Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

ADDENDUM REPORTS

Report - Standing Policy Committee on Property and Development - June 11, 2007

Item No. 2 King Building (formerly Ryan Block) - 104 King Street - Request to Remove from Buildings Conservation List (Point Douglas Ward) File G-3.1.1

STANDING COMMITTEE RECOMMENDATION:

On June 11, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the Historical Buildings Committee, as amended, and submits the following to Council:

1. That the King Building (formerly Ryan Block), 104 King Street, not be removed from the Buildings Conservation List as the heritage values have not changed.

2. That, pursuant to Section 12.(5) of The Historical Buildings By-law No. 1474/77, the listing of the King Building (formerly the Ryan Block), 104 King Street, on the Buildings Conservation List be changed to a Grade III designation to accommodate the intention of, at minimum, preserving the two significant facades facing King Street (east) and Bannatyne Avenue (north) as part of a redevelopment of the site.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda - Executive Policy Committee - June 13, 2007

Report - Standing Policy Committee on Property and Development - June 11, 2007

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On June 11, 2007, the Standing Policy Committee on Property and Development concurred in the recommendation of the Historical Buildings Committee, as amended, namely:

- That Recommendations 2 and 3 be deleted in their entirety and the following substituted therefore:

    "2. That, pursuant to Section 12.(5) of The Historical Buildings By-law No. 1474/77, the listing of the King Building (formerly the Ryan Block), 104 King Street, on the Buildings Conservation List be changed to a Grade III designation to accommodate the intention of, at minimum, preserving the two significant facades facing King Street (east) and Bannatyne Avenue (north) as part of a redevelopment of the site.

    3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing",

and submitted the matter to the Executive Policy Committee and Council.

Further, on June 11, 2007, the Standing Policy Committee on Property and Development received submissions from the following:

In support of removing the King Building (formerly Ryan Block), 104 King Street, from the Buildings Conservation List:

- Kenneth Reiss, Director, Real Estate, Bedford Investments submitted supporting documentation

In opposition to removing the King Building (formerly Ryan Block), 104 King Street, from the Buildings Conservation List:

- Michael D. Petkau, submitted a communication dated June 8, 2007
- Dudley Thompson, Prairie Architects, submitted photographs and a communication dated June 11, 2007
- Dawn Bronson, Superintendent, Manitoba Field Unit, Parks Canada, submitted a communication dated June 11, 2007

Report - Standing Policy Committee on Property and Development - June 11, 2007

DECISION MAKING HISTORY (continued):

HISTORICAL BUILDINGS COMMITTEE RECOMMENDATION:

On June 7, 2007, the Historical Buildings Committee recommended to the Standing Policy Committee on Property and Development:

1. The building not be delisted because the heritage values have not changed.

2. Whereas it is preferable to preserve the building as a whole, due to the identified severe structural condition, the two significant façades (facing King Street [east] and Bannatyne Avenue [north]) be preserved in place.

3. Should partial demolition proceed, it be based on an environmental review to advise on any precautions which may be necessary.

Further on June 7, 2007, the Standing Policy Committee on Property and Development received from Kenneth H. Reiss, Director, Real Estate, Bedford Investments, a communication dated June 4, 2007, requesting favourable consideration be given to removing the King Building (formerly Ryan Block), 104 King Street, from the Buildings Conservation List.

COUNCIL DECISION:

On September 29, 2004, Council adopted Item 1 of the Report of the Standing Policy Committee on Property and Development dated September 7, 2004, which recommended that the King Building (formerly Ryan Block), 104 King Street, not be removed from the Buildings Conservation List.

Winnipeg

Planning, Property & Development Department • Service de l'urbanisme, des biens et de l'aménagement

Development and Inspections Division• Division de l'aménagement et des inspections
Inspections • Inspections

In reply please refer to / Référence à rappeler :

Mr. G.R. Solkoski
(204) 986-5552
Fax: (204) 942-2008

June 1, 2007

Harry Reiss and Samuel Reiss **"PERSONAL SERVICE"**
281 McDermot Avenue
Winnipeg, Manitoba R3B OS9

Dear Sirs:

RE: 104 KING STREET COMPLIANCE ORDER
OUR FILE NO.: 02 230639 000 00 VB

Having reviewed a structural engineering report prepared by Wolfrom Engineering Ltd. for Bedford Investments, dated May 25th, 2007 and by inspection of the subject premises, I have concluded that the building at 104 King Street contravenes section 12.1 of the Winnipeg Building By-law No. 4555/87 in that it is in an unsafe condition. In particular, I have concluded that all or part of the exterior brick and stonework is collapsing, likely to fall, and that the structural aspects of the foundation, interior beams and columns are unsound and pose a danger to people on the adjacent public right-of-ways. More particularly, the engineering study indicates that the floor joists and roof joists are rotting and in danger of collapse and further, that the structural capacity of the roof and floors are greatly reduced below code requirements. Additionally, the foundation has settled, interior columns have punched through the basement floor slab, buckled laterally or been crushed at their bearing points and the interior components have deteriorated substantively, resulting in the capacity of the structure to support its own weight to be compromised and includes a professional opinion that collapse of the roof and flooring members is expected by winter, after which the entire structure will become unstable and recommending demolition occur as soon as possible.

The condition of the building poses a danger to the public and urgent intervention is required to address both the immediate concerns of structural failure and falling motor and/or brick/stonework.

Therefore, in accordance with the provisions of the Winnipeg Building By-law and to prevent the possibility of an accident occurring, **you are hereby ordered to obtain the required Permit(s) and either:**

A) **Repair all exterior, interior and structural components and take all remedial measures necessary to bring the building into a stable and safe condition, or alternatively;**
B) **Demolish the building.**

Please take notice that as a building on the Buildings Conservation List, a delisting is required should you choose to proceed with a demolition application and that delisting must occur before demolition may begin.

The deadlines for compliance with this Order are as follows:

A) If you wish to proceed to repair the building and take all remedial measures necessary to bring the building into a stable and safe condition, you must apply for the necessary permits by **July 20, 2007**. You must begin work no later than **August 15, 2007** and proceed steadily thereafter to completion on or before but no later than **November 30, 2007**.

B) If you wish to demolish this building, you must apply by **June 5, 2007** to the Office of the City Clerk to have the building removed from the Buildings Conservation List. Your application will then be considered by the Historical Buildings Committee and the Standing Policy Committee on Property and Development. Should the building be removed from the List, you must obtain a demolition permit and begin demolition of the building no later than **August 20, 2007** and proceed steadily thereafter to completion on or before but no later than **October 30, 2007**. If the building is not removed from the List, you must meet the deadlines set out in (A).

Please note that if you fail to comply with this Order, you may be prosecuted pursuant to The City of Winnipeg Building By-law No. 4555/87 and The City of Winnipeg Charter. In addition, if you fail to comply with this Order, *The City of Winnipeg Charter* authorizes the City to bring the property into compliance at your expense. If you fail to pay the costs of such work, the costs will be added to the property taxes of any property owned by you.

Also please note that in accordance with Section 10 of the Winnipeg Building By-law No. 4555/87, if you disagree with this Order, or any provisions thereof, you may appeal therefrom to the Standing Policy Committee on Property & Development by the time given for compliance with this order or within 14 days of receipt of this order, whichever is sooner, by writing to the Standing Policy Committee on Property & Development, Attn: Carol Freeman, Clerk, Council Building, City Clerks Department, 510 Main Street, Winnipeg, Manitoba R3B 1B9.

Should you have any questions with regard to this matter, please contact the undersigned at 986-5552, Monday to Friday, between the hours of 8:30 a.m. and 4:30 p.m.

Yours truly,

G.R. Solkoski,
Housing & Existing Buildings Administrator
Designated Employee

/GRS

cc: Giles Bugailiskis
Senior Planner (Heritage)

Bedford Investments

June 4, 2007

HAND DELIVERED

The Standing Policy Committee on Property and Development
Council Building, City Clerks Department
510 Main Street
Winnipeg, Manitoba
R3B 1B9

RECEIVED
CITY CLERKS
WINNIPEG
7 JUN -4 P4:24

Attn: Ms. Carol Freeman, Committee Clerk

Dear Madam:

Re: 104 King Street – Compliance Order
City File No. 02 230639 000 00 VB

On May 10, 2007, Harry Reiss and Samuel Reiss were served with Order No. VBD 795594 dated May 7, 2007 under the Vacant and Derelict Buildings By-Law No. 35/2004. The said Order stipulated that a structural inspection for 104 King Street be performed by a structural engineer licensed to practice in the Province of Manitoba within 21 days of receipt of the Order.

