

Date: July 3, 2009

**ORDER**Made pursuant to Section 13 of the  
Health Protection and Promotion Act, R.S.O. 1990, Chapter H.7To: City of Toronto  
100 Queen Street West  
Toronto Ontario  
M5H 2N2

Attention: The City Clerk

I, Reg Ayre, a Public Health Inspector for the City of Toronto Health Unit order you to take the following action:

- 1) Commence forthwith the removal and appropriate disposal of all standing water accumulating on the outdoor ice rink pad at the elevated northwest section of Christie Pits, located at 750 Bloor Street West.
- 2) Maintain this temporary garbage storage site free of fly and rodent infestations at all times by ensuring the daily assessment of the site by a licensed pest control contractor and treatment as indicated by this assessment.

**THE REASONS FOR THIS ORDER ARE THAT:**

- 1) I inspected the Christie Pits temporary garbage site on Friday July 3, 2009 at approximately 13H45 and observed that the site was littered in places with exposed putrescible garbage and the hardened surface contained standing water.
- 2) Evidence of an active fly infestation was detected in that fly larvae and adult flies were observed in the exposed putrescible garbage.
- 3) The standing water on the site is impeding the effective and safe application of fly control measures.
- 4) Attempts to undertake pest control measures and to remove the standing water have been prevented by ongoing community and labour picketing activities.

**I am of the opinion on reasonable and probable grounds that:**

- 1) A health hazard exists in the health unit served by me; and
- 2) The requirements specified in the order are necessary in order to decrease the effect of or eliminate the health hazard

**NOTICE**

**TAKE NOTICE THAT** you are entitled to a hearing by the Health Services Appeal and Review Board if you deliver to me and to the Health Services Appeal and Review Board, Health Boards Secretariat, 151 Bloor Street West, 9<sup>th</sup> Floor, Toronto, Ontario, M5S 2T5, notice in writing, requesting a hearing within fifteen (15) days after service of this Order.

**AND FURTHER TAKE NOTICE THAT** although a hearing may be requested, this Order takes effect when it is served on you.



**FAILURE to comply with this Order is an offence for which you may be liable, on conviction, to a fine of not more than \$5,000.00 (for a person) or \$25,000.00 (for a corporation) for every day or part of each day on which the offence occurs or continues.**



.....  
Public Health Inspector C.P.H.I.(C)  
City of Toronto Health Unit  
44 Victoria Street  
Toronto, Ontario  
M5C 1Y2

Served upon: BONITA PIETRANGELO

Date/Time JULY 3, 2009 15h45

Hand delivered by: REN AYRE  
Print full name



ONTARIO  
SUPERIOR COURT OF JUSTICE

The Honourable Madam Justice  
Harvison-Young

) Saturday, the 4<sup>th</sup> day of

)

) July, 2009

BETWEEN:

CITY OF TORONTO

Plaintiff/  
Moving Party

- and -

CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 79, CANADIAN UNION OF  
PUBLIC EMPLOYEES, LOCAL 416, and OTHER PRESENTLY UNIDENTIFIED  
PICKETERS

Defendants/  
Responding Parties

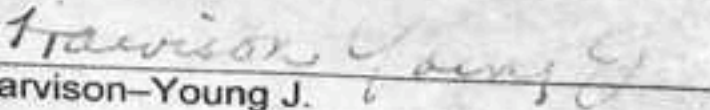
**ORDER**

**THIS MOTION**, made by the Plaintiff for an interlocutory injunction requiring the Defendants, their respective agents, servants and persons acting under their instruction or anyone aiding and assisting them and those to whom notice of the Order shall come to cease and desist from impeding, obstructing or delaying the entry and exit of any person or vehicle into or from the Plaintiff's premises at **750 Bloor Street West, Toronto, Ontario**, also known as Christie Pits (the "Premises") was heard this day at the at the Courthouse located at 361 University Ave., in the City of Toronto, Province of Ontario.



ON READING the Notice of Motion and Factum of the Plaintiff, filed and on hearing the evidence of witnesses and the submissions of counsel for the Plaintiff and counsel for the Defendants,

1. **THIS COURT ORDERS** the Defendants, their respective agents, servants and any persons acting under their instructions, or instructions of any of them, or any other picketers or other persons assisting them or any one of them and those to whom notice of the Order shall come, be restrained, until 2:00 p.m. on Wednesday July 8, 2009, from:
  - (a) unlawfully obstructing, delaying or otherwise impeding access of City employees, servants, agents, citizens; suppliers and/or contractors, or any other persons seeking egress or access to the City of Toronto's property located at 750 Bloor Street West, also known as Christie Pits ("Christie Pits") for the purpose of carrying out the Order of July 3, 2009 made under section 13 of the *Health Protection and Promotion Act*.
2. An Order amending the style of cause in these proceedings to change the name of the Defendant "Canadian Union of Public Employees Union, Local 416" to "Toronto Civic Employees Union, Local 416", and removing Canadian Union of Public Employees, Local 79 as a party to these proceedings.

  
Harvison-Young J.

ENTERED AT / INSCRIT À TORONTO  
ON / BOOK NO.:  
LE / DANS LE REGISTRE NO.:

JUL 04 2009

AS DOCUMENT NO.:  
À TITRE DE DOCUMENT NO.:  
PER / PAR:

