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News / GTA

\$23M settlement approved in Sunrise Propane explosion

More than 6,000 people affected by the 2008 disaster will split nearly \$8 million, with the same sum going to the city and insurers.

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ANGELA DELUCIA/THE CANADIAN PRESS

Firefighters work at the scene of a propane explosion at Sunrise Propane on Aug. 10, 2008. Those affected by the disaster will split millions as part of a mediated settlement.

By: Alyshah Hasham Staff Reporter, Tara Deschamps Staff Reporter, Published on Thu Aug 07 2014

The early morning explosions at the Sunrise Propane plant sounded like bombs.

The ceilings in Josephine Schieda's Downsview home collapsed, and as dark mushroom clouds rained poisonous asbestos, thousands were forced to evacuate the area.

Almost exactly six years later, the compensation battle for 6,000 residents, including Schieda, is over.

Late on Thursday afternoon, Superior Court Justice Barbara Conway approved the \$23-million settlement in the class-action lawsuit reached during mediation led by former Chief Justice of Ontario Warren Winkler.

The settlement was "fair, reasonable and in the best interest of the class," ruled Conway.

"We are just delighted and we know that the class will be very grateful to know the claims procedure can start," said Harvin Pitch, one of the lawyers representing the residents.

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Schieda and her home have never been quite the same since Aug. 10, 2008. The house, where she and her husband have lived since 1977 and raised their children, is still undergoing repairs.

“Yeah, that’s great that they come with this settlement, but it’s not going to heal the wounds. I will always have (emotional) scars. I don’t want this to happen to some other poor soul in another area,” the 57-year-old told the Star through tears. “Even the money is not going to make everybody feel better, based on what happened.”

What she wanted — and didn’t get — was someone taking responsibility for what happened.

“I still haven’t heard anyone say, ‘Yeah, it was our fault. Yeah, we did it.’”

The settlement sets aside \$7,909,500 for about 6,000 residents living in the area within Keele St., Dufferin St., Highway 401 and Sheppard Ave.

Class members will be compensated for the number of days they were forced to leave their homes, and for personal injuries, out-of-pocket expenses, loss of income and damages not covered by insurance, said lawyer Ted Charney, who also represented the residents.

“We think the money is going to be quite good in terms of compensating everyone for their individual losses,” he said.

Residents will be able to file claims in the coming months and should have money in their pockets within a year, Charney said.

The settlement also gives the same amount — \$7,909,500 — to insurance companies and the City of Toronto.

The remainder of the settlement will go towards legal fees and costs incurred by the several law firms representing the residents, as well as administrative costs for processing the claims.

Pitch noted that eight property insurance companies objected to the legal fees outlined in the settlement and argued for more money to be allocated to them.

“The judge said that’s ridiculous,” Pitch said.

Sunrise Propane, which is now defunct, contributed its maximum insurance amount of \$9 million. Twelve other defendants, including hose companies and the industry’s self-regulating body, the Technical Standards and Safety Authority, contributed unspecified sums to make up the \$23 million.

Parminder Singh Saini, a 25-year-old worker killed during the blast, was an employee of Sunrise and therefore not eligible to be part of the class-action lawsuit, Charney said. The explosion also claimed the life of off-duty firefighter Bob Leek, who died of a heart attack while responding to the fire.

Last year, Sunrise Propane and two of its directors, Shay Ben-Moshe and Valery Belshov, were found guilty of breaching environmental and worker safety regulations.

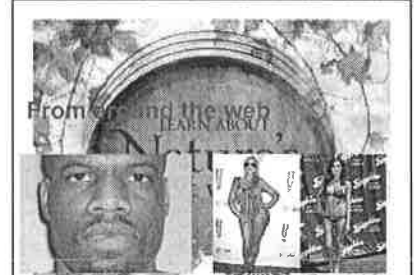
The court found that the explosions occurred during an illegal truck-to-truck propane transfer.

A sentencing hearing continues.

Read more about: Sunrise Propane

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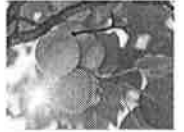
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