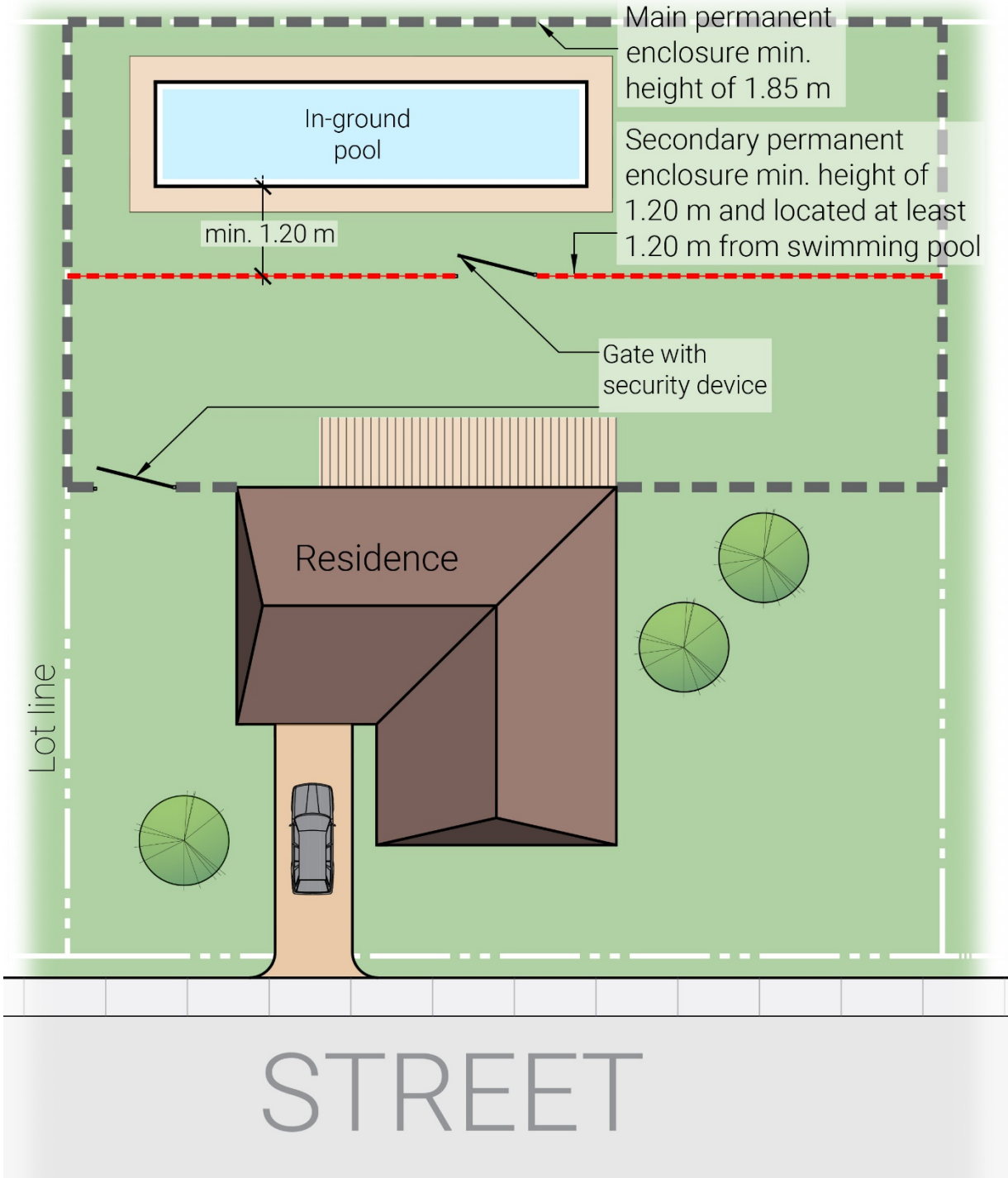
For the purposes of this article, the height of an enclosure must be measured from the ground

level at any point, measured one (1) metre away from the base of the enclosure, to the top of the enclosure, excluding columns. The openings in the enclosure must be small enough to prevent a sphere measuring 10 cm in diameter from passing through. The distance between the ground and the bottom of the enclosure must not exceed 10 cm; the main components of the enclosure must be vertical and arranged in such a way to prevent any irregularity or opening which could facilitate climbing, at least on the outside." A hedge or bushes do not constitute a permanent enclosure.

