



**Town of Whitby  
Enforcement Services**

3050 Garden Street, Unit 102, Whitby, ON L1R 2G7  
[www.whitby.ca](http://www.whitby.ca)



**TOWN OF WHITBY**

**Pool Enclosure Permit  
Application Guide for  
Residents**

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## Pool Enclosure Permit Application

- It costs \$485.00 to apply for a pool enclosure permit. Payments are accepted by cash, debit or cheque. All cheques should be made payable to the Town of Whitby.
- If construction of a swimming pool has started without a permit, the Pool Enclosure Permit - Violation fee is \$648.00.

## Accessing Town Property

- If your subdivision is assumed by the Town and the construction of your swimming pool requires access to municipal property, such as curb, sidewalk or boulevard access, all municipal property must be cleaned and returned to its original condition.
- If any maintenance or repair work requested by the Town has not been accomplished in the prescribed time interval or to the Town's standards, all work will be completed on the property owner's behalf by the Town, and any costs incurred will be applied to the property to be collected in the same manner as property taxes.

## Application Process

- Submit your completed Pool Enclosure Permit Application along with the applicable fee(s) to 3050 Garden Street, Unit 102, Whitby ON L1R 2G7.
- Within 5-7 business days, an Enforcement Officer will review your application and contact you to schedule a pre-construction inspection. **Do not start pool construction until you have been emailed your Pool Enclosure Permit.**
- Once you receive your Pool Enclosure Permit, you can start pool construction.
- When construction is completed, contact the assigned Officer to arrange for a final inspection prior to filling your pool with water.
- After the final inspection is completed and approved, you may fill your pool with water.

## Additional Approvals

- It is mandatory to confirm with the Town's Planning Department (905.430.4306) that your site plan agreement permits the installation of a swimming pool.
- If your subdivision has not been assumed by the Town, you must provide the Town with an approval letter from the developer of your subdivision authorizing the construction of a swimming pool on your property. Proof that deposits have been collected from the developer must be included.
- If your property is located in an area regulated by the Central Lake Ontario Conservation Authority (CLOCA), you must provide the Town with a letter of approval from CLOCA. Please contact CLOCA at 905.579.0411 or [mail@cloca.com](mailto:mail@cloca.com).
- Should you require access through a Town easement or park, please indicate this when submitting your Pool Enclosure Permit Application, as this may require additional

approvals and insurances to be collected. Approval for accessing through a Town easement or park is not always granted. It is recommended to plan an alternate route for construction access if these permissions are denied.

- A Road Occupancy Permit may be required if accessing a yard from a side street or if items for construction will be stored on the boulevard or road. Please email [ROP@whitby.ca](mailto:ROP@whitby.ca) for Road Occupancy Permit inquiries.
- If your property contains a septic system, you must provide the Town with a letter of approval from the Region of Durham authorizing the construction of a swimming pool on your property. Please contact the Region of Durham at 905.668.7711.
- If you will be constructing a deck or accessory building, a building permit may be required. Please contact the Building Division at 905.430.4305 or [building@whitby.ca](mailto:building@whitby.ca) for more information.

## Setback Requirements

- The minimum setback between the water's edge of your pool and the enclosure shall be 1.0m.
- The minimum setback from the nearest building shall be 1.0m.
- West Whitby properties only: confirm property zoning by contacting the Planning Department at 905.430.4306 or [planning@whitby.ca](mailto:planning@whitby.ca). A setback of 0.6m from a rear yard, interior side yard, exterior side yard lot line is required for pool equipment, such as heaters, swimming pools, pumps, treatment, and filters.

