Agenda – Standing Policy Committee on Property and Development – February 5, 2026

REPORTS

Item No. 4 Winnipeg Building By-law No. 4555/87 Amendments

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

1. That Council enact a by-law to amend the Winnipeg Building By-law No. 4555/87, a draft of which is attached as Appendix A to this report.

2. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing.

ADMINISTRATIVE REPORT

Title: Winnipeg Building By-law No. 4555/87 Amendments

Critical Path: Standing Policy Committee on Property and Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Klassen	B. Jasper (Acting)	N/A	J. Dunford

EXECUTIVE SUMMARY

The Winnipeg Building By-law No. 4555/87 ("the By-law") sets the rules for construction in Winnipeg. It explains how to get permits and clarifies responsibilities. The By-law is updated often to keep up with Provincial laws and industry standards. The new update includes:

- matching with other laws;
- advance policy objectives aimed at streamlining and resolving permitting processes;
- using inspection resources where they are most needed;
- better handling of safety and cleanup after a fire; and
- small changes for clarity and enforcement.

These changes do not have any direct financial costs.

RECOMMENDATIONS

1. That Council enact a by-law to amend the Winnipeg Building By-law No. 4555/87, a draft of which is attached as Appendix A to this report.

2. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

This report is being brought forward by the Public Service to align language and intent of the Winnipeg Building By-law with related legislation, as well as to facilitate effective compliance and enforcement activities.

Council approval is required to amend by-laws.

IMPLICATIONS OF THE RECOMMENDATIONS

The proposed amendments will clarify the authority of the Public Service to exercise discretion on the obligation to reinspect previously noted minor defects, to focus on construction defects where there is a greater degree of risk to the stability of the structure and safety of occupants. This also allows for a risk-based approach when contemplating enforcement activities once a permit has expired, focusing inspection and enforcement activities on construction projects where non-compliance is likely to expose building occupants to unforeseen risks, and mitigates the City's exposure to risk.

Increased responsibility and obligations on a property owner following a fire will expedite assessment and remediation of fire-damaged structures. Clarifying language increases effectiveness of enforcement efforts.

Text amendments serve to update and align the By-law with other legislation, improving clarity and enforceability in the areas of management of construction waste, contractor licensing, and expanding options for builders to confirm compliance with inspections reports and orders.

HISTORY/DISCUSSION

The Winnipeg Building By-law ("the By-law") governs how construction takes place in Winnipeg. It adopts the Manitoba Building Code ("the Code") and establishes administrative requirements and procedures for the enforcement of the Code. As provincial regulations and local by-laws are updated and amended, it is necessary to update the By-law for alignment and enforceability. While issue-specific and consequential amendments have been made to the By-law over the years, the focus of this review was more comprehensive in nature and addresses some long-standing requests from the Public Service to assist in upholding and enforcing requirements of property owners and industry in construction activities.

Several text amendments are required to reflect legislative changes, clarify building and permit requirements and responsibilities, and align with updated internal policies and protocols. These text amendments do not change the way the City engages with property owners and industry; they only serve to improve communications, compliance, and enforceability of the By-law.

Amendments required with no observable impact on service delivery

The following text amendments are required for regulatory and policy alignment and enforceability:

- *The Buildings and Mobile Homes Act* referred to in the By-law was replaced with *The Buildings Act* in 2024.
- Replace *The Development Fees By-law* where it appears in the By-law to *The Planning, Development and Building Fees By-law* (subsequential amendment: remove schedule A from *The Planning, Development and Building Fees By-law* and replace with reference to current Fees and Charges Schedule, as approved by Council)
- Add "Manitoba Building Code" before Manitoba Plumbing Code to Section 23.1.1 with respect to subsurface drainage, to correct unintended omission in prior amendments.
- Remove reference to Subsection 11.4 in Section 16, it was repealed in 2017.

- Remove plumbing contractor license categories referenced in Section 17.1.3, as they are no longer in use.
- Edit licensed mechanical contractor titles and sections for consistency with other contractor licensing sections within the By-law.
- Repeal Appendix A: Requirements for Boarding-up and Securing Vacant Buildings, these requirements are contained in Schedules A (Maintenance) and B (Security) of the City's Vacant Building By-law 79/2010.
- Remove Certificate of Mechanical Inspection and Certificate of Plumbing Inspection where it appears in the By-law (historical documents no longer in use).
- Replace "representative appointed by the Mechanical Contractors Association of Manitoba" with "divisional employee as determined by the Manager" where it appears in the By-law (this is an outdated practice).
- Amend S. 17.1.5 (2) pertaining to Plumbing Contractor Licence expiry to reflect the requirement to re-qualify for the Licence if the Licence has been, expired for six months or longer. This serves to align this licence category with other City-issued trades licenses.
- Remove S.14.6.4 with respect to plumbing permits obtained by homeowners, to align with all other plumbing permits, having an expiry of three years from date of issuance.
- Replace him/his where it appears in the By-law with inclusive pronouns.

Amendments required for operational and/or enforcement purposes

Clarification of projects that require a building permit and addition of certain exemptions

When developing a basement, permits are typically required, with some exceptions, depending on the scope of work being done. Amendments to the By-law to clarify what constitutes a finished space and which activities during lower-level development require permits helps guide property owners and ensures that space being developed for living or sleeping purposes conforms to structural and fire safety standards.

