

CBC Investigates

Owners of condos with structural problems question city's role in approving building plans

Riverside Glen owners overwhelmed by 'staggering' impact of repairs

By Vera-Lynn Kubinec, [CBC News](#) Posted: Apr 07, 2017 5:15 PM CT Last Updated: Apr 07, 2017 5:15 PM CT

Owners in a Winnipeg condominium development with structural problems are questioning the city's role in approving plans for the homes.

Board members of the Riverside Glen condominium corporation said they are "confused as to why or how the city of Winnipeg Planning and Property Development Department approved the plans to build our homes."

The 20-unit bungalow community developed by Legacy Homes on Augier Avenue in west Winnipeg is the subject of several lawsuits, as owners grapple with the costs of repairing defects in their condos.

"The numbers which have been presented to us are staggering," the condominium corporation board said in a statement.

"We are in the process of obtaining appropriate expert reports and quotes for the remedial work," the statement says.

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"We purchased expensive condo homes and are now faced with what may be in excess of \$150,000 per unit in repairs, as well as the landscaping and the surfacing of our road," the board said.

"Also concerning to us is the scope of the remedial work which will require that we move out of our homes while our basements and yards are being excavated. The financial stress and the emotional impact this has had on our lives is overwhelming."

'The financial stress and the emotional impact this has had on our lives is overwhelming.' -
Condo corporation board of directors' statement

In June 2013, city building inspectors looked at the condos developed by Legacy Homes and found irregularities with the foundations that could result in structural failure.

The city ordered Legacy Homes to fix the problems but that didn't happen. Legacy was hit with provincial court fines totalling \$4,500 for not fulfilling the orders.

In their statement Thursday, the condo owners said they are "confused by the ineffectiveness of the City of Winnipeg orders against some of the defendants."

"It is highly unfortunate that we have been left to look to the court for recourse," the condo board said, referring to the lawsuits against Legacy Homes and others involved in the construction.

Their city councillor in the St. Charles ward, Shawn Dobson, said he met with the condo owners last year.

"It's a bad situation all around. I feel for them," Dobson said. He said he doesn't know whether there is any further action the city administration will take in provincial court.

Councillor wants to see follow through

"I'd love to see them [the city] follow through and force the builder to fix these. I don't even know if we can do this," Dobson said.

The city administration declined comment, saying the matter is before the courts.

Dobson questioned whether the city inspection process should have caught the structural design problems in the condos sooner.

"If we [the city]

had our own engineers go over the material then we may have caught the deficiencies," said Dobson.

He noted that in 2012, before he was a councillor, the city announced changes in the building permit and inspection process to deal with a backlog arising from a construction boom.

Although it's not clear if, or how, the changes might have impacted the Riverside Glen condo project, Dobson said the inspection system should be reviewed.

"I'm certainly not happy that this has happened," Dobson said of the condo owners' plight. "I hope this gets resolved. Soon."

The condo board members called on the city to be more diligent when approving building plans.

Greater vigilance

"We hope that the public awareness of the alleged conduct of the defendants in this action encourages the City of Winnipeg and other interested parties to exercise greater vigilance in approving and overseeing the construction of condominium properties," said the condo board.

Legacy Homes director Neil Hiebert declined comment.

In court documents, Legacy Homes blames much of the problem on an engineer who worked on the project. The engineer, in turn, blames Legacy.

The condo board responded in its statement, "We are so disappointed that the defendants appear to have turned a blind eye to the gravity and financial consequences of their actions."