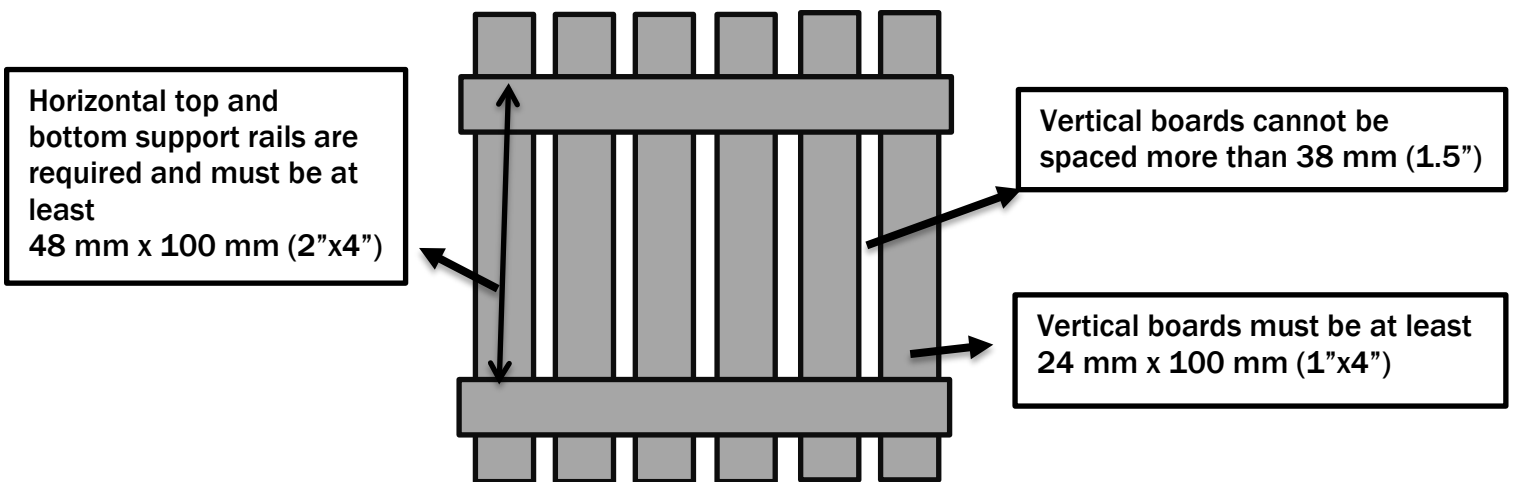
## Pool Enclosure Guidelines

Pool enclosures must be built to the following standards:

- Fences and gates must be at least 1.2m (4') in height.
- There are no openings anywhere that are greater than 10cm.
- From the bottom of the fence and/or gate to the ground there is less than 10cm.
- Safety fences may be of chain link, horizontal board, vertical board, wrought iron, or glass panel construction (other fencing materials may be acceptable if approved in advance)
- All fences must be setback a minimum distance of 1.0m from the edge of the swimming pool.
- The outside of the pool enclosure fence, including all gates, must not contain any climbable objects or horizontal fencing supports spaced less than 1.2m apart which could facilitate climbing.
- Depending on the type of fence, you may need to follow additional guidelines.

