

Declaration Form for Development Permit Exemption

General information

Applicant name:	Applicant email address:
Company name (if applicable):	Project address:
Project:	Date:

Note: Any development work near Waterways (defined as at least 107 m from the Red, Assiniboine, La Salle and Seine Rivers, and 77 m from Sturgeon, Truro, Omand's, and Bunn's Creeks), within the Designated Floodway or Designated Floodway Fringe areas, or where the property abuts a stormwater retention basin, is not eligible for development permit exemption.

The [Development Policy Search](#) tool provides information on development policy considerations for your property (i.e. Waterways, Flood Fringe, etc.).

Declaration

I hereby declare that:

1. The construction drawing package for this building permit application under the [Winnipeg Building By-law No. 4555/87](#) ("the Building By-Law") aligns with all prior:
 - a. supporting application approvals, including but not limited to: variance approval, plan approval, waterways and/or flood fringe approvals, servicing agreements, water and waste and/or public works civil approvals, etc., where applicable.
2. Any construction will be in accordance with approved plans and permits, which I am responsible to obtain.
3. Any construction or site work will be in accordance with applicable zoning regulations under the [Winnipeg Zoning By-law No. 200/2006](#) and [Downtown Winnipeg Zoning By-law No. 100/2004](#).
Contact: ppd-zdo@winnipeg.ca or 204-986-5140
4. I understand that projects within the downtown may require Urban Design Review under Section 250 (1) of the Downtown Zoning By-law and that confirmation must be obtained from ppd-zdo@winnipeg.ca before proceeding.
5. Any construction or site work will be in accordance with the [Private Access By-law No. 49/2008](#)
For a [residential private approach](#), contact pwdpermits@winnipeg.ca or 311.
For a [commercial approach](#), contact PWPPrivateAccess@Winnipeg.ca or 204-794-4373.
6. Any construction or site work will be in accordance with the [Lot Grading By-law No. 7294/1998](#). Contact: 311
7. I have referred to the subject property title for any City of Winnipeg caveats that may affect any development standards and/or uses on the property.
8. I understand that the City of Winnipeg reserves the right to request a current Building Location Certificate prepared by a Manitoba Land Surveyor to confirm the accuracy of proposed or completed development/construction (per Zoning By-Law 200/2006 Section 8.6).
9. Where this building permit application relies on a development permit exemption for a change of use to establish an office, personal services, or retail sales use, I declare that the proposed use does not include a call centre, body modification establishment, cheque-cashing facility, medical or dental clinic, funeral chapel, mortuary, auction room, landscaping or garden supply use, or supermarket, and the proposed work does not include first-time occupancy of a newly constructed building or shell commercial unit.

I hereby understand that:

1. A building permit will only be issued if the drawings and plans contained in the construction drawing package are approved by the Director of the Planning, Property & Development Department and/or designated employee.
2. It is the responsibility of the permit applicant to confirm all applications and approvals align. If the construction drawing package for building permit application does not align with all prior supporting application approvals and the applicable zoning regulations:

- a. the building permit, if issued, will be considered null and void by the designated employee, as identified in the Building By-Law and applicable statutes; and
- b. I will be required to seek revised approvals to align all applications.

For greater clarity, this is to confirm that the applicant will not unilaterally change their plans between when other approvals have been issued and when a building permit is applied for and/or issued. The building code and other approvals contained in any issued building permit(s) must align, and not be inconsistent with, the zoning and site approval aspects in relation to the project in question.

For even greater clarity, in signing this declaration, the applicant is not acknowledging that it is bound to be liable for administrative errors or omissions on the part of the City, or otherwise for which the City bears responsibility within the scope of its duties and obligations in the development and/or permitting processes.

- 3. A building permit shall be obtained prior to commencing construction per the Building By-law. This declaration form does not imply approval of a permit nor allow for construction to commence prior to obtaining a building permit.
- 4. If a building permit is issued for a portion of the construction contemplated by the subject building permit application, as a part of a staged permitting process for the construction, that does not guarantee that all required building permits for the construction will be issued. In this case, it is the responsibility of the permit applicant to ensure that only construction for which a building permit has been issued will commence, and that no portion of the construction for which a building permit has not been issued shall commence until such time that the required building permits for that construction have been issued.
- 5. If construction has commenced prior to permit issuance:
 - a. I will be required to bring the construction into compliance, as required by the Building By-Law and Manitoba Building Code, at my sole cost and expense and will not hold the City liable or responsible for those costs;
 - b. If I fail to bring the construction into compliance, the City is entitled to take enforcement action, in accordance with the applicable bylaws, including but not limited to the Building By-Law, the Zoning By-law and legislation. Enforcement action may include, but is not limited to, demolition of the unpermitted construction, at my sole cost.
- 6. If construction has commenced pursuant to an issued building permit that is subsequently deemed to be null and void pursuant to section 2 hereof, I will be required to seek revised approvals to ensure the alignment of all applications and issued development and building permits before continuing construction.
- 7. Where the applicant who has applied for a building permit:
 - a. is an individual acting as an employee, agent, contractor, subcontractor, or otherwise in place of a builder and/or company, liability for any failure to comply with these terms and conditions shall not attach to that individual in their personal capacity.
 - b. is an individual acting in their own personal capacity as builder, then liability for any failure to comply with these terms and conditions shall attach to that individual.

Applicant signature

Owner signature

Applicant name (printed)

Owner name (printed)

(if applicable) company on behalf of

(if applicable) company on behalf of

Your personal information is being collected consistent with the requirements and limitations set out under *The Freedom of Information and Protection of Privacy Act (FIPPA)*. This collection of personal information is authorized by section 36(1)(b) of The FIPPA for permit management and administration. Your information is protected by FIPPA's privacy provisions and will not be used or disclosed for any other purpose, except as authorized by law. Contact the City of Winnipeg's Corporate Access and Privacy Officer by mail (City Clerk's Department, Susan A. Thompson Building, 510 Main Street, Winnipeg MB, R3B 1B9) or by telephone (311) if you have questions about this collection of your personal information.