

February 3, 2026

Mayor Olivia Chow
Members of Toronto City Council
c/o John D. Elvidge, City Clerk
City of Toronto

Re: Item PH27.1 – Growing Space for Trees
Proposed Amendment to Zoning By-law 569-2013
Exclusion of Swimming Pools and Hot Tubs from Soft Landscaping Calculations

Dear Mayor Chow and Members of Council,

On behalf of the Pool & Hot Tub Council of Canada (PHTCC), the national association representing swimming pool and hot tub builders, designers, service professionals, retailers, and manufacturers across Canada, we respectfully submit our concerns regarding the proposed amendment under Item PH27.1 that would exclude swimming pools and hot tubs from qualifying as soft landscaping in residential rear yards.

While we support Toronto's objective of protecting and enhancing the urban tree canopy, the proposed categorical exclusion of pool and hot tubs will create significant unintended community, economic, and regulatory consequences.

1. Existing Tree Protection Framework Already Governs

Toronto already has strong tree protection mechanisms in place, including Urban Forestry oversight, arborist reporting and sign-off requirements, tree protection zones, injury mitigation controls, and drainage and grading compliance review.

Residential pool construction is already subject to these requirements. Where mature trees exist, arborist oversight is mandatory. The proposed amendment adds a broad zoning exclusion on top of a functioning technical review system.

2. Health, Safety, and Community Benefits

Backyard pools provide measurable public value beyond private amenity. They:

- Support cardiovascular health and rehabilitation;
- Provide therapeutic recreation for seniors and individuals with mobility challenges;
- Enable children to learn to swim in safe, supervised environments;
- Strengthen water safety in a country defined by natural waterways;
- Reduce strain on municipal pools during peak demand;



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- Keep families within their communities rather than increasing travel.

Private residential pools supplement public recreation infrastructure and contribute to overall community wellness. Policy should not unintentionally restrict responsible installations that support these outcomes.

3. Economic and Regulatory Implications

The Canadian pool and hot tub industry supports skilled trades, apprenticeship pathways, manufacturers, suppliers, and service networks across the country. Toronto represents one of Canada's largest residential markets.

Removing pool water surface area from soft landscaping calculations will:

- Cause otherwise compliant projects to fall below required thresholds;
- Trigger unnecessary minor variance applications;
- Increase homeowner costs and delays;
- Add workload to the Committee of Adjustment and Planning staff.

This amendment expands administrative burden without demonstrable additional canopy protection benefit.

Request for Reconsideration and Consultation

The Pool & Hot Tub Council of Canada respectfully requests that Council:

1. Reconsider the proposed exclusion of swimming pools and hot tubs from soft landscaping calculations; or
2. Direct staff to engage with industry stakeholders to develop a performance-based framework that distinguishes structural hardscape from contained water features while maintaining canopy protection objectives.

The PHTCC would welcome the opportunity to meet with Planning staff, Urban Forestry, and Members of Council to provide technical input, share best practices from other Canadian municipalities, and assist in developing a balanced solution.

We appreciate Council's consideration and remain available for further discussion.

Respectfully submitted,

Nicole Gamble | Executive Director
Pool & Hot Tub Council of Canada