



Town of Kingsville

Building Department

GUIDE TO SWIMMING POOL ENCLOSURE PERMIT

www.kingsville.ca

2017

Disclaimer: The fees and by-law information compiled within this guide are for reference purposes only. While we do our best to ensure the information is correct, all fees and by-law information are imposed pursuant to the relevant by-law. If there is any discrepancy between the information contained in this guide and the relevant by-law, the by-law prevails. Please contact the Municipal Office for a copy of the applicable by-law or for additional information.

Guide to Pool Enclosure Permit

1. Why is a swimming pool permit required?

Property owners installing swimming pools are required to obtain a swimming pool permit from the Town of Kingsville.

This is required for public safety purposes, protect municipal infrastructure located within registered easements, and to ensure that the various provisions of the Town's zoning, fencing and lot grading requirements are complied with.

2. What is required for a swimming pool enclosure permit?

The following is required for a complete swimming pool application:

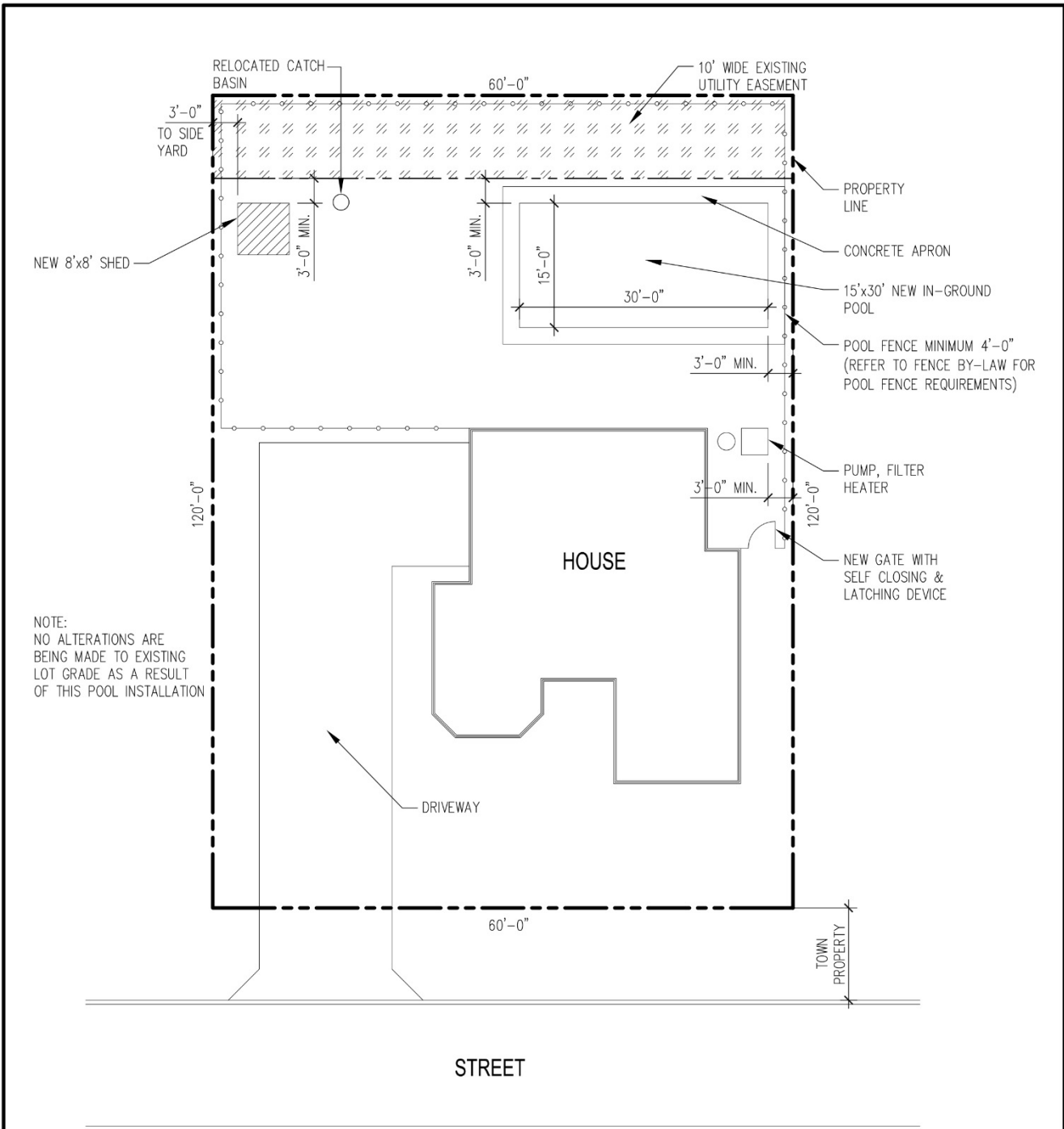
- Application for a swimming pool enclosure
- Site plan drawing (refer to item #3 for requirements)
- Permit Fee \$175.00
- Indemnity Fee \$2000.00 (refundable at final)
- Municipal Administration Fee \$150.00