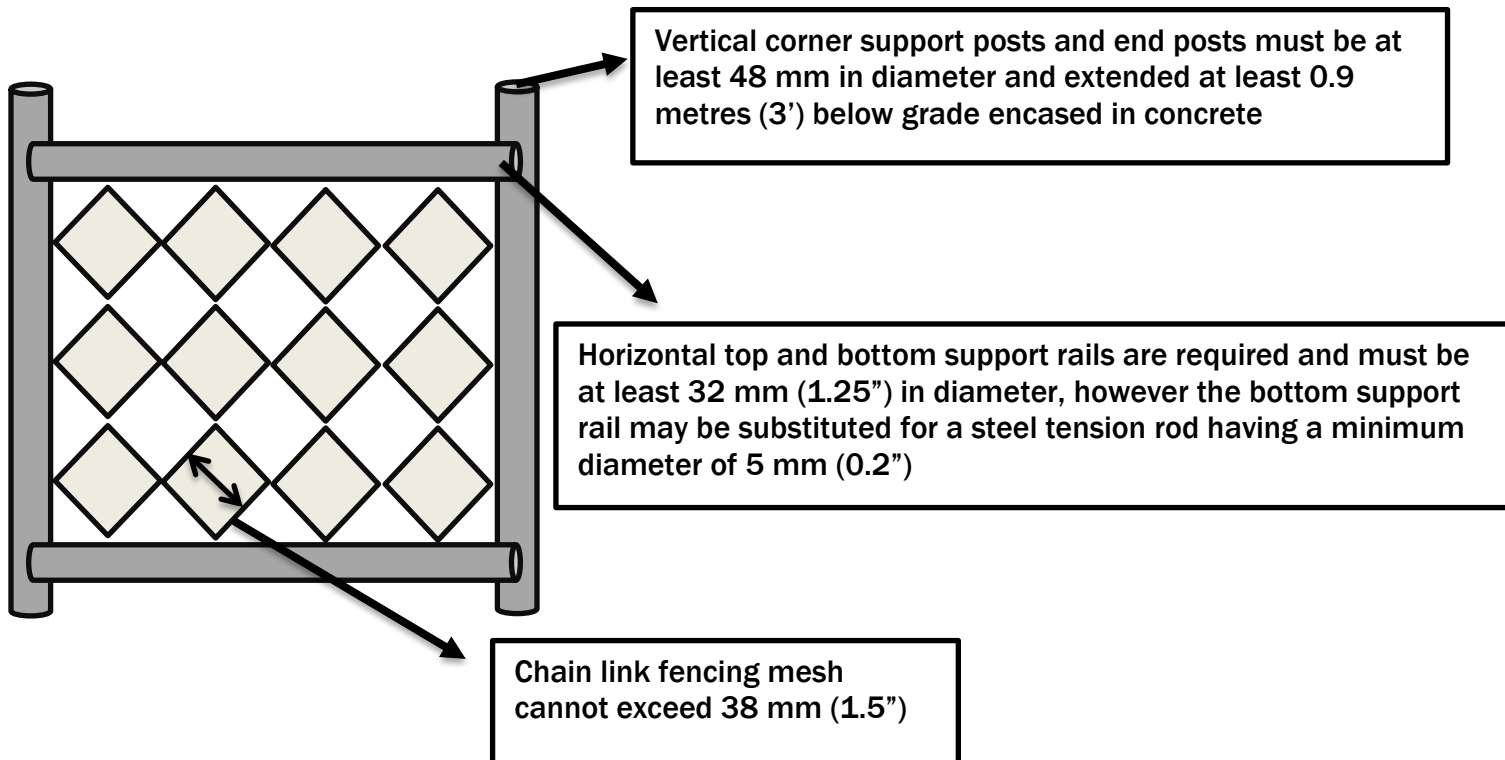
## Vertical Board Fencing

- Vertical boards must be at least 24mm by 100mm (1"x4").
- Vertical boards cannot be spaced more than 38mm (1.5") apart.
- Vertical support posts must measure at least 100mm by 100mm (4"x4") and cannot be spaced more than 2.4m (8') apart.
- Vertical support posts must be extended at least 1.2m (4') below grade encased in concrete and treated with a preservative to prevent rot and decay.
- Horizontal top and bottom support rails must be at least 48mm by 100mm (2"x4").



