

Pickers cannot block pest control, judge rules

Injunction will remain in effect till Wednesday

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STAFF REPORTER

The City of Toronto has been given a four-day window to spray pesticide on the growing piles of garbage at the Christie Pits temporary dumpsite after city lawyers went to court yesterday to obtain an injunction.

After listening to hours of arguments from city and union lawyers in the Ontario Superior Court yesterday, Justice Alison Harvison-Young granted the injunction.

It restrains pickets – both those with striking Local 416 of the Canadian Union of Public Employees and residents – from blocking pest control inspectors from assessing and spraying piles of garbage at the site.

The injunction will remain in effect until 2 p.m. Wednesday.

The city turned to the courts after an inspector contracted by the city was twice barred from entering the dumpsite to spray the site by picketing workers on Friday. This happened despite an order from the city's medical officer of health demanding the spraying take place.

The order was issued after Toronto Public Health officials saw maggots growing in the garbage piles.

"The longer the site is untreated, the infestation will increase exponentially," said Toronto Public Health official Reg Ayre, who testified during the hearing at 361 University Ave. yesterday.

He argued that without spraying for pests, the site could become a health hazard for area residents.

The site hasn't been sprayed since Monday morning; since then contractors have been stopped from entering the site at least five times.

Justice Harvison-Young's decision came as a surprise to residents of Christie Pits, who have been rallying against the presence of the dumpsite and had until now prevented contractors from spraying.

"I really thought it could go either way," said Boris Steipe, who lives near the dumpsite. Steipe was in court to hear the ruling and offer the residents' perspective.

"I find this deeply disturbing," said Steipe. "There is little transparency. Local residents don't know what is being sprayed," he said.

Earlier in court, Steipe had made brief comments stating the environmental and health concerns of local residents.



SARAH DEA/TORONTO STAR

Workers dump garbage at Christie Pits.

"The spraying will mitigate the situation," said Steipe, also a biochemistry professor at the University of Toronto. "But it will not eliminate the risks to health and the environment."

He said the ruling offers little comfort to residents who were told the dumpsite will be shut tonight and will not accept any new garbage. Most residents just want to see the garbage removed from the site altogether.

Spraying has been taking place at most of the other 19 dumpsites across the city with few community problems.

On Friday, the city announced it would be shutting the Christie Pits site tonight because it is at capacity and can hold more refuse.

A similar dumping ground at York Mills Arena was closed Friday. The garbage will stay until the strike ends.

Officials said two other dumpsites near Centennial Arena Community and Wilket Creek/Sunnybrook park would be open.

Justice Harvison-Young said the injunction applied only to the spraying and will not impede normal picketing by striking union members, who nevertheless must allow access for the pest spraying.

Meanwhile, city and striking union negotiators continued their talks yesterday.