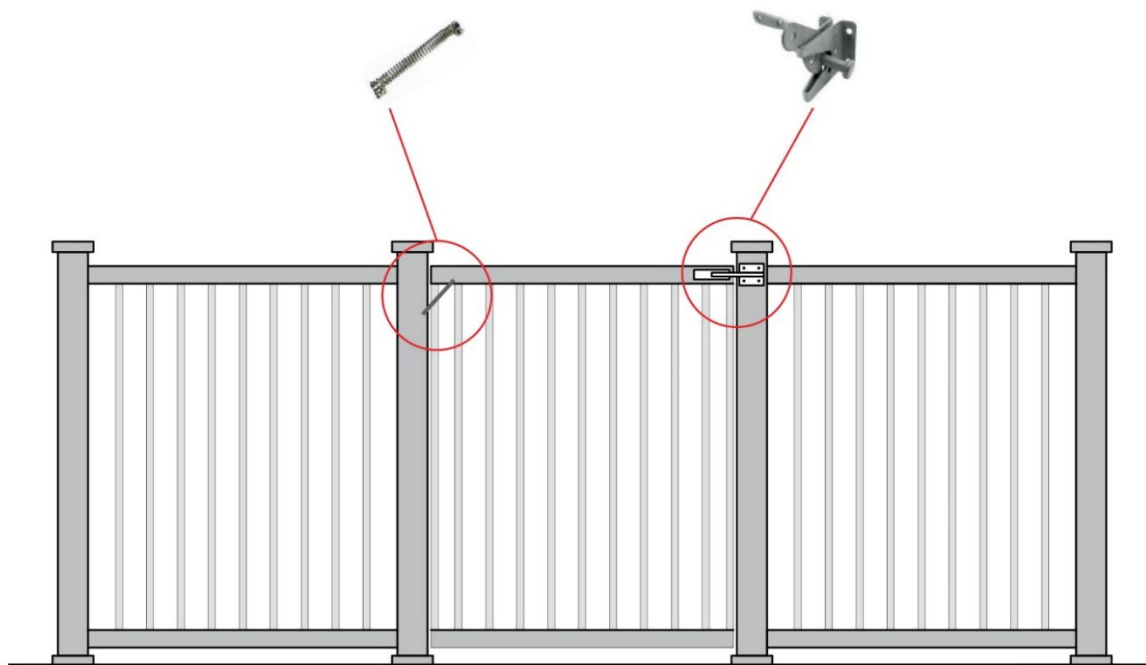
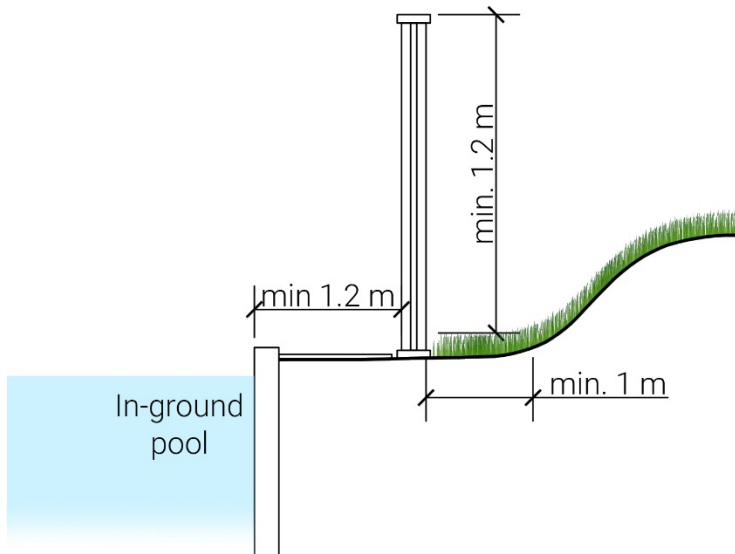
*Installation of enclosures around a swimming pool*







*Calculation of the height of an enclosure and example of a latch and automatic gate closing mechanism*

