

# Construction Regulations along City Waterways



## 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 & Development Department pursuant to the City's Waterway By-law No. 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 publication provides information on the application and 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 that legally authorizes development or construction within the regulated area of waterways located within the City of Winnipeg pursuant to the provisions of the City's Waterway By-law.

### **Why is a waterway permit required?**

The Waterway By-law states, "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.

Examples of structures and works that require a waterway permit:

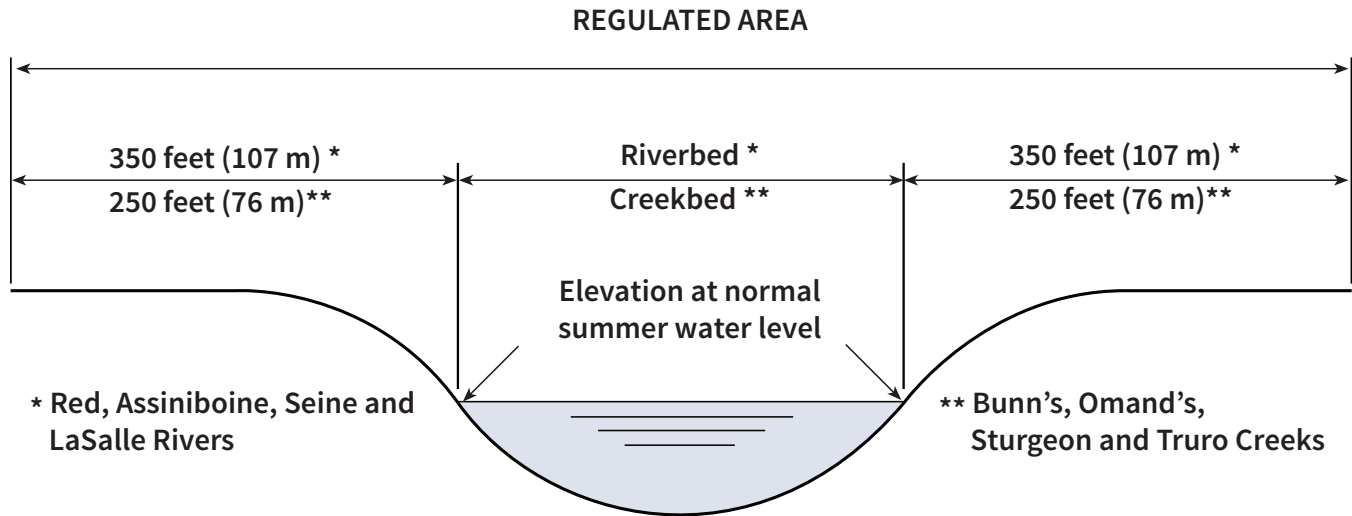
- commercial and industrial buildings
- dwellings, additions, garages
- swimming pools, decks, permanent docks
- deposition of fill or excavations
- landscaping projects that include any site re-grading, retaining structures or drainage changes
- riverbank stabilization (e.g. erosion protection, retaining walls, shear keys)

If in doubt, contact the Waterways Section at [PPD-WaterwaysApplications@winnipeg.ca](mailto:PPD-WaterwaysApplications@winnipeg.ca)

## What is the regulated area?

The regulated area consists of the riverbed and lands extending 350 feet (107 m) on each side of the Red, Assiniboine, Seine and LaSalle Rivers.

It also consists of the creekbed and lands extending 250 feet (76 m) on each side of Bunn's, Omand's, Truro and Sturgeon Creeks.



## Who makes application?

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

## Where do I obtain an application?

Application forms are available online:

<https://www.winnipeg.ca/ppd/CityPlanning/Riverbank/WaterwayPermitApplications.stm>

## What if I proceed with development or 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 By-law and is subject to restorative and punitive action.

## 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 seal of a 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 an engineer. You should also contact the Water and Waste Department at [WWD-FloodProtection@winnipeg.ca](mailto:WWD-FloodProtection@winnipeg.ca) to identify any constraints related to the Designated Floodway Fringe Area, the Primary Line of Defense, Secondary Dike Corridors or sandbag corridors.

## Does it cost anything to make an application?

Yes. A fee is charged to process the application as per the [Planning, Development and Building Fees and Charges](#) schedule. Payment to the City is required at the time of application.

### **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 By-law.

### **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.

### **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. The associated development or building permit, if applied for, will also be refused. You may be eligible for a partial refund as per the Planning, Development and Building Fees and Charges schedule.

### **Can I appeal a decision?**

A written notice of appeal may be filed with the office of the City Clerk's Department. The appeal will be heard by the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment.

## Important Notice

Waterway permit holders may also require other approvals, such as development permits, zoning variances, building permits, or local district approvals prior to proceeding with the work. In this regard, the permit holder is advised to contact Permits Direct Line at 204-986-5140 to discuss requirements.

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



**Planning, Property & Development**  
**Urbanisme, biens et aménagement**

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[ppd-waterwaysapplications@winnipeg.ca](mailto:ppd-waterwaysapplications@winnipeg.ca)

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