



ORDER MITIGATE UNSAFE CONDITION

February 1, 2022

REGISTERED MAIL: RN 445 933 034 CA

REGULAR MAIL

Nexus Loft Development Corp.
210 Whytewold Road
Winnipeg, MB, R3J 2W2
Attention: Patrick Earl HITCHCOCK, President

Nexus Loft Development Corp.
210 Whytewold Road
Winnipeg, MB, R3J 2W2
Attention: Patrick Earl HITCHCOCK, President

RE: 242, 244 and 246 Princess Street

FOLDER NO: 22-110235 ORD

LEGAL DESCRIPTION: LOT 1 PLAN 47292 WLTO IN RL 11 PARISH OF ST JOHN

LOT 2 PLAN 47292 WLTO IN RL 11 PARISH OF ST JOHN

LOT 3 PLAN 47292 WLTO IN RL 11 PARISH OF ST JOHN

It has come to the attention of the undersigned that the above noted premises has revealed hazardous condition(s).

This contravenes the City of Winnipeg Building By-law No. 4555/87, specifically:

Section 12.1 "Premises are in an unsafe condition when they pose a risk of harm to people, animals or neighbouring properties and, without restricting the generality of the foregoing, a property is in an unsafe condition when (a) all or parts of the buildings or structures located on the premises constitute a fire hazard or are likely to fall or cause an explosion; (b) the floors, stairs, walls and other structural aspects of buildings or structures located on the premises are insecure or pose a danger to people or animals who enter the buildings or structures; (c) a vacant building or structure is unguarded or open so that entry can be easily gained to it; or (d) wells, excavations, openings or holes located on the premises are not properly covered or guarded so that people or animals could fall into them and be trapped.", and/or:

Section 12.2 "The owner and occupant of premises shall not permit those premises to be in an unsafe condition."

A copy of the aforementioned By-laws can be viewed at:

<http://clkapps.winnipeg.ca/dmis/docext/ViewDoc.asp?DocumentTypeId=1&DocId=1265&DocType=C>

Justification for Order: The buildings located at the address known municipally as 242, 244 and 246 Princess Street are in a current state of disrepair and may be structurally compromised and unsafe as a result.

Current state of the building's structure and its foundation includes but not limited to:

- Deterioration of the buildings' exterior masonry, exterior windows, and exterior building envelope, which is allowing weather elements and moisture to enter the buildings, thus causing further deterioration of the interior building elements and systems of the buildings.
- Deterioration of the buildings' foundations.
- Structural movement and/or building settlement evident at the buildings' foundation walls and column locations.
- Cracking and separation of masonry brick evident in many interior and exterior masonry walls within the buildings, thus creating openings to allow weather elements to enter the buildings.
- Masonry infill between 244 Princess Street and 246 Princess Street buildings has separated from the structural steel connections adjacent to them.

- The existing roof structure of 244 Princess Street is deteriorated and appears to have separated from its supporting walls, and engineered temporary shoring is required.

Further, building alterations have been undertaken in the buildings without permits. This includes but not limited to:

- Demolition of the existing building interior finishes, and their Electrical and Mechanical systems.
- Construction of masonry walls and interior masonry wall infills.
- Exterior masonry repairs/patching and masonry wall infills.
- Structural alterations/modifications to the building's floor systems (i.e.: Floor Joists).
- Installation of Temporary Bracing installed to support the structurally compromised roof joists.

ACCORDINGLY, YOU ARE HEREBY ORDERED to engage in the following scheduled timeline at the address known municipally as 242, 244 and 246 Princess Street:

1. Obtain the services of a Structural Engineer, licensed to practice in the Province of Manitoba, to inspect the buildings' structures and forward a signed and sealed report to this office that:
 - (a) certifies the structural integrity of the buildings' structures located at the address known municipally as 242, 244 and 246 Princess Street in its present condition **on or before, but not later than February 22, 2022, or;**
 - (b) identifies all structural defects and outlines a proposal of remedial repairs required to bring the structural aspects of the structure located at the address known municipally as 242, 244 and 246 Princess Street into compliance with the By-law **on or before, but not later than February 22, 2022, and;**
2. If the Structural Engineer provides a signed and sealed report under (1b), you must:
 - (a) submit complete construction plans and documents detailing all required repairs and how the buildings' structures located at the address known municipally as 242, 244 and 246 Princess Street will be rehabilitated to comply with the By-law and apply for the required permit(s) **on or before, but not later than April 5, 2022, and;**
 - (b) obtain the required permits necessary to comply with the By-law, and complete all repairs to bring the buildings' structures located at the address known municipally as 242, 244 and 246 Princess Street into compliance, making all repairs in a manner accepted as good workmanship in the trade concerned, with materials suitable and sufficient for the purpose and in compliance with all applicable Codes, Regulations and By-laws, **on or before, but not later than September 6, 2022.**

Permit applications are found at https://winnipeg.ca/ppd/permits/permits_online.stm and permit inquiries can be made at City of Winnipeg, Zoning and Permits Branch, by phone at 204-986-5140, or email ppd-permit@winnipeg.ca.

