

**Subject:** Opposition to Reclassification of Swimming Pools and Hot Tubs – Item PH27.1

**To:** John D. Elvidge, City Clerk Toronto

Re: Growing Space for Trees: Protecting and Enhancing the Tree Canopy While Supporting Infill Housing and Addressing Concerns with Iceberg Homes (PH27.1)

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Dear Members of Council,

My name is Evan Baard, and I am the Design Manager and Master Certified Designer and Building Professional at Gib-San Pools and Landscape Creations, a pool builder and landscape contractor operating in **Humber River Black Creek (Ward 07) and Etobicoke Lakeshore (Ward 03)**.

I am writing to express concern regarding the proposed amendment that would remove outdoor swimming pools and hot tubs from qualifying as soft landscaping in rear yards.

As drafted, this change would:

- Artificially reduce calculated soft landscaping compliance for otherwise responsible projects.
- Force routine residential pool installations into unnecessary minor variance applications.
- Increase costs and timelines for homeowners.
- Create additional administrative burden for City staff and the Committee of Adjustment.

Swimming pools are not equivalent to hard paving or building mass. They are:

- Non-occupiable water bodies.
- Non-heat-retaining in the same way as concrete hardscape.
- Often integrated with permeable decking and landscaped design.
- Compatible with urban canopy preservation when properly designed.
- Provide emergency water supply for fires
- Provide temporary respite for fowl and other animals

In practice, many projects already preserve mature trees and incorporate sustainable landscape planning. The proposed blanket exclusion fails to recognize the functional distinction between impermeable structural mass and contained water surfaces.

All projects that are designed with mature trees are already required to have an arborist sign-off on any injuries or removals (invasive species)

In the over 50 years that Gib-San Pools have been in business, not one tree has died when an arborist has been involved and approved the injury. This is always the case.

Backyard pools also provide measurable community value:

- Support for multi-generational family use.
- In-home recreation that reduces travel demand.
- Health and therapeutic benefits.
- Safe environments for swim instruction and water safety training.
- Competitive swim training.

We respectfully request that Council:

1. Reconsider the removal of pool and hot tub water surfaces from soft landscaping calculations.
2. Explore a balanced policy approach that protects tree canopy objectives without creating unintended hardship for homeowners.
3. Consult with industry stakeholders, including the Pool & Hot Tub Council of Canada, before finalizing amendments.

Thank you for your consideration.

Sincerely,

**Evan Baard, Master CBP (Certified Building Professional)**  
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