In accordance with the Order, Bedford Investments retained Wolfrom Engineering Ltd. to perform a structural investigation of the building. Wolfrom Engineering Ltd. visited the subject property on May 8, 2007 and reported their findings in a report: 104 King Street – Structural Investigation dated May 25, 2007 (see enclosed). A copy of the said report was provided to the Planning, Property and Development Department, Development and Inspections Division on May 28, 2007, in compliance with the Order.

On June 1, 2007, the Development and Inspections Division served Harry Reiss and Samuel Reiss a Compliance Order dated June 1, 2007, which indicated **"...that as a building on the Buildings Conservation List, a delisting is required should you choose to proceed with a demolition application and that delisting must occur before demolition may begin."**

Therefore, pursuant to the Compliance Order, we formally request that 104 King Street be removed from the Buildings Conservation List so that it can be demolished.

Should you have any questions with regard to this matter, please contact the undersigned at

Yours truly,

BEDFORD INVESTMENTS

Per:



Kenneth H. Reiss

Enclosure

KHR:\104KingStreet\ComplianceOrder.doc

WOLFROM ENGINEERING LTD.

May 25, 2007 File No.: W07163

Bedford Investments

Dear Sirs;

RE: 104 King Street - Structural Investigation

Introduction

The purpose of the evaluation was to examine: i) the structural integrity of the building in its present condition; ii) to identify all structural defects in the building, determine the feasibility of restoring the structural integrity of the building; and, iii) to provide a written summary of our observations and recommendations, including life safety precautions necessary to ensure public safety, all of which is in accordance with the City of Winnipeg, Planning, Property and Development Department's Order No. VBD 795594 date May 7, 2007.

We visited the site on May 8, 2007.

Observations

The property is occupied by a 4 storey clay brick masonry building constructed with wood floor and roof structures. The building is supported by a rubble stone basement foundation, presumably on a continuous spread footing. The exterior brick masonry walls are load bearing for the floors and roof. The building configuration consists of one interior support line extending east to west and bisecting the building.

The building was unoccupied at the time of our inspection. The windows of the building have been boarded up, and there appears to have been no heat in the building for an extended period of time. There is also evidence of sustained roof leakage at the centre of the building, and some fire damage has occurred near the rear of the building at the 2nd floor level.

The areas of structural concern are listed below:

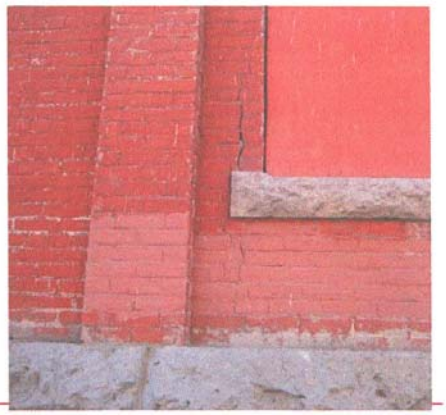
1. There is significant evidence of foundation settlement of the east end of the building. This is manifested by a large vertical crack that extends up the south face of the building. The crack is approximately 1 inch wide at ground level, and widens to over 2 inches at the top floor.





There are also extensive settlement cracks in the north wall, less severe but more distributed over the length of the wall.





2. There is evidence of foundation failure from possible overloading of the floors at 2 of the interior support columns. The columns have punched through the basement floor slab, and there is a noticeable deflection at these locations on each floor level.





3. The interior beams and columns supporting the floors and roof have degraded with time. Several of the columns are buckling laterally and their load capacity has been significantly reduced to an unacceptable level.









Several beams at the roof level are crushing at their bearing points.

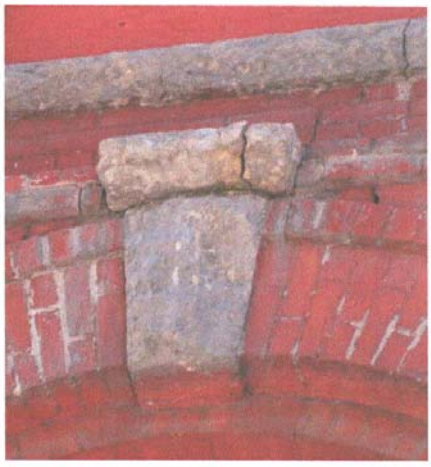


These beams are also in danger of impending collapse.