There may be other Code and By-Law violations at the above noted premises that are unknown at the time of issuance of this Order, therefore, in accordance with section 5.8 of the City of Winnipeg Building By-Law No. 4555/87, our inspection does not relieve the owner from full responsibility for carrying out the work or having the work carried out and for maintaining the building or structure in accordance with the requirements of the Code or By-Law.

ADMINISTRATION FEES

This Order may carry an administration fee of \$168.00 pursuant to the Winnipeg Planning, Development and Building Fees and Charges By-law 66/2016 section 11 Administration Fees: Administration fee for collection process on overdue accounts (including registering and unregistering a caveat or lien on title), if a caveat is issued on the property.

A copy of the aforementioned By-law can be viewed at:

<http://clkapps.winnipeg.ca/dmis/docext/ViewDoc.asp?DocumentTypeId=1&DocId=6820&DocType=C>
<https://www.winnipeg.ca/ppd/fees/default.stm>

FAILURE TO COMPLY

Please note that if you fail to comply with this Order, further enforcement action may be undertaken pursuant to The City of Winnipeg Charter, the Provincial Offences Act, and/ or the Municipal Bylaw Enforcement Act, which may include the City of Winnipeg undertaking and completing any required remediation work related to this Order, and the associated costs could be added to your property tax bill. Your compliance with this Order will make such actions unnecessary.

APPEAL

In accordance with section 189 of The City of Winnipeg Charter, you are entitled to appeal this Order to the Standing Policy Committee on Property & Development, Heritage, and Downtown Development by:

- the date specified for compliance as indicated; or
- fourteen (14) days of receipt of this Order,

whichever is earlier.

You must send your written appeal to:

Standing Policy Committee on Property and Development, Heritage, and Downtown Development

Attention: City Clerks Department

510 Main Street, Winnipeg, MB, R3B 1B9

Fax: 204-947-3452 • CLK-Appeals@winnipeg.ca

Should you have any questions with regard to this matter, please contact the Inspector Dave Livingston at 204-986-5190 or DLivingston@winnipeg.ca; Monday to Friday, between the hours of 9:00 a.m. and 4:00 p.m.

Regards,



James Cameron, CET
Chief Commercial Building Inspector
Development and Inspections Division
Planning, Property and Development
City of Winnipeg
Designated Employee
/ca



Planning, Property and Development Department • Service de l'urbanisme, des biens et de l'aménagement
 Development and Inspections Division • Division de l'aménagement et des inspections
 Enforcement Services Unit • Unité des services d'exécution

NOTICE and INVOICE

February 1, 2022

Invoice: 22-110235 ORD

Nexus Loft Development Corp.
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 Winnipeg, MB, R3J 2W2
 Attention: Patrick Earl HITCHCOCK, President

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NOTICE

In accordance with the Planning, Development and Building Fees and Charges By-law 66/2016 section 11 Administration Fees, administration fee of \$168.00 (One Hundred Sixty-Eight Dollars) has been levied on you as the Owner of record for the property known municipally as 242, 244 and 246 Princess Street.

A copy of the aforementioned By-law can be viewed at:

<http://clkapps.winnipeg.ca/dmis/docext/ViewDoc.asp?DocumentTypeId=1&DocId=6820&DocType=C>

<https://www.winnipeg.ca/ppd/fees/default.stm>

INVOICE

Invoice Number	Administration Caveat Registration Fee	Total
22-110235 ORD	\$168.00	\$168.00
Total	\$168.00	\$168.00

Please remit payment in the amount of \$168.00 (One Hundred Sixty-Eight Dollars) by March 8, 2022. Note that there is an Administration Fee for the collection of overdue accounts; and in accordance with the City of Winnipeg Charter Act, any outstanding fees will be recovered by way of a levy applied to the property's taxes or by the services of a collection agency.

A copy of the aforementioned City of Winnipeg Charter Act can be viewed at:

http://web2.gov.mb.ca/laws/statutes/2002/c039_2e.php

To make payment, please contact the Cashier's Office, Monday to Friday between 8:30 a.m. and 4:30 p.m. by phone at 204-986-5140 or in person at Unit 31 – 30 Fort Street, Winnipeg, MB, R3C 4X7. Payment can be made by credit card, debit card, cash or cheque made payable to The City of Winnipeg. The property address and invoice number must be noted with the payment.