

# Development & Building Permits

## Frequently Asked Questions

October 2022

**1. Why are permit services changing?**

Provincial Bills 37 and 38 legislate the requirement for the City to process development and building permits separately.

**2. What permit services are changing?**

Development permits will be processed separately from building permits. Previously, both applications were processed at the same time. The new service model will require applicants to first obtain a development permit (which ensures all zoning and other City departments' requirements are addressed) before applying for a building permit (which ensures that building code requirements are addressed). Separate permit applications are common practice in other Canadian municipalities.

**3. When will the City start requiring separate development and building permit applications?**

November 14, 2022

**4. The Provincial requirements are not in effect yet, so why is the City making changes now?**

As Provincial requirement timeframes are not yet known, the City is working to ensure there is enough time to establish a permit process transition and provide support and information to permit applicants.

**5. What is a development permit?**

A development permit is the tool the City uses to grant permission for residents and businesses to undertake new development. A development permit governs the "what" of your project. It establishes land use and shows how you plan to use the site, as well as the size and location of any buildings or structures, exterior design elements, etc. Development must comply with the Winnipeg Zoning By-law, applicable guidelines, regulations, and other City departments' requirements. Development permits, when required, must be obtained prior to submitting a building permit application.

**6. What is a building permit?**

Building permits are regulated by the Winnipeg Building By-law and approve how construction takes place. This may include new construction, additions, or alterations to existing structures, such as but not limited to, non-residential buildings and new homes or accessory structures including garages, pools, and decks. Building permits assist with regulating building code requirements and other applicable codes, standards and bylaws, and must be obtained before beginning construction of a building project.

**7. Does this change apply to all development and building permit application types?**

At present, special events/temporary approvals, emergency residential shelters, signs and new home construction in new greenfield subdivisions are exempt from this change.

**8. What are the key changes applicants can expect in terms of the application process?**

The City will no longer be processing combined development and building permit applications. Instead, applications must be submitted separately, with prerequisite approvals obtained in advance. The permit approval steps are as follows:

- Step 1: Land titles registration, as required
  - Ensure you have obtained all prerequisite development applications and completed registration at [Teranet Manitoba](#)
- Step 2: Development permit approval, as required
  - Depending on the scope and location of your project, you may need a development permit before submitting a building permit application
- Step 3: Building permit approval
  - Building permits are required prior to commencing construction of building projects. Many building projects also require separate trade permits for electrical, plumbing and mechanical work.

**9. What is a development application?**

As per the Winnipeg Zoning By-law: *A development application means any application in connection with a development or an approval, permit, order, by-law, or amendment that allows or would allow a development and includes any appeal filed against a Variance Order or Conditional Use Order related to any one or more of them.* A [development application](#) may be required prior to the application or issuance of a development permit. Development applications may be processed and approved either by the public hearing process or administratively. Once all required development applications are satisfied, and compliance with the zoning bylaw and other City departments' requirements are demonstrated (e.g. Water and Waste, Public Works, Fire), a development permit can be issued.

**10. Have the zoning and building bylaw requirements for development and building permits changed?**

No. The types of projects that require a development and/or building permit have not changed.

**11. Since building and development permits used to be processed at the same time, how much more time will it take to move a project forward since there are now two applications?**

The City is committed to processing applications within the provincial service standard timeframes, once enacted. To ensure timely processing through the regulatory process, it is strongly recommended that applications comply with all applicable codes, regulations, bylaws, and necessary prior approvals. A complete application will reduce delays. Please consult the Province of Manitoba's website for more information on service standard timeframes. The City will share more information as it becomes available.

**12. Since building and development permits are now separated, will permits cost more?**

No. The cost of permits has not changed. Instead of paying all fees under one application, you will be invoiced for the applicable fees separately. Refer to the [Planning, Development and Building Fees and Charges](#) schedule for more information on fees.

### 13. How does this change impact the infill guideline requirements?

Compliance with the design requirements in the infill guidelines will be assessed at time of development permit application. A supporting [plan approval/design review](#) application may be required.