4. The floor joists and roof joists are rotting and in danger of collapse. The structural capacity of the roof and floors are greatly reduced below code requirements.

5. The east exterior wall of the building requires extensive repairs. The exterior stonework is collapsing in a number of locations over window and door openings.





Recommendations

We reviewed the building from the perspective of the potential to restore it to a useful condition.

All of the structural components have been evaluated and it is our opinion that almost every aspect of this building is beyond the point of economic restoration. The foundation repairs would require extensive caissons to refusal below most of the perimeter of the building and the interior column locations. The masonry repairs would be cost prohibitive, and it would be extremely difficult to restore the total structural integrity of the south wall without rebuilding major portions of it. The beams and columns would require replacement on all levels. The floor and roof joists would need to be replaced at many locations. The entire roof structure would need replacement. The floor sheathing has buckled and rotted in many locations and needs to be replaced.

Life Safety Issues

There are no functional electrical or mechanical services in the building, nor is there any insulation, vapour barrier, functioning sprinkler system or fire separations, however, there has been a fire detection system installed recently.

There are presently floor areas that are not safe for human traffic. We would recommend restricted access to this building in its present condition.

This would include access for the fire department. The damaged members in some areas cannot be relied upon to support fire department personnel in the case of a fire.

Prior to any attempts to perform any structural repairs it would be necessary to remove the extensive accumulation of pigeon droppings and dead carcasses. We would not recommend entry of this building without protective clothing, eye protection and breathing apparatus. An extensive temporary ventilation system would be required.

Conclusions

It is our opinion that this building be demolished as soon as possible. We expect that if the building were to remain in it present condition until the next winter there will a roof and partial floor collapse. The floor and roof structures provide lateral support for the masonry walls. The walls will then become unstable as the floors and roof begin to collapse. There is also a continuing deterioration of the exterior face of the east wall. There is presently some public protection at the sidewalk level, but this may soon be not sufficient.

We would recommend that this building be demolished before this summer to avoid the risk of any further deterioration and potential collapse and danger to the public.

We have reviewed copies of work orders for this building issued by The City of Winnipeg, Planning, Property and Development Department, in particular, Order No. VBD 301206 dated April 26, 2005 and Order No. VBD 303504 dated April 29, 2005. It appears that all the items identified in the work Order of 2007 have developed subsequent to the earlier work orders, therefore this is an indication of the rapid rate of deterioration of this building. Time is of the essence to ensure that the demolition takes places as soon as practical to reduce risk to the public.

This concludes our report for the present. If you have any further questions, please call.

Yours truly

F.D. Wolfrom, P.Eng.

PROVINCE OF MANITOBA
F. D. WOLFROM
REGISTERED ENGINEER

THE CITY OF WINNIPEG

COUNCILLORS' OFFICE

CIVIC CENTRE • 510 MAIN STREET • WINNIPEG • MANITOBA • R3B 1B9

www.jennygerbasi.ca

JENNY GERBASI
Councillor
FORT ROUGE-EAST FORT GARRY WARD
City-Centre Community Committee

Telephone: 986-5878
Fax: 986-5636
E-Mail: jgerbasi@winnipeg.ca

June 7, 2007

Chairperson and Members
Standing Policy Committee on Property and Development

Re: Delisting Ryan Block, 104 King Street

The Historical Buildings Committee has been advised that a request was received from Bedford Investments, the owners of the property, to have their building delisted in order that it may be demolished.

The four-storey Ryan Block, across from Old Market Square in Winnipeg's Exchange District National Historic Site, was built in 1895 for Thomas Ryan, one of Winnipeg's first shoe merchants. He was a city alderman in the 1880s and was elected Mayor passing bylaws to limit Sunday shopping. By 1907 the building was too small, even with a 1903 addition, and Ryan located elsewhere.

A series of wholesalers occupied the warehouse after 1907. Warkov-Safeer, a wholesale leather supplier, was a long-standing owner. Gray's Auction Mart occupied the building in 1977. Bedford Investments acquired the property in 1987. In 1990, Pyramid Records was the last tenant before the City's Amy Street Steam Plant was closed and heat was no longer provided to the building.

