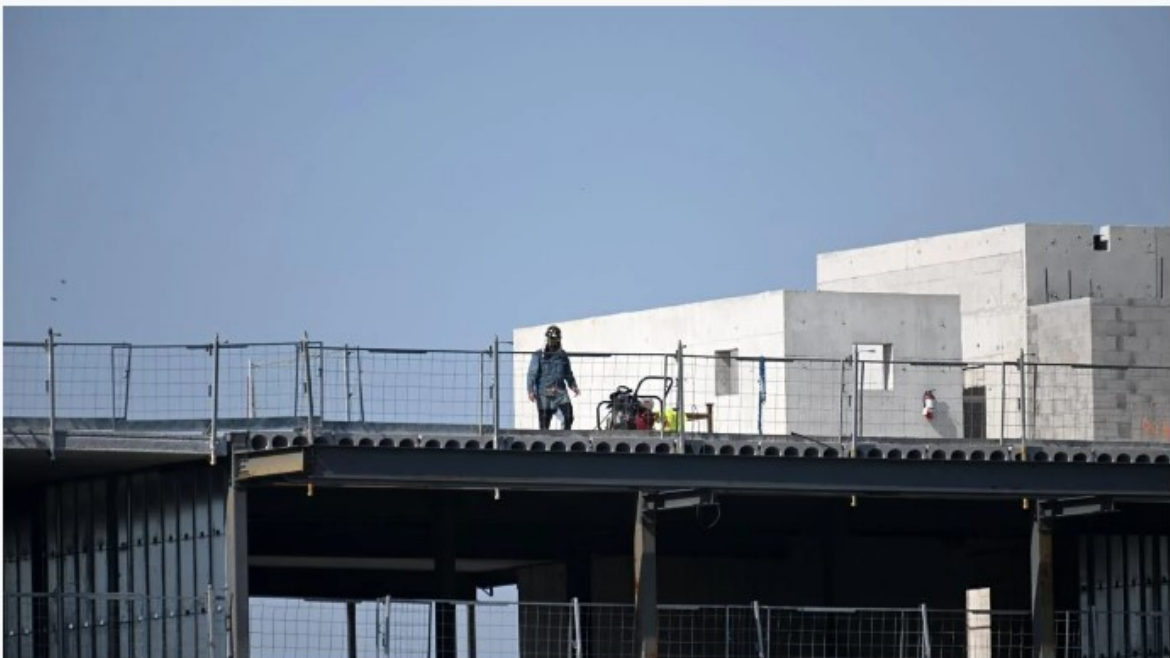


Lack of transparency over Welland condo collapses concerning, MPP says

Niagara Dailies have learned more about two engineers facing Ministry of Labour, Immigration, Training and Skills Development charges in regards to the early 2023 collapses of the Upper Vista Welland condominiums being built by Evertrust Developments. - Oct. 27, 2024



A person walks on the roof of the Upper Vista Welland condominium complex being built on Prince Charles Drive.

Dave Johnson Welland Tribune file photo



By **Allan Benner** Reporter St Catharines Standard

More than a year and a half after partial collapses of a condominium building being erected in Welland, the builder and city say they have yet to learn what went wrong.

And Niagara Centre NDP MPP Jeff Burch is calling for transparency from the Ontario Ministry of Labour, Immigration, Training and Skills Development after it investigated the collapses at the Upper Vista Welland project under construction by Evertrust Developments at 350 Prince Charles Dr.

The building on the west side of the Welland Recreational Canal partially collapsed on Feb. 18, 2023, followed by a second collapse eight days later.

“The lack of transparency is concerning,” Burch said, adding staff at his office have written a letter to the ministry asking for information about the incident to be publicly released.

“I’ll continue to follow up on it until we get transparency,” he said. “It’s important, if we want to avoid something like this happening in the future, that we have full transparency from the ministry.”

Burch said that if his office does not receive a response from the ministry, he will write a followup letter directly to Labour Minister David Piccini, asking him to look into the situation.

Even the developer has yet to receive any reports from the ministry regarding its investigation or about two engineers who face charges as a result, said company spokesperson Joyce Morocco.

“We still haven’t had anything. Could you imagine if we had to wait for the ministry’s report before we started doing any work? My goodness,” she said.

“Let’s face it, this is some legal thing, we don’t want to make any comment.”

Mayor Frank Champion, in a recent interview, also expressed concern about the lack of transparency while awaiting the ministry’s final report on the collapses.

“If it was a technical issue, we should know because it could have implications on construction (in the city),” he said.

Champion did not respond to a request for comment for this story.



Work on the fifth floor of Evertrust Developments' Upper Vista Welland project is underway. Also seen is Seaway Pointe condominiums next door.

Dave Johnson Welland Tribune

Repeated requests for information about the collapses from the Ministry of Labour, Immigration, Training and Skills Development have been denied since they occurred.

Ministry officials initially justified the denials because its investigation was still underway. More recently, requests for information and for the ministry report from its investigations into the collapses have been denied because the matter is now before Provincial Offences Court.

In August, the ministry charged two professional engineers under Ontario's Occupational Health and Safety Act.

The ministry said in an email the two were charged on Aug. 15 under Section 31 (2) "as a professional engineer, did, as a result of advice negligently or incompetently given, endanger a worker or workers at a workplace."

Despite requests for the names of the accused, the Niagara Dailies were not provided that information by the ministry.

Niagara Dailies have filed a request for reports related to the ministry's investigation through the Freedom of Information and Protection of Privacy Act.

After reviewing Provincial Offences Act court records, Niagara Dailies learned the two engineers facing charges under the Occupational Health and Safety Act are Kyler Jones and Alpher Turan.

Jones is listed as president of structural engineering for Mirkwood Engineering on the Burlington-based company's website.

A media release issued by Evertrust on April 18, 2023, providing an update on progress at the Upper Vista Welland condominium following the partial collapses, said Mirkwood was brought on as "engineer of record" as the developer worked to "ensure the highest quality standards" as the project and investigation moved forward.

Mirkwood did not respond to requests for comment last week.

Although the spelling of Turan's first name varies from court records, several websites identify Alper Turan as working for RWH Engineering, a Milton-based company that specializes in soil stabilization and deep foundation design.



"After what happened, this will be the safest building," says a spokesperson for Evertrust Developments.

Dave Johnson Welland Tribune

However, a spokesperson for that firm said it “was not involved in this job, and no further comment” before hanging up the phone.

A search of federal corporation information also lists Turan as lone director of 11506030 Canada Inc., a Waterdown-based company registered on Aug. 9, 2021.

Morocco said Evertrust would not comment when asked how Turan and Jones were involved in the project.

“I think we want to wait and see what the ministry says,” she said. “We were not aware of people being charged, and specifically the name of people in that company.”

Despite the lack of information, Morocco said, Evertrust has no concerns about the safety of the building as work has resumed.

“After what happened, this will be the safest building,” Morocco said, referring to frequent inspections by the ministry and city.

“The City of Welland, their building department will be on this all the time because they’re also the ones who are signing off. And any company coming in there to work is going to be doing this with a fine-tooth comb because they will not want to be held liable for anything, as any developer or company that’s building.”

She said the collapses were a fluke she never imagined could happen, “and it happened here in our region.”

“But then again, not long ago we heard about some building in Toronto that had a collapse and, thank goodness, nobody was hurt,” Morocco added, referring to a building in Kensington Market that was the subject of reporting in August.

The building in Toronto, however, was a decades-old apartment complex that had been deemed unsafe several times since 2014, and has since been demolished.

— With files by Bill Sawchuk



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