

Introduction

For over 60 years, the City has regulated construction activities along its waterways through an application and permit approval process. Initially, the need to regulate such activities was identified following the flood of 1950 where many uncontrolled activities along the riverbanks contributed to riverbank failures and waterway obstructions. This regulatory function is administered by the Planning, Property and Development Department pursuant to the City's Waterway Bylaw 5888/92.

This Bylaw identifies regulated waterway areas and establishes a procedure for dealing with Waterway Permits and Orders within the regulated areas of the City.

This pamphlet provides information on the the application procedure and the administrative review and approval process for obtaining a Waterway Permit for construction within the regulated area.

What is a Waterway Permit?

A Waterway Permit is a document which legally authorizes construction within the regulated area of waterways located within the City of Winnipeg pursuant to the provisions of the City's Waterway Bylaw.

Why is a Waterway Permit required?

The Waterway Bylaw states that; "No person shall begin or authorize work in the regulated area without first obtaining a Waterway Permit." A Waterway Permit is required to protect the property owner from construction which may endanger the stability of the riverbank, impede water flow or adversely alter the waterway.

When do I require a Waterway Permit?

A Waterway Permit is required for the construction or demolition of a building; deposition, removal, alteration or disturbance of any material; alteration of drainage and the diversion or alteration of a waterway within the regulated area.

Some examples of work that require a Waterway Permit:

- commercial and industrial buildings
- dwellings, additions, garages
- swimming pools, decks
- deposition of fill
- landscaping projects that include any site re-grading, retaining structures or drainage changes
- riverbank stabilization (eg. slope regrading, erosion protection, retaining walls)

If in doubt, contact the Waterways Section at **311** or at PPD-WaterwaysApplications@winnipeg.ca

What is the regulated area?

The regulated area consists of the riverbed and lands extending 350 feet on each side of the Red, Assiniboine, Seine and LaSalle Rivers.

It also consists of the creekbed and lands extending 250 feet on each side of Bunn's, Omand's, Sturgeon and Truro Creeks.

Who makes application?

An application is typically submitted by the owner or his representative (ie. engineer, architect or general contractor) when construction is proposed within the regulated area.

Where does one obtain an application?

Application forms may be obtained at :

Waterways Section
Planning, Property & Development Department
15 - 30 Fort Street
Winnipeg, Manitoba R3C 4X5
or
PPD-WaterwaysApplications@winnipeg.ca

What if I proceed with construction without making application to the City?

Any person who begins or authorizes work in the regulated area without first obtaining approval from the City is in contravention of the Waterway Bylaw and is subject to punitive action.

What information is required to make an application?

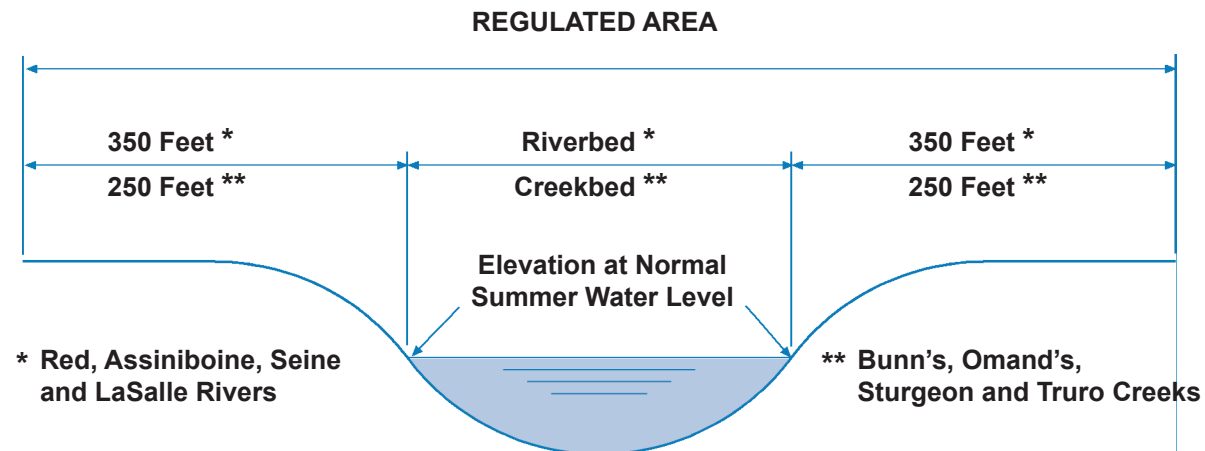
An information package is available from the Waterways Section outlining construction drawings and details to be submitted with the application form.

Will I need to submit an Engineer's report?

Not necessarily, however, the Riverbank Management Engineer may request that an Engineer's report be submitted in support of the application where there are expressed concerns about potential riverbank stability or flow impedance. The report is to be prepared and submitted under the signature and seal of a qualified Registered Engineer (Geotechnical Engineer).

How close can I build to the waterway?

An offset distance for construction adjacent to the waterway has not been designated as riverbank stability conditions vary from one area to another. Analytical methods and engineering judgement and experience are used to establish safe offset limits for construction. These limits are best defined by a qualified Registered Engineer.



Does it cost anything to make an application?

Yes. A fee is charged to process the application. Payment in full to **THE CITY OF WINNIPEG** is required at the time of application. The fee schedule is outlined in the information package.

When is my application considered?

Applications are considered administratively by the Waterways Section on a first-come first-served basis. The Riverbank Management Engineer may issue a Waterway Permit to allow work to be done in a regulated area subject to terms and conditions as considered necessary to ensure compliance with the Waterway Bylaw.

How am I notified about the issuance of a Waterway Permit?

The Waterway Permit will be sent by mail and electronically as soon as a decision has been made. If construction scheduling is critical, alternative arrangements for pickup can be made by contacting the Waterways Section.

What if I am refused a permit?

Where the Riverbank Management Engineer refuses to issue a permit to allow work to be done in a regulated area, a written notice will be sent to the person applying, stating the reason for the refusal.

Can I appeal a decision of the Waterway Engineer?

A person who is aggrieved by a decision of the Riverbank Management Engineer may file a written notice of appeal with the office of the City Clerks, which appeal will be heard by the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment.

Does the City have a general enquiry service pertaining to Waterway issues?

Yes, The Waterway Enquiry line telephone number is 311 or inquiries can be submitted via PPD-WaterwaysApplications@winnipeg.ca

IMPORTANT NOTICE:

Waterway Permit holders may also require other approvals such as zoning variances, building permits, or local district approvals prior to proceeding with the works. In this regard, the permit holder is advised to contact the Zoning and Permits Branch at Unit 31 - 30 Fort Street, phone **204-986-5140**.

There may be other considerations and limitations related to the Designated Floodway Area and Designated Floodway Area and Designated Floodway Fringe Area regulations.



Planning, Property
& Development
Department

For more information on this bulletin,
please contact **311**

City of Winnipeg
Planning, Property & Development Department
Waterways Branch
Unit 15 - 30 Fort Street Winnipeg, Manitoba
R3C 4X5

www.winnipeg.ca/ppd

Every effort has been made to ensure the accuracy of information in this brochure. In the event of a discrepancy between this booklet and the governing City of Winnipeg By-law, the By-law will take precedence.

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Construction Regulations along City Waterways