In 1988 Bedford Investments owned all of the properties fronting King Street between Bannatyne and McDermot avenues with the exception of 98 King Street which was a one-storey building built by Ryan originally to store shoes. Bedford Investments acquired 98 King Street which was on the "Inventory," applied for a demolition permit and received it because the Historical Buildings Committee found no architectural or historical significance attached to the site.

Embrace the Spirit • Vivez l'esprit

In 1990 the Winnipeg Core Area Initiative staff and the property owner explored the option for a parkade on the entire site that could result in the re-use of the two main façades of the Ryan Block. The property owner applied to the City to have the building evaluated in order to have guidance on whether to proceed with incorporating the two main façades into the new structure. The Ryan Block achieved a Grade II ranking and the Historical Buildings Committee recommended that the building be placed on the Buildings Conservation List in order that redevelopment discussions occur at the City Council level. The building was designated historic on March 11, 1991 as a Grade II structure.

During the process of being designated historic, the parkade development proposal collapsed. On August 16, 1991, five months after the building was declared historic, a fire damaged the third and fourth floors.

In May 1992 the owners applied to the City to have the building de-listed. Council rejected the request to de-list.

On May 16, 2002, the Historical Buildings Committee reviewed an engineering report on the building which was undertaken after the owners advised they were still interested in demolishing the building to erect a parkade. The report confirmed that the building was structurally sound but did need some stabilization work to be done. The report also indicated that with a reasonable expenditure the building could be put into a condition where it would not pose an immediate health hazard.

On September 7, 2004 the Standing Policy Committee on Property and Development reviewed an application from the owners to remove the Ryan Block Building from the Buildings Conservation List. The City's Historical Buildings Committee recommended that the building not be delisted since there has not been a change in its architectural or historical significance and that this property was one of a number of key sites in the Exchange District National Historic Site. Further, Council was asked to continue to examine methods to save the building from further deterioration because of the ever increasing role the District had in Winnipeg's expanding tourism and film industries. The Standing Policy Committee concurred with the recommendation of the Historical Buildings Committee. The recommendation not to delist was adopted by City Council.

It should also be noted that the Government of Canada declared the Exchange District a National Historic Site in 1997 and in the Commemorative Integrity Statement signed by all three levels of government, the Ryan Block was identified as a level I status which encourages that these buildings be re-used, not replaced and that buildings representing the warehouse and wholesale trades from the 1880 to 1913 period be protected for their architectural value.

The Historical Buildings Committee has now been advised that due to the severe structural instability of the building, the owner is asking to have this property delisted in order in order to have the building demolished.

An independent engineering review undertaken on June 4th 2007 to update the previous investigation commissioned in 2002 by the Committee advises that:

> "Based on the current condition of the interior framing, we do not believe that remediation is feasible, largely due to the accumulated damage associated with continual contact with moisture."

The consultant further points out that:

> "…salvaging the north and east facades, implementation of shoring frames, as was completed for the down town Red River Campus is certainly feasible and worthy of consideration."

The Historical Buildings Committee believes that the heritage values of the building have not changed since it was designated in 1991. While this building is modest in its exterior ornamentation, construction method, and design, the Ryan Block is of particular importance in establishing the dominant character of the area and contributes to the historical continuity of the streetscape. The building is still historically significant with its two prominent elevations facing King Street and McDermot Avenue. If the structure had been properly mothballed as little as five years ago the building could still be structurally stable.

In summary, the Historical Buildings Committee recommends that:

1. The building not be delisted because the heritage values have not changed;

2. Whereas it is preferable to preserve the building as a whole, due to the identified severe structural condition, the two significant façades (facing King Street [east] and Bannatyne Avenue [north]) be preserved in place; and

3. Should partial demolition proceed, it be based on an environmental review to advise on any precautions which may be necessary.

J Gerbasi

Jenny Gerbasi
Chairperson, Historical Buildings Committee
Councillor, Fort Rouge-East Fort Garry Ward

Att. Memo from Crosier Kilgour & Partners Ltd.

Cc Jim Paterson, FCSLA
Acting Director, Planning, Property, and Development Department

memorandum

CROSIER KILGOUR & PARTNERS LTD.