### 14. What information needs to be submitted with each application?

Every application is unique and varies in complexity. The following example is related to a commercial application which requires the most documentation. If the development permit requires supporting development applications (variance, plan approval, etc.), or permits (waterway permit, flood fringe variance permit, etc.), additional documentation may be required.

#### Development Permit Application

- Required documentation:
  - Letter of authorization
  - Status of title
  - Site and/or landscape plans
- Documentation that may be required depending on project scope:
  - Development design summary
  - Elevations
  - Interior floor plans
  - Civil drawings (lot grading, site servicing plans)
  - Geotechnical report (if located near a waterway)
  - Geodetic survey (if located in the Designated Floodway Fringe Area)

#### Building Permit Application

- Required documentation:
  - Owner's Statement or Letter of authorization
  - Design summaries (architectural, structural, mechanical, electrical fire suppression)
  - Declaration form (confirming alignment with prior development permit)
  - Site plan (basic information for fire spread considerations)
  - Construction drawings (architectural, structural, mechanical, sprinkler, electrical)

### 15. Will all departments need to approve both the development and building permit applications?

No.

- The development permit will require approval from zoning, and may require approvals from Urban Planning & Design, Public Works, Water and Waste, and the Fire Paramedic Service.
- The building permit will require approval by plan examination and may require heritage approval. Urban Planning & Design, Public Works, Water and Waste, and the Fire Paramedic Service may audit applications to confirm alignment with prior development permit approvals. It is the responsibility of the property owner to ensure building permit applications align with all prior development permit approvals.

### 16. If an applicant has both the development and building permit applications prepared, can they apply for them at the same time?

No. Applications need to be submitted separately, with prerequisite approvals obtained in advance, where applicable.

**17. When should an applicant apply for a development permit?**

Applying for a development permit early allows applicants to confirm land use and the location of any structures while detailing the construction drawings for the building permit application. Development permits expire if work has not commenced within six months from the date of permit issuance, however, extensions may be requested.

**18. Who should applicants contact for pre-consultation on development permit applications?**

Contact [Urban Planning & Design](#) to speak to a City Planner.

**19. How do applicants apply for and monitor the status of development permits?**

Applicants can apply for development permits at [winnipeg.ca/permitsonline](http://winnipeg.ca/permitsonline). Applying through Permits Online allows applicants to track the status of their application from initial submission through the end of the permit process.

Applications can also be dropped off at the Zoning & Permits office (31-30 Fort Street) or emailed to [ppd-zoningapplications@winnipeg.ca](mailto:ppd-zoningapplications@winnipeg.ca). Applications can then be tracked through Permits Online once entered into the database.

**20. Which development applications need to be addressed in advance of development permit application?**

- a. Air space plan (DAASP)
- b. Condominium plan of survey (CONDO)
- c. Consent application (CA)
- d. Plan of survey (DAPS)
- e. Plan of subdivision and rezoning (DASZ)
- f. Rezoning (DAZ)
- g. Secondary plan (SP)/secondary plan amendment (SPA)
- h. Short form plan of subdivision (DASSF)
- i. Plan of subdivision (DAS)
- j. Zoning agreement amendment (ZAA)

**21. Which development applications can be processed concurrently with a development permit?**

- a. Variance
  - i. Variance A (minor) – residential and commercial tolerance
  - ii. Variance B – single or two family dwelling
  - iii. Downtown Variance and Conditional Use B
  - iv. Variance C or D – other residential and commercial uses
- b. Conditional Use
  - i. Conditional Use B – single or two family dwelling
  - ii. Conditional Use B – home-based business (major)
  - iii. Conditional Use B – attached secondary suite
  - iv. Conditional Use C – detached secondary suite or care home
  - v. Conditional Use C or D – other residential and commercial uses
- c. Plan approval/design review
- d. Urban (downtown) design review
- e. Parking management plan
- f. Alternative equivalent compliance

**22. Are exterior finish specifications required for the development permit application?**

Manufacturer specifications are generally not required, except in instances where more detail about the proposed exterior finish is needed as part of the development approval discussion with the City Planner. In all cases, the type of material must be indicated on the exterior elevations (e.g. hardie board, masonry, acrylic stucco).