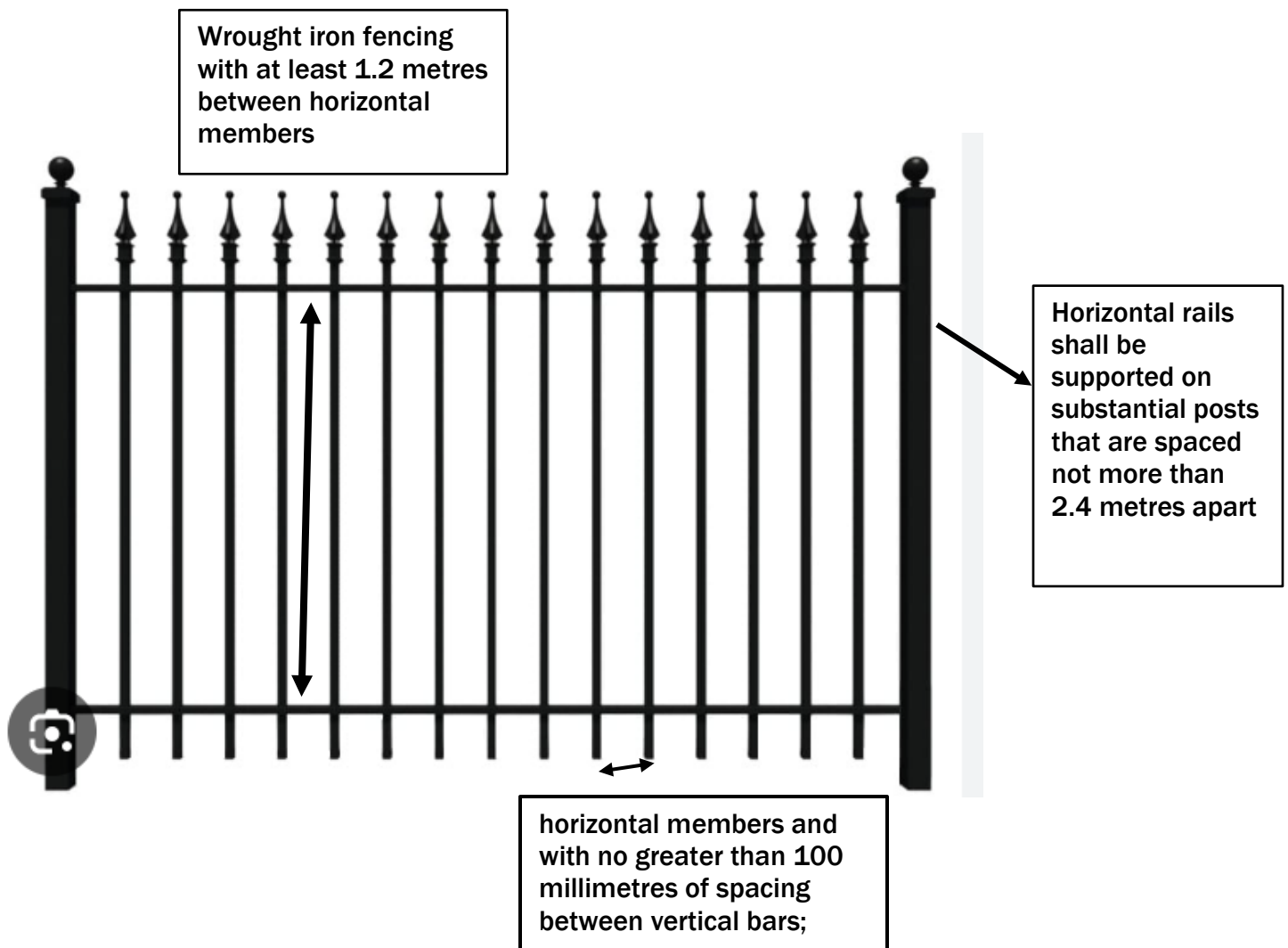
## Chain Link Fencing

- All measurements must comply on the exterior side of the fence.
- Chain link fencing mesh cannot exceed 38mm (1.5”).
- Chain link fencing mesh must be either 12-gauge galvanized steel wire or 14-gauge wire covered with vinyl or similar.
- Vertical corner support posts and end posts must be at least 48mm in diameter and extended at least 0.9m (3') below grade encased in concrete.
- Vertical intermediate support posts must be at least 38mm (1.5”) in diameter and extended at least 0.9m (3') below grade encased in concrete.
- Horizontal top and bottom support rails must be at least 32mm (1.25”) in diameter.
- The bottom support rail may be substituted for a steel tension rod having a minimum diameter of 5mm (0.2”).



# Wrought Iron Fencing

- Wrought iron fencing with at least 1.2 metres between horizontal members and with no greater than 100 millimetres of spacing between vertical bars;
- Horizontal rails shall be supported on substantial posts that are spaced not more than 2.4 metres apart, securely fastened to the ground and structurally sound.



# Glass Panel

Any glass panel fence that is used in or as part of a Swimming Pool Enclosure shall be constructed as follows:

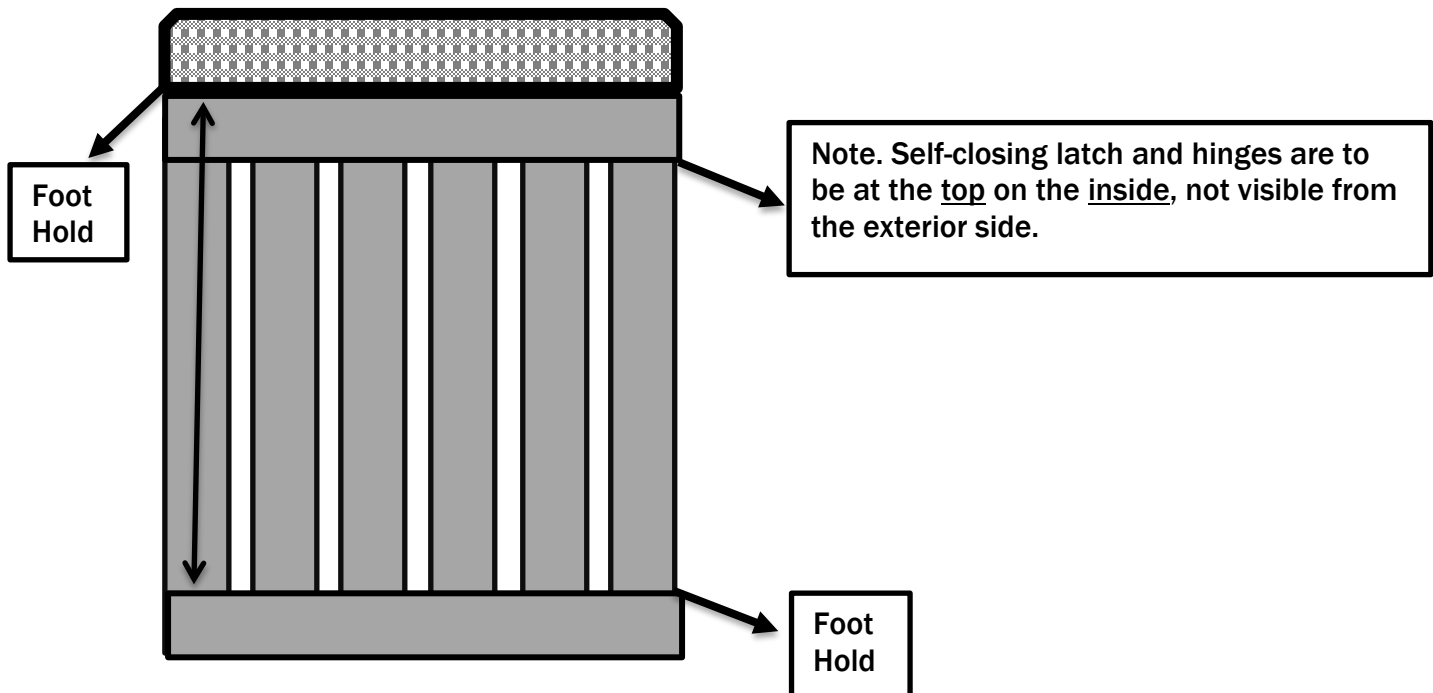
- Glass panels shall be located so there is no opening of more than 38 millimetres between the panel and the post where horizontal elements are spaced less than 1.2 metres apart, and not more than 100 millimetres apart where horizontal elements are spaced more than 1.2 metres apart.
- Horizontal elements shall be supported on posts that are spaced not more than 2.4 metres apart, securely fastened to the ground and structurally sound.

Glass panels used in Swimming Pool Enclosures shall be:

- Safety glass of the laminated or tempered type conforming to CAN/CGSB-12.1-M "Tempered or Laminated Safety Glass"; or
- Wired glass conforming to CAN/CGSB-12.1- M "Wired Safety Glass".1