3. What needs to be shown on the required site plan?


The individual property owner is required to prepare a detailed site plan, drawn to scale and depicting the following information (please refer to attached sample site plan drawing as a guide in preparing the drawing to be submitted with your permit application)

- Municipal address, lot number and registered plan number for the subject property;
- Lot dimensions with location of all property lines for the subject property;
- Location of all registered easements and / or right-of-ways located on the subject property;
- Location of any watercourse and / or municipal drain located on the subject property and on any adjacent lands abutting the subject property;
- Location and dimension of proposed new swimming pool, including any and all below or above ground supporting braces, decking and any other appurtenances which are an integral part of the swimming pool structure;
- Location of the dwelling and any accessory building or structures on the subject property;

- Proposed setback distance from the proposed new swimming pool structure to all property lines, to any easement and / or right-of-way, to the nearest point of any watercourse/municipal drain, and to all dwellings and accessory building and structures on the subject lot;
- Proposed location and size of any accessory pool equipment, deck, shed, or any other accessory structure, including setback distances to all property lines;
- Where sanitary sewers do not exist, show location of any private sewage disposal system (i.e. septic tank and tile field), and provide setback information for the proposed new swimming pool structure to the nearest point of the existing private sewage disposal system;
- Location, type, and height of fence to be used to enclose the proposed new swimming pool structure, including all gates;
- Provide information regarding location of existing catch basins and retaining walls, and depict location and height of any proposed alterations to existing lot grading and /or any proposed relocations of existing catch basins for the subject property.



SITE PLAN

| | | | | |
|---|--------|----------|----------|--------------------------------|
|  | DATE: | 10/16/16 | DRAWING: | <p>SAMPLE SITE PLAN</p> |
| | SCALE: | N.T.S. | | |

4. Permit fee and Refundable deposit

The fee to be submitted to the Town of Kingsville for a swimming pool permit are as follows:

- Swimming Pool Permit Fee \$ 175.00
- Indemnity Fee (refundable at final inspection) \$2000.00
- Municipal Administration Fee \$ 150.00

5. Requirements for Swimming Pools and Pool Enclosures

It is the responsibility of the affected property owner to obtain a swimming pool permit from the Town of Kingsville prior to commencing to install a swimming pool. Swimming pools cannot be installed in the Town without proper fence enclosure. All property owners are responsible for complying with all applicable legislative and regulatory requirements, which may be amended from time to time, including but not limited to zoning, fencing, and lot grading regulations.

By-laws for fencing and zoning, as amended, must be complied with, including the following requirements which apply to all swimming pool installations in the Town of Kingsville:

Above ground pools can serve as a enclosure provided the pool wall is a minimum of 48” high and any access into the pool is restricted;

- Construction of pool enclosures shall not have any horizontal member that can facilitate climb ability. Such members shall have a minimum distance of 30 inches apart (Please refer to attached fencing drawing).
- A chain link fence that forms part of the swimming pool enclosure shall have a mesh not greater than 1.5 inches by 1.5 inches (Please refer to attached fencing drawing).
- Any gate that is provided in a swimming pool enclosure must be self-closing and must have a self latching device.
- Fences shall be installed on the property where the swimming pool is proposed to be installed. Barbed wire fence and electrical fences are not permitted. The maximum height of any fence is 6 feet 0 inches.
- A minimum 3 feet 0 inches setback shall be maintained from all property lines to the nearest point of the water’s edge of the proposed swimming pool structure.
- A minimum 4 feet 0 inches setback shall be maintained from all property lines to all pumps, heaters and filters.

