

**Zoning By-Law 4599**

**8.10.1 Outdoor Pool or Hot Tub**

Private swimming pools, hot tubs, and similar structures with a water depth of greater than two (2) feet, shall be allowed as a permitted accessory use to a residential use, recreational use or commercial development provided that:

- (a) They meet the siting requirements of accessory structures for the zone in which they are located;

**Residential Zone:**

	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
	Pool	-	-	*see below	2	2	12	12%

\*Pool shall be located to the rear of the front wall of the principle building

**Commercial Zone & Public / Limited Development Zone: (only in the Public Institutional & Parks & Recreation Zones)**

	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
	Pool	-	-	*see below	0	0	Less than principal building	20%

\*Pool shall be located to the rear of the front wall of the principle building

- (b) The pool area is protected by a fence with lockable gates and a minimum height of 6 feet (1.83 meters) to prevent unauthorized entry. The fence and gate must be constructed so as to prevent a child from crawling underneath;
- (c) An Application for Structure, Fence, Landscaping, or Driveway Permit must be submitted;
- (d) Nothing in this subsection shall relieve any such structure from complying with the requirements under other building by-laws or applicable provincial regulations including The Buildings and Mobile Homes Act and The Public Health Act.

**Manitoba Building Code – Amendment Part 10**

**Section 10.1 Private Pools**

**10.1.2.1 Enclosures**

- 1) An outdoor private pool shall be enclosed with a fence or other suitable barrier constructed in accordance with the following requirements:
  - a) a minimum height of 1.5m (Town of The Pas Zoning By-Law requires 1.83m)
  - b) there shall be no openings, other than a door to a building or a gate as described in Clause (c), and it shall not be possible for a child to crawl under either the fence or the gate,
  - c) any gate shall be self-closing, shall be at least 1.5m (Town of The Pas Zoning By-Law requires 1.83m) in height and shall be equipped with a lockable latch to prevent unauthorized entry,
  - d) where a chain link fence is used, the outside surface of the fence or gate shall be at least No. 11 gauge,
  - e) where other than a chain link fence is used, the outside surface of the fence or gate shall be relatively smooth so as not to provide foot or toe holds,

- f) if, in the opinion of the authority having jurisdiction, there is any undesirable feature pertaining to the enclosure, suitable steps shall be taken to correct the situation.

#### **10.1.2.2. Maintenance**

- 1) The enclosure surrounding an outdoor private pool shall be maintained in good repair.

#### **10.1.3.1 General Electrical Requirements**

- 1) all electrical installations shall comply with the Manitoba Electrical code.
- 2) All metallic parts of a private pool, including reinforcing steel, shall be electrically grounded in accordance with the requirements of the Manitoba Electrical Code.

#### **10.1.3.2 Overhead Wiring**

- 1) No overhead wiring shall be situated above a private pool – including associated structures such as a diving structure, observation stand, tower or platform – or above the area extending 3 m horizontally from the pool edge, and no private pool or associated structure shall be placed within 3 m, measured horizontally from the pool edge, of an existing overhead wire.
- 2) The following overhead wiring may be situated within the area otherwise prohibited by Sentence 1 if, in the opinion of the authority having jurisdiction, it is impractical to comply with that Sentence:
  - a) insulated communication conductors and neutral support cables operating at 600 V, providing there is a clearance of at least 4.5 m (measured radially) from the overhead wiring,
  - b) conductors operating at not more than 50 kV phase-to-phase, providing there is a clearance of at least 7.5 m (measured radially) from the overhead wiring.

#### **10.1.3.3 Underground Wiring**

- 1) No private pool shall be placed within 1.5 m of an underground electrical conductor, including a communication conductor, and no underground electrical conductor, including a communication conductor shall be placed within 1.5 m of the inside walls of the private pool.
- 2) Sentence 1 does not apply to:
  - a) bonding conductors, and
  - b) conductors supplying electrical equipment associated with the pool that are protected by a ground fault circuit interrupter.

#### **10.1.4.1 Backflow Prevention**

- 1) The water in a private pool and its recirculation system shall be separated from the make-up water supply and from the sewer or drainage system by air gaps or other backflow preventers.

#### **10.1.4.2 Water Disposal**

- 1) Pool waste-water shall be disposed of into a sanitary sewer system, directly into a storm sewer or be contained within the confines of the owner's property.



**Application for Structure, Fence, Landscaping, or Driveway Permit**

Application is hereby made for:

- Erect a structure (or sign) within controlled area
- Fence
- Construct an access Driveway
- Relocate or modify an existing access Driveway
- Plant trees and/or shrubs (landscaping) within controlled area

**This application if approved does not dispense with the holder thereof, complying with all terms and conditions as stated in the Town Zoning By-Law #4599 or Town Building By-Law #2217**

PLEASE PRINT WHEN COMPLETING APPLICATION

Applicants Name: \_\_\_\_\_

Phone #: \_\_\_\_\_

Location: LOT \_\_\_\_\_ BLOCK \_\_\_\_\_

PLAN \_\_\_\_\_ STREET ADDRESS \_\_\_\_\_

Proposed Use:

RESIDENTIAL \_\_\_\_\_ COMMERCIAL \_\_\_\_\_ INDUSTRIAL \_\_\_\_\_ OTHER \_\_\_\_\_

Describe: \_\_\_\_\_

\_\_\_\_\_

Property Frontage on Street: \_\_\_\_\_ Feet.

\_\_\_\_\_ Meters

Size Of Property: \_\_\_\_\_ SQ. FT

\_\_\_\_\_ SQ. FT

Registered Land Owner

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Box: \_\_\_\_\_ Postal Code: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Registered Land Owner)

\_\_\_\_\_  
(Date)

I DECLARE that all information is true and correct.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date)

## **SKETCH**

Proposed location as shown below (for driveways please show requested curb cut in relation to lot lines and/or buildings).

### **OFFICE USE ONLY**

Approved By: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_