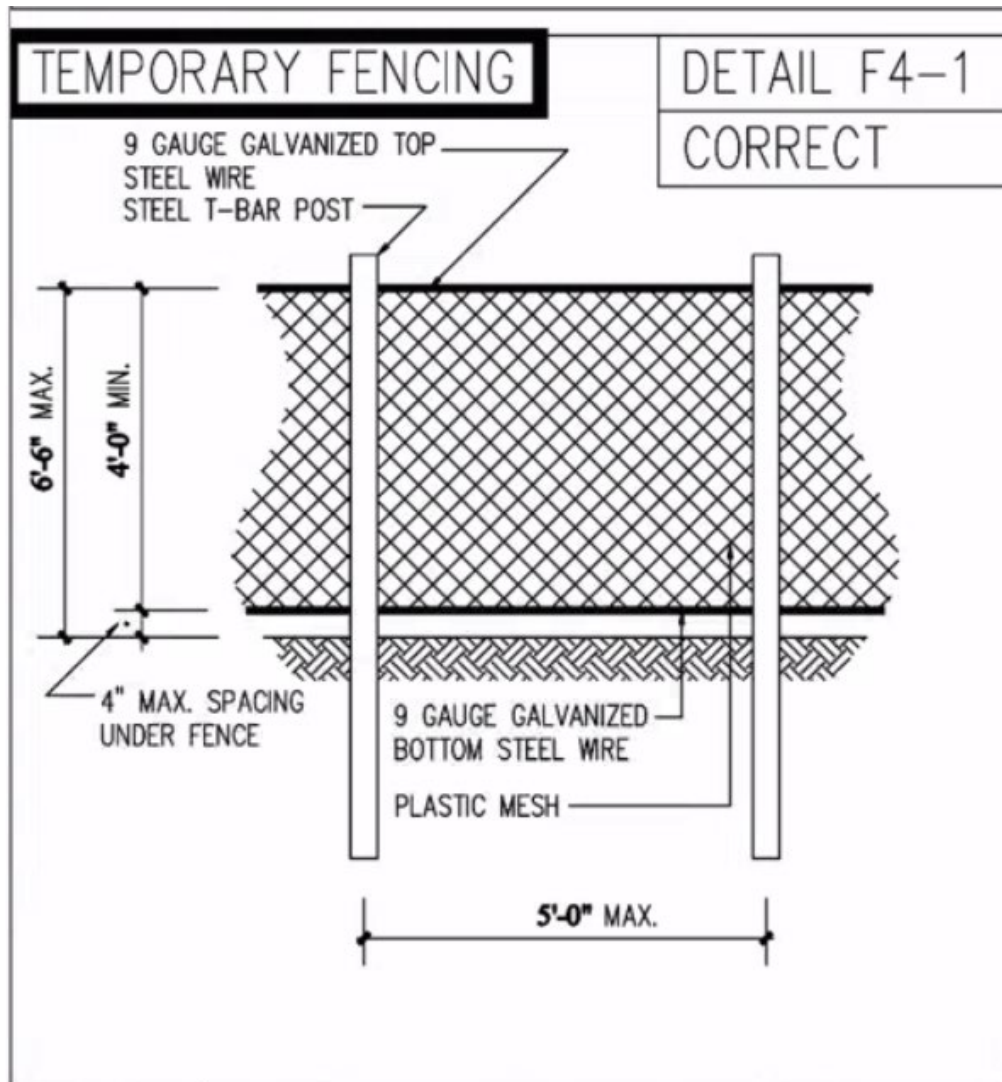
## Gates

- All measurements must comply on the exterior side of the gate.
- Gates must be at least 1.2m (4') in height.
- Gates must be equipped with functioning self-closing hinges and self-latching devices.
- Gate latches must be located on the interior (inside) of the pool safety fence.
- All gates must be kept locked when the pool is not being supervised by an adult.
- Design of gate(s) must not contain any climbable aspects.



# Temporary Fencing

- It is mandatory to have temporary fencing erected during the construction period of the pool. Below is an image of the mandatory temporary fencing.
- Must be at least 1.2m in height.
- Mesh must be 3.81cm or smaller.
- Must have 9-gauge galvanized steel wire located at the top and bottom of the fence.
- Must have supportive steel T-bar posts spaced 3m or less apart.
- At no point can there be an opening greater than 10.16cm.



## **Above-ground Pools**

Depending on the height of your above-ground swimming pool, the exterior walls of your pool may be able to function as a pool enclosure. If your pool walls are hard-sided and at least 1.2m in height and there are no climbable objects located near your pool, a pool safety fence enclosing your yard may not be required. However, a pool permit is still required.

## **Hot Tubs and Swim Spas**

You do not need a pool enclosure fence around a hot tub if you have a secure, rigid cover which is kept locked when the hot tub is not in use.

For swim spas, as similar to hot tubs, you do not require a pool enclosure fence around a swim spa if it has a secure, rigid cover that is kept locked when the swim spa is not in use.

## **Drainage**

Please ensure that all pool associated structures and landscaping features, such as the installation of interlocking, are an appropriate distance from the property line, and are installed in a manner not to impact the drainage of water on your neighbours' property and along the property line. These elements can block or eliminate drainage swales which can lead to flooding.

We recommend that you do not make any changes to your property within 60cm of the property line. If you do want to make changes to this area, we recommend contacting a professional engineer.

Please note that causing drainage impacts to an adjacent property is in contravention of the Town's Property Standards By-law and is subject to enforcement by the Town.