- No portion of any swimming pool structure (including any supporting braces, decking, etc), walkway and / or other accessory structure is permitted within any registered easement and /or right-of-way located on the subject property.
- All swimming pool structures shall be installed in a manner which does not adversely affect any neighboring properties, with proper lot grading being maintained at all time. No alternations to existing lot grades can be made for the purpose of installing a new swimming pool structure without the prior approval of the Town’s Engineer and / or Chief Building Official.
- No relocation of a rear yard catch basin to accommodate the installation of a new swimming pool structure can be made without the prior approval of the Town’s Engineer and / or Chief Building Official. This relocation must be re-inspected and approved as part of this swimming pool permit application.
- A separate building permit is required to be applied for prior to constructing any accessory structure which has a total floor area of 108 square feet or greater. Such accessory structures must be located a minimum of 4 feet 0 inches from any property line.
- For any accessory structure that has a floor area of less than 108 square feet, no building permit is required. Such structures must be located a minimum of 2 feet 0 inches from all lot lines.
- All accessory decks with a height of 8 inches or greater from ground level must be setback a minimum of 4 feet 0 inches from side property line and 8 feet 3 inches from rear property lines.

Please note that the above information has been provided in this application guideline for convenience purposes only. Please consult with the actual Council adopted By-laws to make sure that the regulations you are following are the most current and up-to-date.

For additional information please contact the Building department at 519-733-2305 extension 636 during normal business hours.

Please be advised that these By-law requirements are subject to change without notice.

Swimming Pool Fences

(reference excerpt only – for full complete By-law visit www.kingsville.ca)

- 3.4 Every owner of a lot on which a swimming pool is located shall construct and maintain, or cause to be constructed and maintained, a swimming pool fence
- 3.5 Every person who constructs, or causes to be constructed, a swimming pool fence shall construct the swimming pool fence so as to prevent access under, over or through the fence except by way of a gate.
- 3.6 No person shall construct or cause to be constructed a swimming pool fence, unless such swimming pool fence complies with the following regulations:
- a) The minimum required height of a swimming pool fence shall be 4 feet (1.22 meters) as measured from the grade level outside and immediately adjacent the swimming pool fence;
 - b) The maximum permitted height of a swimming pool fence shall be 6 feet (1.83 meters);
 - c) Every swimming pool fence shall be constructed so that all horizontal or diagonal structural members of the fence are located on the pool side of the fence and the swimming pool fence shall not have openings, holes or gaps large enough to facilitate climbing;
 - d) If a swimming pool fence is to be constructed of chain link material, the chain link material shall have open diamond mesh not exceeding 1.5 inches (3.81 centimeters);
 - e) A dwelling or building may be utilized as part of a swimming pool fence;
 - f) Every swimming pool gate shall be equipped with a self-closing/self latching device on top of the gate on the swimming pool side of the gate;
 - g) Paragraph 3.6 (g) shall not apply to the door of any dwelling or building which forms part of the enclosure;
 - h) Nothing shall be placed at or near the exterior side of a fence located on the same property that might facilitate the climbing of the swimming pool fence;
 - i) Sun-decks or walkways may be used as part of a swimming pool fence provided that they are constructed so as not to facilitate climbing and are a minimum of 4 feet (1.22 meters) above the immediately adjacent grade level and if equipped with a gate, such gate shall be constructed in accordance with 3.6 (g);