Permanent pool structures is added to the list of projects that require a building permit. Seasonal pools and hot tubs/spas do not require a building permit but must meet the requirements in the By-law for fencing and access, this was added in a previous amendment in 2024.

Exemption from the requirement for a building permit for residential barrier-free ramps has been added to the list of projects not requiring a building permit, to align with recent changes to Winnipeg's zoning by-laws. A text amendment is also being added to allow a designated employee to deem a structure exempt from requiring a building permit, to address unique structures such as public art installations. Although the requirement for a permit and related inspections is being removed, the requirement to comply with applicable codes and standards remains.

Correcting defects identified during inspections

Where the by-law imposes a prescribed period of time for remediation (e.g. section 5.5.3 specifies seven days for correction of defects and notification of the designated employee), both

the City and industry benefit having some discretion or flexibility, depending on the nature of the defect(s) identified. The amending by-law adds “or greater time as determined by the designated employee” to ensure that defects that are minor in nature do not cause unnecessary delays in construction or occupancy. Inspectors have the authority to demand quicker resolution for defects that are more critical in nature.

Where a defect that has been identified during an inspection is not critical to the safety of the building and/or its occupants, and does not hinder movement or egress in the event of an emergency (in other words, defects that are non-critical in nature), allow the designated employee to determine if a reinspection is necessary before work can proceed further, or permit can be closed (project completion). This amendment supports home builders and property owners, that for one reason or another, did not have a final inspection on project completion, but inspections were conducted at critical points in the construction process. It also supports the Public Service in being able to acknowledge work that has been done and prevents ongoing non-compliance and responsibility of subsequent property owner(s).

Unsafe conditions

The Public Service is increasingly having to respond to properties where a fire has occurred, and the damaged building remains standing or has been reduced to an accumulation of debris and rubble. To address these conditions, additional language will be added to section 12 of the By-law (pertaining to unsafe conditions) to include:

- properties may be determined to be in an unsafe condition when there is an accumulation of construction waste and/or demolition debris;
- the owner and occupant of the premises must provide access to the designated employee when requested, for the purpose of assessing site conditions and safety;
- the designated employee may, by written notice, require the owner of a structure to provide a certified report from an architect or engineer as to the condition of the structure, at the expense of the owner; and
- the Public Service may take remedial action to remove the accumulation of construction waste and/or demolition debris where any Notice or Compliance Order to do so has not been complied within the period of time specified in the Notice or Compliance Order and apply all associated costs to the property owner.

Contractor licensing

With improvements in our online licensing system and services, contractor licenses can be purchased at any time throughout the year and are valid for one year from date of issuance. This change must be addressed with amendments that no longer allow for partial license payments for a portion of the year (when all licenses expired December 31), and license deactivation occurs six months after license expiry (no longer March 1 of each year), if there has been no contact from a licensed contractor. A deactivated license must be reapplied for and may require the contractor to write a standard exam administered for this purpose.

Construction Waste

Both the property owner and contractor are responsible for ensuring all construction materials, waste and demolition debris are properly stored on the construction site (off public walkways,

roads, and boulevards), secured or contained in bins or containers. These requirements are contained in the Code (as to construction site requirements), Solid Waste By-law No. 30/2025 (as to receptacle and storage requirements), and Neighbourhood Liveability By-law No. 1/2008 (as to property standards).

Amendments to sections 5 (Owner Responsibilities) and 7 (Contractor Responsibilities) to clarify the joint obligation to not only comply with the Manitoba Building Code, and Winnipeg Building By-law, but to also comply with applicable City by-laws for appropriate waste receptacles/ controls to prevent loose materials from blowing off the property and maintain site free of accumulated construction waste or demolition debris is necessary for timely enforcement and/or remediation of problematic construction (and demolition) sites.

The addition of the phrase “structures destroyed by fire” to clarify the classification of such as an unsafe condition under section 12 of the By-law further clarifies expectations for debris removal, regardless of whether a building permit has been issued.

Fire-damaged buildings

Buildings that have been damaged by fire must be assessed for structural damage and safety. Proposed amendments require that owners provide access to designated employees on request, and comply with orders to obtain structural assessments, permits, and/or remediate site. This supports timely responses and subsequent actions by the Public Service, including options for penalty notices for ongoing non-compliance.

Email as a means of document service

The City of Winnipeg Charter Act (“the Charter”) allows Council to vary the general requirements for notice by by-law, provided that the intended recipient consents to receive notices by email and that the designated employee verifies that delivery receipt is obtained to satisfy the Charter. Amendments to allow document service by email will be added to the By-law, and language will be consistent with similar amendments in other City by-laws.

FINANCIAL IMPACT

Financial Impact Statement Date: December 5, 2025

Project Name:

Winnipeg Building By-law No. 4555/87 Amendments

COMMENTS:

There are no direct financial implications associated with this report.

Beth Anema on behalf of
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

Goal: Good Health and Wellbeing

Policy 4.8 Building Safety Enforce compliance with building codes and property maintenance standards, to ensure housing quality, safe building occupancy, and extended building lifecycles.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to any of the specific goals in the Winnipeg Climate Action Plan, and it was determined that the Plan is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the Poverty Reduction Strategy, as well as the corresponding 2021-2023 Implementation Plan, and it was determined that the Strategy is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Development and Inspections
Prepared by: Marcia Fifer, Housing and Existing Buildings Manager
Date: January 5, 2026
Attachment:

Appendix A: Amending By-law