

Time for protest to end, Ford says; Occupy Toronto; Tickets or cold weather might end encampment

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Illustrations: Tyler Anderson, National Post / Protesters at St. James Park say they won't back down.;

Mayor Rob Ford wouldn't say how it might happen, or when, but he left little doubt Wednesday that he would soon be advocating for an end to the three-week Occupy Toronto camp.

"We've had a peaceful protest, but I think it's time we asked them to move on," said the Mayor, who plans to discuss the issue with the police chief. "I'm here to represent the businesses and taxpayers in the city and I'm getting numerous calls. People have told me they've had enough."

Patience ran out in London, Ont., less than 24 hours earlier, when police disbanded a camp there, although many protesters were reported to have returned. In Vancouver, two police officers were bitten by protesters this week and a bucket of urine was dumped on a City of Victoria worker. More violent clashes have been seen at Occupy sites in the United States and Europe.

But the scene at St. James Park Wednesday remained much as it has since the occupation began, with protesters going about their daily business of workshops, general assemblies and telling the media they wouldn't be backing down.

"Before [Rob Ford] makes his plan, come down and give the respect to the taxpayers that he was initially pushing for," said occupant Bryan Batty. "This man wants to just make a back-room plan, where he doesn't consider the voices down there."

He hopes to at least receive a warning before being removed by force, but added: "I can guarantee that there are people that won't go away because they issue a piece of paper."

So would the removal of protesters be preceded by paperwork?

"You can't just say, 'Oh I want you out of here, you're annoying me,'" said councillor Pam McConnell (Toronto Centre-Rosedale), who added that the protest could end if the Mayor declares the site an emergency. Even so, "there's a whole process of going through an emergency," she said. "What we're trying to figure out is if this is an emergency, or have we given them the legal documents to move, because you cannot just go in."

The parks department can also start issuing bylaw infraction tickets to those who are camping out in the park, but ultimately Ms. McConnell believes cold weather will bring the demonstration to a close.

"I understand tempers are frayed, people are getting impatient. But I think this has to be a really tempered, thoughtful, reasonable solution and it must be through communication. It could be very dangerous in this neighbourhood if violence breaks out and we have a riot."

Bruce Engell, a municipal lawyer at the firm Weir Foulds, said since the protesters are camped in a city-owned park, the municipality has a legal recourse to enforce its bylaws.

"If those are being violated, I would expect the city could seek an injunction, and if a court ordered that [the protesters] be removed, then police would enforce that order," Mr. Engell said. "It could be a matter of a few days."

Neighbours also technically have the ability to seek an injunction to enforce city zoning bylaws, but Mr. Engell did not know if that also applied to what happens in parks. It would then be up to a judge to weigh the municipality's concerns about a prolonged encampment versus issues of freedom of expression that would presumably be raised by the protesters, Mr. Engell said. Given that same issue, he said that police would be "unlikely" to take action without a court order.

In the meantime, the waiting game continues, with the City issuing estimates that it will cost \$25,000 to replace the grass that has been trampled by protesters, and expressing concerns that work crews may not be able to get into the park to turn off an irrigation system before pipes freeze.

While some people who work in the area say the protest has not bothered them, others are clearly fed up.

Patrick Murray, for one, didn't have time to discuss the issue. "I've been talking about this for 22 days," said the manager of Starfish Oyster Bed and Grill on Adelaide. "Right now I have to work. Some of us have to get back to work."