**23. Are colour elevations required for the development permit application?**

No. However, they may be needed if a supporting [plan approval/design review](#) application is required. For infill development, colour elevations are not required in most cases, unless there are two houses side by side that are similar in appearance, and the developer is proposing a colour difference as a distinguishing feature to meet the infill guidelines requirement for variation.

**24. Do all development permit applications get circulated interdepartmentally for approval?**

No. Simple projects that do not require supporting applications (variance, plan approval, etc.) or input from other divisions or departments to assess your proposal against unique bylaws, regulations or guidelines will only require administrative zoning approval. A decision on your application will be provided following Winnipeg Zoning By-law review.

**25. In what cases does an interior alteration require a development permit?**

- Residential – zoning change of use (e.g. converting single family dwelling to a care home) or adding a secondary suite requires a development permit
- Commercial – zoning change of use (e.g. converting an office to a restaurant) or changing the occupiable floor area (e.g. adding a mezzanine), which impacts exterior requirements such as parking, requires a development permit

**26. Can the location of the structure or windows and doors change after the development permit is issued?**

Building permit plans must match the development permit plans. The location of the structure and window and door sizes cannot change. However, minor changes to window and door locations (e.g. a few inches) may be accommodated in certain situations with confirmation from the City Planner to ensure plans still match applicable policy/guidelines and/or the design intent of previous approvals. If a minor change is approved, it must be obtained in writing and submitted with the building permit application.

Note: For development in Designated Floodway Fringe Areas or locations with flood risk, the window and door locations cannot change.

**27. Can the exterior finish materials change after the development permit is issued?**

If the development permit did not require a supporting [plan approval/design review](#) or have a substantial conformance clause, the exterior finish material can change between development permit issuance and building permit application. Once the building permit is issued, the materials cannot change without re-approval by the City.

If the development permit required a supporting plan approval/design review or has a substantial conformance condition and the applicant proposed a change to the exterior finish colour after development permit issuance, the City would consider this a minor change. Thus, it would not require a new plan approval/design review, except in the rare instance where the colour was specifically conditioned on the approval.

**28. What happens if a building permit application does not align with prior development permit approval?**

It is the property owner's responsibility to align all applications and approvals. If the construction drawing package for building permit application does not align with prior development permit and supporting application approvals:

- a. the building permit, if issued, will be considered null and void
- b. the applicant will be required to seek revised approvals to align all applications

**29. How long does the City have to make a decision on building permit applications (approved or non-compliant) under the new legislated performance standards?**

The provincial performance standards are not known at this time and will be released with forthcoming regulation. Until the new standards are in effect, the City will continue to report publicly on [https://www.winnipeg.ca/ppd/permits/Permit\\_Application\\_Processing\\_Times.stm](https://www.winnipeg.ca/ppd/permits/Permit_Application_Processing_Times.stm)

**30. Did the City look at how other cities across Canada process development and building permits when considering these process changes?**

Yes. We did a jurisdictional scan to strategically look at how other municipalities process development and building permit applications. Research indicated that permit processing methods vary across Canada. The majority of cities require an approved development permit before processing a building permit application.

**31. Where can I learn more about development and building permit services?**

We are creating a new webpage that will go live on November 14, 2022 that will provide an overview of the process, including links to relevant resources, information and applications: [winnipeg.ca/permitprocess](http://winnipeg.ca/permitprocess).

**32. Who can an applicant contact with any questions about required permits and applications?**

- Phone: 204-986-5140
- Email:
  - Building Permits: [ppd-permit@winnipeg.ca](mailto:ppd-permit@winnipeg.ca)
  - Development Permits: [ppd-zoningapplications@winnipeg.ca](mailto:ppd-zoningapplications@winnipeg.ca)