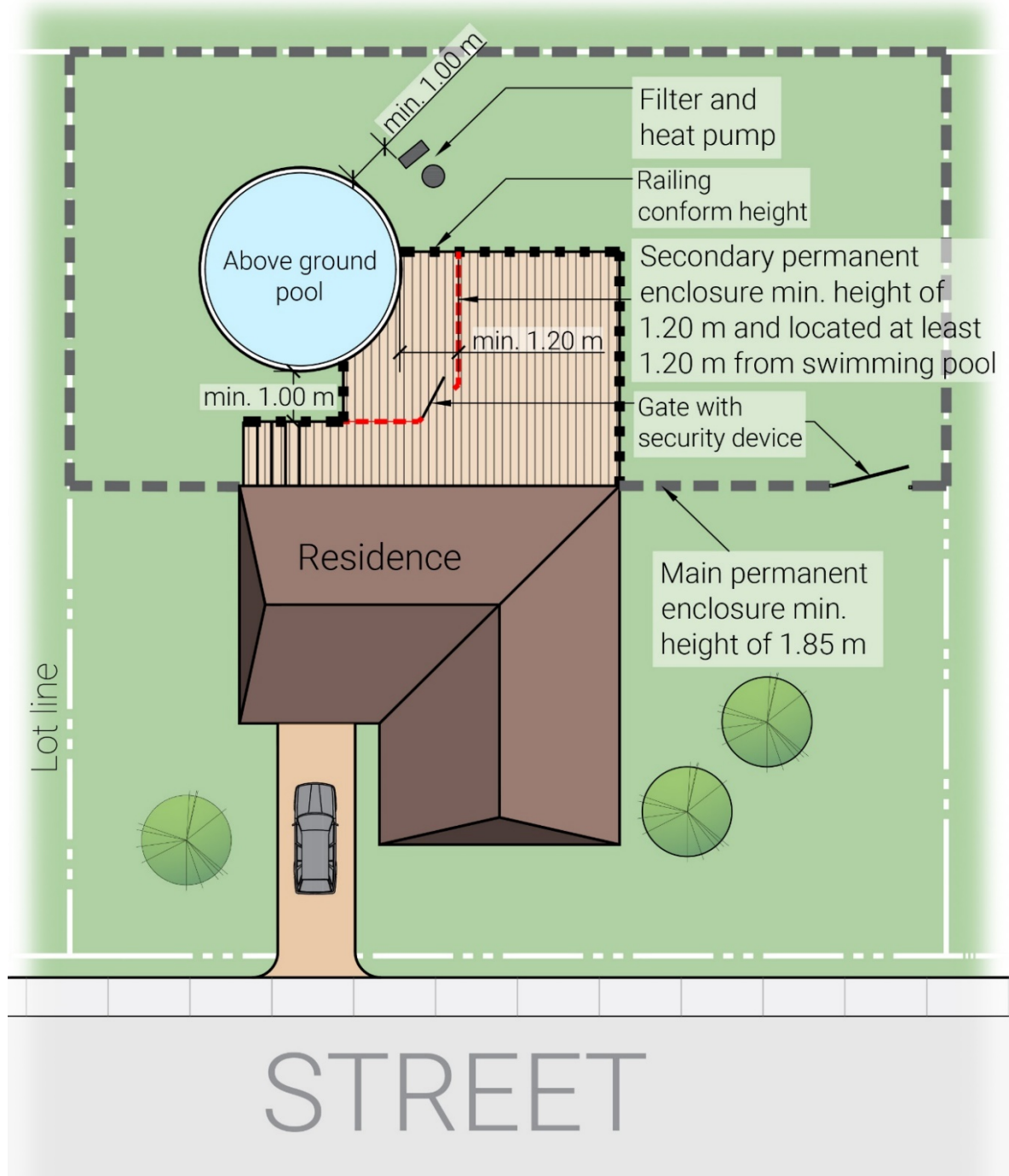


*d) Safety considerations for out-of-ground pools*

Fences shall not be required for out-of-ground pools if the exterior facade of the pool is smooth and is at least 1.85 metres (6.0') in height; if the exterior facade is less than 1.85 metres high, the minimum required height may be achieved by adding a small wall or fence around the perimeter of the pool, provided that there is no irregularity or opening between the edge of the pool and the said fence or wall. In all cases, the ladder giving

access to the pool shall be supplied with a fence and gate in compliance with the provisions contained in the previous paragraph. If access is from a terrace attached to the residence, it must be designed so that the part opening onto the pool is protected by a secondary permanent enclosure installed in accordance with the provisions of the preceding paragraph.

*Installation of a secondary permanent enclosure on a terrace with access to a swimming pool above ground*



e) *Safety ladders*

All out-of-ground pools which reach a depth of more than 45 cm (18") in any one spot shall be equipped with a ladder equipped with a safety door that automatically closes and locks to prevent its use by a child.

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) *Slope and change of depth*

The slope from the shallow end of the pool to the demarcation line shall not exceed 30 cm (1.0') of vertical distance over 2.13 metres (7.0') of horizontal distance. The difference in depth between the shallow part and deep part shall not exceed 1.52 m (5.0').

h) *Diving boards*

Installation of diving boards is permitted in private pools, provided that they conform to the Provincial regulations governing diving boards in public pools (RSQ, C.S.-3, a.39). However, no diving boards shall be installed in pools which are less than 3.4 m (11.0') deep in the part meant for diving, or in a pool which is less than 9.0m (29.5') long or which is less than 2.4m (7.9') wide.

i) *Operating device and structures*

Any device related to the operation of the pool or any other structures must be installed more than one (1) metre from the pool wall or, depending on the situation, from the enclosure in order to prevent a child from climbing to access the pool. The pipes linking the device to the pool must be flexible and must not be installed in such a way as to facilitate climbing.

Notwithstanding the first paragraph, any device may be located less than one (1) metre from the pool or enclosure when it is installed:

- *Inside the enclosure of an in-ground pool that complies with the provisions of paragraph c) Mandatory enclosure for an in-ground pool or other pool requiring the installation of an enclosure*
- *Under a structure that prevents access to the pool from the device*
- *In a shed*

Any installation intended to give or prevent access to the pool must be maintained in good working order.