

## Declaration Form for Development Permit Exemption

### DETACHED GARAGE ACCESSORY TO A SINGLE OR TWO-FAMILY DWELLING

#### General information

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

#### 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 will be in accordance with applicable zoning regulations under the Winnipeg Zoning By-law No.200/2006 as follows:

#### DETACHED GARAGES ACCESSORY TO SINGLE AND TWO-FAMILY DWELLINGS PROVIDED THEY COMPLY WITH PRIVATE APPROACH GUIDELINES AND SETBACKS AND ZONING REGULATIONS

- Total lot coverage of all accessory structures on property does not exceed 484 sq. ft. or 12.5% to a maximum of 880 sq. ft. where applicable. *(Open pools/hot tubs, open decks, landings and stairs less than 4 feet above grade and structures with a cumulative lot coverage under 108 sq. ft. and permitted projections are not included in calculation).*
  
- The maximum height of the detached garage is 13 feet, unless the accessory structure is a detached secondary suite (Section 120 applies).
  
- If the detached garage **is entirely behind** the rear wall of the principal dwelling:
  - Minimum 2 feet from interior or corner side property line.
  - Minimum 2 feet from rear property line.
  - Reverse corner side yard minimum setback is the same as for principal building.
  - Maximum 1 foot eave overhang (excluding eavestrough) in the required yards but no portion (including eavestrough) closer than 0.5 feet to side property lines. For reverse corner side yards, maximum 2 feet overhang excluding eavestrough.
  - The minimum separation space between the detached accessory building and any other building on the lot is 3 feet, clear of all projections.

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- If the detached garage **is not entirely behind** the rear wall of the principal dwelling:
  - Minimum 2 feet from rear property line.
  - Maximum 1 foot eave overhang (excluding eavestrough). For reverse corner side yards, maximum 2 feet overhang excluding eavestrough.
  - The minimum separation space between the detached accessory building and any other building on the lot is 3 feet, clear of all projections.
  - If a detached accessory structure is not located to the rear of the rear wall of the principal building, the minimum yards of the principal building apply to that portion of the structure not to the rear of the rear wall of the principal building. See table below.

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District	Interior/Corner Side	Reverse Corner Side	Front Yard
R1-S	3 ft or 2 ft and 4 ft	4 ft	To be determined by front yard alignment, direct to Zoning
R1-M	4 ft	4 ft	
R1-L	4 ft	10 ft	
R2	4 ft	10 ft	
RR2 & RR5	25 ft	25 ft	
R1-E	10 ft	20 ft	

- Owners of lots adjacent to a river or a creek will contact the City of Winnipeg Waterways Section ([PPD-WaterwaysApplications@winnipeg.ca](mailto:PPD-WaterwaysApplications@winnipeg.ca)) to determine if a waterway permit is required.
- Owners of lots adjacent to a Storm Water Retention Basin must provide and maintain 75 feet measured from a rear or side lot line to any detached accessory building (or request a reduction of the yard requirements from the Water and Waste Department).
- Notwithstanding any other regulations regarding the location of accessory structures, no accessory structure may be located in such a way as to impair access to a required parking space in the side or rear yard.
- Applicant(s) must refer to the subject property title for any City of Winnipeg caveats that may affect any development standards and/or uses on the property. Work does not include a new approach other than from a public lane. *(For example, a new or modified approach or driveway from the street requires external review and approval from Public Works)*
- I have obtained a variance to allow my development as proposed despite not meeting the zoning by-law. The number of my approved variance is \_\_\_\_\_

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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 and 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 as 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 be limited to demolition of the unpermitted construction, at my sole cost; and
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.

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Applicant Signature

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Owner Signature

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Applicant Name (printed)

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Owner Name (printed)

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(if applicable) company on behalf of

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(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.