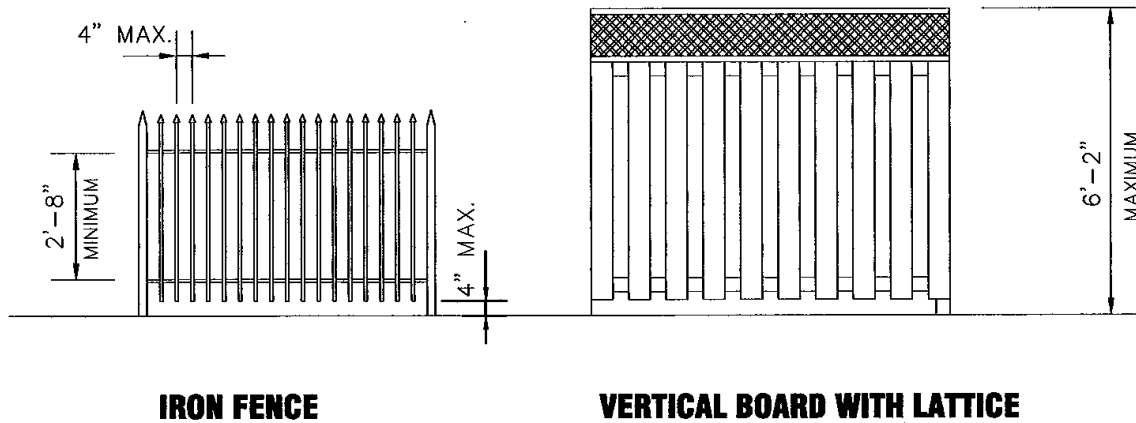
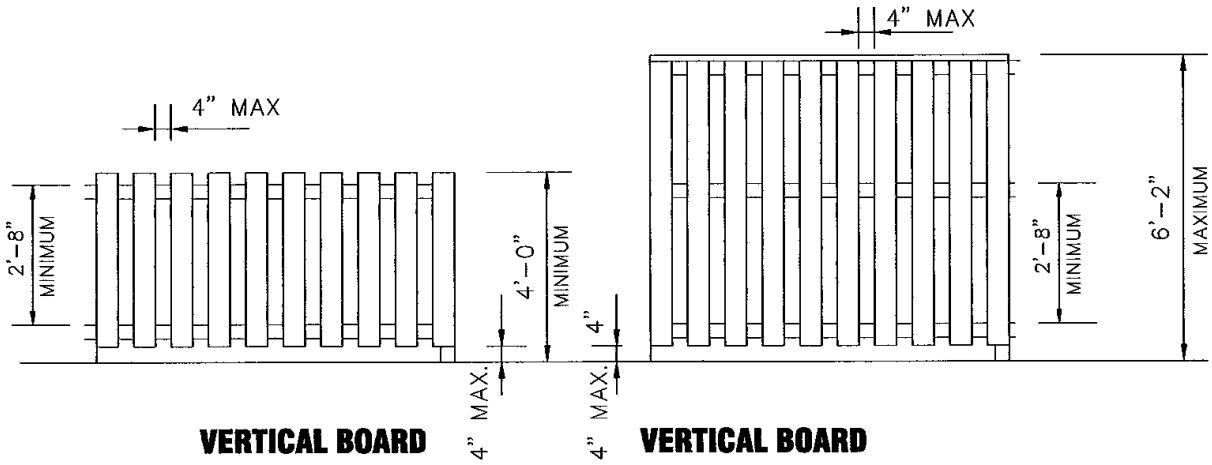
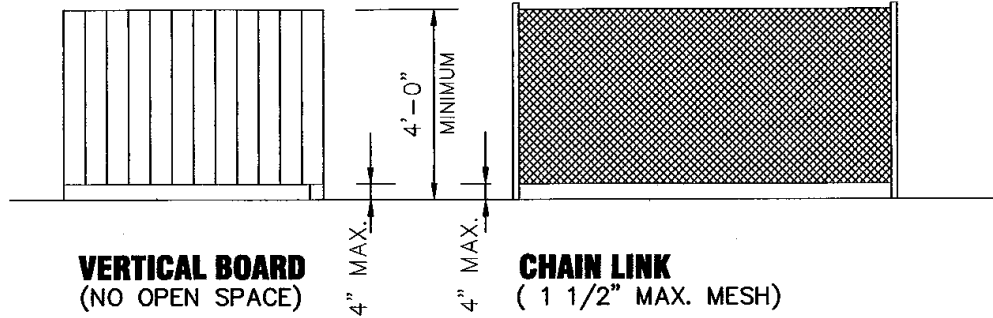
- j) Once a swimming pool is filled with water it must be fenced. A temporary enclosure is permitted in lieu of a swimming pool fence, but must be replaced with a permanent fence in accordance with Section 3.4, 3.5 and 3.6 within fourteen days of the pool being filled with water.
- 3.7 Every owner of a lot containing a swimming pool shall ensure that the gate providing access through the swimming pool fence is locked whenever the swimming pool is not in use.
- 3.8 The provisions of this by-law requiring the erection of a fence shall not apply to an above ground pool that complies with the following standards:
 - a) sides of not less than 4 feet (1.22 meter) above grade; and
 - b) the point where a user of the above ground pool gains access to the pool is protected by a gate as outlined by Section 3.6 (g).

Please note that the above information has been provided in this application guideline for convenience purposes only. Please consult with the actual Council adopted By-laws to make sure that the regulations you are following are the most current and up-to-date.

For additional information please contact the Building department at 519-733-2305 extension 636 during normal business hours.

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SWIMMING POOL AND YARD FENCES





LARGE INFLATABLE SWIMMING POOLS

For the protection of all citizens, if you own an inflatable pool or are considering purchase one, please be advised that a pool permit and the installation of a pool enclosure is required that is in compliance with all the provisions of the fence by-law. No person shall place water in an inflatable swimming pool until such requirements have been fulfilled.

If you have any questions about the information provided please contact the Kingsville Building department at 519-733-2305 extension 636.

SAMPLE DECK CONSTRUCTION

GARAGES AND CARPORTS

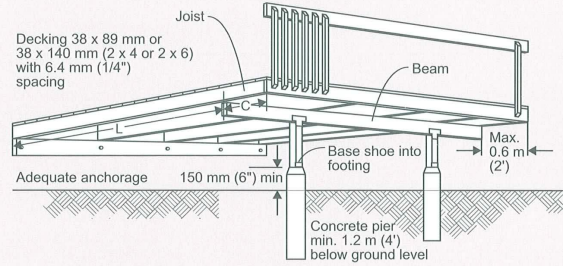
Decks

Decks are a common outdoor extension of the main dwelling. As such, decks must be designed and constructed to safely support imposed loads. All general requirements for wood frame construction also apply to wooden decks, however, the Housing Code does not address decks specifically.

Decks attached to dwellings must be designed to withstand movement or to prevent damage to the dwelling should movement occur. Stairs, railings, and guards must comply with applicable Code requirements. Consideration should also be given to the durability of the deck materials, finishes, nails and other fasteners when exposed to the weather.

Some suggested guidelines for wooden decks are presented below showing commonly acceptable practices. It is recommended to include construction details of decks in drawings submitted for building permits especially where they are attached to the main dwelling.

Refer to Supplementary Guideline 7 for specific requirements for the construction of guards.



| Pier size [mm (in)] | | | | |
|-------------------------|------------|------------|------------|-----------|
| Pier spacing L/2 + C | 1.2 m (4') | 1.8 m (6') | 2.4 m (8') | 3 m (10') |
| 1.2 m (4') | 200 (8) | 250 (10) | 250 (10) | 305 (12) |
| 1.8 m (6') | 250 (10) | 305 (12) | 305 (12) | 355 (14) |
| 2.4 m (8') | 250 (10) | 305 (12) | 355 (14) | - |
| 3 m (10') | 305 (12) | 355 (14) | - | - |

| Beam size [mm (in)] | | | | |
|--|----------------------|-----------------------|-----------------------|-----------------------|
| Pier spacing Joist size @400 mm (16") o.c. | 1.2 m (4') | 1.8 m (6') | 2.4 m (8') | 3 m (10') |
| 38 x 140 mm (2 x 6) | 2-[38 x 140 (2 x 6)] | 2-[38 x 140 (2 x 6)] | 2-[38 x 140 (2 x 6)] | 2-[38 x 190 (2 x 8)] |
| 38 x 190 mm (2 x 8) | 2-[38 x 140 (2 x 6)] | 2-[38 x 140 (2 x 6)] | 2-[38 x 190 (2 x 8)] | 2-[38 x 190 (2 x 8)] |
| 38 x 240 mm (2 x 10) | 2-[38 x 140 (2 x 6)] | 2-[38 x 190 (2 x 8)] | 2-[38 x 240 (2 x 10)] | 2-[38 x 305 (2 x 12)] |
| 38 x 305 mm (2 x 12) | 2-[38 x 140 (2 x 6)] | 2-[38 x 240 (2 x 10)] | 2-[38 x 305 (2 x 12)] | - |

Note: Joist size and spacing limits the allowable span, L, in the figure above.

Frequently Used Phone Numbers

- | | |
|---|-----------------------|
| 1. Building Department | 519- 733-2305 ext 636 |
| 2. Planning Department | 519-733-2305 ext 249 |
| 3. Municipal Services | 519-733-2305 ext 230 |
| 4. Union Gas | 1-888-774-3111 |
| 5. Ontario One Call (Call before your dig) | 1-800-400-2255 |
| 6. Electrical Safety Authority | 1-877-372-7233 |
| 7. Essex Region Conservation Authority (ERCA) | 519-776-5209 |
| 8. Windsor Essex County Health Unit | 519-258-2146 |
| 9. Ministry of Transportation | 519-354-1400 |
| 10. Ministry of Environment | 519-254-2546 |
| 11. Ministry of Natural Resources | 519-354-7340 |
| 12. Ministry of Municipal Affairs | 416-265-4736 |
| 13. Ontario New Home Warranty (Tarion) | 1-800-250-3589 |