Consulting
Structural Engineers

To: Mr. Giles Bugailiskis
Company: City of Winnipeg
From: John A. Wells
cc:
Re: **The Ryan Building; 104 King Street**

CKP File No.: 2007-555
Date: June 6, 2007
Fax No.:
Pages 2 (including cover)

CONFIDENTIALITY WARNING: *The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you have received this communication in error, please notify us by collect telephone call, and dispose of the original. Thank you.*

As you are aware, we were contracted by the City of Winnipeg to provide a second opinion on the structural integrity of the Ryan Building, located at 104 King Street in Winnipeg. Although our detailed report will be forthcoming, the following summarizes in point form our significant findings and interim recommendations.

- The Ryan Building is four storeys in height and utilizes load bearing multi-wythe brick masonry as the exterior and load bearing wall system. The interior floors and framing are of wood construction with one row of columns running down the centre of the building in the east-west direction. Thus, two joist spans are provided, spanning north-south.

- As you are aware, we reviewed the building in 2001. Displacement in the second column from the east face, main floor was observed and the implementation of repairs or shoring to this one column was recommended to prevent further distortion in the framing. In addition, evidence of water penetration at the roof was present and a roof review and localized repairs to prevent or even reduce water penetration was recommended prior to moth-balling the building.

- During our latest review of June 5, 2007, the column distortion on the main floor now affects the 2nd, 3rd, and 4th columns from the east end on three of the floor elevations. The displacement in the columns and beam support corbels has progressed to a significant degree; collapse is feasible.

- The basement level columns are heavily deteriorated from long-term contact with moisture. Significant downward displacement in the central row of columns has occurred creating major deflection in the central portion of the building along all floors.

- There is evidence of long-term moisture penetration into the building from the roof. All four floors are currently wet from the recent rains. The column displacement has aggravated the pooling of water around the base of the columns of each floor, aggravating deterioration. The lathe on the underside of all ceilings has collapsed because of the continual contact with moisture. The wood framing in the affected areas is significantly deteriorated from the continual contact with moisture.

- The load bearing masonry on the south wall exhibits a large vertical crack at a pilaster. The cracking is related to differential foundation movement. Although the crack was present in 2001, the width has significantly increased. In addition, additional cracks are now present, propagating out from the central crack at the fourth floor elevation.

- Visibly loose masonry is present on the west side, fourth floor over a window head. Removal of this loose brick is warranted without delay or implementation of a hoarding in the drive aisle.

- The brick façade on the north and east faces was observed to be generally in good condition with only localized repairs required, including the displaced and/or missing segments over the windows along the east face.

Based on the large column displacement and distortion to the interior columns, the building is unsafe to enter under any circumstances. Under sufficient gravity loading, from snow or accumulating rain, partial collapse of the interior structural components is highly possible.

Partners
K.J. Hearson, P.Eng.
J.D. Miller, P.Eng.
G. Graham, C.E.T.
R.J. O'Toole, P.Eng.
J.A. Wells, M.Sc., P.Eng.
T.K Malkiewicz, C.I.M., P.Eng.

300-275 Carlton Street
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R3C 5R6

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memorandum

CROSIER KILGOUR & PARTNERS LTD.

Consulting
Structural Engineers

Re: The Ryan Building; 104 King Street

CKP File No.: 2007-555
Date: June 6, 2007

Although shoring is feasible, extensive framing would be required over all four floors. Based on the current condition of the interior framing, we do not believe that remediation is feasible, largely due to the accumulated damage associated with continual contact with moisture. Thus, under the present condition of the wood framing, demolition should be strongly considered. However, prior to proceeding with demolition, a hazardous material review should be completed; specifically, the absence/presence of asbestos containing material and/or lead paint maybe present in the building. An environmental consultant should review and advise on any precautions which may be necessary prior to demolishing the building.

Regarding salvaging of the north and east facades, implementation of shoring frames, as was completed for the downtown Red River Campus is certainly feasible and worthy of consideration. Underpinning the foundation walls is required followed by the installation of steel trusses, again supported on piles to provide lateral support to the masonry walls. The trusses are installed prior to proceeding with demolition of the building.

To summarize, due to the absence of any intervention to address the deficiencies identified in 2001, deterioration has progressed to the point in which restoration is unlikely to be possible because of the extent of displacement and damage to the interior wood structural framing. Demolition should therefore be considered. Salvaging the north and east facades are however, possible providing the appropriate shoring/support is installed prior to proceeding with demolition.

We trust the above provides the information you require. In the interim and prior to issuance of our report, please contact the undersigned if you have any questions or require clarification.

Thank you,

John A. Wells, M. Sc., P. Eng.